

# Colorado Register



**39 CR 3**

**Volume 39 , No. 3**

**February 10, 2016**

# Introduction

The *Colorado Register* is published pursuant to C.R.S. 24-4-103(11) and is the sole official publication for state agency notices of rule-making, proposed rules, attorney general's opinions relating to such rules, and adopted rules. The register may also include other public notices including annual departmental regulatory agendas submitted by principal departments to the secretary of state.

"Rule" means the whole or any part of every agency statement of general applicability and future effect implementing, interpreting, or declaring law or policy or setting forth the procedure or practice requirements of any agency. "Rule" includes "regulation". C.R.S. 24-4-102(15). Adopted rules are effective twenty days after the publication date of this issue unless otherwise specified.

The *Colorado Register* is published by the office of the Colorado Secretary of State twice monthly on the tenth and the twenty-fifth. Notices of rule-making and adopted rules that are filed from the first through the fifteenth are published on the twenty-fifth of the same month, and those that are filed from the sixteenth through the last day of the month are published on the tenth of the following month. All filings are submitted through the secretary of state's electronic filing system.

For questions regarding the content and application of a particular rule, please contact the state agency responsible for promulgating the rule. For questions about this publication, please contact the Administrative Rules Program at [rules@sos.state.co.us](mailto:rules@sos.state.co.us).

# Notice of Proposed Rulemaking

**Tracking number**

2016-00094

**Department**

200 - Department of Revenue

**Agency**

201 - Taxpayer Service Division - Tax Group

**CCR number**

1 CCR 201-4

**Rule title**

SALES AND USE TAX

**Rulemaking Hearing****Date**

03/02/2016

**Time**

09:00 AM

**Location**

1375 Sherman St., Room 127, Denver, CO 80261

**Subjects and issues involved**

The purpose of this amendment is to remove an inaccurate sentence which states that state-administered special districts must levy sales tax on occasional sales by charitable organizations, sales that benefit a Colorado school, and sales by an association or organization of parents and teachers of public school students that is a charitable organization.

**Statutory authority**

39-21-112(1), 39-26-718, 39-26-102, and 39-26-725, C.R.S.

**Contact information****Name**

Phil Horwitz

**Title**

Policy Director

**Telephone**

303-205-8422

**Email**

phillip.horwitz@state.co.us

## **CHARITABLE AND OTHER EXEMPT ORGANIZATIONS**

**39-26-718**

**(1) General Rule.**

- (a) Purchases by charitable organizations are exempt from state sales and use taxes and state-administered local sales and use taxes if the purchases are part of the charitable organization's regular charitable functions and activities.
- (b) Sales by charitable organizations generally are not exempt from sales tax, except for occasional sales, sales where a portion of the purchase price is a donation, and sales by certain school-related entities.
- (c) The following are common situations where the acquisition of property by a charitable organization is not subject to sales tax.
  - (i) The charitable organization does not pay the donor for the donation (sales tax does not apply to transactions when consideration is not paid), or
  - (ii) The purchase was part of its regular charitable function and activity, or
  - (iii) The purchase was made with the intention of reselling the item at a fundraising event, in which case the charitable organization's purchase is exempt as a wholesale purchase for resale.

**(2) Types of Charitable Organizations.**

- (a) Charitable organizations must serve a public rather than a private interest and be organized and operated exclusively for one or more of the following purposes or functions:
  - (i) Religious; to the extent consistent with *Catholic Health Initiatives Colo. v. City of Pueblo*, 207 P.3d 812, (Colo. 2009).
  - (ii) Charitable;
  - (iii) Scientific;
  - (iv) Literary;
  - (v) Educational;
  - (vi) Testing for public safety;
  - (vii) Fostering national or international amateur sports competition, as long as no part of its activities involves providing athletic facilities or equipment;
  - (viii) Preventing cruelty to children or animals;



- (b) *Limited Purpose Charitable Organizations.* A veterans' organization registered under section 501(c)(19) of the Internal Revenue Code of 1986 is a charitable organization only when sponsoring a special event, meeting or other function in the State of Colorado, so long as such event, meeting or function is not part of such organization's regular activities in the state.
- (c) Charitable, as used in (2)(a)(ii) of this rule, is used in its generally accepted legal sense and is, therefore, not to be construed as limited by the separate enumeration of other tax-exempt purposes which may fall within the broad outlines of *charity* as developed by judicial decisions. Charitable includes:
  - (i) Relief of the poor and distressed or of the underprivileged;
  - (ii) Advancement of education or science;
  - (iii) Erection or maintenance of public buildings, monuments, or works;
  - (iv) Lessening of the burdens of government;
  - (v) Care of the sick, infirm, or aged;
  - (vi) Lessen neighborhood tensions;
  - (vii) Eliminate prejudice and discrimination;
  - (viii) Defend human and civil rights secured by law; or
  - (ix) Combat community deterioration and juvenile delinquency.
- (d) Educational, as used in (2)(a)(v) of this rule, relates to:
  - (i) The instruction or training of the individual for the purpose of improving or developing his capabilities; or
  - (ii) The instruction of the public on subjects useful to the individual and beneficial to the community.
- (e) Testing for public safety, as used in (2)(a)(vi) of this rule, includes the testing of consumer products to determine whether they are safe for use by the general public.
- (f) Scientific, as used in (2)(a)(iii) of this rule, includes carrying on of scientific research in the public interest. For research to be scientific, it must be carried on in furtherance of the scientific purpose.
- (g) *IRS 501(c)(3) Certificates.* A charitable organization that holds a 501(c)(3) determination letter from the Internal Revenue Service is provisionally presumed to qualify as a charitable organization that is exempt from Colorado sales and use tax. However, the Department is not bound by an IRS determination of an organization's charitable status, and the Department may independently evaluate whether the entity qualifies as a charitable entity.
- (h) *Religious Organization.* The IRS does not require religious organizations to apply for a 501(c)(3) certificate in order to qualify as a tax-exempt charitable organization. In such cases, the Department will issue a sales tax exemption certificate to a religious charitable

entity, even in the absence of an 501(c)(3) certificate, if the organization has a charitable purpose and meets the conditions set forth below. In lieu of the 501(c)(3) certificate, a religious organization shall provide to the Department a copy of its IRS No Record of Exempt Organization letter and Department Form DR 0716, "Statement of Nonprofit Church, Synagogue, or Organization".

- (i) If the applicant is a religious organization that is an affiliate of a national organization that holds a Colorado exemption certificate, applicant may submit, in lieu of such a determination letter, documentation from the national organization demonstrating that applicant is an affiliate of such organization.
- (i) *Nonprofit Organizations.* An organization that is a nonprofit or an organization that performs some charitable services or provides funding to a qualified charitable organization does not automatically qualify as a charitable organization for sales and use tax purposes. In order to qualify, the organization must be established and operated exclusively for one or more of the charitable purposes listed above. Examples of organizations that do not typically qualify as a charitable organization for purposes of this exemption are nonprofit country clubs, private clubs, employees or social clubs or organizations, nonprofit recreational organizations, lodges, patriotic organizations (veteran organizations have a limited exemption, discussed below), fraternities, sororities, professional and trade associations, civic organizations, labor unions, political organizations, and other nonprofit entities.

**(3) Application for Exemption Certificates.**

- (a) Applicants must submit a completed application for a sales tax exemption certificate and include a copy of the organization's federal 501(c)(3) determination.
- (b) Notwithstanding a determination by the IRS of an applicant's charitable status, the Department may conduct, either before or after the issuance of an exemption certificate, an independent review of whether the organization qualifies as a charitable organization.

**(4) Restrictions on Charitable Organization Activities.**

- (a) *Exclusively.* An organization will be regarded as operating exclusively for one or more exempt purpose only if the organization exclusively engages in activities in furtherance of its exempt purpose. A charitable organization will not lose its exempt charitable status if its non-charitable activities are insubstantial.
  - (i) *Examples.*
    - (A) If the religious organization operates a restaurant or coffee shop for the public unrelated to its charitable propose, then the organization does not qualify for the exemption because this activity is not considered part of the organization's charitable function. Note that sales by a charitable organization are not generally exempt from sales tax. For example, sales by a church in a coffee shop operated on church property are subject to sales tax even if the revenues from such sales are insubstantial, unless the sales qualify under the occasional sale exemption or the donation exemption, discussed below.
    - (B) Providing meals to the poor or homeless for free or below cost is generally considered a charitable activity.

- (b) *Other Restrictions.* A charitable organization, excluding veterans' organizations, is subject to the following limitations in order to qualify for the sales and use tax exemption certificate:
- (i) No part of an organization's net earnings can benefit any private shareholder or individual. Compensation paid by the organization for services rendered, including services performed by employees or officers of the charitable organization, must be reasonable.
    - (A) The fact that an organization charges a fee for its goods or services is not fatal to a claim that it is a charitable organization. However any profit that a charitable organization generates must be used for charitable purposes. Factors that the Department will consider with respect to whether an organization that charges fees is a charitable organization include: (i) whether such fees vary depending on the need of the recipient of the goods or services; and (ii) the extent to which such fees show material reciprocity or *quid pro quo* transactions between the organization and those it serves.
    - (B) Example: A mutual benefit society is an organization whose benefits are available only to its members and/or their beneficiaries and requires payment by its members as a condition to receiving such benefits. A mutual benefit society is not organized for a charitable purpose, and is not a charitable organization exempt from sales and use taxes under this exemption.
  - (ii) No substantial part of an organization's activities can be carrying-on propaganda or otherwise attempting to influence legislation. For example, an organization whose main activity is scientific is not a charitable organization for sales and use tax purposes if a substantial portion of the organization's activities involves dissemination of propaganda that is favorable to its political objectives or consists of lobbying for legislation that supports the organization's activities and mission.
  - (iii) An organization may not participate in, or intervene in, a political campaign on behalf of any candidate for public office (including the publishing or distributing of statements).

(5) **Purchases by Charitable Organizations.**

- (a) Purchases by charitable organizations are exempt from sales and use taxes if the goods or services are used exclusively in the conduct of the charitable organization's regular charitable functions and activities. Purchases must be made directly from the organization's funds and, for purchases over one-hundred dollars, must be made with a check or credit card issued in the organization's name. Purchases made with funds other than the organization's own funds or purchases made with a charitable organization's funds but reimbursed by someone who is not a qualified charitable organization are not exempt from sales or use tax. Whenever a charitable organization purchases tangible personal property (such as cards, food, cars, etc.) that is to be transferred to anyone else for personal use and all or part of the price of the goods is recouped from the user through direct payment, donation or games of chance (but not including a sale), the organization's exempt status does not apply and sales tax must be paid to the vendor by the exempt organization. If such purchases are made outside Colorado or in Colorado without payment of Colorado sales tax, the tax must be paid directly to the Department by the organization.

(i) *Examples.*

- (A) A purchase made on behalf of a charitable organization with a credit card issued in the name of an individual is not exempt.
  - (B) An educational charitable organization's purchase of computers is not exempt if the computers are given to members of the organization who use the computers for their own personal use or who reimburse the organization.
  - (C) An educational institution's purchase of athletic equipment or uniforms is not exempt from sales and use tax if the educational institution is reimbursed for the equipment or uniforms from students or their families.
- (b) *Veterans' Organizations.* Purchases by veterans' organizations that are registered under section 501(c)(19) of the Internal Revenue Code are exempt only if the goods are used for a special event, meeting, or other function that is not part of the organization's regular activities in Colorado. The Department does not issue an exemption certificate to veterans' organizations. Instead, veterans' organizations must apply for a special event license for each special event or function. Veterans' organizations make exempt purchases by presenting the special events license to the vendor. Because veterans' organizations are only a charitable organization when sponsoring a special event, meeting, or other function so long as such event, meeting, or function is not part of the organization's regular activities in this state and because the occasional sales exemption requires that the funds be used in the regular course of the organization's charitable activities, sales by veterans' organizations do not qualify for the occasional sales exemption.

(6) **Donor's Obligation for Sales and Use Tax.**

- (a) A donor who purchases tangible personal property for the purpose of donating it to a charity must pay sales or use tax on the purchase and cannot claim the charitable organization's exemption. The donor cannot claim a sale for resale exemption because the property is donated, not resold, to the charitable organization.
- (b) A retailer who initially makes a wholesale (exempt) purchase of an item for resale (e.g., retailer buys an item for its inventory it plans to resale) and later withdraws that item from inventory and donates it to a charitable organization incurs use tax on the withdrawal from inventory. However, see the cross reference (5) for information on the exemption for donations of manufactured goods by manufacturers.

(7) **Sales by Charitable Organization.**

- (a) *General Rule.* Sales made by charitable organizations are generally not exempt from sales tax, unless the sale qualifies for the occasional sale exemption, as a donation, or for any other exemption that may apply (see paragraphs (8) and (9) of this rule). For that reason, a charitable organization that makes repeated sales of tangible personal property to the public and otherwise meets the definition of a retailer must have a sales tax license and collect and remit tax in the same manner as any other retailer. For example, a charitable organization that operates a gift or book shop, rummage store, or coffee shop must collect sales tax on sales. The fact that the merchandise sold may have been acquired by gift or donation, or that the proceeds are to be used for charitable purposes, does not make the sales exempt from tax.

- (b) *Occasional Sale Exemption.* Occasional sales of taxable tangible personal property by a charitable organization that holds a Colorado exemption certificate are exempt from sales and use taxes. See paragraph (10), below, for information of local taxes. An occasional sale must meet the following criteria:
- (i) The charitable organization conducts sales for a total of twelve days or less during a calendar year, and
    - (A) Each day a sale occurs is counted as an entire day, even if the sale occurs for less than a full day or the organization characterizes a multi-day sale as one event.
  - (ii) The “net proceeds” from all these events do not exceed twenty-five thousand dollars in that calendar year. “Net proceeds” means the total gross receipt(s) minus expenses directly attributable to the event(s).
    - (A) “Directly attributable” generally means those expenses that would not have arisen but for the occurrence of the event and do not include indirect and overhead costs, such as administrative staff wages, insurance unless purchased for the specific event, rent otherwise due even if no event was held, property taxes, and other expenses that would be incurred even in the absence of the event.
    - (B) Payment by the charitable organization to acquire any goods that are later sold at a fundraising event is an expense that is deducted from the gross proceeds to determine net proceeds.
    - (C) When a charitable organization exceeds either threshold described in paragraph (7)(b)(i) or (ii), then all sales that occur in that calendar year are subject to tax, including sales in that calendar year that were previously exempt prior to the date when the threshold was exceeded. Sales tax applies to the gross proceeds, not the net proceeds. The charitable organization must have a sales tax license if and when either of these limits is exceeded.
      - (I) *Example 1.* Charitable organization conducts one auction sale which generates \$30,000 in gross proceeds and \$20,000 in net proceeds. Because neither threshold was exceeded, the charitable organization does not collect, report, or remit sales tax.
      - (II) *Example 2.* Same facts as Example No. 1, but net proceeds are \$26,000. Charitable organization has exceeded the \$25,000 threshold, and, therefore, must collect, report, and remit sales tax on the gross proceeds of \$30,000.
  - (iii) The funds retained by the charitable organization are used in the course of the organization’s charitable service.
  - (iv) *Living accommodations and other taxable services.* The exemption for occasional sales applies only to the sale of tangible personal property. Therefore, sales of taxable services by a charitable organization are subject to tax. For example, a charitable organization conducts a silent auction at which it auctions a weekend rental of a timeshare or hotel room. The sale of living

accommodations is a sale of a service. The sale is subject to state and local sales taxes applicable to where the accommodation is located even if the charitable organization has not exceeded the twelve day or twenty-five thousand dollar thresholds. The sale of the living accommodation is not included in the calculation of the twenty-five thousand dollar threshold.

- (A) If the auction is not conducted in the same state-administered local jurisdiction in which the living accommodation is located, then the charitable organization must register with the Department for the local jurisdiction where the accommodation is located and collect the local sales taxes, including any lodging or local marketing district taxes, applicable to the rental of living accommodations.
- (v) *Goods sold on consignment.* Goods given by a retailer to a charitable organization for sale at a fundraising event with the understanding that the goods will be offered for sale at a minimum price and the minimum price is paid to the retailer, and with the further understanding that the goods would be returned to the retailer if not sold at the event are subject to sales tax on the minimum price even if the twenty-five thousand dollar threshold is not met. For example, a bike shop offers a bike to a charitable organization to be sold at a fundraising auction, but the bike shop requires the charitable organization to pay the bike shop a portion of the purchase price in the event the bike is sold. The charitable organization must collect sales tax from the successful bidder for the payment made to the bike shop, even if the net proceeds from the event do not exceed the twenty-five thousand dollar threshold.
- (c) *Donations.* A portion of the purchase price for a sale made by a charitable organization may be a donation if the amount paid exceeds the fair market value of the good purchased.
  - (i) The exclusion of donations from the tax base applies even if the charitable organization exceeds the twelve day / twenty-five thousand dollar threshold of the occasional sale exemption. This rule also applies to state-administered local sales taxes even if the local tax jurisdiction elected to tax occasional sales of charitable organizations.
  - (ii) The donation amount is not included in the calculation of the twenty-five thousand dollar net proceeds threshold for the occasional sale exemption.
  - (iii) *Examples.*
    - (A) An electronic retailer donates a laptop computer that it sells for \$700 at retail. The charitable organization offers the laptop computer at a silent auction and discloses that the fair market value of the laptop computer is \$700. The winning bid is \$1,000. \$300 is a donation not subject to tax.
    - (B) Charitable organization sells 300 tickets for \$100 for a dinner and silent auction event. This is the charitable organization's only event that calendar year. Organization discloses to ticket purchasers that \$75 of the \$100 ticket price is a donation. Each dinner costs the charitable organization \$10. Charitable organization generates \$33,000 in silent auction gross sale proceeds (\$30,000 derived from the auction of taxable tangible personal property, \$1,000 from the auction of non-taxable services and gift certificates, and \$2,000 from the auction of taxable vacation rentals), \$20,000 in net proceeds from the silent auction, and

\$4,500 from the sale of dinner  $((\$25-\$10) \times 300)$ , for a total in net proceeds of \$24,500. Because the \$75 is a donation and not proceeds from a sale of what would otherwise be taxable goods, the \$22,500  $(\$75 \times 300)$  in donations from ticket sales is not added to the \$24,500 in net proceeds to determine whether the \$25,000 in net proceeds threshold is exceeded. Sales tax is not due on the net proceeds because the charity has not exceeded the \$25,000 threshold. The \$1,000 in non-taxable services and gift certificates and the \$2,000 in taxable living accommodations are excluded from the net proceeds calculations because the services and gift certificates are not taxable and the living accommodations do not qualify under the occasional sales exemption, which applies only to taxable tangible personal property and not taxable services. (Tax must be collected on the living accommodations.)

- (I) *Local Sales Taxes.* If the state-administered local tax jurisdiction in which the sale occurred elected not to exempt occasional sales by charitable organizations, then the local tax applies to the gross proceeds from the sale of dinner and auction items, even if the organization did not exceed the \$25,000 net proceeds threshold, but local tax does not apply to the \$75 per ticket because a donation is not subject to state or local sales taxes.
- (C) Same facts as Example No. 2, except the net proceeds from the auction sale are \$23,000. Because the net proceeds threshold is exceeded  $(\$23,000 + \$4,500)$ , sale tax applies to the gross price, not just the net proceeds, for all dinners  $(\$25 \times 300)$  and to the gross price all of the sales at auction  $(\$30,000 + \$2,000)$ . Sales tax is not collected on the \$1,000 in the sales of non-taxable services and gift cards and not on the \$22,500 in donations.
- (iv) In order to claim a sales tax exemption for a donation included in the buyer's purchase price, the buyer and charitable organization must establish the following:
  - (A) the fair market value of the taxable item or service, and
  - (B) that the buyer knowingly paid in excess of the fair market value with the intent to donate that excess portion of the price to the charitable organization.
- (v) The Department will presume that the price paid for an item sold at auction is the item's fair market value and that the buyer did not knowingly pay in excess of the fair market value. These presumptions can be rebutted by reasonable evidence, such as the price for comparable goods sold by a retailer in its regular course of business and that buyer knew the fair market value of the goods at the time of the purchase. For example, the fair market value of a signed professional sports jersey sold at auction will be presumed to be the price paid by the successful bidder, but the presumption can be rebutted by documentation of the sales price of a comparable signed jersey sold to the public at the professional team's or other retail store.
  - (A) *Examples.*
    - (I) A charitable organization holds a fundraising dinner for which patrons purchase a ticket for \$100 per person. The organization

compiles information that establishes that the fair market value of the dinner is \$25 and the cost per meal is \$10. The organization establishes that purchasers knowingly paid in excess of the fair market value of the item by disclosing to patrons, at the time tickets are sold, that the fair market value of the dinner is \$25 (or that \$75 of the \$100 purchase price is a donation). State sales tax is due on the \$25 if the organization exceeded the \$25,000 net proceeds threshold.

(II) The fair market value of an item sold at auction is not based on the cost to the organization to acquire the item. For example, a donor may donate a set of golf clubs or a night stay at a condominium to the organization to be auctioned at a fundraising event. The fair market value of the golf clubs or room is not zero even though the organization acquired the golf clubs or room for free. The fair market value is the price at which the item would sell on the open market.

(III) A charitable organization holds a fundraising auction. The organization previously conducted concession sales and other fundraising sales for twelve days in the same year. The organization compiles information of the fair market value of each of the items sold at auction. The organization establishes that the purchaser knowingly paid in excess of the fair market value of the item by disclosing the fair market value of the auctioned items to potential bidders prior to bidding. The organization does not collect sales tax on that portion of the purchase price that exceeds the fair market value.

(vi) The Department will presume that any donation that qualifies as a donation for federal income tax purposes also qualifies as a donation for sales tax purposes.

(8) **Parent-Teacher Associations.** Sales by associations or organizations of parents and teachers of public school students are exempt from sales tax if:

- (a) The association or organization is a charitable organization, and;
- (b) The sale proceeds are used for the benefit of a public school, an organized public school activity, or to pay reasonable expenses of the association or organization.
- (c) The exemption does not apply to sales by private schools. However, sales by private schools that qualify as charitable organizations are exempt as occasional sales or are not taxable to the extent the purchase price is a donation, or are exempt pursuant to paragraph 9, below. §39-26-718(1)(c), C.R.S. See paragraph (10), below, for information on local taxes.
- (d) *Occasional Sales Restrictions Do Not Apply.* This exemption applies even if the sale has exceeded the occasional sale exemption threshold (twelve days / twenty-five thousand dollar as discussed in (7)(b) "Occasional Sale Exemption").
  - (i) *Example.* A public school parent-teacher association can raise funds by selling candy exempt from sales tax in order to purchase school sports uniforms. However, if the parent-teacher association is supporting a private school, its sales are taxable, unless the association is a charitable organization for



educational purposes. In addition, if students reimburse the school for the uniforms, then tax must be collected on the amount paid by students.

- (9) **Sales by Public, Private Schools and Supporting Organizations.** Sales by public and private schools and supporting organizations are exempt from sales tax if the conditions described in paragraphs (a) to (d) are met. See paragraph (10), below, for information on local taxes.

- (a) The school is for students in kindergarten through twelfth grade.
- (b) Preschools, trade schools and post-secondary schools do not qualify.
- (c) The sale is made by any of the following:
  - (i) the school;
  - (ii) an association or organization of parents and school teachers;
  - (iii) booster club or other club, group or organization whose primary purpose is to support a school activity; or
  - (iv) a school class, student club, group or organization.

These organizations qualify for this exemption even if they are not charitable organizations. Examples include: concession sales by booster club or a silent auction sales conducted by a parent-teacher association or school are exempt if all the proceeds are donated to the school or school-approved student organization

- (d) All the proceeds from the sale, except the actual cost incurred by a person or entity to acquire the good or service sold, must be donated to the school or school-approved student organization. Actual costs incurred to acquire the goods or services include, payment facility charges (rent for space, furniture or equipment), labor (wages for security, independent contractors, employees), transportation, meals, insurance, and other costs.
- (e) Sales by a parent-teacher association that are not exempt under this paragraph (9) may, nevertheless, be as exempt if the sale meets the requirements for an exempt sale as a charitable organization or as a public school parent-teacher association or organization.
- (f) *Occasional Sales Restrictions do not apply.* This exemption applies even if the sale has exceeded the thresholds for the occasional sale exemption (twelve days / twenty-five thousand dollar as discussed in (7)(b) "Occasional Sale Exemption,").
- (g) Purchases by public schools are exempt from sales tax. §39-26-704(4), C.R.S. Purchases by private schools are not exempt unless the private school is a charitable organization.

- (10) **State-Administered Local Tax Jurisdictions.** State-administered cities and counties have the option to [adopt the following exemptions](#) from sales tax (1) occasional sales by charitable organizations, (2) sales that benefit a Colorado school, and (3) sales by an association or organization of parents and teachers of public school students that is a charitable organization. See, §29-2-105(1)(d)(I)(E), (K), and (L) C.R.S., respectively. However, state-administered special districts, such as the Regional Transportation District, [must always exempt such sales from sales tax in conformity with state sales tax exemptions.](#) ~~must levy sales tax on these exemptions.~~ Unless exempt, charitable organizations are responsible for collecting state-

administered city and county sales taxes for the local jurisdiction in which the sale occurs. If the state-administered city or county taxes occasional sales, then the charitable organization must obtain a Colorado sales tax license prior to such sales so that the organization can report and remit the local sales tax to the Department, even though these sales are exempt from Colorado state sales tax. Home rule cities are not governed by these rules and procedures and should be contacted directly for more information on their procedures

- (11) **Other Tax Exempt Organizations.** Other tax-exempt organizations (including governmental entities) that sell tangible personal property (for example, through a secondhand goods retail store, a fundraiser sales event or routine sales of organization-related items) must obtain a sales tax license and collect all applicable state and local sales taxes.

Cross Reference(s):

1. For a list of state-administered local tax jurisdictions that levy sales tax on occasional sales, see Department publication "Colorado Sales/Use Tax Rates" (DR 1002), available at [www.colorado.gov/revenue/tax](http://www.colorado.gov/revenue/tax) [www.colorado.gov/pacific/tax](http://www.colorado.gov/pacific/tax) > Instructions and Forms > Sales Tax Forms by Number > DR 1002.
2. For a list of home rule cities, see also Department publication "Colorado Sales/Use Tax Rates" (DR 1002).
3. For information on the exemption for donations of manufactured goods by manufacturers, see §39-26-705(2), C.R.S.
4. For additional information on sales related to schools, see §39-26-725, C.R.S.
5. Catholic Health Initiatives Colo. v. City of Pueblo, 207 P.3d 812, (Colo. 2009).

# **COLORADO DEPARTMENT OF REVENUE**

## **STATEMENT OF BASIS AND PURPOSE**

### **1 CCR 201-4**

### **CHARITABLE ORGANIZATIONS**

### **39-26-718**

#### **Basis**

The statutory basis for this rule is §39-21-112(1), §39-26-718, §39-26-102, and §39-26-725, C.R.S.

#### **Purpose**

The purpose of this amendment is to remove an inaccurate sentence which states that state-administered special districts must levy sales tax on occasional sales by charitable organizations, sales that benefit a Colorado school, and sales by an association or organization of parents and teachers of public school students that is a charitable organization. Pursuant to §§ 32-9-119 (2) (a) and 32-13-107 (1)(a), C.R.S., charitable sales that are exempt from the state sales tax are also exempt from any state-administered special district sales tax. Therefore, the amendment makes clear that occasional sales by charitable organizations, sales that benefit a Colorado school, and sales by an association or organization of parents and teachers of public school students that is a charitable organization are also exempt by special districts.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00092

**Department**

200 - Department of Revenue

**Agency**

201 - Taxpayer Service Division - Tax Group

**CCR number**

1 CCR 201-4

**Rule title**

SALES AND USE TAX

**Rulemaking Hearing****Date**

03/02/2016

**Time**

09:00 AM

**Location**

1375 Sherman St., Room 127, Denver, CO 80261

**Subjects and issues involved**

The Department proposes to repeal rule 39-26-705.1 because the rule only cross references another rule.

**Statutory authority**

39-21-112(1) and 39-26-705, C.R.S.

**Contact information****Name**

Phil Horwitz

**Title**

Policy Director

**Telephone**

303-205-8422

**Email**

phillip.horwitz@state.co.us

**~~REGULATION 39-26-705.1~~**

~~(Refer to Regulation 26-102-(21).)~~

# **COLORADO DEPARTMENT OF REVENUE**

## **STATEMENT OF BASIS AND PURPOSE**

**39-26-705.1**  
**1 CCR 201-4**

### **Basis**

The statutory basis for this rule is §39-21-112(1) and §39-26-705, C.R.S.

### **Purpose**

The Department proposes to repeal rule 39-26-705.1 because the rule only cross references another rule.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00093

**Department**

200 - Department of Revenue

**Agency**

201 - Taxpayer Service Division - Tax Group

**CCR number**

1 CCR 201-4

**Rule title**

SALES AND USE TAX

**Rulemaking Hearing****Date**

03/02/2016

**Time**

09:00 AM

**Location**

1375 Sherman St., Room 127, Denver, CO 80261

**Subjects and issues involved**

The Department proposes to repeal rule 39-26-707.1(e) because the rule only cross references another rule.

**Statutory authority**

39-21-112(1) and 39-26-707, C.R.S.

**Contact information****Name**

Phil Horwitz

**Title**

Policy Director

**Telephone**

303-205-8422

**Email**

phillip.horwitz@state.co.us

**~~REGULATION 39-26-707.1(E)~~**

~~Food is defined in C.R.S. 1973, 39-26-102(4.5).~~



# **COLORADO DEPARTMENT OF REVENUE**

## **STATEMENT OF BASIS AND PURPOSE**

**39-26-707.1(e)**

**1 CCR 201-4**

### **Basis**

The statutory basis for this rule is §39-21-112(1) and §39-26-707, C.R.S.

### **Purpose**

The Department proposes to repeal rule 39-26-707.1(e) because the rule only cross references another rule.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00091

**Department**

200 - Department of Revenue

**Agency**

201 - Taxpayer Service Division - Tax Group

**CCR number**

1 CCR 201-4

**Rule title**

SALES AND USE TAX

## Rulemaking Hearing

**Date**

03/02/2016

**Time**

09:00 AM

**Location**

1375 Sherman St., Room 127, Denver, CO 80261

**Subjects and issues involved**

The Department proposes to repeal rule 39-26-703.1 because the rule only cross references another rule.

**Statutory authority**

39-21-112(1) and 39-26-703, C.R.S.

## Contact information

**Name**

Phil Horwitz

**Title**

Policy Director

**Telephone**

303-205-8422

**Email**

phillip.horwitz@state.co.us

**~~REGULATION 39-26-703.1~~**

~~See Regulation (39-)26-102.22. (Duty of Vendor to Collect Tax)~~

# **COLORADO DEPARTMENT OF REVENUE**

## **STATEMENT OF BASIS AND PURPOSE**

**39-26-703.1**

**1 CCR 201-4**

### **Basis**

The statutory basis for this rule is §39-21-112(1) and §39-26-703, C.R.S.

### **Purpose**

The Department proposes to repeal rule 39-26-703.1 because the rule only cross references another rule.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00090

**Department**

200 - Department of Revenue

**Agency**

201 - Taxpayer Service Division - Tax Group

**CCR number**

1 CCR 201-4

**Rule title**

SALES AND USE TAX

**Rulemaking Hearing****Date**

03/02/2016

**Time**

09:00 AM

**Location**

1375 Sherman St., Room 127, Denver, CO 80261

**Subjects and issues involved**

The Department proposes to repeal rule 39-26-204.3 because the rule only cross references another rule.

**Statutory authority**

39-21-112(1) and 39-26-204, C.R.S.

**Contact information****Name**

Phil Horwitz

**Title**

Policy Director

**Telephone**

303-205-8422

**Email**

phillip.horwitz@state.co.us

~~REGULATION 26—204.3.~~

~~(See Regulation 26—108.)~~

# **COLORADO DEPARTMENT OF REVENUE**

## **STATEMENT OF BASIS AND PURPOSE**

**39-26-204.3**

**1 CCR 201-4**

### **Basis**

The statutory basis for this rule is §39-21-112(1) and §39-26-204, C.R.S.

### **Purpose**

The Department proposes to repeal rule 39-26-204.3 because the rule only cross references another rule.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00095

**Department**

200 - Department of Revenue

**Agency**

201 - Taxpayer Service Division - Tax Group

**CCR number**

1 CCR 201-16

**Rule title**

GASOLINE AND SPECIAL FUEL TAX

**Rulemaking Hearing****Date**

03/02/2016

**Time**

09:00 AM

**Location**

1375 Sherman St., Room 127, Denver, CO 80261

**Subjects and issues involved**

The purpose of the amendment to this rule is to clarify language regarding the filing of quarterly claims for refunds.

**Statutory authority**

39-21-112(1) and 39-27-103, C.R.S.

**Contact information****Name**

Phil Horwitz

**Title**

Policy Director

**Telephone**

303-205-8422

**Email**

phillip.horwitz@state.co.us



## REFUNDS OF GASOLINE AND SPECIAL FUEL TAX

### 39-27-103

(1) **Definitions.**

- (a) Account Percentage: a percentage assigned to a particular account, representing the proportion of taxable fuel used for purposes other than the operation of a motor vehicle upon the highways of this state.
- (b) Alternate-Jurisdiction Percentage: an exempt-use percentage used in another state.
- (c) Default Percentage: an exempt-use percentage to be assigned to new account-holders whose activities closely mirror that of the average industry participant.
- (d) Established Account Percentage: an exempt-use percentage previously assigned to an account by the Department of Revenue.
- (e) Industry-Group Proffered Standard: the percentage obtained from an industry association, or other disinterested party.
- (f) Industry Segment: a group of companies or businesses engaged in similar activities using similar vehicles and/or equipment.
- (g) Industry Segment Historical Average: a percentage derived from the historical, non-highway fuel usage of previously established accounts identified as being in the industry.
- (h) Refund Permit Account: an account established for an entity allowing it to claim refunds for exempt use of fuel.
- (i) Refundable Gallons: the account percentage multiplied by the gallons purchased and used for the period.

(2) **Qualifying Fuel.** The gallons included in the percentage calculations, on the refund claims, and in all other aspects of the refund process under §39-27-103, C.R.S. can only be those upon which Colorado motor fuel excise tax was paid. Red-dyed diesel, fuel purchased in another jurisdiction, fuel purchased tax-exempt, and fuel used in vehicles licensed and plated for on-road use in Colorado do not qualify as exempt fuel.

(3) **Establishing the Default Percentage for a Given Industry.**

- (a) Based on the Department of Revenue's determination of the most reliable information, the default percentage shall be:
  - (i) The Industry Segment Historical Average;
  - (ii) An Industry-Group Proffered Standard; or
  - (iii) An Alternate-Jurisdiction Percentage.
- (b) The Department will calculate percentages of exempt and non-exempt fuel ("default percentages") for various industries. These percentages shall be used by the taxpayer

unless the taxpayer demonstrates that a different percentage should apply. The denominator shall be the total amount of fuel used by the industry, excluding any International Fuel Tax Agreement ("IFTA") gallonage, and the numerator shall be the amount of tax paid fuel used by the industry that qualifies for a refund but that excludes any IFTA gallonage. Fuel used for idling or for powering air conditioning and electrical systems on a vehicle are on road uses and, therefore, are not included in the numerator. However, fuel used for a power take off unit mounted on a vehicle for the refrigeration of a trailer while the trailer is attached to the vehicle, for mixing on a truck hauling concrete, or for other similar uses shall be included in the numerator. This ratio is then multiplied by the total amount of fuel purchased, including both exempt and non-exempt fuel, but excludes IFTA gallons.

- (c) The Department of Revenue may update default percentages, should it obtain information deemed to be more reliable.

**(4) Assigning an Account Percentage to a New Account.**

- (a) A default percentage shall be assigned to entities based on activities that closely mirror the average industry participant.
- (b) Otherwise:
  - (i) A weighted average of the relevant industry default percentages shall be assigned to entities whose activities span more than one industry.
  - (ii) Entities whose activities are not representative of established industry segments must provide documentation enabling the Department of Revenue to assign a percentage. Documentation must include information concerning actual use of fuel, equipment used, mileage over the road, miles per gallon, etc. This documentation must span one year of activity.

**(5) Documentation for an Industry-Group Proffered Standard.**

- (a) Proposal documentation shall include:
  - (i) A definition of the segment;
  - (ii) An explanation of typical business operations for the segment;
  - (iii) Identification of the typical equipment used;
  - (iv) Information concerning any seasonal or cyclical events that might affect the industry;
  - (v) An explanation of the measuring method used. Information and testing results provided by a manufacturer may be considered;
  - (vi) Fuel records and other data;
  - (vii) Identification of the period of time involved in the study. To be valid, a period of study must span one year, as well as any relevant cyclical or seasonal patterns.

**(6) Protests of the Assigned Percentage.**

- (a) An applicant may file a protest with the Department of Revenue if the applicant disagrees with the assigned percentage. Supporting documentation must be included with any request for a change of percentage. Documentation must include sufficient information to support an alternative percentage. Documentation must include information concerning actual use of fuel, equipment used, mileage over the road, miles per gallon, etc. This documentation must span one year of activity.
- (b) Subsequent appeal procedures will be handled under the provision of §39-21-104 C.R.S and §39-21-105 C.R.S.

(7) **Audits of Accounts.**

- (a) If the Department of Revenue, through the examination of records concerning actual use of fuel, equipment used, mileage over the road, miles per gallon, etc. of an established account holder, finds that the account has an incorrect percentage, the Department may adjust the percentage both retroactively and prospectively.
- (b) The new percentage shall be arrived at as if a new account were being established.
- (c) The Department may make assessments or issue refunds using a percentage other than the default percentage for any period open for assessment if the default percentage does not fairly reflect the amount of exempt use of fuel.

(8) **Penalty.**

- (a) The Department may suspend, cancel, revoke, or deny a refund permit in accordance with the Colorado Administrative Procedures Act (§24-4-104, C.R.S.).
- (b) A taxpayer cannot claim a refund of gasoline and special fuel taxes purchased during a period in which the taxpayer's refund permit was suspended, cancelled, revoked, or denied, even if the taxpayer is subsequently granted a new or reinstated permit. However, if the taxpayer's application for refund permit is denied for reasons other than making a false statement in the application (e.g., clerical errors) or if the permit is cancelled because no refund claim was submitted for twenty-four consecutive months, then the taxpayer is not prohibited from filing a refund claim for the period the application was denied or cancelled if the taxpayer is subsequently granted a permit and the claim is otherwise valid.
- (c) Applications for a permit or claims for a refund made in violation of statute shall be denied and, as a penalty, the amount so claimed shall also be deducted from any future claim for refund. For example, any applicant for refund who makes a false statement on an application for permit or credit for refund, or submits any invoices on which erasures, changes, alterations, or additions have been made, or that are otherwise incorrect shall be denied and the penalty described above shall be applied.
- (d) The suspension of a refund permit shall be for a period not longer than one year. After the suspension period expires, the permit is automatically reinstated and taxpayer is not required to apply for a new refund permit.
- (e) Except as provided for in (8)(b), a cancellation, revocation, or denial of a refund permit shall be effective for a period of one year after which the taxpayer may apply for a new permit pursuant to (8)(f), below.
- (f) Any taxpayer whose refund permit was cancelled, revoked, or denied may apply for a new refund permit after the effective period of such cancellation, revocation, or denial has

expired. The Department may impose conditions, limitations, and qualifications to the granting of a new refund permit as the Department determines, in the exercise of its discretion, are necessary to ensure the proper administration of taxes. However, if a permit was cancelled because taxpayer had not filed a refund claim for twenty-four consecutive months or if an application was denied as a result of clerical errors, then taxpayer can apply for a new permit at any time.

**(9) Change in Business Operations by an Established Account Holder.**

- (a) Entities whose business operations change, in such a manner that a refund issued under the previously-set percentage would be incorrect, must notify the Department of Revenue.
- (b) The Department will require a new application.
- (c) The new application will be processed, and the previously-held account shall be closed.

**(10) Filing Quarterly Claims.**

- (a) Only one claim can be filed each calendar quarter. Missing gallons on a claim for refund cannot be resubmitted or amended to include those missing gallons if a claim was already filed in that calendar quarter. The missing gallons shall be claimed in a subsequent calendar quarter within twelve months of the date of purchase by including a copy of the prior quarter's claim and showing the missing fuel on such claim. Gallons claimed for refund must be submitted in a claim postmarked within twelve months of the date of purchase or the claim will be denied.
- (b) [Except in the case of a first time applicant for a permit, a taxpayer cannot file a claim for refund for any period unless taxpayer holds a refund permit at the time of filing the claim for refund. However, if the taxpayer's application for refund permit is denied for reasons other than making a false statement in the application \(e.g., clerical errors\) or if the permit is cancelled because no refund claim was submitted for twenty-four consecutive months, then the taxpayer is not prohibited from filing a refund claim for the period the application was denied or cancelled if the taxpayer is subsequently granted a permit and the claim is otherwise valid.](#)

**(11) Taxpayers Holding International Fuel Tax Agreement (IFTA) Licenses.**

- (a) Taxpayers may separately file a claim for refund for nontaxable fuel used in Colorado in an IFTA-plated vehicle. Such a claim must demonstrate the actual amount of fuel used in Colorado in taxable and nontaxable applications. Taxpayers wishing to receive a refund on fuel placed in the ordinary fuel tank of a vehicle whose miles are reported on an IFTA return must obtain an account with the Department specifically for this purpose.
- (b) Taxpayers wishing to receive a refund on fuel placed in the ordinary fuel tank of a vehicle whose miles are reported on an IFTA return, and also receive a refund on fuel used in other equipment, must file two separate refund claims – one for IFTA gallons described in this paragraph (11), and one for non-IFTA gallons described in paragraphs (1) through (10) of this rule. Taxpayers must separate each reported activity.
- (c) Gallons used in an IFTA-plated vehicle are not eligible for a refund using the industry default percentage as defined in paragraphs (1) through (9) of this rule.
- (d) Out-of-state IFTA licensees holding an account upon which they shall receive a refund of fuel placed in the ordinary fuel tank of a vehicle whose miles are reported on an IFTA

return must attach a copy of the corresponding IFTA return to each quarterly claim for refund.

- (e) For the purposes of this regulation, the ordinary fuel tank of a vehicle is that which is drawn upon to propel the vehicle down the road.

(12) **Invoice Record-Retention Requirements.**

- (a) Invoices are the delivery tickets issued at the time of the sale and delivery. Billing invoices prepared subsequent to the sale and delivery of the fuel are not acceptable, unless accompanied by a delivery ticket. Invoices must be retained for a period of three years from the date of the purchase of the fuel or the date of the refund claim, whichever is later. These invoices must be available for audit or review upon request by the Department.
- (b) Invoices must show the following information:
  - (i) Dealer's name and address, and the address of the delivery;
  - (ii) Purchaser's name and address;
  - (iii) Correct date of sale and delivery, as to month, day, and year;
  - (iv) Bill of lading number, if applicable;
  - (v) Delivery ticket number;
  - (vi) Type and quantity of gasoline or special fuel sold;
  - (vii) Price per gallon, total amount of Colorado tax, and total amount paid.

# **COLORADO DEPARTMENT OF REVENUE**

## **STATEMENT OF BASIS AND PURPOSE**

### **REFUNDS OF GASOLINE AND SPECIAL FUEL TAXES**

**39-27-103**

**1 CCR 201-16**

#### **Basis**

The basis for this rule is §39-21-112(1) and §39-27-103, C.R.S.

#### **Purpose**

The purpose of the amendment to this rule is to clarify language regarding the filing of quarterly claims for refunds. Specifically, the statute makes clear that a first time applicant for a refund permit is allowed to file a claim for refund without first obtaining a refund permit. As the regulation is currently written, it does not account for a first time applicant making a claim for refund without a refund permit. In addition, this amendment makes clear that if the refund permit is denied for reasons other than making a false statement in the application or if the permit is cancelled because no refund claim was submitted for twenty-four consecutive months, then the taxpayer is not prohibited from filing a refund claim for the period the application was denied or refund permit was cancelled if the taxpayer is subsequently granted a permit and the claim is otherwise valid.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00048

**Department**

200 - Department of Revenue

**Agency**

204 - Division of Motor Vehicles

**CCR number**

1 CCR 204-10

**Rule title**

TITLES AND REGISTRATIONS

**Rulemaking Hearing****Date**

03/10/2016

**Time**

02:00 PM

**Location**

1881 Pierce Street, Lakewood, CO 80214, Rm 110 (Board/Commissions Meeting Room)

**Subjects and issues involved**

The purpose of this rule is to establish requirements for obtaining a Colorado certificate of title for a motor vehicle that has been abandoned at a Motor Vehicle Repair Facility.

**Statutory authority**

The statutory bases for this rule are 38-20-116, 42-1-204, 42-6-102, 42-6-104, 42-6-115(3)(a), 42-6-116, 42-6-136, 42-6-136.5, 42-6-137, and 42-9-102, C.R.S.

**Contact information****Name**

Noelle Peterson

**Title**

Training Supervisor

**Telephone**

303-205-5761

**Email**

noelle.peterson@state.co.us

# DEPARTMENT OF REVENUE

## Division of Motor Vehicles – Title and Registration Section

### 1 CCR 204-10

#### **RULE 10. ~~DISPOSITION OF OBTAINING TITLE FOR A MOTOR VEHICLES~~ ABANDONED AT A MOTOR VEHICLE REPAIR ~~SHOPS FACILITY~~**

**Basis:** The statutory bases for this rule are 38-20-116, 42-1-204, 42-6-102, 42-6-104, 42-6-115(3)(a), 42-6-116, 42-6-136, 42-6-136.5, 42-6-137, and 42-9-102, C.R.S.

**Purpose:** The purpose of this rule is to establish requirements for obtaining a Colorado certificate of title for a motor vehicle that has been abandoned at a Motor Vehicle Repair Facility.

#### **1.0 Definitions**

- 1.1 “Abandoned Motor Vehicle” for the purposes of this rule means the same as it is defined in 38-20-116(2.5)(b), C.R.S.
- 1.2 “Last Good Faith Effort” for the purpose of this rule means notifying the vehicle owner as required pursuant to 38-20-116(2), C.R.S.
- 1.3 “Motor Vehicle Repair Facility” means the same as it is defined in 42-9-102(3), C.R.S.
- 1.4 “Work Day” for the purposes of this rule means Monday through Friday, excluding Colorado State Government recognized holidays.
- 1.5 “Work Order” means the same as it is defined in 42-9-102(6), C.R.S.

#### **2.0 Requirements**

- 2.1 A Motor Vehicle Repair Facility in possession of an Abandoned Motor Vehicle may obtain a Colorado certificate of title in its name by completing the steps below. The below steps are the recommended order of completion, the Motor Vehicle Repair Facility may complete the steps in any order, but all steps must be completed before the Motor Vehicle Repair Facility can obtain a Colorado certificate of title in its name.

- a. Complete a title record search pursuant to 38-20-116(2.5)(c)(III), C.R.S.
  - i. If the Abandoned Motor Vehicle is a motor vehicle registered in Colorado, submit form DR 2489A Motor Vehicle Record Requestor Release And An Affidavit of Intended Use and attach thereto a copy of the Work Order.
    - 1. A certified Vehicle Identification Number (VIN) inspection may be submitted in lieu of a Work Order when the Work Order is not available.
  - ii. If the Abandoned Motor Vehicle is registered in another jurisdiction, a title and lien search from the other jurisdiction is required. The results of that search shall be submitted with the application for a Colorado certificate of title.
- b. Notify the owner(s) and all lienholders in accordance with subsection 38-20-116(2.5)(c)(IV), C.R.S.



- c. Complete a certified VIN inspections pursuant to 38-20-116(2.5)(c)(II)(A) and (B), C.R.S. on form DR 2704 Colorado Certified VIN Inspection.
- d. Establish the retail fair market value of the Abandoned Motor Vehicle pursuant to section 38-20-116(2.5)(c)(I), C.R.S.
- e. Purchase a surety bond pursuant to 42-6-115(3)(a) and 38-20-116(2.5)(c)(V), C.R.S.
- f. Disclose current or previous salvage information.
- i. If the Colorado certificate of title record search indicates the Abandoned Motor Vehicle is branded as salvage, the DR 2704 Colorado Certified VIN Inspection form must indicate that the Abandoned Motor Vehicle is "Not Roadworthy".
  - 1. If an Abandoned Motor Vehicle previously having a salvage brand has been repaired to a roadworthy condition, the Motor Vehicle Repair Facility may apply for a Colorado rebuilt from salvage certificate of title by completing the requirements listed in form DR 2415 Rebuilt Title Established by Salvage Title Checklist and completing form DR 2424 Salvage Title Statement of Fact indicating what repairs were made to the Abandoned Motor Vehicle to bring it to a roadworthy condition as defined in section 42-6-102(15), C.R.S.
    - a. After making repairs to bring the branded salvage Abandoned Motor Vehicle to a roadworthy condition, a new form DR 2704 Colorado Certified VIN Inspection must be submitted with the application for Colorado certificate of title.
  - 2. If the salvage branded Abandoned Motor Vehicle is not repaired to a roadworthy condition, the Motor Vehicle Repair Facility may apply for a salvage branded title using form DR 2410 Application for Salvage Title or Nonrepairable Title.
  - 3. If the Colorado certificate of title record search indicates that the Abandoned Motor Vehicle was branded as "Previous Salvage (Rebuilt from Salvage)" and the form DR 2704 indicates that the Abandoned Motor Vehicle is roadworthy, the Motor Vehicle Repair Facility must request a salvage history on the Abandoned Motor Vehicle from the Department.
    - a. Upon determination of the reason for the vehicle being branded salvage, the Motor Vehicle Repair Facility must complete form DR 2710 Branded Title Disclosure Statement.
    - b. If the reason for the vehicle being branded salvage is indeterminate, the Motor Vehicle Repair Facility must complete form DR 2710 Branded Title Disclosure Statement, marking the "Other" box on the form and must write "Purchased as an abandoned vehicle, unable to obtain a salvage history, reason for salvage unknown" in the space provided to the right of the "Other" box.
- g. Complete form DR 2438 Storage Lien Bond Statement Guide or form DR 2444 Statement of Fact, providing the information required pursuant to section 38-20-116(c)(VI), C.R.S.

- 2.2 After completion of all steps in paragraph 2.1 above, the Motor Vehicle Repair Facility may apply for a Colorado certificate of title or salvage branded title. The application and related forms must be filed in the name of the Motor Vehicle Repair Facility, and in the county where the Motor Vehicle Repair Facility is located. The County Clerk and Recorder will issue the Colorado certificate of title in the Motor Vehicle Repair Facilities name using the previous title code of "BOS REP" (Bill of Sale Repair Facility) and assess the appropriate fees pursuant to 42-6-137, C.R.S.
- a. An Abandoned Motor Vehicle with a retail fair market value of less than \$200.00 can be sold only for the purposes of junking, scrapping, or dismantling. No certificate of title will be issued. The sale must be executed in accordance with subsection 38-20-116(2.5)(c)(VII)(B), C.R.S.
- 2.3 After the Motor Vehicle Repair Facility has obtained a Colorado certificate of title for the Abandoned Motor Vehicle, the vehicle must be sold in a commercially reasonable manner pursuant to section 38-20-116(d)(I), C.R.S.

### **3.0 Agents Acting on Behalf of the Motor Vehicle Repair Facility**

- 3.1 An agent may obtain title to an Abandoned Motor Vehicle in a Motor Vehicle Repair Facility's name upon presenting a Power of Attorney or Permission Letter authorizing the agent to act on the Motor Vehicle Repair Facility's behalf.
- 3.2 The Permission Letter listed in paragraph 3.1 must include the make, model, model year, and VIN of the Abandoned Motor Vehicle; the business name, address, and telephone number of the Motor Vehicle Repair Facility; and a statement that "[Name of Motor Vehicle Repair Facility] hereby authorizes [agent's name] to act on my behalf in processing the title application for the above-referenced motor vehicle." The permission letter must be either (1) signed under penalty of perjury or (2) notarized.

~~Basis: The statutory bases for these regulations are sections 38-20-116(2.5)(e), 42-4-2104, 42-4-2109, 42-6-104 and 42-6-136 C.R.S.—~~

~~Purpose: The following rules and regulations are promulgated to establish requirements for processing of certificates of title for vehicles that have been abandoned at a motor vehicle repair shop.~~

**Definitions:**

~~Abandoned Motor Vehicle—a motor vehicle:~~

- ~~(1) that has been left at a repair shop by the motor vehicle's owner, the owner's agent, or an operator hired by the owner or owner's agent;~~
- ~~(2) that the repair shop has offered to repair and for which the repair shop has prepared an estimate of repair costs;~~
- ~~(3) that the owner or the owner's agent has refused to authorize repairs to, has refused to pay for authorized and completed repairs to, or has refused to remove from the repair shop upon request. If a repair shop is unable, despite good faith efforts, to obtain a response from the owner or the owner's agent regarding the authorization of repairs, payment for authorized and completed repairs, or the removal of a motor vehicle, the owner or owner's agent shall be deemed to have refused to authorize repairs, pay for authorized and completed repairs, or remove the motor vehicle.~~
- ~~(4) that is not the subject of sale negotiations or a sale agreement between the owner or the owner's agent and the repair shop.~~

~~Department—the Department of Revenue, Division of Motor Vehicles (DMV).~~

~~Operator—a person or firm licensed by the Public Utilities Commission (PUC) as a towing operator, which includes auto parts recyclers that tow vehicles for remuneration.~~

~~Repair Shop—a person or firm that offers major motor vehicle repair services of more than one thousand dollars in value per motor vehicle repair to the public on a commercial basis and complies with all federal, state, county and municipal laws that require the person or firm to possess business or tax licenses.~~

~~Salvage Certificate of Title—a document issued under the authority of the director to indicate ownership of a salvage vehicle.~~

~~Salvage Vehicle—any motor vehicle as defined in section 42-6-102 (10) and (23), which is damaged as defined by section 42-6-102 (17) which shall include any reference to “salvage vehicle” or “salvage motor vehicle”.—~~

- ~~1. This process may be followed by repair shop owners for those vehicles that have an appraised value of two thousand dollars or less and have been abandoned at their facility.~~
- ~~2. If a tow operator is also an owner of a repair shop, an abandoned vehicle must be processed in accordance with the terms of the abandonment. If the vehicle was abandoned on private property, the vehicle must be processed in accordance with the requirements of 42-4-2102 CRS. If the vehicle is abandoned at a repair shop and meets the specified requirements, the vehicle must be processed in accordance with the requirements of 42-4-2104.5 CRS.~~

- ~~3. A copy of the repair order will be required to substantiate that an estimate of repair costs was completed.~~
- ~~4. The repair shop shall conduct or cause to be conducted an appraisal of the vehicle not less than fifteen days nor more than thirty days from the date that the owner or owner's agent refused to authorize repairs, pay for completed repairs or remove the vehicle from the repair shop upon request. The appraisal must be conducted by a licensed Colorado dealer. If the repair shop owner is also a licensed Colorado dealer, he may conduct the appraisal on a vehicle that has been abandoned at his repair shop.~~
- ~~5. The vehicle will be considered abandoned if the vehicle owner or the vehicle owner's agent does not respond to the repair shop within five working days from the last "good faith effort" made by the repair shop to contact the owner.~~
- ~~6. For purposes of this procedure, a "good faith effort" is defined as mailing a certified letter which includes a copy of the repair order and notification that if the repair shop does not receive a response within ten working days from the postmark date of the certified letter, the vehicle will be considered abandoned and will be subject to sale.~~
- ~~7. The vehicle must be appraised at \$2,000.00 or less to follow this procedure. If the vehicle is appraised for \$2,001.00 or more, the Mechanic and Storage Lien procedure must be completed to obtain a Colorado certificate of title.~~
- ~~8. The requirement for notification to the Department by a repair shop upon a vehicle becoming abandoned at a repair shop shall be satisfied by the repair shop owner initiating a search through the State website.~~
- ~~9. Repair shop owners shall notify the law enforcement in accordance with Part 21, Article 4 of Title 42 C.R.S.~~
- ~~10. Report of the abandonment of the motor vehicle shall be conducted no later than ten working days following notification from law enforcement that the vehicle has not been reported stolen, and a case number has been assigned. This report must be conducted electronically through the Department's internet communication. The Department will not provide printed forms. The search is not considered complete until the repair shop receives a Colorado record or verification from the Department that no Colorado record exists.~~
- ~~11. Notification must be mailed to all addresses recorded in the Department's records in addition to the address on the repair order if it is different.~~
- ~~12. The repair shop must make a reasonable effort to obtain out-of-state owner and lienholder information if there is any indication that the vehicle is registered in another state. For purposes of this procedure, a reasonable effort is considered obtaining a record search from the state of which the vehicle appears to be registered.~~
- ~~13. A sale must be commercially reasonable in accordance with 42-4-2104.5, C.R.S. Commercially reasonable is defined as a good faith attempt to dispose of the item to the parties' mutual best advantage. A sale is not commercially reasonable if the vehicle's appraisal value is more than \$200.00 and is sold to an officer or partner of the repair shop or to any other person with a proprietary interest in the repair shop.~~
- ~~14. Upon the sale and application for title of a vehicle appraised for \$2,000.00 or less and more than \$200.00 whose model year is less than six years, a salvage title must be issued.~~

~~15. Upon the sale of the vehicle, the repair shop shall provide the purchaser with a Motor Vehicle Bill of Sale (DR2146), the original of the report (DR2147), a copy of the title search results including a copy of the e-mail verification when no record is found, a copy of the repair order, a copy of the certified letter – return receipt requested, the original Vehicle Identification Number verification and the appropriate application for title.~~

~~16. Upon receiving record search information from the department, if the record indicates that the vehicle is salvage and the vehicle appears to have been made roadworthy, the repair shop owner shall disclose to the buyer that the vehicle has a salvage title record, and that no repairs have been made by the repair shop to make the vehicle roadworthy. The buyer shall follow the established procedure to apply for a roadworthy title. The buyer shall complete a DR2424 Salvage Title Statement of Fact by stating that the vehicle was purchased from a repair shop as a vehicle abandoned at a repair shop and that no repairs have been made. All subsequent title applications will indicate the same information on the DR2710, Rebuilt from Salvage Disclosure. If the repair shop has made the repairs required for the vehicle to be deemed roadworthy, the buyer will complete the DR2424 Salvage Title Statement of Fact to indicate what repairs were made and that they were made by the repair shop.~~

~~If the vehicle is in salvage condition and/or less than six model years old at the time of sale, as determined and disclosed in writing by the repair shop owner and appraised for more than \$200.00, the buyer must apply for a salvage title and state that the vehicle was purchased as an abandoned vehicle from a repair shop. Repair shop owners are required to disclose to the buyer that the vehicle is a salvage vehicle. However, because the vehicle was abandoned and there are no records to indicate the reason for salvage, repair shop owners will not be required to disclose the reason for the salvage designation.~~

~~If the record obtained from the department indicates that the vehicle was previously salvage, the repair shop owner shall make all reasonable attempts to determine the cause of the salvage designation. A reasonable attempt is considered obtaining a title history to determine the reason for salvage. Once the reason for salvage has been determined, the repair shop owner will complete the DR2710 Rebuilt from Salvage Disclosure to provide the salvage information. If the reason for salvage is indeterminate, the repair shop owner will complete the DR2710 by marking the box "vehicle abandoned at a repair shop" and stating "purchased as an abandoned vehicle at a repair shop, reason for salvage unknown".~~

~~17. Access to the Department's electronic system requires registration with the Department pursuant to 42-4-1806 (2)(a) C.R.S.~~

~~18. All searches of the electronic system will require the statutory search fee pursuant to 42-1-206 (2)(a). These fees will be collected through a billing process determined by the department. Failure to remit payment required for services provided may result in suspension of access of the department's electronic system.~~

~~19. The electronic system registration and billing process will be completed as determined by the department.~~

~~20. Repair shop owners shall utilize the electronic system provided by the department to obtain the owner and lienholder information of abandoned vehicles. Use of the electronic system shall only be for the purpose of obtaining required information to process vehicles abandoned at their repair shop. Repair shop owners must register with the Department for use of the electronic system. A separate repair shop registration will be required for those repair shop owners that are registered with the Department as a tow operator.~~

~~21. If the vehicle does not sell within the time frames as defined in 42-4-2104.5, no additional fees or charges may apply.~~

# DEPARTMENT OF REVENUE

## Division of Motor Vehicles – Title and Registration Section

### 1 CCR 204-10

#### **RULE 10. OBTAINING TITLE FOR A MOTOR VEHICLE ABANDONED AT A MOTOR VEHICLE REPAIR FACILITY**

**Basis:** The statutory bases for this rule are 38-20-116, 42-1-204, 42-6-102, 42-6-104, 42-6-115(3)(a), 42-6-116, 42-6-136, 42-6-136.5, 42-6-137, and 42-9-102, C.R.S.

**Purpose:** The purpose of this rule is to establish requirements for obtaining a Colorado certificate of title for a motor vehicle that has been abandoned at a Motor Vehicle Repair Facility.

##### **1.0 Definitions**

- 1.1 “Abandoned Motor Vehicle” for the purposes of this rule means the same as it is defined in 38-20-116(2.5)(b), C.R.S.
- 1.2 “Last Good Faith Effort” for the purpose of this rule means notifying the vehicle owner as required pursuant to 38-20-116(2), C.R.S.
- 1.3 “Motor Vehicle Repair Facility” means the same as it is defined in 42-9-102(3), C.R.S.
- 1.4 “Work Day” for the purposes of this rule means Monday through Friday, excluding Colorado State Government recognized holidays.
- 1.5 “Work Order” means the same as it is defined in 42-9-102(6), C.R.S.

##### **2.0 Requirements**

- 2.1 A Motor Vehicle Repair Facility in possession of an Abandoned Motor Vehicle may obtain a Colorado certificate of title in its name by completing the steps below. The below steps are the recommended order of completion, the Motor Vehicle Repair Facility may complete the steps in any order, but all steps must be completed before the Motor Vehicle Repair Facility can obtain a Colorado certificate of title in its name.

- a. Complete a title record search pursuant to 38-20-116(2.5)(c)(III), C.R.S.
  - i. If the Abandoned Motor Vehicle is a motor vehicle registered in Colorado, submit form DR 2489A Motor Vehicle Record Requestor Release And An Affidavit of Intended Use and attach thereto a copy of the Work Order.
    - 1. A certified Vehicle Identification Number (VIN) inspection may be submitted in lieu of a Work Order when the Work Order is not available.
  - ii. If the Abandoned Motor Vehicle is registered in another jurisdiction, a title and lien search from the other jurisdiction is required. The results of that search shall be submitted with the application for a Colorado certificate of title.
- b. Notify the owner(s) and all lienholders in accordance with subsection 38-20-116(2.5)(c)(IV), C.R.S.

- c. Complete a certified VIN inspections pursuant to 38-20-116(2.5)(c)(II)(A) and (B), C.R.S. on form DR 2704 Colorado Certified VIN Inspection.
- d. Establish the retail fair market value of the Abandoned Motor Vehicle pursuant to section 38-20-116(2.5)(c)(I), C.R.S.
- e. Purchase a surety bond pursuant to 42-6-115(3)(a) and 38-20-116(2.5)(c)(V), C.R.S.
- f. Disclose current or previous salvage information.
- i. If the Colorado certificate of title record search indicates the Abandoned Motor Vehicle is branded as salvage, the DR 2704 Colorado Certified VIN Inspection form must indicate that the Abandoned Motor Vehicle is "Not Roadworthy".
  - 1. If an Abandoned Motor Vehicle previously having a salvage brand has been repaired to a roadworthy condition, the Motor Vehicle Repair Facility may apply for a Colorado rebuilt from salvage certificate of title by completing the requirements listed in form DR 2415 Rebuilt Title Established by Salvage Title Checklist and completing form DR 2424 Salvage Title Statement of Fact indicating what repairs were made to the Abandoned Motor Vehicle to bring it to a roadworthy condition as defined in section 42-6-102(15), C.R.S.
    - a. After making repairs to bring the branded salvage Abandoned Motor Vehicle to a roadworthy condition, a new form DR 2704 Colorado Certified VIN Inspection must be submitted with the application for Colorado certificate of title.
  - 2. If the salvage branded Abandoned Motor Vehicle is not repaired to a roadworthy condition, the Motor Vehicle Repair Facility may apply for a salvage branded title using form DR 2410 Application for Salvage Title or Nonrepairable Title.
  - 3. If the Colorado certificate of title record search indicates that the Abandoned Motor Vehicle was branded as "Previous Salvage (Rebuilt from Salvage)" and the form DR 2704 indicates that the Abandoned Motor Vehicle is roadworthy, the Motor Vehicle Repair Facility must request a salvage history on the Abandoned Motor Vehicle from the Department.
    - a. Upon determination of the reason for the vehicle being branded salvage, the Motor Vehicle Repair Facility must complete form DR 2710 Branded Title Disclosure Statement.
    - b. If the reason for the vehicle being branded salvage is indeterminate, the Motor Vehicle Repair Facility must complete form DR 2710 Branded Title Disclosure Statement, marking the "Other" box on the form and must write "Purchased as an abandoned vehicle, unable to obtain a salvage history, reason for salvage unknown" in the space provided to the right of the "Other" box.
- g. Complete form DR 2438 Storage Lien Bond Statement Guide or form DR 2444 Statement of Fact, providing the information required pursuant to section 38-20-116(c)(VI), C.R.S.



- 2.2 After completion of all steps in paragraph 2.1 above, the Motor Vehicle Repair Facility may apply for a Colorado certificate of title or salvage branded title. The application and related forms must be filed in the name of the Motor Vehicle Repair Facility, and in the county where the Motor Vehicle Repair Facility is located. The County Clerk and Recorder will issue the Colorado certificate of title in the Motor Vehicle Repair Facilities name using the previous title code of "BOS REP" (Bill of Sale Repair Facility) and assess the appropriate fees pursuant to 42-6-137, C.R.S.
- a. An Abandoned Motor Vehicle with a retail fair market value of less than \$200.00 can be sold only for the purposes of junking, scrapping, or dismantling. No certificate of title will be issued. The sale must be executed in accordance with subsection 38-20-116(2.5)(c)(VII)(B), C.R.S.
- 2.3 After the Motor Vehicle Repair Facility has obtained a Colorado certificate of title for the Abandoned Motor Vehicle, the vehicle must be sold in a commercially reasonable manner pursuant to section 38-20-116(d)(I), C.R.S.

### **3.0 Agents Acting on Behalf of the Motor Vehicle Repair Facility**

- 3.1 An agent may obtain title to an Abandoned Motor Vehicle in a Motor Vehicle Repair Facility's name upon presenting a Power of Attorney or Permission Letter authorizing the agent to act on the Motor Vehicle Repair Facility's behalf.
- 3.2 The Permission Letter listed in paragraph 3.1 must include the make, model, model year, and VIN of the Abandoned Motor Vehicle; the business name, address, and telephone number of the Motor Vehicle Repair Facility; and a statement that "[Name of Motor Vehicle Repair Facility] hereby authorizes [agent's name] to act on my behalf in processing the title application for the above-referenced motor vehicle." The permission letter must be either (1) signed under penalty of perjury or (2) notarized.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00088

**Department**

200 - Department of Revenue

**Agency**

204 - Division of Motor Vehicles

**CCR number**

1 CCR 204-30

**Rule title**

DRIVER LICENSE-DRIVER CONTROL

**Rulemaking Hearing****Date**

03/02/2016

**Time**

10:00 AM

**Location**

1881 Pierce Street, Lakewood, CO 80214, Rm 110 (Board/Commissions Meeting Room)

**Subjects and issues involved**

The following rule is promulgated to provide a list of documents recognized by the federal government to prove lawful presence, and to establish a waiver process to ensure that those persons seeking federal public benefits or state and local public benefits, who prove lawful presence in the United States, receive authorized public benefits.

**Statutory authority**

This rule is promulgated under the authority of section 24-76.5-103, C.R.S.

**Contact information****Name**

Rob Baker

**Title**

Support Services Manager

**Telephone**

303-205-8391

**Email**

robertm.baker@state.co.us

## DEPARTMENT OF REVENUE

### ~~Taxpayer Service Division – Tax Group~~

### ~~RULES FOR EVIDENCE OF LAWFUL PRESENCE~~

#### ~~1 CCR 201-17-204-30 – Rule 5~~

*[Editor's Notes follow the text of the rules at the end of this CCR Document.]*

BASIS: This rule is promulgated under the authority of section 24-76.5-103, C.R.S.

PURPOSE: The following rule is promulgated to provide a list of documents recognized by the federal government to prove lawful presence, and to establish a waiver process to ensure that those persons seeking federal public benefits or state and local public benefits, who prove lawful presence in the United States, receive authorized public benefits.

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#### ~~1. Definitions~~

- ~~1.1~~ Applicant - Any~~A~~ natural person eighteen years of age or older seeking non-exempt Public Benefits for himself as set forth in §24-76.5-102 and 103 C. R. S., Reference to Applicant includes actions through the Designated Representative, defined below.
- ~~1.2~~ Benefit Agency - An agency of the State or of any political subdivision of the State of Colorado, or other organization that administers, determines eligibility for, or assists persons within applying for Public Benefits as defined in §24-76.5-102 C.R.S.,
- ~~1.3~~ Department –The Colorado – Means the Department of Revenue.
- ~~1.4~~ Director –The Executive Director of the Colorado Department of Revenue.
- ~~1.5~~ Designated Representative – A natural person submitting a Request for Waiver –Request form (attached as on behalf of an exhibit to these rulesApplicant.
- ~~1.5~~ Public Benefit – For purposes of this Rule, “Public Benefit” means “federal public benefit” and incorporated herein)“state and local benefit” as those terms are defined in 8 U.S.C. secs. 1611 and 1621, respectively.
- ~~1.6~~ Request for Waiver – Means form DR 4678 “Request for Waiver – Restrictions on Public Benefits” completed by an Applicant or Applicant’s representative seeking a determination of lawful presence by the Department. The Request for Waiver must be accompanied by all documents that the Applicant can produce to verify name and proof of lawful presence.
- ~~1.6~~ Waiver –An exemption from identification requirements, issued by the Department of Revenue.

#### ~~2. Identification Documents~~

~~2.1 A first time Applicant or Applicant seeking to reapply for Public Benefits on or after August 1, 2006 may demonstrate lawful presence by both executing the affidavit required in §24-76.5-103(4)(b) C.R.S. and producing a Benefit Agency has been unable to verify the Applicant's lawful presence.~~

~~2.1.1 One of the forms of identification set forth in §24-76.5-103(4)(a) C.R.S. as amended:-~~

~~1.7 Systematic Alien Verification for Entitlements ("SAVE") – A web-based service administered by the U.S Citizenship and Immigration Service to assist federal, state, and local benefit-issuing agencies, institutions, and licensing bureaus in determining the immigration status of benefit applicants.~~

~~1.8 Valid Colorado driver license or a valid Colorado identification card – For purposes of section 24-76.5-103(4)(a)(I)– A valid, C.R.S., means a current Colorado driver's driver license, minor driver license, commercial driver license, restricted driver license, instruction permit, or a Colorado identification card, but does not include a document issued pursuant to part 5 of article 2 of title 42, C.R.S., or~~

~~II. A United States military or a military dependent's identification card, or~~

~~III. A United States Coast Guard Merchant Mariner card, or~~

~~IV. A Native American tribal document, or~~

~~V. A document described in paragraphs 2.1.3 or 2.1.4 below.~~

~~2.1.2 For purposes of §24-76.5-103(4)(a)(I), a valid Colorado driver's license or identification card includes only a current driver's license, minor driver's license, probationary driver's license, commercial driver's license, restricted driver's license, instruction permit or identification card.~~

~~2.1.2.1 In the case of a resident of another state, the driver's license or a state-issued identification card from the state of residence, if that state requires on the front of the document that the applicant prove lawful presence prior to issuance of a document it is "NOT VALID FOR FEDERAL IDENTIFICATION, VOTING, OR PUBLIC BENEFIT PURPOSES".~~

~~2.1.3 Benefit Agencies may also accept the listed forms of identification published by the Office of the Federal Register, National Archives and Records Administration, in the full Code of Federal Regulations (CFR) governing the specific services provided. In the absence of specific governing CFR regulations, Benefit Agencies shall accept the listed forms of identification published in Attorney General's Order Number 2129-97 *Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996*, as issued by the Department of Justice, Federal Register, November 17, 1997, Vol.62, No. 221 and which are incorporated by reference. Attachments A and B provide lists of documents acceptable per this federal publication.~~

~~Material incorporated by reference in this rule does not include later amendments to or editions of the incorporated material. Copies of the material incorporated by reference may be obtained by contacting the Director, Motor Vehicle Division, of the Department of Revenue, 1881 Pierce Street, Room 100, Lakewood, Colorado, tele: 303-205-5935 during regular business hours. Copies of materials may also be examined at any state publication depository library. Certified copies shall be provided at cost, upon request.~~

### 3. Waiver Process

3.1.1.9 Waiver – Means a Department decision that an Applicant has proven lawful presence by means other than the document requirements under subsection 2.1 of this Rule.

### 2. Verification Requirements

2.1 A first time Applicant or an Applicant seeking to reapply for Public Benefits on or after August 1, 2006, may demonstrate lawful presence by executing both must execute the affidavit required in §section 24-76.5-103(4)(b) C.R.S., and by executing demonstrate lawful presence by providing:

2.1.1 A document listed in section 24-76.5-103(4)(a Request for Waiver. The Request form, seeking a determination of lawful presence by) C.R.S. (2014);

2.1.2 In the Department, may be completed by case of a resident of another state, the Applicant driver license or a state-issued identification card from the Applicant's representative. The Request for Waiver must be accompanied by all documents state of residence, if that state requires that the Applicant is then able prove lawful presence prior to produce to verify name issuance of the license or identification card;

2.1.3 A document listed in the Code of Federal Regulations (CFR) as providing proof of lawful presence;

2.1.4 A document listed in Attachments A and B, incorporated herein and made part of this Rule;

2.1.5 Any document authorized as proof of lawful presence. The Request for Waiver may be filed in-person, by mail, or on-line, pursuant to the statutes, regulations, or agency guidance governing the Benefit Agency; or

2.1.6 Any document recognized by the Federal government as proof of lawful presence that is not listed or referenced within this Rule.

### 3. Waiver Process

13.1 An Applicant who has been denied a Public Benefit Agencies shall refer those Applicants who do by a Benefit Agency because the Applicant could not have any identification documents provide a document listed or referenced in Sections 2.1, 2.1.3, or 2.1.4 to this Rule may request that the Department grant the Applicant a Waiver by submitting a Request for Waiver and a copy of the document from the Benefit Agency denying benefits unless unavailable.

3.1.1 The Request for Waiver may be completed and/or submitted by an Applicant or by the Applicant's Designated Representative.

3.1.2 The Request for Waiver must be accompanied by all documents the Applicant wants the Department to consider to request a waiver prove lawful presence.

3.1.2-Upon 3 The Applicant must submit the Request for Waiver to the Colorado Department of Revenue, Division of Motor Vehicles or any Colorado Department of Revenue, Division of Motor Vehicles Driver License office and send a copy to the Benefit Agency.

3.2 Pursuant to section 24-76.5-103(5)(a), C.R.S., the Department may grant an Applicant's Request for Waiver of the requirement that the Applicant prove lawful presence through the documents referenced in subsection 2.1 of this Rule if the Department determines that the Applicant has proven lawful presence by other means.

3.3 Subsequent to receipt of a Request for Waiver, the Department will verify lawful presence of the Applicant.

3.1.3 The Department shall make a decision approving or denying a waiver within one business day of receipt of the response from federal databases or other verifying entities. Information as to the waiver decision shall be made available to the benefit agency, if known determination of the lawful presence of the Applicant and will issue a Waiver or a Notice of Denial of Waiver. The Waiver or a Notice of Denial of Waiver will be mailed to the Applicant at the address provided on the Request for Waiver.

3.1.4 The following constitute reasons**4. Denial of Request for Waiver**

4.1 Reasons for denial of a waiverRequest for Waiver include, but are not limited to:

3.1.4.1.1 The ("SAVE") verification fails to clear the Applicant; or

3.1.4.2 The documents presented by the Applicant cause the Department to reasonably believe that the documents appear to have been tampered with, altered, or are not otherwise not genuine; or

3.1.4.3 The statements and/or documents provided by the Applicant are inconsistent and the Applicant is unable to reasonably explain the inconsistencies.

3.1.5 The referring

## **5. Hearing and Final Agency Action**

5.1 An Applicant, or his or her Designated Representative, may, within 60 days of the date of mailing of a Notice of Denial, or any Benefit Agency may, within 60 days of the date of mailing of a Waiver, request a hearing on the Department's decision by filing a written request for hearing with the Hearings Division of the Department at 1881 Pierce St. #106, Lakewood, CO 80214.

5.2 Hearings shall be held in accordance with the provisions of the State Administrative Procedure Act and the provisions of title 42 of Colorado Revised Statutes.

5.3 The only issues at hearing will be whether and when the Applicant has established lawful presence in the United States by a preponderance of the evidence.

5.3.1 The Hearing Officer may consider any credible evidence, whether documents, witnesses, or other evidence offered by any party. For purposes of this rule, "party" means the Applicant, the Department, or any Benefit Agency.

5.3.2 If the Hearing Officer cannot determine the actual date that the Applicant became lawfully present in the United States, the Applicant shall be deemed lawfully present as of the date provided by the statutes, regulations, or agency guidance governing the Benefit Agency, or if none, as of the date the original application denied was filed with the Benefit Agency.

5.4 The Hearing Officer shall issue an Initial Decision within 15 business days of the completion of the hearing. If the Hearing Officer finds that the Applicant has not established lawful presence, then if a Denial of Waiver was previously issued, the Denial of Waiver will be sustained, or if a Waiver was previously granted, the Waiver will be rescinded. If the Hearing Officer finds that the Applicant is lawfully present, then if a Denial of Waiver was previously issued, the Denial of Waiver will be rescinded and the Department will be directed to issue a Waiver, or a Waiver was previously issued, the Waiver will be sustained.

5.5 Administrative Hearing Appeals/Exceptions to Initial Decision.

5.5.1 Exception(s) Process. Any party may appeal an Initial Decision pursuant to the Colorado Administrative Procedure Act by filing written exception(s) with the Executive Director within 30 days after the date of mailing of the Initial Decision to the Applicant, the Benefit Agency, and the Department. The address of the Executive Director is: Department of Revenue, Executive Director, 1375 Sherman Street, 4th Floor, Denver, CO 80203.

5.5.2 The written exception(s) must include a statement giving the basis and grounds for the exception(s). A party who fails to properly file written exception(s) within the time provided in this Rule is deemed to have waived the right to an appeal. A copy of the exception(s) must be served on all parties by personal service or via U.S. Mail, first class postage-prepaid. Any other party may file a response to the written exceptions within 21 days of the date on which the party appealing mailed or personally served written exceptions.

5.5.3 Designation of Record. The party filing an appeal must file a designation of the record with the Executive Director within 20 days after the mailing of the Initial Decision. The designation of the record must designate those parts of the record and the hearing transcript that the party appealing wishes to have considered on appeal. The Department will arrange for the transcription of the hearing upon written request and payment in advance of the costs therefore by the party appealing the Initial Decision. The party appealing the Initial Decision must serve a copy of the designation on all parties by personal service or via U.S. Mail, first class postage-prepaid. Within 10 days after such service, any other party may file a designation of additional parts of the record and the hearing transcript to be considered and must advance the cost therefore. A copy of the additional designation of record must be served on all parties. No transcript is required if the review is limited to a pure question of law. Any party who fails to properly file a designation or additional designation of the record within the time provided in these Rules is deemed to have waived the right to file such designation.

5.5.3 Deadline Modifications. The Executive Director may modify deadlines and procedures related to the filing of exceptions to the Initial Decision upon motion by either party for good cause shown.

5.5.4 No Oral Argument. No oral argument will be allowed.

5.5.5 The Executive Director will issue a final decision within 30 days following the later of the date on which all pleadings have been filed or all motions have been resolved. If the Executive Director does not issue a final decision within 30 days, the Initial Decision will be deemed the final decision of the Executive Director, effective as of 30<sup>th</sup> day after the

date of the Initial Decision. The final decision is final agency action for all purposes, and is subject to judicial review as provided in section 24-4-106, C.R.S.

5.6 An appeal under this Rule does not toll or otherwise affect any Benefit Agency appeal or other procedure or process unless expressly authorized by the Benefit Agency.

## 6. General Provisions

6.1 Each Benefit Agency is responsible for verifying that the Applicant is the same individual indicated as the person who ~~is requesting the waiver~~received a Waiver.

~~3.1.6.2~~ Waivers are assumed to be permanent, but may be rescinded and may be cancelled by the Department, if, at any time, the Department becomes aware of subsequently determines that the Applicant's violation of immigration laws. Applicant was not or is not lawfully present. Upon makingcancelling a decision to rescind and cancel a waiverWaiver, the Department will notify the Applicant and the appropriate County Department of Human ServicesBenefit Agencies.

3.1.6.1 Individuals3 A person whose waivers are rescinded andWaiver has been cancelled shall have the right to appeal such decision by the Department. Individuals may appeal the Department's decision by requesting a hearing within thirty60 days offollowing the waiver being rescinded or cancelled by makingmailing date of the notice cancelling the Waiver. The person must submit a written request for hearing to the Hearings SectionDivision of the Department at 1881 Pierce St. #106, Lakewood, CO 80214.

~~3.1.6.2 The Hearings Section shall hold the hearing in accordance the provisions of the State Administrative Procedure Act and the provisions of Title 42 of the Colorado Revised Statutes.~~

~~3.1.6.3 The only issue at hearing shall be whether the applicant has violated immigration laws.~~

~~3.1.6.4 The hearing officer shall issue a written decision within fifteen (15) business days of the completion of the hearing, and shall constitute final agency action, and is subject to judicial review as provided by §24-4-106, C.R.S.~~

3.1.7 Waivers issued by the Department since August 1, 2006, but prior to approval of this ruleRule, will continue in effect unless otherwise rescindedexpired, or cancelledcancelled by the Department

7.1 The materials in this Rule incorporated by the Department, as authorizedreference do not include later amendments to or editions of the materials. The materials incorporated in Section 3.1.6- this Rule are on file and available for inspection by contacting the Driver License Section of the Department of Revenue in person at, 1881 Pierce Street, Room 128, Lakewood, Colorado, 80214, or by telephone at 303-205-5600, and copies of the materials may be examined at any state publication depository library.

## ATTACHMENT A

THE FOLLOWING LIST DOES NOT INCLUDE ALL DOCUMENTS THAT MAY BE ACCEPTED TO ESTABLISH LAWFUL PRESENCE - SEE ALSO RULE 5, SUBSECTIONS 2.1.3 THRU 2.1.6.



The following documents are acceptable as proof of lawful presence pursuant to AG Order Number 2129-97, Federal Register, Vol. 62, No. 221, November 17, 1997, incorporated herein by reference (the "AG Order").

A. ~~A.~~ Primary Evidence {

One ~~document of the following documents - when combined with satisfactory proof of identification - demonstrates that the Applicant is needed~~; a U.S. citizen or non-citizen national. Identity can be proven by these same documents if they bear a picture of the ~~applicant~~ Applicant:

- 1.- \_\_\_\_\_ Copy of ~~applicant's~~ Applicant's birth certificate from any state, the District of Columbia-  
and, or all United States territories-;
2. \_\_\_\_\_ United States ~~Passports~~ Passport, except for "limited" passports, issued for less than five years-;
3. \_\_\_\_\_ Report of Birth Abroad of a United States Citizen, form FS-~~20-~~240;
4. \_\_\_\_\_ Certificate of Birth issued by a foreign service post (FS-545) or Certification of Report of Birth (DS-1350). These are available from the Department of State-;
5. \_\_\_\_\_ Certification of Naturalization (N-550 or N-570). The N-570 is issued upon loss or damage to the original document or following an individual's name change-;
6. \_\_\_\_\_ Certificate of Citizenship (N-560 or N-561). This document is issued to those persons who derive U. S. ~~Citizenship~~ citizenship through a parent. The N-561 is issued upon loss or damage of the original document or following an individual's name change-;
7. \_\_\_\_\_ U. S. Citizen Identification Card (I-~~97~~-~~These were~~197), last issued in 1983, or Form I-  
179, last issued in 1974.
8. \_\_\_\_\_ Northern Mariana Identification Card. Those born in the Northern Mariana Islands prior to November 3, 1986, were collectively naturalized-;
9. \_\_\_\_\_ Statement provided by a ~~USU.S.~~ consular officer certifying that the individual is a ~~USU.S.~~ citizen. (This document is provided to an individual born outside the ~~USU.S.~~ who derived citizenship through a parent but does not have form FS-240, FS-545 or DS-1350-);
10. \_\_\_\_\_ American Indian Card with ~~Classification~~ classification code "KIC" and a statement on the back (identifying ~~US Citizen~~ U.S. citizen members of the Texas Band of Kickapoos-) living  
near the U.S./Mexican border).

B. Secondary Evidence

If the ~~applicant~~ Applicant cannot present one of the documents listed above, the following may be relied upon to establish ~~USU.S.~~ citizenship or nationality:

- 1.- \_\_\_\_\_ Religious ~~records~~ record recorded in one of the 50 states, the District of Columbia and U.S. territories, within three months after birth, showing that the birth occurred in such jurisdiction, and the date of the birth or the individual's age at the time the record was made-;

2. \_\_\_\_\_ Evidence of ~~Civil Service Employment~~ civil service employment by the USU.S. Government before June 1, 1976;
- 3.- \_\_\_\_\_ Early school records (preferably from the first school) showing the date of admission to the school, the child's date and place of birth and the ~~names'~~ names and places of birth of the parents;
- 4.- \_\_\_\_\_ Census record showing name, USU.S. citizenship or a USU.S. place of birth or age of ~~applicant~~ Applicant;
- 5.- \_\_\_\_\_ Adoption Finalization Papers showing the child's name and place of birth in one of the 50 states, ~~DC, Washington D.C.,~~ or USU.S. territories or, where the adoption is not finalized and the State or other jurisdiction listed above in which the child was born will not release a birth certificate prior to final adoption, a statement from a state-approved adoption agency showing the child's name and place of birth in one of such jurisdictions (-NOTE: the source of the information must be an original birth certificate and must be indicated in the statement); or
- 6.- \_\_\_\_\_ Any other documents that establish a USU.S. place of birth or in some way indicates USU.S. citizenship.

C.- If an individual is unable to present any of the above documents, the following options are available:

1. \_\_\_\_\_ Accept a written declaration, made under penalty of perjury, and possibly subject to later verification of status, from one or more third parties, indicating a reasonable basis for personal knowledge that the ~~applicant~~ Applicant is a USU.S. citizen or non-citizen national.
2. \_\_\_\_\_ Accept the ~~applicant's~~ Applicant's written declaration, made under penalty of perjury and possibly subject to later verification of status, that he or she is a USU.S. citizen or non-citizen national.

Note: These options (C 1 and C 2) should be used with caution in appropriate circumstances. For example, before using these options, a provider might require the ~~applicant~~ Applicant to demonstrate why a document evidencing that he or she is a USU.S. citizen or non-citizen national does not exist or cannot be readily obtained.

#### D. \_ Collective Naturalization

If the ~~applicant~~ Applicant cannot present one of the documents listed in A or B above, the following will establish USU.S. citizenship for collectively naturalized individuals:

1. \_\_\_\_\_ Puerto Rico (PR):

Evidence of birth in PR on or after April 11, 1899, and the ~~applicant's~~ Applicant's statement that he or she was residing in the ~~US, U.S.,~~ a USU.S. possession, or PR on January 13, 1941; or

Evidence that the ~~applicant~~ Applicant was a PR citizen and the ~~applicant's~~ Applicant's statement that he or she was residing in PR on March 1, 1917; and that he or she did not take an oath of allegiance to Spain;.

2. US U.S. Virgin Islands:

Evidence of birth in the USU.S. Virgin Islands (VIUSVI) and the applicant'sApplicant's statement of residence in the US,U.S., a USU.S. possession, or the US-VIUSVI on February 25, 1927;

The applicant'sApplicant's statement indicating residence in the US-VIUSVI as a Danish citizen on January 17, 1917and1917, and that he or she did not make a declaration to maintain Danish citizenship-; or

Evidence of birth in the US-VIUSVI and the applicant'sApplicant's statement indicating residence in the US,USU.S., U.S. Possession or Territory or the Canal Zone on June 28, 1932.

3.- \_\_\_\_\_ Northern Mariana Islands (NMI) (formerly part of the Trust Territory of the Pacific Islands (TTPI)-):

Evidence of birth in the NMI, TTPI citizenship and residence in the NMI, the US,U.S., or a USU.S. territory or possession on November 3, 1986 (NMI local time) and the applicant'sApplicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time);

Evidence of TTPI citizenship, continuous residence in the NMI since before November 3, 1981 (NMI local time), voter registration prior to January 1, 1975, and the applicant'sApplicant's statement that he or she did owe allegiance to a foreign state on November 4, 1986 (NMI local time)-); or

Evidence of continuous domicile in the NMI since before January 1, 1974, and the applicant'sApplicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time).

Note: If a person entered the NMI as a nonimmigrant and lived in the NMI since January 1, 1974, this does not constitute continuous domicile, and the individual is not a USU.S. citizen.

E. \_\_\_\_\_ Derivative Citizenship

If the applicantApplicant cannot present one of the above documents, you should make a determination of Derivative-USderivative U.S. citizenship in the following situations:

Applicant born abroad to two USU.S. citizen parents:

Evidence of USU.S. citizenship of the parents and the relationship of the applicantApplicant to the parents, and the evidence that at least one parent resided in the USU.S. or an outlying possession prior to the applicant'sApplicant's birth.

Applicant born abroad to a USU.S. citizen parent and a USU.S. non-citizen national parent:

Evidence that one parent is a USU.S. citizen and the other is a USU.S. non-citizen national, evidence of the relationship of the applicantApplicant to the USU.S. citizen parent, and the evidence that the USU.S. citizen parent resided in the US,U.S., a USU.S.

possession, American Samoa or Swain's Island for a period of at least one year prior to the ~~applicant's~~Applicant's birth.

Applicant born out of wedlock abroad to a USU.S. citizen mother:

Evidence of USU.S. citizenship of the mother, evidence of the relationship to the ~~applicant~~Applicant and, for births on or before December 24, 1952, evidence that the mother resided in the USU.S. prior to the ~~applicant's~~Applicant's birth or, for births after December 24, 1952, evidence that the mother ~~has had~~ resided, prior to the child's birth, in the USU.S. or a USU.S. possession for a period of one year.

Applicant born in the Canal Zone or the Republic of Panama:

A birth certificate showing birth in the Canal Zone on or after February 26, 1904, and before October 1, 1979, and evidence that one parent was a USU.S. citizen at the time of the ~~applicant's~~Applicant's birth; or

~~or-~~

A birth certificate showing birth in the Republic of Panama on or after February 26, 1904, and before October 1, 1979, and evidence that at least one parent was a USU.S. citizen and employed by the USU.S. government or the Panama Railroad Company or its successor in title;

All other situations where an ~~applicant~~Applicant claims to have a USU.S. citizen parent and an alien parent, or claims to fall within one of the above categories but is unable to present the listed documentation:

If the ~~applicant~~Applicant is in the US;U.S., refer him or her to the local ~~INS~~USCIS Citizenship and Immigration Services (USCIS) office for determination of USU.S. citizenship;

If the ~~applicant~~Applicant is outside the US;U.S., refer him or her to the State Department for a USU.S. citizenship determination.

#### F. Adoption of Foreign-Born Child by USU.S. Citizen:

If the birth certificate shows a foreign place of birth and the ~~applicant~~Applicant cannot be determined to be a naturalized citizen under any of the above criteria, obtain other evidence of USU.S. citizenship;

Since foreign-born adopted children do not automatically acquire U.S. citizenship by virtue of adoption by USU.S. citizens, refer the ~~applicant~~Applicant to the local ~~INS~~USCIS district office for a determination of USU.S. citizenship if the ~~applicant~~Applicant provides no evidence of USU.S. citizenship [the law changed several years ago to allow such children to obtain automatic citizenship].

#### G. US U.S. Citizenship By Marriage

A woman acquired USU.S. citizenship through marriage to a USU.S. citizen before September 22, 1922.

Note: If the husband was an alien at the time of the marriage and became naturalized before September 22, 1922, the wife also acquired naturalized citizenship. If the marriage terminated, the wife maintained her U.S. citizenship if she was residing in the U.S. at ~~the~~that time and continued to reside in the U.S..

#### H. Applicants with Disabilities and Non-discrimination

If an ~~applicant~~Applicant has a disability that limits the ~~applicant's~~Applicant's ability to provide the required evidence of citizenship or nationality (e.g. mental retardation, amnesia, or other cognitive, mental or physical impairment), you should make every effort to assist the individual to obtain the required evidence. In addition, you should not discriminate against ~~applicants~~Applicants on the basis of race, national origin, gender, religion, age or disability. See Non-discrimination Advisory, Attachment 2 ~~to Interim Guidance~~of the AG Order.

## ATTACHMENT B

For specific detailed descriptions of the Immigration Documents referred to below see Exhibit A to Attachment 5 of US AG Order.

Instructions:

**THE FOLLOWING LIST DOES NOT INCLUDE ALL DOCUMENTS THAT MAY BE ACCEPTED TO ESTABLISH LAWFUL PRESENCE - SEE ALSO RULE 5, SUBSECTIONS 2.1.3 THRU 2.1.6.**

The documents listed below, will if not expired, when combined with satisfactory proof of identity (which will come from the document itself if it bears a photograph of the person to whom it relates), establish that an applicant falls within one of the categories of “qualified alien” Applicant is lawfully present for purposes of title IV this rule. For specific detailed descriptions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 Documents referred to below see Exhibit A to Attachment 5 of the AG Order.

Each of the documents listed below will demonstrate lawful status and you should not require presentation of a registration document if the applicant presents one of the other legally acceptable documents that reasonably appears on its face to be genuine and to relate to the person presenting it. However, if the document presented is not a registration document and does not on its face reasonably appear to be genuine or to relate to the person presenting it, it is appropriate to ask the applicant to produce his or her registration document as additional evidence of immigration status so long as the request is not made for a discriminatory reason.

Presentation of a registration document listed below that reasonably appears on its face to be genuine and to relate to the person presenting it (or to satisfy higher applicable standards) will often obviate the need to verify the applicant’s immigration status with the INS; if the applicant presents a registration document that does not meet this standard, sending the INS a copy of the document will assist it in verifying the applicants’ status quickly and accurately.

### Alien Lawfully Admitted for Permanent Residence

1. INS Form I-551 (Alien Registration Receipt Card, commonly called or known as a “green card” “.””); or
2. Unexpired Temporary I-551 Stamp in foreign passport or on INS Form I-94.

### Asylee

3. INS form Form I-94 annotated with stamp showing grant of asylum under section 208 of the Immigration and Nationality Act (INA);
4. INS Form I-688B (Employment Authorization Card) annotated “274a.12(a)(5)”;
5. INS From Form I-776 (Employment Authorization Document) annotated “A5” or;

6. ~~INS~~ Grant Letter from the Asylum Office or USCIS; or

7. Order of an immigration judge granting asylum.

#### Refugee

7. ~~INS~~ 8. Form I-94 annotated with stamp showing admission under Section 207 of the INA;

8. ~~INS~~ 9. Form I-688B (Employment Authorization Card) annotated "274a.12(a)(3)"; or

9. ~~INS~~ 10. Form I-766 (Employment Authorization Document) annotated "A3"; or

11. 10. INS Form I-571 (Refugee Travel Document).

#### Alien Paroled into the U.S. for a Least One Year

12. 11. INS Form I-94 with stamp showing admission for at least one year under Section 212(d) (5) of the INA. (Applicant cannot aggregate periods of admission for less than one year to meet the one-year requirement).

#### Alien ~~whose~~ Whose Deportation or Removal Was Withheld

12. ~~INS~~ 13. Form I-688B (Employment Authorization Card) annotated 274a.12(a)(10);

14. 13. INS Form I-766 (Employment Authorization Document) annotated "A10"; or

15. 14. Order from an immigration ~~Judge~~ judge showing deportation withheld under Section 243(h) of the INA as in effect prior to April 1, 1997, or removal withheld under Section 241(b) (3) of the INA.

#### Alien Granted Conditional Entry

15. ~~INS~~ 16. Form I-94 with stamp showing admission under Section 203(a)(7) of the INA;

17. 16. INS Form I-688B (Employment Authorization Card) annotated "~~A3~~ 274a.12(a)(3)"; or

18. 17. INS Form I-766 (Employment Authorization Document) annotated "A3".

#### Cuban ~~/~~ Haitian Entrant

19. 18. INS Form I-551 (Alien Registration Receipt Card, commonly known as ~~the "Green Card"~~ a "green card.") with the code CU6, CU7, or CH6;

20. 19. Unexpired temporary I-551 stamp in foreign passport or on ~~INS~~ Form I-94 with the code CU6, ~~CU7~~, or CH6CU7;

21. 20. INS Form I-94 with stamp showing parole as "Cuba/Haitian Entrant" under Section 212(d) (5) of the INA.

#### Alien Who ~~has~~ Has Been Battered or Subjected to Extreme Cruelty

See Attachment 5, Exhibit B, at Section II, of the AG Order No. 2129-97.

The documentation for Violence Against Women Act self-petitioners is the INSUSCIS issued “Notice of Prima Facie Determination” or “Notice of Approval”.

#### NOTES:

##### Expired or Absent Documentation

If an applicantApplicant presents expired documents or is unable to present any documentation evidencing his or her immigration status, refer the applicantApplicant to the local INSUSCIS office to obtain documentation of status. In unusual circumstances involving applicantsApplicants who are hospitalized or medically disabled, or who can otherwise show good cause for their inability to present documentation and for whom securing such documentation would constitute undue hardship, if the applicantApplicant can provide an alien registration number, you may file INS-Form G-845 and Supplement, along with the alien registration number and a copy of any expired INSUSCIS document presented, with the local INSUSCIS office to verify status.

##### Receipt for Replacement Document

If an applicantApplicant presents a receipt indicating that he or she has applied to the INSUSCIS for a replacement document for one of the doesdocuments identified above, file INS-Form G-845 and Supplement along with a copy of the receipt with the local INSUSCIS office to verify status. Upon return receipt of information from INSUSCIS, confirm that it pertains to the applicantApplicant whose identity you have verified. You should ask to see the Replacementreplacement document at a later date.

##### Applicants with Disabilities

If an applicantApplicant has a disability that limits the applicant'sApplicant's ability to provide the required evidence of immigration status (e.g., mental retardation, amnesia, or other cognitive, mental, or physical impairment), you should make every effort to assist the individual to obtain the required evidence.

In addition, you should not discriminate against applicantsApplicants on the basis of race, national origin, gender, religion, age, or disability.

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#### ~~Editor's Notes~~

#### ~~History~~

~~Emer. entire rule eff. 08/01/2006. Emer. sections 2 – 3 Eff. 08/07/2006. Perm. entire rule eff. 08/01/2007~~



## DEPARTMENT OF REVENUE

### EVIDENCE OF LAWFUL PRESENCE

#### 1 CCR 204-30 – Rule 5

*[Editor's Notes follow the text of the rules at the end of this CCR Document.]*

**BASIS:** This rule is promulgated under the authority of section 24-76.5-103, C.R.S.

**PURPOSE:** The following rule is promulgated to provide a list of documents recognized by the federal government to prove lawful presence, and to establish a waiver process to ensure that those persons seeking federal public benefits or state and local public benefits, who prove lawful presence in the United States, receive authorized public benefits.

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#### 1. Definitions

- 1.1 Applicant - A natural person eighteen years of age or older seeking non-exempt Public Benefits. Reference to Applicant includes actions through the Designated Representative, defined below.
- 1.2 Benefit Agency - An agency or political subdivision of the State of Colorado that administers, determines eligibility for, or assists persons in applying for Public Benefits.
- 1.3 Department – Means the Department of Revenue.
- 1.4 Designated Representative – A natural person submitting a Request for Waiver on behalf of an Applicant.
- 1.5 Public Benefit – For purposes of this Rule, “Public Benefit” means “federal public benefit” and “state and local benefit” as those terms are defined in 8 U.S.C. secs. 1611 and 1621, respectively.
- 1.6 Request for Waiver – Means form DR 4678 “Request for Waiver – Restrictions on Public Benefits” completed by an Applicant seeking a determination of lawful presence by the Department after a Benefit Agency has been unable to verify the Applicant's lawful presence.
- 1.7 Systematic Alien Verification for Entitlements (“SAVE”) – A web-based service administered by the U.S. Citizenship and Immigration Service to assist federal, state, and local benefit-issuing agencies, institutions, and licensing bureaus in determining the immigration status of benefit applicants.
- 1.8 Valid Colorado driver license or a valid Colorado identification card – For purposes of section 24-76.5-103(4)(a)(I), C.R.S., means a current Colorado driver license, minor driver license, commercial driver license, restricted driver license, instruction permit, or identification card, but does not include a document issued pursuant to part 5 of article 2 of title 42 that state on the front of the document that it is “NOT VALID FOR FEDERAL IDENTIFICATION, VOTING, OR PUBLIC BENEFIT PURPOSES”.
- 1.9 Waiver – Means a Department decision that an Applicant has proven lawful presence by means other than the document requirements under subsection 2.1 of this Rule.

#### 2. Verification Requirements

- 2.1 A first time Applicant or an Applicant seeking to reapply for Public Benefits on or after August 1, 2006, must execute the affidavit required in section 24-76.5-103(4)(b) C.R.S., and demonstrate lawful presence by providing:
  - 2.1.1 A document listed in section 24-76.5-103(4)(a) C.R.S. (2014);
  - 2.1.2 In the case of a resident of another state, the driver license or a state-issued identification card from the Applicant's state of residence, if that state requires that the Applicant prove lawful presence prior to issuance of the license or identification card;
  - 2.1.3 A document listed in the Code of Federal Regulations (CFR) as providing proof of lawful presence;
  - 2.1.4 A document listed in Attachments A and B, incorporated herein and made part of this Rule;
  - 2.1.5 Any document authorized as proof of lawful presence pursuant to the statutes, regulations, or agency guidance governing the Benefit Agency; or
  - 2.1.6 Any document recognized by the Federal government as proof of lawful presence that is not listed or referenced within this Rule.

### **3. Waiver Process**

- 3.1 An Applicant who has been denied a Public Benefit by a Benefit Agency because the Applicant could not provide a document listed or referenced in this Rule may request that the Department grant the Applicant a Waiver by submitting a Request for Waiver and a copy of the document from the Benefit Agency denying benefits unless unavailable.
  - 3.1.1 The Request for Waiver may be completed and/or submitted by an Applicant or by the Applicant's Designated Representative.
  - 3.1.2 The Request for Waiver must be accompanied by all documents the Applicant wants the Department to consider to prove lawful presence.
  - 3.1.3 The Applicant must submit the Request for Waiver to the Colorado Department of Revenue, Division of Motor Vehicles or any Colorado Department of Revenue, Division of Motor Vehicles Driver License office and send a copy to the Benefit Agency.
- 3.2 Pursuant to section 24-76.5-103(5)(a), C.R.S., the Department may grant an Applicant's Request for Waiver of the requirement that the Applicant prove lawful presence through the documents referenced in subsection 2.1 of this Rule if the Department determines that the Applicant has proven lawful presence by other means.
- 3.3 Subsequent to receipt of a Request for Waiver, the Department will make a determination of the lawful presence of the Applicant and will issue a Waiver or a Notice of Denial of Waiver. The Waiver or a Notice of Denial of Waiver will be mailed to the Applicant at the address provided on the Request for Waiver.

### **4. Denial of Request for Waiver**

- 4.1 Reasons for denial of a Request for Waiver include, but are not limited to:

- 4.1.1 The ("SAVE") verification fails to clear the Applicant; or
- 4.1.2 The documents presented by the Applicant appear to have been tampered with, altered, or otherwise not genuine; or
- 4.1.3 The statements and/or documents provided are inconsistent and the Applicant is unable to reasonably explain the inconsistencies.

## **5. Hearing and Final Agency Action**

- 5.1 An Applicant, or his or her Designated Representative, may, within 60 days of the date of mailing of a Notice of Denial, or any Benefit Agency may, within 60 days of the date of mailing of a Waiver, request a hearing on the Department's decision by filing a written request for hearing with the Hearings Division of the Department at 1881 Pierce St. #106, Lakewood, CO 80214.
- 5.2 Hearings shall be held in accordance with the provisions of the State Administrative Procedure Act and the provisions of title 42 of Colorado Revised Statutes.
- 5.3 The only issues at hearing will be whether and when the Applicant has established lawful presence in the United States by a preponderance of the evidence.
  - 5.3.1 The Hearing Officer may consider any credible evidence, whether documents, witnesses, or other evidence offered by any party. For purposes of this rule, "party" means the Applicant, the Department, or any Benefit Agency.
  - 5.3.2 If the Hearing Officer cannot determine the actual date that the Applicant became lawfully present in the United States, the Applicant shall be deemed lawfully present as of the date provided by the statutes, regulations, or agency guidance governing the Benefit Agency, or if none, as of the date the original application denied was filed with the Benefit Agency.
- 5.4 The Hearing Officer shall issue an Initial Decision within 15 business days of the completion of the hearing. If the Hearing Officer finds that the Applicant has not established lawful presence, then if a Denial of Waiver was previously issued, the Denial of Waiver will be sustained, or if a Waiver was previously granted, the Waiver will be rescinded. If the Hearing Officer finds that the Applicant is lawfully present, then if a Denial of Waiver was previously issued, the Denial of Waiver will be rescinded and the Department will be directed to issue a Waiver, or a Waiver was previously issued, the Waiver will be sustained.
- 5.5 Administrative Hearing Appeals/Exceptions to Initial Decision.
  - 5.5.1 Exception(s) Process. Any party may appeal an Initial Decision pursuant to the Colorado Administrative Procedure Act by filing written exception(s) with the Executive Director within 30 days after the date of mailing of the Initial Decision to the Applicant, the Benefit Agency, and the Department. The address of the Executive Director is: Department of Revenue, Executive Director, 1375 Sherman Street, 4th Floor, Denver, CO 80203.
  - 5.5.2 The written exception(s) must include a statement giving the basis and grounds for the exception(s). A party who fails to properly file written exception(s) within the time provided in this Rule is deemed to have waived the right to an appeal. A copy of the

exception(s) must be served on all parties by personal service or via U.S. Mail, first class postage-prepaid. Any other party may file a response to the written exceptions within 21 days of the date on which the party appealing mailed or personally served written exceptions.

- 5.5.3 Designation of Record. The party filing an appeal must file a designation of the record with the Executive Director within 20 days after the mailing of the Initial Decision. The designation of the record must designate those parts of the record and the hearing transcript that the party appealing wishes to have considered on appeal. The Department will arrange for the transcription of the hearing upon written request and payment in advance of the costs therefore by the party appealing the Initial Decision. The party appealing the Initial Decision must serve a copy of the designation on all parties by personal service or via U.S. Mail, first class postage-prepaid. Within 10 days after such service, any other party may file a designation of additional parts of the record and the hearing transcript to be considered and must advance the cost therefore. A copy of the additional designation of record must be served on all parties. No transcript is required if the review is limited to a pure question of law. Any party who fails to properly file a designation or additional designation of the record within the time provided in these Rules is deemed to have waived the right to file such designation.
- 5.5.3 Deadline Modifications. The Executive Director may modify deadlines and procedures related to the filing of exceptions to the Initial Decision upon motion by either party for good cause shown.
- 5.5.4 No Oral Argument. No oral argument will be allowed.
- 5.5.5 The Executive Director will issue a final decision within 30 days following the later of the date on which all pleadings have been filed or all motions have been resolved. If the Executive Director does not issue a final decision within 30 days, the Initial Decision will be deemed the final decision of the Executive Director, effective as of 30<sup>th</sup> day after the date of the Initial Decision. The final decision is final agency action for all purposes, and is subject to judicial review as provided in section 24-4-106, C.R.S.
- 5.6 An appeal under this Rule does not toll or otherwise affect any Benefit Agency appeal or other procedure or process unless expressly authorized by the Benefit Agency.

## **6. General Provisions**

- 6.1 Each Benefit Agency is responsible for verifying that the Applicant is the same individual indicated as the person who received a Waiver.
- 6.2 Waivers may be cancelled by the Department, if the Department subsequently determines that the Applicant was not or is not lawfully present. Upon cancelling a Waiver, the Department will notify the Applicant and appropriate Benefit Agencies.
- 6.3 A person whose Waiver has been cancelled by the Department may appeal the Department's decision by requesting a hearing within 60 days following the mailing date of the notice cancelling the Waiver. The person must submit a written request for hearing to the Hearings Division of the Department at 1881 Pierce St. #106, Lakewood, CO 80214.

- 6.4 Waivers issued by the Department since August 1, 2006, but prior to approval of this Rule, will continue in effect unless expired, or cancelled by the Department. 7.1 The materials in this Rule incorporated by reference do not include later amendments to or editions of the materials. The materials incorporated in this Rule are on file and available for inspection by contacting the Driver License Section of the Department of Revenue in person at, 1881 Pierce Street, Room 128, Lakewood, Colorado, 80214, or by telephone at 303-205-5600, and copies of the materials may be examined at any state publication depository library.

## **ATTACHMENT A**

### **THE FOLLOWING LIST DOES NOT INCLUDE ALL DOCUMENTS THAT MAY BE ACCEPTED TO ESTABLISH LAWFUL PRESENCE - SEE ALSO RULE 5, SUBSECTIONS 2.1.3 THRU 2.1.6.**

The following documents are acceptable as proof of lawful presence pursuant to AG Order Number 2129-97, Federal Register, Vol. 62, No. 221, November 17, 1997, incorporated herein by reference (the "AG Order").

#### **A. Primary Evidence**

One of the following documents - when combined with satisfactory proof of identification – demonstrates that the Applicant is a U.S. citizen or non-citizen national. Identity can be proven by these same documents if they bear a picture of the Applicant:

1. Copy of Applicant's birth certificate from any state, the District of Columbia, or all United States territories;
2. United States Passport, except for "limited" passports, issued for less than five years;
3. Report of Birth Abroad of a United States Citizen, form FS-240;
4. Certificate of Birth issued by a foreign service post (FS-545) or Certification of Report of Birth (DS-1350). These are available from the Department of State;
5. Certification of Naturalization (N-550 or N-570). The N-570 is issued upon loss or damage to the original document or following an individual's name change;
6. Certificate of Citizenship (N-560 or N-561). This document is issued to those persons who derive U. S. citizenship through a parent. The N-561 is issued upon loss or damage of the original document or following an individual's name change;
7. U. S. Citizen Identification Card (I-197), last issued in 1983, or Form I-179, last issued in 1974.
8. Northern Mariana Identification Card. Those born in the Northern Mariana Islands prior to November 3, 1986, were collectively naturalized;
9. Statement provided by a U.S. consular officer certifying that the individual is a U.S. citizen. (This document is provided to an individual born outside the U.S. who derived citizenship through a parent but does not have form FS-240, FS-545 or DS-1350);

10. American Indian Card with classification code "KIC" and a statement on the back (identifying U.S. citizen members of the Texas Band of Kickapoos living near the U.S./Mexican border).

B. Secondary Evidence

If the Applicant cannot present one of the documents listed above, the following may be relied upon to establish U.S. citizenship or nationality:

1. Religious record recorded in one of the 50 states, the District of Columbia and U.S. territories, within three months after birth, showing that the birth occurred in such jurisdiction, and the date of the birth or the individual's age at the time the record was made;
2. Evidence of civil service employment by the U.S. Government before June 1, 1976;
3. Early school records (preferably from the first school) showing the date of admission to the school, the child's date and place of birth and the names and places of birth of the parents;
4. Census record showing name, U.S. citizenship or a U.S. place of birth or age of Applicant;
5. Adoption Finalization Papers showing the child's name and place of birth in one of the 50 states, Washington D.C., or U.S. territories or, where the adoption is not finalized and the State or other jurisdiction listed above in which the child was born will not release a birth certificate prior to final adoption, a statement from a state-approved adoption agency showing the child's name and place of birth in one of such jurisdictions (NOTE: the source of the information must be an original birth certificate and must be indicated in the statement); or
6. Any other documents that establish a U.S. place of birth or in some way indicates U.S. citizenship.

C. If an individual is unable to present any of the above documents, the following options are available:

1. Accept a written declaration, made under penalty of perjury, and possibly subject to later verification of status, from one or more third parties, indicating a reasonable basis for personal knowledge that the Applicant is a U.S. citizen or non-citizen national.
2. Accept the Applicant's written declaration, made under penalty of perjury and possibly subject to later verification of status, that he or she is a U.S. citizen or non-citizen national.

Note: These options (C 1 and C 2) should be used with caution in appropriate circumstances. For example, before using these options, a provider might require the Applicant to demonstrate why a document evidencing that he or she is a U.S. citizen or non-citizen national does not exist or cannot be readily obtained.

D. Collective Naturalization

If the Applicant cannot present one of the documents listed in A or B above, the following will establish U.S. citizenship for collectively naturalized individuals:

1. Puerto Rico (PR):

Evidence of birth in PR on or after April 11, 1899, and the Applicant's statement that he or she was residing in the U.S., a U.S. possession, or PR on January 13, 1941; or

Evidence that the Applicant was a PR citizen and the Applicant's statement that he or she was residing in PR on March 1, 1917; and that he or she did not take an oath of allegiance to Spain.

2. U.S. Virgin Islands:

Evidence of birth in the U.S. Virgin Islands (USVI) and the Applicant's statement of residence in the U.S., a U.S. possession, or the USVI on February 25, 1927;

The Applicant's statement indicating residence in the USVI as a Danish citizen on January 17, 1917, and that he or she did not make a declaration to maintain Danish citizenship; or

Evidence of birth in the USVI and the Applicant's statement indicating residence in the U.S., U.S. Possession or Territory or the Canal Zone on June 28, 1932.

3. Northern Mariana Islands (NMI) (formerly part of the Trust Territory of the Pacific Islands (TTPI)):

Evidence of birth in the NMI, TTPI citizenship and residence in the NMI, the U.S., or a U.S. territory or possession on November 3, 1986 (NMI local time) and the Applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time);

Evidence of TTPI citizenship, continuous residence in the NMI since before November 3, 1981 (NMI local time), voter registration prior to January 1, 1975, and the Applicant's statement that he or she did owe allegiance to a foreign state on November 4, 1986 (NMI local time); or

Evidence of continuous domicile in the NMI since before January 1, 1974, and the Applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time).

Note: If a person entered the NMI as a nonimmigrant and lived in the NMI since January 1, 1974, this does not constitute continuous domicile, and the individual is not a U.S. citizen.

E. Derivative Citizenship

If the Applicant cannot present one of the above documents, you should make a determination of derivative U.S. citizenship in the following situations:

Applicant born abroad to two U.S. citizen parents:

Evidence of U.S. citizenship of the parents and the relationship of the Applicant to the parents, and evidence that at least one parent resided in the U.S. or an outlying possession prior to the Applicant's birth.

Applicant born abroad to a U.S. citizen parent and a U.S. non-citizen national parent:

Evidence that one parent is a U.S. citizen and the other is a U.S. non-citizen national, evidence of the relationship of the Applicant to the U.S. citizen parent, and the evidence that the U.S. citizen parent resided in the U.S., a U.S. possession, American Samoa or Swain's Island for a period of at least one year prior to the Applicant's birth.

Applicant born out of wedlock abroad to a U.S. citizen mother:

Evidence of U.S. citizenship of the mother, evidence of the relationship to the Applicant and, for births on or before December 24, 1952, evidence that the mother resided in the U.S. prior to the Applicant's birth or, for births after December 24, 1952, evidence that the mother had resided, prior to the child's birth, in the U.S. or a U.S. possession for a period of one year.

Applicant born in the Canal Zone or the Republic of Panama:

A birth certificate showing birth in the Canal Zone on or after February 26, 1904, and before October 1, 1979, and evidence that one parent was a U.S. citizen at the time of the Applicant's birth; or

A birth certificate showing birth in the Republic of Panama on or after February 26, 1904, and before October 1, 1979, and evidence that at least one parent was a U.S. citizen and employed by the U.S. government or the Panama Railroad Company or its successor in title.

All other situations where an Applicant claims to have a U.S. citizen parent and an alien parent, or claims to fall within one of the above categories but is unable to present the listed documentation:

If the Applicant is in the U.S., refer him or her to the local U.S. Citizenship and Immigration Services (USCIS) office for determination of U.S. citizenship;

If the Applicant is outside the U.S., refer him or her to the State Department for a U.S. citizenship determination.

F. Adoption of Foreign-Born Child by U.S. Citizen:

If the birth certificate shows a foreign place of birth and the Applicant cannot be determined to be a naturalized citizen under any of the above criteria, obtain other evidence of U.S. citizenship;

Since foreign-born adopted children do not automatically acquire U.S. citizenship by virtue of adoption by U.S. citizens, refer the Applicant to the local USCIS district office for a determination of U.S. citizenship if the Applicant provides no evidence of U.S. citizenship [the law changed several years ago to allow such children to obtain automatic citizenship].

G. U.S. Citizenship By Marriage



A woman acquired U.S. citizenship through marriage to a U.S. citizen before September 22, 1922.

Note: If the husband was an alien at the time of the marriage and became naturalized before September 22, 1922, the wife also acquired naturalized citizenship. If the marriage terminated, the wife maintained her U.S. citizenship if she was residing in the U.S. at that time and continued to reside in the U.S.

#### H. Applicants with Disabilities and Non-discrimination

If an Applicant has a disability that limits the Applicant's ability to provide the required evidence of citizenship or nationality (e.g. mental retardation, amnesia, or other cognitive, mental or physical impairment), you should make every effort to assist the individual to obtain the required evidence. In addition, you should not discriminate against Applicants on the basis of race, national origin, gender, religion, age or disability. See Non-discrimination Advisory, Attachment 2 of the AG Order.

## **ATTACHMENT B**

### **THE FOLLOWING LIST DOES NOT INCLUDE ALL DOCUMENTS THAT MAY BE ACCEPTED TO ESTABLISH LAWFUL PRESENCE - SEE ALSO RULE 5, SUBSECTIONS 2.1.3 THRU 2.1.6.**

The documents listed below, if not expired, when combined with satisfactory proof of identity (which will come from the document itself if it bears a photograph of the person to whom it relates), establish that the Applicant is lawfully present for purposes of this rule. For specific detailed descriptions of the Immigration Documents referred to below see Exhibit A to Attachment 5 of the AG Order.

#### **Alien Lawfully Admitted for Permanent Residence**

1. Form I-551 (Alien Registration Receipt Card, commonly called or known as a “green card”);  
or
2. Unexpired Temporary I-551 stamp in foreign passport or on Form I-94.

#### **Asylee**

3. Form I-94 annotated with stamp showing grant of asylum under section 208 of the Immigration and Nationality Act (INA);
4. Form I-688B (Employment Authorization Card) annotated “274a.12(a)(5)”;
5. Form I-776 (Employment Authorization Document) annotated “A5”;
6. Grant Letter from the Asylum Office or USCIS; or
7. Order of an immigration judge granting asylum.

#### **Refugee**

8. Form I-94 annotated with stamp showing admission under Section 207 of the INA;
9. Form I-688B (Employment Authorization Card) annotated “274a.12(a)(3)”;
10. Form I-766 (Employment Authorization Document) annotated “A3”; or
11. Form I-571 (Refugee Travel Document).

#### **Alien Paroled into the U.S. for a Least One Year**

12. Form I-94 with stamp showing admission for at least one year under Section 212(d)(5) of the INA. (Applicant cannot aggregate periods of admission for less than one year to meet the one-year requirement).

#### **Alien Whose Deportation or Removal Was Withheld**

13. Form I-688B (Employment Authorization Card) annotated 274a.12(a)(10);

14. Form I-766 (Employment Authorization Document) annotated "A10"; or
15. Order from an immigration judge showing deportation withheld under Section 243(h) of the INA as in effect prior to April 1, 1997, or removal withheld under Section 241(b)(3) of the INA.

#### Alien Granted Conditional Entry

16. Form I-94 with stamp showing admission under Section 203(a)(7) of the INA;
17. Form I-688B (Employment Authorization Card) annotated "274a.12(a)(3)"; or
18. Form I-766 (Employment Authorization Document) annotated "A3".

#### Cuban/Haitian Entrant

19. Form I-551 (Alien Registration Receipt Card, commonly known as a "green card,") with the code CU6, CU7, or CH6;
20. Unexpired temporary I-551 stamp in foreign passport or on Form I-94 with the code CU6 or CU7;
21. Form I-94 with stamp showing parole as "Cuba/Haitian Entrant" under Section 212(d)(5) of the INA.

#### Alien Who Has Been Battered or Subjected to Extreme Cruelty

See Attachment 5, Exhibit B, Section II, of the AG Order.

The documentation for Violence Against Women Act self-petitioners is the USCIS issued "Notice of Prima Facie Determination" or "Notice of Approval".

#### **NOTES:**

##### Expired or Absent Documentation

If an Applicant presents expired documents or is unable to present any documentation evidencing his or her immigration status, refer the Applicant to the local USCIS office to obtain documentation of status. In unusual circumstances involving Applicants who are hospitalized or medically disabled, or who can otherwise show good cause for their inability to present documentation and for whom securing such documentation would constitute undue hardship, if the Applicant can provide an alien registration number, you may file Form G-845 and Supplement, along with the alien registration number and a copy of any expired USCIS document presented, with the local USCIS office to verify status.

##### Receipt for Replacement Document

If an Applicant presents a receipt indicating that he or she has applied to the USCIS for a replacement document for one of the documents identified above, file Form G-845 and Supplement along with a copy of the receipt with the local USCIS office to verify status. Upon return receipt of information from USCIS, confirm that it pertains to the Applicant whose identity you have verified. You should ask to see the replacement document at a later date.

##### Applicants with Disabilities

If an Applicant has a disability that limits the Applicant's ability to provide the required evidence of immigration status (e.g., mental retardation, amnesia, or other cognitive, mental, or physical impairment), you should make every effort to assist the individual to obtain the required evidence.

In addition, you should not discriminate against Applicants on the basis of race, national origin, gender, religion, age, or disability.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00075

**Department**

400 - Department of Natural Resources

**Agency**

405 - Colorado Parks and Wildlife (405 Series, Parks)

**CCR number**

2 CCR 405-1

**Rule title**

CHAPTER P-1 - PARKS AND OUTDOOR RECREATION LANDS

**Rulemaking Hearing****Date**

03/09/2016

**Time**

08:00 AM

**Location**

Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216

**Subjects and issues involved**

CHAPTER P-1 - PARKS AND OUTDOOR RECREATION LANDS - see attached

**Statutory authority**

see attached

**Contact information****Name**

Danielle Isenhardt

**Title**

Regulations Manager

**Telephone**

303-866-3203 x 4625

**Email**

danielle.isenhardt@state.co.us

January 29, 2016

**RULE-MAKING NOTICE  
PARKS AND WILDLIFE COMMISSION MEETING  
March 9-10, 2016**

In accordance with the State Administrative Procedure Act, section 24-4-103, C.R.S., the Parks and Wildlife Commission gives notice that regulations will be considered for adoption at their next meeting on **March 9-10, 2016. The Parks and Wildlife Commission meeting will be held at the offices of Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216. The following regulatory subjects and issues shall be considered** pursuant to the Commission's authority in sections 33-9-101 to 111, C.R.S. ("Administration of Parks and Wildlife"), in sections 33-1-101 to 33-6-209, C.R.S. (the "Wildlife Act"), and especially sections 33-1-104, 33-1-106, 33-1-107, 33-1-108, 33-1-121, 33-2-104, 33-2-105, 33-2-106, 33-3-104, 33-4-101, 33-4-102 and 33-5.5-102, 33-6-107, 33-6-109, 33-6-112, 33-6-113, 33-6-114, 33-6-114.5, 33-6-117, 33-6-119, 33-6-121, 33-6-124, 33-6-125, 33-6-127, 33-6-128, 33-6-130, 33-6-205, 33-6-206, 33-6-207, 33-6-208, 33-6-209, C.R.S., and in sections 33-10-101 to 33-33-113, C.R.S. (the "Parks Act"), and especially sections 33-10-106, 33-10-107, 33-10.5-107, 33-11-109, 33-12-101, 33-12-103, 33-12-103.5, 33-12-106, 33-12.5-103, 33-13-103, 33-13-104, 33-13-106, 33-13-109, 33-13-110, 33-13-111, 33-14-107, 33-14.5-107, 33-32-103 and 33-33-105. C.R.S.

**FINAL REGULATORY ADOPTION** - March 9-10, 2016 beginning at 8:00 a.m.\*

**EFFECTIVE DATE OF REGULATIONS** approved during the March 2016 Parks and Wildlife Commission meeting: May 1, 2016, unless otherwise noted.

**FINAL REGULATIONS**

**PARKS REGULATIONS**

**Chapter P-1 - "Parks and Outdoor Recreation Lands" 2 CCR 405-1 and those related provisions of Chapter W-5 ("Small Game and Migratory Game Birds" 2 CCR 406-5) necessary to accommodate changes to or ensure consistency with Chapter P-1**

Open for annual review of the entire chapter including, but not limited to, generally-applicable and property-specific requirements for, or restrictions on use of, parks properties controlled by Colorado Parks and Wildlife, including, but not limited to, the following:

- Allowing regulated weekend waterfowl hunting on James M. Robb-Colorado River State Park's 34 Road Section parcel from two reservable blinds.
- Opening a portion of Highline Lake State Park to small game hunting on weekdays.
- Establishing park-specific regulations on the archery range at Trinidad Lake State Park.

**Chapter P-2 - "Boating" - 2 CCR 405-2**

Open for consideration of changes to regulations defining acceptable forms of "proof of ownership" for registering boats in Colorado.

*\*Please reference the Commission agenda, to be posted on or after February 29, 2016, to ensure when each regulatory item will be addressed by the Commission. The agenda will be posted at <http://cpw.state.co.us/aboutus/Pages/CommissionMeetings.aspx>.*

### **Chapter P-3 - “River Outfitters” - 2 CCR 405-3**

Open for consideration of changes to regulations requiring hands-on cardiopulmonary resuscitation (“CPR”) training for river guides, trip leaders, and guide instructors.

### **Chapter P-4 – “Snowmobile Regulations” – 2CCR 405-4**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering snowmobiles in Colorado.

### **Chapter P-5 – “Off-Highway Vehicle Regulations” - 2 CCR 405-5**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering OHV's in Colorado.

### **Chapter P-7 - “Passes, Permits and Registrations” - 2 CCR 405-7**

Open for annual review of the entire chapter including, but not limited to, regulations pertaining to eligibility requirements and fees for individual and vehicle park passes; use permits; vessel, snowmobile and off-highway vehicle registrations; and license agent requirements, including, but not limited to, the following:

- Expanding eligibility for a volunteer parks pass to all CPW volunteers who have donated 48 hours of approved service within a twelve month period.
- Adding definitions of “camping/to camp”, “camping unit” and “passenger vehicle” to chapter P-7.
- Making camping permits purchased before 5am, only valid until noon on the same day.
- Administrative clean-ups to camping regulations to comply with reservation system requirements.

## **WILDLIFE REGULATIONS**

### **Chapter W-0 - “General Provisions” - 2 CCR 406-0**

Open for consideration of changes to the no release provision for terrestrial invasive species, specifically giving the Director authority to grant exemptions.

### **Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of any necessary corrections or administrative clean-ups to regulations previously adopted by the Parks and Wildlife Commission for the 2016 big game seasons, including, but not limited to, game management unit boundaries, season dates, limited license areas and manner of take provisions for bighorn sheep, mountain goat, deer, elk, pronghorn, moose, bear and mountain lion, and regulations otherwise necessary for implementation of the 2016 big game seasons.

### **Chapter W-3 - “Furbearers and Small Game, Except Migratory Birds” - 2 CCR 406-3**

Open for consideration of annual changes to game bird seasons, excluding turkey, and other small game seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including the following:

- Reopening GMU 201 to greater sage-grouse hunting.
- Removing the chukar hunting closure in GMUs 9, 19, and 191.

#### **Chapter W-5 - “Small Game and Migratory Game Birds” - 2 CCR 406-5**

Open for consideration of annual changes to waterfowl and migratory bird hunting seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including, but not limited to, the following:

- Establishing new Pacific Flyway hunting zones (eastern and western) for both ducks and geese.

#### **Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

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

- Prohibiting fireworks on all SWA properties.
- Prohibiting any SWA user from blocking or impeding any boat ramp.
- Eliminating the requirement that all waterfowl and small game hunters must check-out of Bravo SWA and Bravo State Trust Land (STL).
- Allowing more vehicle parking at Brush Prairie Ponds SWA.
- Establishing a seasonal closure on Cimarron State Wildlife Area (SWA) from January 1 to June 30 to protect mating and nesting Gunnison sage grouse and wintering big game.
- Prohibiting hunting of dusky grouse and ruffed grouse on the Upper Baldy Tract of Garfield Creek SWA beginning in 2016.
- Modifying the open dates for the Grace Creek access road at Hohnholz Lake SWA.
- Removing fall boating and fishing restrictions at Jumbo Reservoir SWA and Red Lion SWA.
- Adding regulations for the Woodard Unit of the Jumping Cow SWA, including, but limited to restricting hunting and fishing access to permitted individuals only.
- Modifying regulations at Melon Valley SWA to open the property to all hunters on weekdays.
- Establishing specific regulations at Rio Blanco Lake SWA to limit big game hunting to archery equipment only, limit the Roselund Unit to day use only, and require parking in designated areas.
- Allowing the release of game birds at Mike Higbee SWA for education or training purposes.
- Prohibiting Off-Highway Vehicles use on Tarryall SWA.
- Prohibiting the shooting of firearms, pellet guns and bows in established campgrounds at Tarryall SWA.
- Prohibiting campfires at Tarryall SWA.
- Adopting property-specific regulations for Twin Spruce Ponds SWA, including, but not limited to prohibiting camping, fires, glass containers, alcoholic beverages, hunting, discharge of firearms or bows, and boating except for float tubes or craft propelled by hand.
- Adding Aqua Ramon STL to the Public Access Program with general STL regulations.
- Removing Lapin Creek and Deep Creek STLs from Chapter W-9.
- Limiting Columbian sharp-tailed grouse hunter numbers on the Dry Fork STL parcel on weekends and Labor Day to reduce conflicts with agriculture.



- Modifying the open hunting dates for McArthur Gulch STL, including when specific species may be hunted.
- Modifying opening date for Moosehead Mountain STL to August 15 annually.
- Enrolling the Zapata Falls STL into the Public Access Program with property-specific regulations.

**Chapter W-16- “Procedural Rules” - 2 CCR 406-16 and those related provisions of Chapter W-2 (“Big Game” 2 CCR 406-2) necessary to accommodate changes to or ensure consistency with Chapter W-16**

Open for consideration of final regulations pertaining to reissuance of returned limited licenses.

**CITIZEN PETITIONS:**

**Final action may be taken on rule-making petitions at any step of the Commission’s generally applicable two-step rule-making process.**

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Properties, as follows:

- A Citizen Petition for rulemaking requesting the Commission remove the access restrictions for the Mount Evans SWA that begin the day after Labor Day and run through the end of the 4<sup>th</sup> regular rifle season.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Parks and Unregulated Wildlife, as follows:

- A Citizen Petition for rulemaking requesting the Commission consider adding both species of two-toed sloth to the unregulated wildlife list in Chapter W-11.

The Commission may accept all or a portion of these petitions for final action, further consideration or otherwise reject the petitions at the March Commission meeting. A copy of any petition may be obtained by contacting Danielle Isenhardt (303) 866-3203 ext. 4625, Regulations Manager, Colorado Parks and Wildlife.

**ISSUE IDENTIFICATION**

**WILDLIFE REGULATIONS**

**Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of modifications to Ranching for Wildlife regulations to clarify when Dream Hunt or Youth Outreach licenses may be used on enrolled ranches.

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9 and those related provisions of Chapter P-1 (“Parks and Outdoor Recreation Lands” 2 CCR 405-1) necessary to accommodate changes to or ensure consistency with Chapter W-9**

Open for consideration of adopting new regulations to streamline the process for approving normal utility easements, lease extensions/renewals and amendments from the Colorado Parks and Wildlife Real Estate section.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

Open for consideration to amending the regulations pertaining to citizen petitions requesting to unregulate, list, or delist a species within Chapter W-11.

**Except for the day and time indicated for when the meeting is scheduled to begin, the order indicated for each agenda item is approximate and subject to change when necessary to accommodate the Commission's schedule.**

**Viewing of Proposed Rules:** copies of the proposed rules (together with a proposed statement of basis and purpose and specific statutory authority), will be available for inspection and distribution at the Office of the Regulations Manager, Division of Parks and Wildlife, 1313 Sherman St., Denver, Colorado, at least five (5) days prior to the date of hearing. Such copies, however, are only proposals to be submitted to the Commission by the Division of Parks and Wildlife.

**Modification of Proposed Rules prior to adoption:** subject to the provisions of Section 24-4-103, C.R.S., modification of these proposals may be made by the Division of Parks and Wildlife or the Commission before the Commission promulgates final rules and regulations on the above topics.

**Comment deadlines:** Comments will be accepted at any time prior to, or as part of the meeting. However, to ensure sufficient time for consideration prior to the meeting, **comments should be provided to the Division of Parks and Wildlife by noon on the following date:**

**February 24, 2015,** for mailing by the Division of Parks and Wildlife to the Parks and Wildlife Commission on **February 25, 2016.**

Comments received by the Division after noon on **February 24, 2016,** will be provided to the Commission on the day of the meeting.

**Opportunity to submit alternate proposals and provide comment:** the Commission will afford all interested persons an opportunity to submit alternate proposals, written data, views or arguments and to present them orally at the meeting unless it deems such oral presentation unnecessary. Written alternate proposals, data, views or arguments and other written statements should be submitted to the Division of Parks and Wildlife at 1313 Sherman St., Denver, CO 80203; or e-mailed to **dnr\_cpwcommission@state.co.us.**

Use of Consent Agenda:

In order to increase the Parks and Wildlife Commission's efficiency and allow more time for consideration of parks and wildlife policy and contested issues, some or all of this regulatory

agenda may be listed for action by the Commission as part of a "Consent Agenda" for this meeting.

*The process for placing matters on the Consent Agenda is as follows:*

*The Director identifies matters where the recommended action follows established policy or precedent, there has been agreement reached or the matter is expected to be uncontested and non-controversial.*

*Regulatory Matters on the Consent Agenda are noticed for hearing at the same time and in the same manner as other Consent Agenda items. If a member of the Commission requests further consideration of an item on the Consent Agenda, that item will be withdrawn from the Consent Agenda and discussed at the end of the meeting or at the next meeting. The Consent Agenda may be voted on without the necessity of reading individual items. Any Commission member may request clarification from the Director of any matter on the Consent Agenda.*

**OTHER AGENDA ITEMS:** The Parks and Wildlife Commission may consider and make policy, program implementation, and other non-regulatory decisions, which may be of public interest at this meeting. A copy of the complete meeting agenda may be viewed on the Division of Parks and Wildlife's internet home page at <http://cpw.state.co.us>, on or after **February 29, 2016**.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00076

**Department**

400 - Department of Natural Resources

**Agency**

405 - Colorado Parks and Wildlife (405 Series, Parks)

**CCR number**

2 CCR 405-2

**Rule title**

CHAPTER P-2 - BOATING

**Rulemaking Hearing****Date**

03/09/2016

**Time**

08:00 AM

**Location**

Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216

**Subjects and issues involved**

CHAPTER P-2 - BOATING - See Attached

**Statutory authority**

see attached

**Contact information****Name**

Danielle Isenhardt

**Title**

Regulations Manager

**Telephone**

303-866-3203 x 4625

**Email**

danielle.isenhardt@state.co.us

January 29, 2016

**RULE-MAKING NOTICE  
PARKS AND WILDLIFE COMMISSION MEETING  
March 9-10, 2016**

In accordance with the State Administrative Procedure Act, section 24-4-103, C.R.S., the Parks and Wildlife Commission gives notice that regulations will be considered for adoption at their next meeting on **March 9-10, 2016. The Parks and Wildlife Commission meeting will be held at the offices of Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216. The following regulatory subjects and issues shall be considered** pursuant to the Commission's authority in sections 33-9-101 to 111, C.R.S. ("Administration of Parks and Wildlife"), in sections 33-1-101 to 33-6-209, C.R.S. (the "Wildlife Act"), and especially sections 33-1-104, 33-1-106, 33-1-107, 33-1-108, 33-1-121, 33-2-104, 33-2-105, 33-2-106, 33-3-104, 33-4-101, 33-4-102 and 33-5.5-102, 33-6-107, 33-6-109, 33-6-112, 33-6-113, 33-6-114, 33-6-114.5, 33-6-117, 33-6-119, 33-6-121, 33-6-124, 33-6-125, 33-6-127, 33-6-128, 33-6-130, 33-6-205, 33-6-206, 33-6-207, 33-6-208, 33-6-209, C.R.S., and in sections 33-10-101 to 33-33-113, C.R.S. (the "Parks Act"), and especially sections 33-10-106, 33-10-107, 33-10.5-107, 33-11-109, 33-12-101, 33-12-103, 33-12-103.5, 33-12-106, 33-12.5-103, 33-13-103, 33-13-104, 33-13-106, 33-13-109, 33-13-110, 33-13-111, 33-14-107, 33-14.5-107, 33-32-103 and 33-33-105. C.R.S.

**FINAL REGULATORY ADOPTION** - March 9-10, 2016 beginning at 8:00 a.m.\*

**EFFECTIVE DATE OF REGULATIONS** approved during the March 2016 Parks and Wildlife Commission meeting: May 1, 2016, unless otherwise noted.

**FINAL REGULATIONS**

**PARKS REGULATIONS**

**Chapter P-1 - "Parks and Outdoor Recreation Lands" 2 CCR 405-1 and those related provisions of Chapter W-5 ("Small Game and Migratory Game Birds" 2 CCR 406-5) necessary to accommodate changes to or ensure consistency with Chapter P-1**

Open for annual review of the entire chapter including, but not limited to, generally-applicable and property-specific requirements for, or restrictions on use of, parks properties controlled by Colorado Parks and Wildlife, including, but not limited to, the following:

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- Establishing park-specific regulations on the archery range at Trinidad Lake State Park.

**Chapter P-2 - "Boating" - 2 CCR 405-2**

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*\*Please reference the Commission agenda, to be posted on or after February 29, 2016, to ensure when each regulatory item will be addressed by the Commission. The agenda will be posted at <http://cpw.state.co.us/aboutus/Pages/CommissionMeetings.aspx>.*

### **Chapter P-3 - “River Outfitters” - 2 CCR 405-3**

Open for consideration of changes to regulations requiring hands-on cardiopulmonary resuscitation (“CPR”) training for river guides, trip leaders, and guide instructors.

### **Chapter P-4 – “Snowmobile Regulations” – 2CCR 405-4**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering snowmobiles in Colorado.

### **Chapter P-5 – “Off-Highway Vehicle Regulations” - 2 CCR 405-5**

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- Expanding eligibility for a volunteer parks pass to all CPW volunteers who have donated 48 hours of approved service within a twelve month period.
- Adding definitions of “camping/to camp”, “camping unit” and “passenger vehicle” to chapter P-7.
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- Administrative clean-ups to camping regulations to comply with reservation system requirements.

## **WILDLIFE REGULATIONS**

### **Chapter W-0 - “General Provisions” - 2 CCR 406-0**

Open for consideration of changes to the no release provision for terrestrial invasive species, specifically giving the Director authority to grant exemptions.

### **Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of any necessary corrections or administrative clean-ups to regulations previously adopted by the Parks and Wildlife Commission for the 2016 big game seasons, including, but not limited to, game management unit boundaries, season dates, limited license areas and manner of take provisions for bighorn sheep, mountain goat, deer, elk, pronghorn, moose, bear and mountain lion, and regulations otherwise necessary for implementation of the 2016 big game seasons.

### **Chapter W-3 - “Furbearers and Small Game, Except Migratory Birds” - 2 CCR 406-3**

Open for consideration of annual changes to game bird seasons, excluding turkey, and other small game seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including the following:

- Reopening GMU 201 to greater sage-grouse hunting.
- Removing the chukar hunting closure in GMUs 9, 19, and 191.

#### **Chapter W-5 - “Small Game and Migratory Game Birds” - 2 CCR 406-5**

Open for consideration of annual changes to waterfowl and migratory bird hunting seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including, but not limited to, the following:

- Establishing new Pacific Flyway hunting zones (eastern and western) for both ducks and geese.

#### **Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

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

- Prohibiting fireworks on all SWA properties.
- Prohibiting any SWA user from blocking or impeding any boat ramp.
- Eliminating the requirement that all waterfowl and small game hunters must check-out of Bravo SWA and Bravo State Trust Land (STL).
- Allowing more vehicle parking at Brush Prairie Ponds SWA.
- Establishing a seasonal closure on Cimarron State Wildlife Area (SWA) from January 1 to June 30 to protect mating and nesting Gunnison sage grouse and wintering big game.
- Prohibiting hunting of dusky grouse and ruffed grouse on the Upper Baldy Tract of Garfield Creek SWA beginning in 2016.
- Modifying the open dates for the Grace Creek access road at Hohnholz Lake SWA.
- Removing fall boating and fishing restrictions at Jumbo Reservoir SWA and Red Lion SWA.
- Adding regulations for the Woodard Unit of the Jumping Cow SWA, including, but limited to restricting hunting and fishing access to permitted individuals only.
- Modifying regulations at Melon Valley SWA to open the property to all hunters on weekdays.
- Establishing specific regulations at Rio Blanco Lake SWA to limit big game hunting to archery equipment only, limit the Roselund Unit to day use only, and require parking in designated areas.
- Allowing the release of game birds at Mike Higbee SWA for education or training purposes.
- Prohibiting Off-Highway Vehicles use on Tarryall SWA.
- Prohibiting the shooting of firearms, pellet guns and bows in established campgrounds at Tarryall SWA.
- Prohibiting campfires at Tarryall SWA.
- Adopting property-specific regulations for Twin Spruce Ponds SWA, including, but not limited to prohibiting camping, fires, glass containers, alcoholic beverages, hunting, discharge of firearms or bows, and boating except for float tubes or craft propelled by hand.
- Adding Aqua Ramon STL to the Public Access Program with general STL regulations.
- Removing Lapin Creek and Deep Creek STLs from Chapter W-9.
- Limiting Columbian sharp-tailed grouse hunter numbers on the Dry Fork STL parcel on weekends and Labor Day to reduce conflicts with agriculture.

- Modifying the open hunting dates for McArthur Gulch STL, including when specific species may be hunted.
- Modifying opening date for Moosehead Mountain STL to August 15 annually.
- Enrolling the Zapata Falls STL into the Public Access Program with property-specific regulations.

**Chapter W-16- “Procedural Rules” - 2 CCR 406-16 and those related provisions of Chapter W-2 (“Big Game” 2 CCR 406-2) necessary to accommodate changes to or ensure consistency with Chapter W-16**

Open for consideration of final regulations pertaining to reissuance of returned limited licenses.

**CITIZEN PETITIONS:**

**Final action may be taken on rule-making petitions at any step of the Commission’s generally applicable two-step rule-making process.**

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Properties, as follows:

- A Citizen Petition for rulemaking requesting the Commission remove the access restrictions for the Mount Evans SWA that begin the day after Labor Day and run through the end of the 4<sup>th</sup> regular rifle season.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Parks and Unregulated Wildlife, as follows:

- A Citizen Petition for rulemaking requesting the Commission consider adding both species of two-toed sloth to the unregulated wildlife list in Chapter W-11.

The Commission may accept all or a portion of these petitions for final action, further consideration or otherwise reject the petitions at the March Commission meeting. A copy of any petition may be obtained by contacting Danielle Isenhardt (303) 866-3203 ext. 4625, Regulations Manager, Colorado Parks and Wildlife.

**ISSUE IDENTIFICATION**

**WILDLIFE REGULATIONS**

**Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of modifications to Ranching for Wildlife regulations to clarify when Dream Hunt or Youth Outreach licenses may be used on enrolled ranches.



**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9 and those related provisions of Chapter P-1 (“Parks and Outdoor Recreation Lands” 2 CCR 405-1) necessary to accommodate changes to or ensure consistency with Chapter W-9**

Open for consideration of adopting new regulations to streamline the process for approving normal utility easements, lease extensions/renewals and amendments from the Colorado Parks and Wildlife Real Estate section.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

Open for consideration to amending the regulations pertaining to citizen petitions requesting to unregulate, list, or delist a species within Chapter W-11.

**Except for the day and time indicated for when the meeting is scheduled to begin, the order indicated for each agenda item is approximate and subject to change when necessary to accommodate the Commission's schedule.**

**Viewing of Proposed Rules:** copies of the proposed rules (together with a proposed statement of basis and purpose and specific statutory authority), will be available for inspection and distribution at the Office of the Regulations Manager, Division of Parks and Wildlife, 1313 Sherman St., Denver, Colorado, at least five (5) days prior to the date of hearing. Such copies, however, are only proposals to be submitted to the Commission by the Division of Parks and Wildlife.

**Modification of Proposed Rules prior to adoption:** subject to the provisions of Section 24-4-103, C.R.S., modification of these proposals may be made by the Division of Parks and Wildlife or the Commission before the Commission promulgates final rules and regulations on the above topics.

**Comment deadlines:** Comments will be accepted at any time prior to, or as part of the meeting. However, to ensure sufficient time for consideration prior to the meeting, comments should be provided to the Division of Parks and Wildlife by noon on the following date:

February 24, 2015, for mailing by the Division of Parks and Wildlife to the Parks and Wildlife Commission on **February 25, 2016.**

Comments received by the Division after noon on **February 24, 2016,** will be provided to the Commission on the day of the meeting.

**Opportunity to submit alternate proposals and provide comment:** the Commission will afford all interested persons an opportunity to submit alternate proposals, written data, views or arguments and to present them orally at the meeting unless it deems such oral presentation unnecessary. Written alternate proposals, data, views or arguments and other written statements should be submitted to the Division of Parks and Wildlife at 1313 Sherman St., Denver, CO 80203; or e-mailed to [dnr\\_cpwcommission@state.co.us](mailto:dnr_cpwcommission@state.co.us).

Use of Consent Agenda:

In order to increase the Parks and Wildlife Commission's efficiency and allow more time for consideration of parks and wildlife policy and contested issues, some or all of this regulatory

agenda may be listed for action by the Commission as part of a "Consent Agenda" for this meeting.

*The process for placing matters on the Consent Agenda is as follows:*

*The Director identifies matters where the recommended action follows established policy or precedent, there has been agreement reached or the matter is expected to be uncontested and non-controversial.*

*Regulatory Matters on the Consent Agenda are noticed for hearing at the same time and in the same manner as other Consent Agenda items. If a member of the Commission requests further consideration of an item on the Consent Agenda, that item will be withdrawn from the Consent Agenda and discussed at the end of the meeting or at the next meeting. The Consent Agenda may be voted on without the necessity of reading individual items. Any Commission member may request clarification from the Director of any matter on the Consent Agenda.*

**OTHER AGENDA ITEMS:** The Parks and Wildlife Commission may consider and make policy, program implementation, and other non-regulatory decisions, which may be of public interest at this meeting. A copy of the complete meeting agenda may be viewed on the Division of Parks and Wildlife's internet home page at <http://cpw.state.co.us>, on or after **February 29, 2016**.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00077

**Department**

400 - Department of Natural Resources

**Agency**

405 - Colorado Parks and Wildlife (405 Series, Parks)

**CCR number**

2 CCR 405-3

**Rule title**

CHAPTER P-3 - RIVER OUTFITTERS

**Rulemaking Hearing****Date**

03/09/2016

**Time**

08:00 AM

**Location**

Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216

**Subjects and issues involved**

CHAPTER P-3 - RIVER OUTFITTERS - See attached

**Statutory authority**

see attached

**Contact information****Name**

Danielle Isenhardt

**Title**

Regulations Manager

**Telephone**

303-866-3203 x 4625

**Email**

danielle.isenhardt@state.co.us

January 29, 2016

**RULE-MAKING NOTICE  
PARKS AND WILDLIFE COMMISSION MEETING  
March 9-10, 2016**

In accordance with the State Administrative Procedure Act, section 24-4-103, C.R.S., the Parks and Wildlife Commission gives notice that regulations will be considered for adoption at their next meeting on **March 9-10, 2016. The Parks and Wildlife Commission meeting will be held at the offices of Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216. The following regulatory subjects and issues shall be considered** pursuant to the Commission's authority in sections 33-9-101 to 111, C.R.S. ("Administration of Parks and Wildlife"), in sections 33-1-101 to 33-6-209, C.R.S. (the "Wildlife Act"), and especially sections 33-1-104, 33-1-106, 33-1-107, 33-1-108, 33-1-121, 33-2-104, 33-2-105, 33-2-106, 33-3-104, 33-4-101, 33-4-102 and 33-5.5-102, 33-6-107, 33-6-109, 33-6-112, 33-6-113, 33-6-114, 33-6-114.5, 33-6-117, 33-6-119, 33-6-121, 33-6-124, 33-6-125, 33-6-127, 33-6-128, 33-6-130, 33-6-205, 33-6-206, 33-6-207, 33-6-208, 33-6-209, C.R.S., and in sections 33-10-101 to 33-33-113, C.R.S. (the "Parks Act"), and especially sections 33-10-106, 33-10-107, 33-10.5-107, 33-11-109, 33-12-101, 33-12-103, 33-12-103.5, 33-12-106, 33-12.5-103, 33-13-103, 33-13-104, 33-13-106, 33-13-109, 33-13-110, 33-13-111, 33-14-107, 33-14.5-107, 33-32-103 and 33-33-105. C.R.S.

**FINAL REGULATORY ADOPTION** - March 9-10, 2016 beginning at 8:00 a.m.\*

**EFFECTIVE DATE OF REGULATIONS** approved during the March 2016 Parks and Wildlife Commission meeting: May 1, 2016, unless otherwise noted.

**FINAL REGULATIONS**

**PARKS REGULATIONS**

**Chapter P-1 - "Parks and Outdoor Recreation Lands" 2 CCR 405-1 and those related provisions of Chapter W-5 ("Small Game and Migratory Game Birds" 2 CCR 406-5) necessary to accommodate changes to or ensure consistency with Chapter P-1**

Open for annual review of the entire chapter including, but not limited to, generally-applicable and property-specific requirements for, or restrictions on use of, parks properties controlled by Colorado Parks and Wildlife, including, but not limited to, the following:

- Allowing regulated weekend waterfowl hunting on James M. Robb-Colorado River State Park's 34 Road Section parcel from two reservable blinds.
- Opening a portion of Highline Lake State Park to small game hunting on weekdays.
- Establishing park-specific regulations on the archery range at Trinidad Lake State Park.

**Chapter P-2 - "Boating" - 2 CCR 405-2**

Open for consideration of changes to regulations defining acceptable forms of "proof of ownership" for registering boats in Colorado.

*\*Please reference the Commission agenda, to be posted on or after February 29, 2016, to ensure when each regulatory item will be addressed by the Commission. The agenda will be posted at <http://cpw.state.co.us/aboutus/Pages/CommissionMeetings.aspx>.*

### **Chapter P-3 - “River Outfitters” - 2 CCR 405-3**

Open for consideration of changes to regulations requiring hands-on cardiopulmonary resuscitation (“CPR”) training for river guides, trip leaders, and guide instructors.

### **Chapter P-4 – “Snowmobile Regulations” – 2CCR 405-4**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering snowmobiles in Colorado.

### **Chapter P-5 – “Off-Highway Vehicle Regulations” - 2 CCR 405-5**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering OHV's in Colorado.

### **Chapter P-7 - “Passes, Permits and Registrations” - 2 CCR 405-7**

Open for annual review of the entire chapter including, but not limited to, regulations pertaining to eligibility requirements and fees for individual and vehicle park passes; use permits; vessel, snowmobile and off-highway vehicle registrations; and license agent requirements, including, but not limited to, the following:

- Expanding eligibility for a volunteer parks pass to all CPW volunteers who have donated 48 hours of approved service within a twelve month period.
- Adding definitions of “camping/to camp”, “camping unit” and “passenger vehicle” to chapter P-7.
- Making camping permits purchased before 5am, only valid until noon on the same day.
- Administrative clean-ups to camping regulations to comply with reservation system requirements.

## **WILDLIFE REGULATIONS**

### **Chapter W-0 - “General Provisions” - 2 CCR 406-0**

Open for consideration of changes to the no release provision for terrestrial invasive species, specifically giving the Director authority to grant exemptions.

### **Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of any necessary corrections or administrative clean-ups to regulations previously adopted by the Parks and Wildlife Commission for the 2016 big game seasons, including, but not limited to, game management unit boundaries, season dates, limited license areas and manner of take provisions for bighorn sheep, mountain goat, deer, elk, pronghorn, moose, bear and mountain lion, and regulations otherwise necessary for implementation of the 2016 big game seasons.

### **Chapter W-3 - “Furbearers and Small Game, Except Migratory Birds” - 2 CCR 406-3**

Open for consideration of annual changes to game bird seasons, excluding turkey, and other small game seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including the following:

- Reopening GMU 201 to greater sage-grouse hunting.
- Removing the chukar hunting closure in GMUs 9, 19, and 191.

#### **Chapter W-5 - “Small Game and Migratory Game Birds” - 2 CCR 406-5**

Open for consideration of annual changes to waterfowl and migratory bird hunting seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including, but not limited to, the following:

- Establishing new Pacific Flyway hunting zones (eastern and western) for both ducks and geese.

#### **Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

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

- Prohibiting fireworks on all SWA properties.
- Prohibiting any SWA user from blocking or impeding any boat ramp.
- Eliminating the requirement that all waterfowl and small game hunters must check-out of Bravo SWA and Bravo State Trust Land (STL).
- Allowing more vehicle parking at Brush Prairie Ponds SWA.
- Establishing a seasonal closure on Cimarron State Wildlife Area (SWA) from January 1 to June 30 to protect mating and nesting Gunnison sage grouse and wintering big game.
- Prohibiting hunting of dusky grouse and ruffed grouse on the Upper Baldy Tract of Garfield Creek SWA beginning in 2016.
- Modifying the open dates for the Grace Creek access road at Hohnholz Lake SWA.
- Removing fall boating and fishing restrictions at Jumbo Reservoir SWA and Red Lion SWA.
- Adding regulations for the Woodard Unit of the Jumping Cow SWA, including, but limited to restricting hunting and fishing access to permitted individuals only.
- Modifying regulations at Melon Valley SWA to open the property to all hunters on weekdays.
- Establishing specific regulations at Rio Blanco Lake SWA to limit big game hunting to archery equipment only, limit the Roselund Unit to day use only, and require parking in designated areas.
- Allowing the release of game birds at Mike Higbee SWA for education or training purposes.
- Prohibiting Off-Highway Vehicles use on Tarryall SWA.
- Prohibiting the shooting of firearms, pellet guns and bows in established campgrounds at Tarryall SWA.
- Prohibiting campfires at Tarryall SWA.
- Adopting property-specific regulations for Twin Spruce Ponds SWA, including, but not limited to prohibiting camping, fires, glass containers, alcoholic beverages, hunting, discharge of firearms or bows, and boating except for float tubes or craft propelled by hand.
- Adding Aqua Ramon STL to the Public Access Program with general STL regulations.
- Removing Lapin Creek and Deep Creek STLs from Chapter W-9.
- Limiting Columbian sharp-tailed grouse hunter numbers on the Dry Fork STL parcel on weekends and Labor Day to reduce conflicts with agriculture.

- Modifying the open hunting dates for McArthur Gulch STL, including when specific species may be hunted.
- Modifying opening date for Moosehead Mountain STL to August 15 annually.
- Enrolling the Zapata Falls STL into the Public Access Program with property-specific regulations.

**Chapter W-16- “Procedural Rules” - 2 CCR 406-16 and those related provisions of Chapter W-2 (“Big Game” 2 CCR 406-2) necessary to accommodate changes to or ensure consistency with Chapter W-16**

Open for consideration of final regulations pertaining to reissuance of returned limited licenses.

**CITIZEN PETITIONS:**

**Final action may be taken on rule-making petitions at any step of the Commission’s generally applicable two-step rule-making process.**

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Properties, as follows:

- A Citizen Petition for rulemaking requesting the Commission remove the access restrictions for the Mount Evans SWA that begin the day after Labor Day and run through the end of the 4<sup>th</sup> regular rifle season.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Parks and Unregulated Wildlife, as follows:

- A Citizen Petition for rulemaking requesting the Commission consider adding both species of two-toed sloth to the unregulated wildlife list in Chapter W-11.

The Commission may accept all or a portion of these petitions for final action, further consideration or otherwise reject the petitions at the March Commission meeting. A copy of any petition may be obtained by contacting Danielle Isenhardt (303) 866-3203 ext. 4625, Regulations Manager, Colorado Parks and Wildlife.

**ISSUE IDENTIFICATION**

**WILDLIFE REGULATIONS**

**Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of modifications to Ranching for Wildlife regulations to clarify when Dream Hunt or Youth Outreach licenses may be used on enrolled ranches.

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9 and those related provisions of Chapter P-1 (“Parks and Outdoor Recreation Lands” 2 CCR 405-1) necessary to accommodate changes to or ensure consistency with Chapter W-9**

Open for consideration of adopting new regulations to streamline the process for approving normal utility easements, lease extensions/renewals and amendments from the Colorado Parks and Wildlife Real Estate section.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

Open for consideration to amending the regulations pertaining to citizen petitions requesting to unregulate, list, or delist a species within Chapter W-11.

**Except for the day and time indicated for when the meeting is scheduled to begin, the order indicated for each agenda item is approximate and subject to change when necessary to accommodate the Commission's schedule.**

**Viewing of Proposed Rules:** copies of the proposed rules (together with a proposed statement of basis and purpose and specific statutory authority), will be available for inspection and distribution at the Office of the Regulations Manager, Division of Parks and Wildlife, 1313 Sherman St., Denver, Colorado, at least five (5) days prior to the date of hearing. Such copies, however, are only proposals to be submitted to the Commission by the Division of Parks and Wildlife.

**Modification of Proposed Rules prior to adoption:** subject to the provisions of Section 24-4-103, C.R.S., modification of these proposals may be made by the Division of Parks and Wildlife or the Commission before the Commission promulgates final rules and regulations on the above topics.

**Comment deadlines:** Comments will be accepted at any time prior to, or as part of the meeting. However, to ensure sufficient time for consideration prior to the meeting, comments should be provided to the Division of Parks and Wildlife by noon on the following date:

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Use of Consent Agenda:

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agenda may be listed for action by the Commission as part of a "Consent Agenda" for this meeting.

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**OTHER AGENDA ITEMS:** The Parks and Wildlife Commission may consider and make policy, program implementation, and other non-regulatory decisions, which may be of public interest at this meeting. A copy of the complete meeting agenda may be viewed on the Division of Parks and Wildlife's internet home page at <http://cpw.state.co.us>, on or after **February 29, 2016**.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00078

**Department**

400 - Department of Natural Resources

**Agency**

405 - Colorado Parks and Wildlife (405 Series, Parks)

**CCR number**

2 CCR 405-4

**Rule title**

CHAPTER P-4 - SNOWMOBILE REGULATIONS

**Rulemaking Hearing****Date**

03/09/2016

**Time**

08:00 AM

**Location**

Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216

**Subjects and issues involved**

CHAPTER P-4 - SNOWMOBILE REGULATIONS - See attachment

**Statutory authority**

see attached

**Contact information****Name**

Danielle Isenhardt

**Title**

Regulations Manager

**Telephone**

303-866-3203 x 4625

**Email**

danielle.isenhardt@state.co.us

January 29, 2016

**RULE-MAKING NOTICE  
PARKS AND WILDLIFE COMMISSION MEETING  
March 9-10, 2016**

In accordance with the State Administrative Procedure Act, section 24-4-103, C.R.S., the Parks and Wildlife Commission gives notice that regulations will be considered for adoption at their next meeting on **March 9-10, 2016. The Parks and Wildlife Commission meeting will be held at the offices of Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216. The following regulatory subjects and issues shall be considered** pursuant to the Commission's authority in sections 33-9-101 to 111, C.R.S. ("Administration of Parks and Wildlife"), in sections 33-1-101 to 33-6-209, C.R.S. (the "Wildlife Act"), and especially sections 33-1-104, 33-1-106, 33-1-107, 33-1-108, 33-1-121, 33-2-104, 33-2-105, 33-2-106, 33-3-104, 33-4-101, 33-4-102 and 33-5.5-102, 33-6-107, 33-6-109, 33-6-112, 33-6-113, 33-6-114, 33-6-114.5, 33-6-117, 33-6-119, 33-6-121, 33-6-124, 33-6-125, 33-6-127, 33-6-128, 33-6-130, 33-6-205, 33-6-206, 33-6-207, 33-6-208, 33-6-209, C.R.S., and in sections 33-10-101 to 33-33-113, C.R.S. (the "Parks Act"), and especially sections 33-10-106, 33-10-107, 33-10.5-107, 33-11-109, 33-12-101, 33-12-103, 33-12-103.5, 33-12-106, 33-12.5-103, 33-13-103, 33-13-104, 33-13-106, 33-13-109, 33-13-110, 33-13-111, 33-14-107, 33-14.5-107, 33-32-103 and 33-33-105. C.R.S.

**FINAL REGULATORY ADOPTION** - March 9-10, 2016 beginning at 8:00 a.m.\*

**EFFECTIVE DATE OF REGULATIONS** approved during the March 2016 Parks and Wildlife Commission meeting: May 1, 2016, unless otherwise noted.

**FINAL REGULATIONS**

**PARKS REGULATIONS**

**Chapter P-1 - "Parks and Outdoor Recreation Lands" 2 CCR 405-1 and those related provisions of Chapter W-5 ("Small Game and Migratory Game Birds" 2 CCR 406-5) necessary to accommodate changes to or ensure consistency with Chapter P-1**

Open for annual review of the entire chapter including, but not limited to, generally-applicable and property-specific requirements for, or restrictions on use of, parks properties controlled by Colorado Parks and Wildlife, including, but not limited to, the following:

- Allowing regulated weekend waterfowl hunting on James M. Robb-Colorado River State Park's 34 Road Section parcel from two reservable blinds.
- Opening a portion of Highline Lake State Park to small game hunting on weekdays.
- Establishing park-specific regulations on the archery range at Trinidad Lake State Park.

**Chapter P-2 - "Boating" - 2 CCR 405-2**

Open for consideration of changes to regulations defining acceptable forms of "proof of ownership" for registering boats in Colorado.

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### **Chapter P-3 - “River Outfitters” - 2 CCR 405-3**

Open for consideration of changes to regulations requiring hands-on cardiopulmonary resuscitation (“CPR”) training for river guides, trip leaders, and guide instructors.

### **Chapter P-4 – “Snowmobile Regulations” – 2CCR 405-4**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering snowmobiles in Colorado.

### **Chapter P-5 – “Off-Highway Vehicle Regulations” - 2 CCR 405-5**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering OHV's in Colorado.

### **Chapter P-7 - “Passes, Permits and Registrations” - 2 CCR 405-7**

Open for annual review of the entire chapter including, but not limited to, regulations pertaining to eligibility requirements and fees for individual and vehicle park passes; use permits; vessel, snowmobile and off-highway vehicle registrations; and license agent requirements, including, but not limited to, the following:

- Expanding eligibility for a volunteer parks pass to all CPW volunteers who have donated 48 hours of approved service within a twelve month period.
- Adding definitions of “camping/to camp”, “camping unit” and “passenger vehicle” to chapter P-7.
- Making camping permits purchased before 5am, only valid until noon on the same day.
- Administrative clean-ups to camping regulations to comply with reservation system requirements.

## **WILDLIFE REGULATIONS**

### **Chapter W-0 - “General Provisions” - 2 CCR 406-0**

Open for consideration of changes to the no release provision for terrestrial invasive species, specifically giving the Director authority to grant exemptions.

### **Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of any necessary corrections or administrative clean-ups to regulations previously adopted by the Parks and Wildlife Commission for the 2016 big game seasons, including, but not limited to, game management unit boundaries, season dates, limited license areas and manner of take provisions for bighorn sheep, mountain goat, deer, elk, pronghorn, moose, bear and mountain lion, and regulations otherwise necessary for implementation of the 2016 big game seasons.

### **Chapter W-3 - “Furbearers and Small Game, Except Migratory Birds” - 2 CCR 406-3**

Open for consideration of annual changes to game bird seasons, excluding turkey, and other small game seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including the following:

- Reopening GMU 201 to greater sage-grouse hunting.
- Removing the chukar hunting closure in GMUs 9, 19, and 191.

#### **Chapter W-5 - “Small Game and Migratory Game Birds” - 2 CCR 406-5**

Open for consideration of annual changes to waterfowl and migratory bird hunting seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including, but not limited to, the following:

- Establishing new Pacific Flyway hunting zones (eastern and western) for both ducks and geese.

#### **Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

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

- Prohibiting fireworks on all SWA properties.
- Prohibiting any SWA user from blocking or impeding any boat ramp.
- Eliminating the requirement that all waterfowl and small game hunters must check-out of Bravo SWA and Bravo State Trust Land (STL).
- Allowing more vehicle parking at Brush Prairie Ponds SWA.
- Establishing a seasonal closure on Cimarron State Wildlife Area (SWA) from January 1 to June 30 to protect mating and nesting Gunnison sage grouse and wintering big game.
- Prohibiting hunting of dusky grouse and ruffed grouse on the Upper Baldy Tract of Garfield Creek SWA beginning in 2016.
- Modifying the open dates for the Grace Creek access road at Hohnholz Lake SWA.
- Removing fall boating and fishing restrictions at Jumbo Reservoir SWA and Red Lion SWA.
- Adding regulations for the Woodard Unit of the Jumping Cow SWA, including, but limited to restricting hunting and fishing access to permitted individuals only.
- Modifying regulations at Melon Valley SWA to open the property to all hunters on weekdays.
- Establishing specific regulations at Rio Blanco Lake SWA to limit big game hunting to archery equipment only, limit the Roselund Unit to day use only, and require parking in designated areas.
- Allowing the release of game birds at Mike Higbee SWA for education or training purposes.
- Prohibiting Off-Highway Vehicles use on Tarryall SWA.
- Prohibiting the shooting of firearms, pellet guns and bows in established campgrounds at Tarryall SWA.
- Prohibiting campfires at Tarryall SWA.
- Adopting property-specific regulations for Twin Spruce Ponds SWA, including, but not limited to prohibiting camping, fires, glass containers, alcoholic beverages, hunting, discharge of firearms or bows, and boating except for float tubes or craft propelled by hand.
- Adding Aqua Ramon STL to the Public Access Program with general STL regulations.
- Removing Lapin Creek and Deep Creek STLs from Chapter W-9.
- Limiting Columbian sharp-tailed grouse hunter numbers on the Dry Fork STL parcel on weekends and Labor Day to reduce conflicts with agriculture.

- Modifying the open hunting dates for McArthur Gulch STL, including when specific species may be hunted.
- Modifying opening date for Moosehead Mountain STL to August 15 annually.
- Enrolling the Zapata Falls STL into the Public Access Program with property-specific regulations.

**Chapter W-16- “Procedural Rules” - 2 CCR 406-16 and those related provisions of Chapter W-2 (“Big Game” 2 CCR 406-2) necessary to accommodate changes to or ensure consistency with Chapter W-16**

Open for consideration of final regulations pertaining to reissuance of returned limited licenses.

**CITIZEN PETITIONS:**

**Final action may be taken on rule-making petitions at any step of the Commission’s generally applicable two-step rule-making process.**

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Properties, as follows:

- A Citizen Petition for rulemaking requesting the Commission remove the access restrictions for the Mount Evans SWA that begin the day after Labor Day and run through the end of the 4<sup>th</sup> regular rifle season.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Parks and Unregulated Wildlife, as follows:

- A Citizen Petition for rulemaking requesting the Commission consider adding both species of two-toed sloth to the unregulated wildlife list in Chapter W-11.

The Commission may accept all or a portion of these petitions for final action, further consideration or otherwise reject the petitions at the March Commission meeting. A copy of any petition may be obtained by contacting Danielle Isenhardt (303) 866-3203 ext. 4625, Regulations Manager, Colorado Parks and Wildlife.

**ISSUE IDENTIFICATION**

**WILDLIFE REGULATIONS**

**Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of modifications to Ranching for Wildlife regulations to clarify when Dream Hunt or Youth Outreach licenses may be used on enrolled ranches.

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9 and those related provisions of Chapter P-1 (“Parks and Outdoor Recreation Lands” 2 CCR 405-1) necessary to accommodate changes to or ensure consistency with Chapter W-9**

Open for consideration of adopting new regulations to streamline the process for approving normal utility easements, lease extensions/renewals and amendments from the Colorado Parks and Wildlife Real Estate section.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

Open for consideration to amending the regulations pertaining to citizen petitions requesting to unregulate, list, or delist a species within Chapter W-11.

**Except for the day and time indicated for when the meeting is scheduled to begin, the order indicated for each agenda item is approximate and subject to change when necessary to accommodate the Commission's schedule.**

**Viewing of Proposed Rules:** copies of the proposed rules (together with a proposed statement of basis and purpose and specific statutory authority), will be available for inspection and distribution at the Office of the Regulations Manager, Division of Parks and Wildlife, 1313 Sherman St., Denver, Colorado, at least five (5) days prior to the date of hearing. Such copies, however, are only proposals to be submitted to the Commission by the Division of Parks and Wildlife.

**Modification of Proposed Rules prior to adoption:** subject to the provisions of Section 24-4-103, C.R.S., modification of these proposals may be made by the Division of Parks and Wildlife or the Commission before the Commission promulgates final rules and regulations on the above topics.

**Comment deadlines:** Comments will be accepted at any time prior to, or as part of the meeting. However, to ensure sufficient time for consideration prior to the meeting, comments should be provided to the Division of Parks and Wildlife by noon on the following date:

February 24, 2015, for mailing by the Division of Parks and Wildlife to the Parks and Wildlife Commission on **February 25, 2016.**

Comments received by the Division after noon on **February 24, 2016,** will be provided to the Commission on the day of the meeting.

**Opportunity to submit alternate proposals and provide comment:** the Commission will afford all interested persons an opportunity to submit alternate proposals, written data, views or arguments and to present them orally at the meeting unless it deems such oral presentation unnecessary. Written alternate proposals, data, views or arguments and other written statements should be submitted to the Division of Parks and Wildlife at 1313 Sherman St., Denver, CO 80203; or e-mailed to [dnr\\_cpwcommission@state.co.us](mailto:dnr_cpwcommission@state.co.us).

Use of Consent Agenda:

In order to increase the Parks and Wildlife Commission's efficiency and allow more time for consideration of parks and wildlife policy and contested issues, some or all of this regulatory

agenda may be listed for action by the Commission as part of a "Consent Agenda" for this meeting.

*The process for placing matters on the Consent Agenda is as follows:*

*The Director identifies matters where the recommended action follows established policy or precedent, there has been agreement reached or the matter is expected to be uncontested and non-controversial.*

*Regulatory Matters on the Consent Agenda are noticed for hearing at the same time and in the same manner as other Consent Agenda items. If a member of the Commission requests further consideration of an item on the Consent Agenda, that item will be withdrawn from the Consent Agenda and discussed at the end of the meeting or at the next meeting. The Consent Agenda may be voted on without the necessity of reading individual items. Any Commission member may request clarification from the Director of any matter on the Consent Agenda.*

**OTHER AGENDA ITEMS:** The Parks and Wildlife Commission may consider and make policy, program implementation, and other non-regulatory decisions, which may be of public interest at this meeting. A copy of the complete meeting agenda may be viewed on the Division of Parks and Wildlife's internet home page at <http://cpw.state.co.us>, on or after **February 29, 2016**.



# Notice of Proposed Rulemaking

**Tracking number**

2016-00079

**Department**

400 - Department of Natural Resources

**Agency**

405 - Colorado Parks and Wildlife (405 Series, Parks)

**CCR number**

2 CCR 405-5

**Rule title**

CHAPTER P-5 - OFF-HIGHWAY VEHICLE REGULATIONS

**Rulemaking Hearing****Date**

03/09/2016

**Time**

08:00 AM

**Location**

Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216

**Subjects and issues involved**

CHAPTER P-5 - OFF-HIGHWAY VEHICLE REGULATIONS - See attached

**Statutory authority**

see attached

**Contact information****Name**

Danielle Isenhardt

**Title**

Regulations Manager

**Telephone**

303-866-3203 x 4625

**Email**

danielle.isenhardt@state.co.us

January 29, 2016

**RULE-MAKING NOTICE  
PARKS AND WILDLIFE COMMISSION MEETING  
March 9-10, 2016**

In accordance with the State Administrative Procedure Act, section 24-4-103, C.R.S., the Parks and Wildlife Commission gives notice that regulations will be considered for adoption at their next meeting on **March 9-10, 2016. The Parks and Wildlife Commission meeting will be held at the offices of Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216. The following regulatory subjects and issues shall be considered** pursuant to the Commission's authority in sections 33-9-101 to 111, C.R.S. ("Administration of Parks and Wildlife"), in sections 33-1-101 to 33-6-209, C.R.S. (the "Wildlife Act"), and especially sections 33-1-104, 33-1-106, 33-1-107, 33-1-108, 33-1-121, 33-2-104, 33-2-105, 33-2-106, 33-3-104, 33-4-101, 33-4-102 and 33-5.5-102, 33-6-107, 33-6-109, 33-6-112, 33-6-113, 33-6-114, 33-6-114.5, 33-6-117, 33-6-119, 33-6-121, 33-6-124, 33-6-125, 33-6-127, 33-6-128, 33-6-130, 33-6-205, 33-6-206, 33-6-207, 33-6-208, 33-6-209, C.R.S., and in sections 33-10-101 to 33-33-113, C.R.S. (the "Parks Act"), and especially sections 33-10-106, 33-10-107, 33-10.5-107, 33-11-109, 33-12-101, 33-12-103, 33-12-103.5, 33-12-106, 33-12.5-103, 33-13-103, 33-13-104, 33-13-106, 33-13-109, 33-13-110, 33-13-111, 33-14-107, 33-14.5-107, 33-32-103 and 33-33-105. C.R.S.

**FINAL REGULATORY ADOPTION** - March 9-10, 2016 beginning at 8:00 a.m.\*

**EFFECTIVE DATE OF REGULATIONS** approved during the March 2016 Parks and Wildlife Commission meeting: May 1, 2016, unless otherwise noted.

**FINAL REGULATIONS**

**PARKS REGULATIONS**

**Chapter P-1 - "Parks and Outdoor Recreation Lands" 2 CCR 405-1 and those related provisions of Chapter W-5 ("Small Game and Migratory Game Birds" 2 CCR 406-5) necessary to accommodate changes to or ensure consistency with Chapter P-1**

Open for annual review of the entire chapter including, but not limited to, generally-applicable and property-specific requirements for, or restrictions on use of, parks properties controlled by Colorado Parks and Wildlife, including, but not limited to, the following:

- Allowing regulated weekend waterfowl hunting on James M. Robb-Colorado River State Park's 34 Road Section parcel from two reservable blinds.
- Opening a portion of Highline Lake State Park to small game hunting on weekdays.
- Establishing park-specific regulations on the archery range at Trinidad Lake State Park.

**Chapter P-2 - "Boating" - 2 CCR 405-2**

Open for consideration of changes to regulations defining acceptable forms of "proof of ownership" for registering boats in Colorado.

*\*Please reference the Commission agenda, to be posted on or after February 29, 2016, to ensure when each regulatory item will be addressed by the Commission. The agenda will be posted at <http://cpw.state.co.us/aboutus/Pages/CommissionMeetings.aspx>.*

### **Chapter P-3 - “River Outfitters” - 2 CCR 405-3**

Open for consideration of changes to regulations requiring hands-on cardiopulmonary resuscitation (“CPR”) training for river guides, trip leaders, and guide instructors.

### **Chapter P-4 – “Snowmobile Regulations” – 2CCR 405-4**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering snowmobiles in Colorado.

### **Chapter P-5 – “Off-Highway Vehicle Regulations” - 2 CCR 405-5**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering OHV's in Colorado.

### **Chapter P-7 - “Passes, Permits and Registrations” - 2 CCR 405-7**

Open for annual review of the entire chapter including, but not limited to, regulations pertaining to eligibility requirements and fees for individual and vehicle park passes; use permits; vessel, snowmobile and off-highway vehicle registrations; and license agent requirements, including, but not limited to, the following:

- Expanding eligibility for a volunteer parks pass to all CPW volunteers who have donated 48 hours of approved service within a twelve month period.
- Adding definitions of “camping/to camp”, “camping unit” and “passenger vehicle” to chapter P-7.
- Making camping permits purchased before 5am, only valid until noon on the same day.
- Administrative clean-ups to camping regulations to comply with reservation system requirements.

## **WILDLIFE REGULATIONS**

### **Chapter W-0 - “General Provisions” - 2 CCR 406-0**

Open for consideration of changes to the no release provision for terrestrial invasive species, specifically giving the Director authority to grant exemptions.

### **Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of any necessary corrections or administrative clean-ups to regulations previously adopted by the Parks and Wildlife Commission for the 2016 big game seasons, including, but not limited to, game management unit boundaries, season dates, limited license areas and manner of take provisions for bighorn sheep, mountain goat, deer, elk, pronghorn, moose, bear and mountain lion, and regulations otherwise necessary for implementation of the 2016 big game seasons.

### **Chapter W-3 - “Furbearers and Small Game, Except Migratory Birds” - 2 CCR 406-3**

Open for consideration of annual changes to game bird seasons, excluding turkey, and other small game seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including the following:

- Reopening GMU 201 to greater sage-grouse hunting.
- Removing the chukar hunting closure in GMUs 9, 19, and 191.

#### **Chapter W-5 - “Small Game and Migratory Game Birds” - 2 CCR 406-5**

Open for consideration of annual changes to waterfowl and migratory bird hunting seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including, but not limited to, the following:

- Establishing new Pacific Flyway hunting zones (eastern and western) for both ducks and geese.

#### **Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

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

- Prohibiting fireworks on all SWA properties.
- Prohibiting any SWA user from blocking or impeding any boat ramp.
- Eliminating the requirement that all waterfowl and small game hunters must check-out of Bravo SWA and Bravo State Trust Land (STL).
- Allowing more vehicle parking at Brush Prairie Ponds SWA.
- Establishing a seasonal closure on Cimarron State Wildlife Area (SWA) from January 1 to June 30 to protect mating and nesting Gunnison sage grouse and wintering big game.
- Prohibiting hunting of dusky grouse and ruffed grouse on the Upper Baldy Tract of Garfield Creek SWA beginning in 2016.
- Modifying the open dates for the Grace Creek access road at Hohnholz Lake SWA.
- Removing fall boating and fishing restrictions at Jumbo Reservoir SWA and Red Lion SWA.
- Adding regulations for the Woodard Unit of the Jumping Cow SWA, including, but limited to restricting hunting and fishing access to permitted individuals only.
- Modifying regulations at Melon Valley SWA to open the property to all hunters on weekdays.
- Establishing specific regulations at Rio Blanco Lake SWA to limit big game hunting to archery equipment only, limit the Roselund Unit to day use only, and require parking in designated areas.
- Allowing the release of game birds at Mike Higbee SWA for education or training purposes.
- Prohibiting Off-Highway Vehicles use on Tarryall SWA.
- Prohibiting the shooting of firearms, pellet guns and bows in established campgrounds at Tarryall SWA.
- Prohibiting campfires at Tarryall SWA.
- Adopting property-specific regulations for Twin Spruce Ponds SWA, including, but not limited to prohibiting camping, fires, glass containers, alcoholic beverages, hunting, discharge of firearms or bows, and boating except for float tubes or craft propelled by hand.
- Adding Aqua Ramon STL to the Public Access Program with general STL regulations.
- Removing Lapin Creek and Deep Creek STLs from Chapter W-9.
- Limiting Columbian sharp-tailed grouse hunter numbers on the Dry Fork STL parcel on weekends and Labor Day to reduce conflicts with agriculture.

- Modifying the open hunting dates for McArthur Gulch STL, including when specific species may be hunted.
- Modifying opening date for Moosehead Mountain STL to August 15 annually.
- Enrolling the Zapata Falls STL into the Public Access Program with property-specific regulations.

**Chapter W-16- “Procedural Rules” - 2 CCR 406-16 and those related provisions of Chapter W-2 (“Big Game” 2 CCR 406-2) necessary to accommodate changes to or ensure consistency with Chapter W-16**

Open for consideration of final regulations pertaining to reissuance of returned limited licenses.

**CITIZEN PETITIONS:**

**Final action may be taken on rule-making petitions at any step of the Commission’s generally applicable two-step rule-making process.**

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Properties, as follows:

- A Citizen Petition for rulemaking requesting the Commission remove the access restrictions for the Mount Evans SWA that begin the day after Labor Day and run through the end of the 4<sup>th</sup> regular rifle season.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Parks and Unregulated Wildlife, as follows:

- A Citizen Petition for rulemaking requesting the Commission consider adding both species of two-toed sloth to the unregulated wildlife list in Chapter W-11.

The Commission may accept all or a portion of these petitions for final action, further consideration or otherwise reject the petitions at the March Commission meeting. A copy of any petition may be obtained by contacting Danielle Isenhardt (303) 866-3203 ext. 4625, Regulations Manager, Colorado Parks and Wildlife.

**ISSUE IDENTIFICATION**

**WILDLIFE REGULATIONS**

**Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of modifications to Ranching for Wildlife regulations to clarify when Dream Hunt or Youth Outreach licenses may be used on enrolled ranches.

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9 and those related provisions of Chapter P-1 (“Parks and Outdoor Recreation Lands” 2 CCR 405-1) necessary to accommodate changes to or ensure consistency with Chapter W-9**

Open for consideration of adopting new regulations to streamline the process for approving normal utility easements, lease extensions/renewals and amendments from the Colorado Parks and Wildlife Real Estate section.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

Open for consideration to amending the regulations pertaining to citizen petitions requesting to unregulate, list, or delist a species within Chapter W-11.

**Except for the day and time indicated for when the meeting is scheduled to begin, the order indicated for each agenda item is approximate and subject to change when necessary to accommodate the Commission's schedule.**

**Viewing of Proposed Rules:** copies of the proposed rules (together with a proposed statement of basis and purpose and specific statutory authority), will be available for inspection and distribution at the Office of the Regulations Manager, Division of Parks and Wildlife, 1313 Sherman St., Denver, Colorado, at least five (5) days prior to the date of hearing. Such copies, however, are only proposals to be submitted to the Commission by the Division of Parks and Wildlife.

**Modification of Proposed Rules prior to adoption:** subject to the provisions of Section 24-4-103, C.R.S., modification of these proposals may be made by the Division of Parks and Wildlife or the Commission before the Commission promulgates final rules and regulations on the above topics.

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Use of Consent Agenda:

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agenda may be listed for action by the Commission as part of a "Consent Agenda" for this meeting.

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**OTHER AGENDA ITEMS:** The Parks and Wildlife Commission may consider and make policy, program implementation, and other non-regulatory decisions, which may be of public interest at this meeting. A copy of the complete meeting agenda may be viewed on the Division of Parks and Wildlife's internet home page at <http://cpw.state.co.us>, on or after **February 29, 2016**.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00080

**Department**

400 - Department of Natural Resources

**Agency**

405 - Colorado Parks and Wildlife (405 Series, Parks)

**CCR number**

2 CCR 405-7

**Rule title**

CHAPTER P-7 - PASSES, PERMITS AND REGISTRATIONS

**Rulemaking Hearing****Date**

03/09/2016

**Time**

08:00 AM

**Location**

Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216

**Subjects and issues involved**

CHAPTER P-7 - PASSES, PERMITS AND REGISTRATIONS

**Statutory authority**

see attached

**Contact information****Name**

Danielle Isenhardt

**Title**

Regulations Manager

**Telephone**

303-866-3203 x 4625

**Email**

danielle.isenhardt@state.co.us



January 29, 2016

**RULE-MAKING NOTICE  
PARKS AND WILDLIFE COMMISSION MEETING  
March 9-10, 2016**

In accordance with the State Administrative Procedure Act, section 24-4-103, C.R.S., the Parks and Wildlife Commission gives notice that regulations will be considered for adoption at their next meeting on **March 9-10, 2016. The Parks and Wildlife Commission meeting will be held at the offices of Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216. The following regulatory subjects and issues shall be considered** pursuant to the Commission's authority in sections 33-9-101 to 111, C.R.S. ("Administration of Parks and Wildlife"), in sections 33-1-101 to 33-6-209, C.R.S. (the "Wildlife Act"), and especially sections 33-1-104, 33-1-106, 33-1-107, 33-1-108, 33-1-121, 33-2-104, 33-2-105, 33-2-106, 33-3-104, 33-4-101, 33-4-102 and 33-5.5-102, 33-6-107, 33-6-109, 33-6-112, 33-6-113, 33-6-114, 33-6-114.5, 33-6-117, 33-6-119, 33-6-121, 33-6-124, 33-6-125, 33-6-127, 33-6-128, 33-6-130, 33-6-205, 33-6-206, 33-6-207, 33-6-208, 33-6-209, C.R.S., and in sections 33-10-101 to 33-33-113, C.R.S. (the "Parks Act"), and especially sections 33-10-106, 33-10-107, 33-10.5-107, 33-11-109, 33-12-101, 33-12-103, 33-12-103.5, 33-12-106, 33-12.5-103, 33-13-103, 33-13-104, 33-13-106, 33-13-109, 33-13-110, 33-13-111, 33-14-107, 33-14.5-107, 33-32-103 and 33-33-105. C.R.S.

**FINAL REGULATORY ADOPTION** - March 9-10, 2016 beginning at 8:00 a.m.\*

**EFFECTIVE DATE OF REGULATIONS** approved during the March 2016 Parks and Wildlife Commission meeting: May 1, 2016, unless otherwise noted.

**FINAL REGULATIONS**

**PARKS REGULATIONS**

**Chapter P-1 - "Parks and Outdoor Recreation Lands" 2 CCR 405-1 and those related provisions of Chapter W-5 ("Small Game and Migratory Game Birds" 2 CCR 406-5) necessary to accommodate changes to or ensure consistency with Chapter P-1**

Open for annual review of the entire chapter including, but not limited to, generally-applicable and property-specific requirements for, or restrictions on use of, parks properties controlled by Colorado Parks and Wildlife, including, but not limited to, the following:

- Allowing regulated weekend waterfowl hunting on James M. Robb-Colorado River State Park's 34 Road Section parcel from two reservable blinds.
- Opening a portion of Highline Lake State Park to small game hunting on weekdays.
- Establishing park-specific regulations on the archery range at Trinidad Lake State Park.

**Chapter P-2 - "Boating" - 2 CCR 405-2**

Open for consideration of changes to regulations defining acceptable forms of "proof of ownership" for registering boats in Colorado.

*\*Please reference the Commission agenda, to be posted on or after February 29, 2016, to ensure when each regulatory item will be addressed by the Commission. The agenda will be posted at <http://cpw.state.co.us/aboutus/Pages/CommissionMeetings.aspx>.*

### **Chapter P-3 - “River Outfitters” - 2 CCR 405-3**

Open for consideration of changes to regulations requiring hands-on cardiopulmonary resuscitation (“CPR”) training for river guides, trip leaders, and guide instructors.

### **Chapter P-4 – “Snowmobile Regulations” – 2CCR 405-4**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering snowmobiles in Colorado.

### **Chapter P-5 – “Off-Highway Vehicle Regulations” - 2 CCR 405-5**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering OHV's in Colorado.

### **Chapter P-7 - “Passes, Permits and Registrations” - 2 CCR 405-7**

Open for annual review of the entire chapter including, but not limited to, regulations pertaining to eligibility requirements and fees for individual and vehicle park passes; use permits; vessel, snowmobile and off-highway vehicle registrations; and license agent requirements, including, but not limited to, the following:

- Expanding eligibility for a volunteer parks pass to all CPW volunteers who have donated 48 hours of approved service within a twelve month period.
- Adding definitions of “camping/to camp”, “camping unit” and “passenger vehicle” to chapter P-7.
- Making camping permits purchased before 5am, only valid until noon on the same day.
- Administrative clean-ups to camping regulations to comply with reservation system requirements.

## **WILDLIFE REGULATIONS**

### **Chapter W-0 - “General Provisions” - 2 CCR 406-0**

Open for consideration of changes to the no release provision for terrestrial invasive species, specifically giving the Director authority to grant exemptions.

### **Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of any necessary corrections or administrative clean-ups to regulations previously adopted by the Parks and Wildlife Commission for the 2016 big game seasons, including, but not limited to, game management unit boundaries, season dates, limited license areas and manner of take provisions for bighorn sheep, mountain goat, deer, elk, pronghorn, moose, bear and mountain lion, and regulations otherwise necessary for implementation of the 2016 big game seasons.

### **Chapter W-3 - “Furbearers and Small Game, Except Migratory Birds” - 2 CCR 406-3**

Open for consideration of annual changes to game bird seasons, excluding turkey, and other small game seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including the following:

- Reopening GMU 201 to greater sage-grouse hunting.
- Removing the chukar hunting closure in GMUs 9, 19, and 191.

#### **Chapter W-5 - “Small Game and Migratory Game Birds” - 2 CCR 406-5**

Open for consideration of annual changes to waterfowl and migratory bird hunting seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including, but not limited to, the following:

- Establishing new Pacific Flyway hunting zones (eastern and western) for both ducks and geese.

#### **Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

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

- Prohibiting fireworks on all SWA properties.
- Prohibiting any SWA user from blocking or impeding any boat ramp.
- Eliminating the requirement that all waterfowl and small game hunters must check-out of Bravo SWA and Bravo State Trust Land (STL).
- Allowing more vehicle parking at Brush Prairie Ponds SWA.
- Establishing a seasonal closure on Cimarron State Wildlife Area (SWA) from January 1 to June 30 to protect mating and nesting Gunnison sage grouse and wintering big game.
- Prohibiting hunting of dusky grouse and ruffed grouse on the Upper Baldy Tract of Garfield Creek SWA beginning in 2016.
- Modifying the open dates for the Grace Creek access road at Hohnholz Lake SWA.
- Removing fall boating and fishing restrictions at Jumbo Reservoir SWA and Red Lion SWA.
- Adding regulations for the Woodard Unit of the Jumping Cow SWA, including, but limited to restricting hunting and fishing access to permitted individuals only.
- Modifying regulations at Melon Valley SWA to open the property to all hunters on weekdays.
- Establishing specific regulations at Rio Blanco Lake SWA to limit big game hunting to archery equipment only, limit the Roselund Unit to day use only, and require parking in designated areas.
- Allowing the release of game birds at Mike Higbee SWA for education or training purposes.
- Prohibiting Off-Highway Vehicles use on Tarryall SWA.
- Prohibiting the shooting of firearms, pellet guns and bows in established campgrounds at Tarryall SWA.
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- Adding Aqua Ramon STL to the Public Access Program with general STL regulations.
- Removing Lapin Creek and Deep Creek STLs from Chapter W-9.
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- Enrolling the Zapata Falls STL into the Public Access Program with property-specific regulations.

**Chapter W-16- “Procedural Rules” - 2 CCR 406-16 and those related provisions of Chapter W-2 (“Big Game” 2 CCR 406-2) necessary to accommodate changes to or ensure consistency with Chapter W-16**

Open for consideration of final regulations pertaining to reissuance of returned limited licenses.

**CITIZEN PETITIONS:**

**Final action may be taken on rule-making petitions at any step of the Commission’s generally applicable two-step rule-making process.**

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Properties, as follows:

- A Citizen Petition for rulemaking requesting the Commission remove the access restrictions for the Mount Evans SWA that begin the day after Labor Day and run through the end of the 4<sup>th</sup> regular rifle season.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Parks and Unregulated Wildlife, as follows:

- A Citizen Petition for rulemaking requesting the Commission consider adding both species of two-toed sloth to the unregulated wildlife list in Chapter W-11.

The Commission may accept all or a portion of these petitions for final action, further consideration or otherwise reject the petitions at the March Commission meeting. A copy of any petition may be obtained by contacting Danielle Isenhardt (303) 866-3203 ext. 4625, Regulations Manager, Colorado Parks and Wildlife.

**ISSUE IDENTIFICATION**

**WILDLIFE REGULATIONS**

**Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of modifications to Ranching for Wildlife regulations to clarify when Dream Hunt or Youth Outreach licenses may be used on enrolled ranches.

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9 and those related provisions of Chapter P-1 (“Parks and Outdoor Recreation Lands” 2 CCR 405-1) necessary to accommodate changes to or ensure consistency with Chapter W-9**

Open for consideration of adopting new regulations to streamline the process for approving normal utility easements, lease extensions/renewals and amendments from the Colorado Parks and Wildlife Real Estate section.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

Open for consideration to amending the regulations pertaining to citizen petitions requesting to unregulate, list, or delist a species within Chapter W-11.

**Except for the day and time indicated for when the meeting is scheduled to begin, the order indicated for each agenda item is approximate and subject to change when necessary to accommodate the Commission's schedule.**

**Viewing of Proposed Rules:** copies of the proposed rules (together with a proposed statement of basis and purpose and specific statutory authority), will be available for inspection and distribution at the Office of the Regulations Manager, Division of Parks and Wildlife, 1313 Sherman St., Denver, Colorado, at least five (5) days prior to the date of hearing. Such copies, however, are only proposals to be submitted to the Commission by the Division of Parks and Wildlife.

**Modification of Proposed Rules prior to adoption:** subject to the provisions of Section 24-4-103, C.R.S., modification of these proposals may be made by the Division of Parks and Wildlife or the Commission before the Commission promulgates final rules and regulations on the above topics.

**Comment deadlines:** Comments will be accepted at any time prior to, or as part of the meeting. However, to ensure sufficient time for consideration prior to the meeting, **comments should be provided to the Division of Parks and Wildlife by noon on the following date:**

**February 24, 2015,** for mailing by the Division of Parks and Wildlife to the Parks and Wildlife Commission on **February 25, 2016.**

Comments received by the Division after noon on **February 24, 2016,** will be provided to the Commission on the day of the meeting.

**Opportunity to submit alternate proposals and provide comment:** the Commission will afford all interested persons an opportunity to submit alternate proposals, written data, views or arguments and to present them orally at the meeting unless it deems such oral presentation unnecessary. Written alternate proposals, data, views or arguments and other written statements should be submitted to the Division of Parks and Wildlife at 1313 Sherman St., Denver, CO 80203; or e-mailed to **dnr\_cpwcommission@state.co.us.**

Use of Consent Agenda:

In order to increase the Parks and Wildlife Commission's efficiency and allow more time for consideration of parks and wildlife policy and contested issues, some or all of this regulatory

agenda may be listed for action by the Commission as part of a "Consent Agenda" for this meeting.

*The process for placing matters on the Consent Agenda is as follows:*

*The Director identifies matters where the recommended action follows established policy or precedent, there has been agreement reached or the matter is expected to be uncontested and non-controversial.*

*Regulatory Matters on the Consent Agenda are noticed for hearing at the same time and in the same manner as other Consent Agenda items. If a member of the Commission requests further consideration of an item on the Consent Agenda, that item will be withdrawn from the Consent Agenda and discussed at the end of the meeting or at the next meeting. The Consent Agenda may be voted on without the necessity of reading individual items. Any Commission member may request clarification from the Director of any matter on the Consent Agenda.*

**OTHER AGENDA ITEMS:** The Parks and Wildlife Commission may consider and make policy, program implementation, and other non-regulatory decisions, which may be of public interest at this meeting. A copy of the complete meeting agenda may be viewed on the Division of Parks and Wildlife's internet home page at <http://cpw.state.co.us>, on or after **February 29, 2016**.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00081

**Department**

400 - Department of Natural Resources

**Agency**

406 - Colorado Parks and Wildlife (406 Series, Wildlife)

**CCR number**

2 CCR 406-0

**Rule title**

CHAPTER W-0 - GENERAL PROVISIONS

**Rulemaking Hearing****Date**

03/09/2016

**Time**

08:00 AM

**Location**

Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216

**Subjects and issues involved**

CHAPTER W-0 - GENERAL PROVISIONS - See attached

**Statutory authority**

see attached

**Contact information****Name**

Danielle Isenhardt

**Title**

Regulations Manager

**Telephone**

303-866-3203 x 4625

**Email**

danielle.isenhardt@state.co.us

January 29, 2016

**RULE-MAKING NOTICE  
PARKS AND WILDLIFE COMMISSION MEETING  
March 9-10, 2016**

In accordance with the State Administrative Procedure Act, section 24-4-103, C.R.S., the Parks and Wildlife Commission gives notice that regulations will be considered for adoption at their next meeting on **March 9-10, 2016. The Parks and Wildlife Commission meeting will be held at the offices of Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216. The following regulatory subjects and issues shall be considered** pursuant to the Commission's authority in sections 33-9-101 to 111, C.R.S. ("Administration of Parks and Wildlife"), in sections 33-1-101 to 33-6-209, C.R.S. (the "Wildlife Act"), and especially sections 33-1-104, 33-1-106, 33-1-107, 33-1-108, 33-1-121, 33-2-104, 33-2-105, 33-2-106, 33-3-104, 33-4-101, 33-4-102 and 33-5.5-102, 33-6-107, 33-6-109, 33-6-112, 33-6-113, 33-6-114, 33-6-114.5, 33-6-117, 33-6-119, 33-6-121, 33-6-124, 33-6-125, 33-6-127, 33-6-128, 33-6-130, 33-6-205, 33-6-206, 33-6-207, 33-6-208, 33-6-209, C.R.S., and in sections 33-10-101 to 33-33-113, C.R.S. (the "Parks Act"), and especially sections 33-10-106, 33-10-107, 33-10.5-107, 33-11-109, 33-12-101, 33-12-103, 33-12-103.5, 33-12-106, 33-12.5-103, 33-13-103, 33-13-104, 33-13-106, 33-13-109, 33-13-110, 33-13-111, 33-14-107, 33-14.5-107, 33-32-103 and 33-33-105. C.R.S.

**FINAL REGULATORY ADOPTION** - March 9-10, 2016 beginning at 8:00 a.m.\*

**EFFECTIVE DATE OF REGULATIONS** approved during the March 2016 Parks and Wildlife Commission meeting: May 1, 2016, unless otherwise noted.

**FINAL REGULATIONS**

**PARKS REGULATIONS**

**Chapter P-1 - "Parks and Outdoor Recreation Lands" 2 CCR 405-1 and those related provisions of Chapter W-5 ("Small Game and Migratory Game Birds" 2 CCR 406-5) necessary to accommodate changes to or ensure consistency with Chapter P-1**

Open for annual review of the entire chapter including, but not limited to, generally-applicable and property-specific requirements for, or restrictions on use of, parks properties controlled by Colorado Parks and Wildlife, including, but not limited to, the following:

- Allowing regulated weekend waterfowl hunting on James M. Robb-Colorado River State Park's 34 Road Section parcel from two reservable blinds.
- Opening a portion of Highline Lake State Park to small game hunting on weekdays.
- Establishing park-specific regulations on the archery range at Trinidad Lake State Park.

**Chapter P-2 - "Boating" - 2 CCR 405-2**

Open for consideration of changes to regulations defining acceptable forms of "proof of ownership" for registering boats in Colorado.

*\*Please reference the Commission agenda, to be posted on or after February 29, 2016, to ensure when each regulatory item will be addressed by the Commission. The agenda will be posted at <http://cpw.state.co.us/aboutus/Pages/CommissionMeetings.aspx>.*



### **Chapter P-3 - “River Outfitters” - 2 CCR 405-3**

Open for consideration of changes to regulations requiring hands-on cardiopulmonary resuscitation (“CPR”) training for river guides, trip leaders, and guide instructors.

### **Chapter P-4 – “Snowmobile Regulations” – 2CCR 405-4**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering snowmobiles in Colorado.

### **Chapter P-5 – “Off-Highway Vehicle Regulations” - 2 CCR 405-5**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering OHV's in Colorado.

### **Chapter P-7 - “Passes, Permits and Registrations” - 2 CCR 405-7**

Open for annual review of the entire chapter including, but not limited to, regulations pertaining to eligibility requirements and fees for individual and vehicle park passes; use permits; vessel, snowmobile and off-highway vehicle registrations; and license agent requirements, including, but not limited to, the following:

- Expanding eligibility for a volunteer parks pass to all CPW volunteers who have donated 48 hours of approved service within a twelve month period.
- Adding definitions of “camping/to camp”, “camping unit” and “passenger vehicle” to chapter P-7.
- Making camping permits purchased before 5am, only valid until noon on the same day.
- Administrative clean-ups to camping regulations to comply with reservation system requirements.

## **WILDLIFE REGULATIONS**

### **Chapter W-0 - “General Provisions” - 2 CCR 406-0**

Open for consideration of changes to the no release provision for terrestrial invasive species, specifically giving the Director authority to grant exemptions.

### **Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of any necessary corrections or administrative clean-ups to regulations previously adopted by the Parks and Wildlife Commission for the 2016 big game seasons, including, but not limited to, game management unit boundaries, season dates, limited license areas and manner of take provisions for bighorn sheep, mountain goat, deer, elk, pronghorn, moose, bear and mountain lion, and regulations otherwise necessary for implementation of the 2016 big game seasons.

### **Chapter W-3 - “Furbearers and Small Game, Except Migratory Birds” - 2 CCR 406-3**

Open for consideration of annual changes to game bird seasons, excluding turkey, and other small game seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including the following:

- Reopening GMU 201 to greater sage-grouse hunting.
- Removing the chukar hunting closure in GMUs 9, 19, and 191.

#### **Chapter W-5 - “Small Game and Migratory Game Birds” - 2 CCR 406-5**

Open for consideration of annual changes to waterfowl and migratory bird hunting seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including, but not limited to, the following:

- Establishing new Pacific Flyway hunting zones (eastern and western) for both ducks and geese.

#### **Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

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

- Prohibiting fireworks on all SWA properties.
- Prohibiting any SWA user from blocking or impeding any boat ramp.
- Eliminating the requirement that all waterfowl and small game hunters must check-out of Bravo SWA and Bravo State Trust Land (STL).
- Allowing more vehicle parking at Brush Prairie Ponds SWA.
- Establishing a seasonal closure on Cimarron State Wildlife Area (SWA) from January 1 to June 30 to protect mating and nesting Gunnison sage grouse and wintering big game.
- Prohibiting hunting of dusky grouse and ruffed grouse on the Upper Baldy Tract of Garfield Creek SWA beginning in 2016.
- Modifying the open dates for the Grace Creek access road at Hohnholz Lake SWA.
- Removing fall boating and fishing restrictions at Jumbo Reservoir SWA and Red Lion SWA.
- Adding regulations for the Woodard Unit of the Jumping Cow SWA, including, but limited to restricting hunting and fishing access to permitted individuals only.
- Modifying regulations at Melon Valley SWA to open the property to all hunters on weekdays.
- Establishing specific regulations at Rio Blanco Lake SWA to limit big game hunting to archery equipment only, limit the Roselund Unit to day use only, and require parking in designated areas.
- Allowing the release of game birds at Mike Higbee SWA for education or training purposes.
- Prohibiting Off-Highway Vehicles use on Tarryall SWA.
- Prohibiting the shooting of firearms, pellet guns and bows in established campgrounds at Tarryall SWA.
- Prohibiting campfires at Tarryall SWA.
- Adopting property-specific regulations for Twin Spruce Ponds SWA, including, but not limited to prohibiting camping, fires, glass containers, alcoholic beverages, hunting, discharge of firearms or bows, and boating except for float tubes or craft propelled by hand.
- Adding Aqua Ramon STL to the Public Access Program with general STL regulations.
- Removing Lapin Creek and Deep Creek STLs from Chapter W-9.
- Limiting Columbian sharp-tailed grouse hunter numbers on the Dry Fork STL parcel on weekends and Labor Day to reduce conflicts with agriculture.

- Modifying the open hunting dates for McArthur Gulch STL, including when specific species may be hunted.
- Modifying opening date for Moosehead Mountain STL to August 15 annually.
- Enrolling the Zapata Falls STL into the Public Access Program with property-specific regulations.

**Chapter W-16- “Procedural Rules” - 2 CCR 406-16 and those related provisions of Chapter W-2 (“Big Game” 2 CCR 406-2) necessary to accommodate changes to or ensure consistency with Chapter W-16**

Open for consideration of final regulations pertaining to reissuance of returned limited licenses.

**CITIZEN PETITIONS:**

**Final action may be taken on rule-making petitions at any step of the Commission’s generally applicable two-step rule-making process.**

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Properties, as follows:

- A Citizen Petition for rulemaking requesting the Commission remove the access restrictions for the Mount Evans SWA that begin the day after Labor Day and run through the end of the 4<sup>th</sup> regular rifle season.

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The Commission may accept all or a portion of these petitions for final action, further consideration or otherwise reject the petitions at the March Commission meeting. A copy of any petition may be obtained by contacting Danielle Isenhardt (303) 866-3203 ext. 4625, Regulations Manager, Colorado Parks and Wildlife.

**ISSUE IDENTIFICATION**

**WILDLIFE REGULATIONS**

**Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of modifications to Ranching for Wildlife regulations to clarify when Dream Hunt or Youth Outreach licenses may be used on enrolled ranches.

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9 and those related provisions of Chapter P-1 (“Parks and Outdoor Recreation Lands” 2 CCR 405-1) necessary to accommodate changes to or ensure consistency with Chapter W-9**

Open for consideration of adopting new regulations to streamline the process for approving normal utility easements, lease extensions/renewals and amendments from the Colorado Parks and Wildlife Real Estate section.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

Open for consideration to amending the regulations pertaining to citizen petitions requesting to unregulate, list, or delist a species within Chapter W-11.

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**OTHER AGENDA ITEMS:** The Parks and Wildlife Commission may consider and make policy, program implementation, and other non-regulatory decisions, which may be of public interest at this meeting. A copy of the complete meeting agenda may be viewed on the Division of Parks and Wildlife's internet home page at <http://cpw.state.co.us>, on or after **February 29, 2016**.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00082

**Department**

400 - Department of Natural Resources

**Agency**

406 - Colorado Parks and Wildlife (406 Series, Wildlife)

**CCR number**

2 CCR 406-2

**Rule title**

CHAPTER W-2 - BIG GAME

**Rulemaking Hearing****Date**

03/09/2016

**Time**

08:00 AM

**Location**

Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216

**Subjects and issues involved**

CHAPTER W-2 - BIG GAME - See attached

**Statutory authority**

see attached

**Contact information****Name**

Danielle Isenhardt

**Title**

Regulations Manager

**Telephone**

303-866-3203 x 4625

**Email**

danielle.isenhardt@state.co.us

January 29, 2016

**RULE-MAKING NOTICE  
PARKS AND WILDLIFE COMMISSION MEETING  
March 9-10, 2016**

In accordance with the State Administrative Procedure Act, section 24-4-103, C.R.S., the Parks and Wildlife Commission gives notice that regulations will be considered for adoption at their next meeting on **March 9-10, 2016. The Parks and Wildlife Commission meeting will be held at the offices of Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216. The following regulatory subjects and issues shall be considered** pursuant to the Commission's authority in sections 33-9-101 to 111, C.R.S. ("Administration of Parks and Wildlife"), in sections 33-1-101 to 33-6-209, C.R.S. (the "Wildlife Act"), and especially sections 33-1-104, 33-1-106, 33-1-107, 33-1-108, 33-1-121, 33-2-104, 33-2-105, 33-2-106, 33-3-104, 33-4-101, 33-4-102 and 33-5.5-102, 33-6-107, 33-6-109, 33-6-112, 33-6-113, 33-6-114, 33-6-114.5, 33-6-117, 33-6-119, 33-6-121, 33-6-124, 33-6-125, 33-6-127, 33-6-128, 33-6-130, 33-6-205, 33-6-206, 33-6-207, 33-6-208, 33-6-209, C.R.S., and in sections 33-10-101 to 33-33-113, C.R.S. (the "Parks Act"), and especially sections 33-10-106, 33-10-107, 33-10.5-107, 33-11-109, 33-12-101, 33-12-103, 33-12-103.5, 33-12-106, 33-12.5-103, 33-13-103, 33-13-104, 33-13-106, 33-13-109, 33-13-110, 33-13-111, 33-14-107, 33-14.5-107, 33-32-103 and 33-33-105. C.R.S.

**FINAL REGULATORY ADOPTION** - March 9-10, 2016 beginning at 8:00 a.m.\*

**EFFECTIVE DATE OF REGULATIONS** approved during the March 2016 Parks and Wildlife Commission meeting: May 1, 2016, unless otherwise noted.

**FINAL REGULATIONS**

**PARKS REGULATIONS**

**Chapter P-1 - "Parks and Outdoor Recreation Lands" 2 CCR 405-1 and those related provisions of Chapter W-5 ("Small Game and Migratory Game Birds" 2 CCR 406-5) necessary to accommodate changes to or ensure consistency with Chapter P-1**

Open for annual review of the entire chapter including, but not limited to, generally-applicable and property-specific requirements for, or restrictions on use of, parks properties controlled by Colorado Parks and Wildlife, including, but not limited to, the following:

- Allowing regulated weekend waterfowl hunting on James M. Robb-Colorado River State Park's 34 Road Section parcel from two reservable blinds.
- Opening a portion of Highline Lake State Park to small game hunting on weekdays.
- Establishing park-specific regulations on the archery range at Trinidad Lake State Park.

**Chapter P-2 - "Boating" - 2 CCR 405-2**

Open for consideration of changes to regulations defining acceptable forms of "proof of ownership" for registering boats in Colorado.

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### **Chapter P-7 - “Passes, Permits and Registrations” - 2 CCR 405-7**

Open for annual review of the entire chapter including, but not limited to, regulations pertaining to eligibility requirements and fees for individual and vehicle park passes; use permits; vessel, snowmobile and off-highway vehicle registrations; and license agent requirements, including, but not limited to, the following:

- Expanding eligibility for a volunteer parks pass to all CPW volunteers who have donated 48 hours of approved service within a twelve month period.
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## **WILDLIFE REGULATIONS**

### **Chapter W-0 - “General Provisions” - 2 CCR 406-0**

Open for consideration of changes to the no release provision for terrestrial invasive species, specifically giving the Director authority to grant exemptions.

### **Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of any necessary corrections or administrative clean-ups to regulations previously adopted by the Parks and Wildlife Commission for the 2016 big game seasons, including, but not limited to, game management unit boundaries, season dates, limited license areas and manner of take provisions for bighorn sheep, mountain goat, deer, elk, pronghorn, moose, bear and mountain lion, and regulations otherwise necessary for implementation of the 2016 big game seasons.

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- Reopening GMU 201 to greater sage-grouse hunting.
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#### **Chapter W-5 - “Small Game and Migratory Game Birds” - 2 CCR 406-5**

Open for consideration of annual changes to waterfowl and migratory bird hunting seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including, but not limited to, the following:

- Establishing new Pacific Flyway hunting zones (eastern and western) for both ducks and geese.

#### **Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

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

- Prohibiting fireworks on all SWA properties.
- Prohibiting any SWA user from blocking or impeding any boat ramp.
- Eliminating the requirement that all waterfowl and small game hunters must check-out of Bravo SWA and Bravo State Trust Land (STL).
- Allowing more vehicle parking at Brush Prairie Ponds SWA.
- Establishing a seasonal closure on Cimarron State Wildlife Area (SWA) from January 1 to June 30 to protect mating and nesting Gunnison sage grouse and wintering big game.
- Prohibiting hunting of dusky grouse and ruffed grouse on the Upper Baldy Tract of Garfield Creek SWA beginning in 2016.
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**Chapter W-16- “Procedural Rules” - 2 CCR 406-16 and those related provisions of Chapter W-2 (“Big Game” 2 CCR 406-2) necessary to accommodate changes to or ensure consistency with Chapter W-16**

Open for consideration of final regulations pertaining to reissuance of returned limited licenses.

**CITIZEN PETITIONS:**

**Final action may be taken on rule-making petitions at any step of the Commission’s generally applicable two-step rule-making process.**

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At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Parks and Unregulated Wildlife, as follows:

- A Citizen Petition for rulemaking requesting the Commission consider adding both species of two-toed sloth to the unregulated wildlife list in Chapter W-11.

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**ISSUE IDENTIFICATION**

**WILDLIFE REGULATIONS**

**Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of modifications to Ranching for Wildlife regulations to clarify when Dream Hunt or Youth Outreach licenses may be used on enrolled ranches.

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9 and those related provisions of Chapter P-1 (“Parks and Outdoor Recreation Lands” 2 CCR 405-1) necessary to accommodate changes to or ensure consistency with Chapter W-9**

Open for consideration of adopting new regulations to streamline the process for approving normal utility easements, lease extensions/renewals and amendments from the Colorado Parks and Wildlife Real Estate section.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

Open for consideration to amending the regulations pertaining to citizen petitions requesting to unregulate, list, or delist a species within Chapter W-11.

**Except for the day and time indicated for when the meeting is scheduled to begin, the order indicated for each agenda item is approximate and subject to change when necessary to accommodate the Commission's schedule.**

**Viewing of Proposed Rules:** copies of the proposed rules (together with a proposed statement of basis and purpose and specific statutory authority), will be available for inspection and distribution at the Office of the Regulations Manager, Division of Parks and Wildlife, 1313 Sherman St., Denver, Colorado, at least five (5) days prior to the date of hearing. Such copies, however, are only proposals to be submitted to the Commission by the Division of Parks and Wildlife.

**Modification of Proposed Rules prior to adoption:** subject to the provisions of Section 24-4-103, C.R.S., modification of these proposals may be made by the Division of Parks and Wildlife or the Commission before the Commission promulgates final rules and regulations on the above topics.

**Comment deadlines:** Comments will be accepted at any time prior to, or as part of the meeting. However, to ensure sufficient time for consideration prior to the meeting, **comments should be provided to the Division of Parks and Wildlife by noon on the following date:**

**February 24, 2015,** for mailing by the Division of Parks and Wildlife to the Parks and Wildlife Commission on **February 25, 2016.**

Comments received by the Division after noon on **February 24, 2016,** will be provided to the Commission on the day of the meeting.

**Opportunity to submit alternate proposals and provide comment:** the Commission will afford all interested persons an opportunity to submit alternate proposals, written data, views or arguments and to present them orally at the meeting unless it deems such oral presentation unnecessary. Written alternate proposals, data, views or arguments and other written statements should be submitted to the Division of Parks and Wildlife at 1313 Sherman St., Denver, CO 80203; or e-mailed to **dnr\_cpwcommission@state.co.us.**

Use of Consent Agenda:

In order to increase the Parks and Wildlife Commission's efficiency and allow more time for consideration of parks and wildlife policy and contested issues, some or all of this regulatory

agenda may be listed for action by the Commission as part of a "Consent Agenda" for this meeting.

*The process for placing matters on the Consent Agenda is as follows:*

*The Director identifies matters where the recommended action follows established policy or precedent, there has been agreement reached or the matter is expected to be uncontested and non-controversial.*

*Regulatory Matters on the Consent Agenda are noticed for hearing at the same time and in the same manner as other Consent Agenda items. If a member of the Commission requests further consideration of an item on the Consent Agenda, that item will be withdrawn from the Consent Agenda and discussed at the end of the meeting or at the next meeting. The Consent Agenda may be voted on without the necessity of reading individual items. Any Commission member may request clarification from the Director of any matter on the Consent Agenda.*

**OTHER AGENDA ITEMS:** The Parks and Wildlife Commission may consider and make policy, program implementation, and other non-regulatory decisions, which may be of public interest at this meeting. A copy of the complete meeting agenda may be viewed on the Division of Parks and Wildlife's internet home page at <http://cpw.state.co.us>, on or after **February 29, 2016**.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00083

**Department**

400 - Department of Natural Resources

**Agency**

406 - Colorado Parks and Wildlife (406 Series, Wildlife)

**CCR number**

2 CCR 406-3

**Rule title**

CHAPTER W-3 - FURBEARERS AND SMALL GAME EXCEPT MIGRATORY BIRDS

**Rulemaking Hearing****Date**

03/09/2016

**Time**

08:00 AM

**Location**

Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216

**Subjects and issues involved**

CHAPTER W-3 - FURBEARERS AND SMALL GAME EXCEPT MIGRATORY BIRDS - See attached

**Statutory authority**

see attached

**Contact information****Name**

Danielle Isenhardt

**Title**

Regulations Manager

**Telephone**

303-866-3203 x 4625

**Email**

danielle.isenhardt@state.co.us

January 29, 2016

**RULE-MAKING NOTICE  
PARKS AND WILDLIFE COMMISSION MEETING  
March 9-10, 2016**

In accordance with the State Administrative Procedure Act, section 24-4-103, C.R.S., the Parks and Wildlife Commission gives notice that regulations will be considered for adoption at their next meeting on **March 9-10, 2016. The Parks and Wildlife Commission meeting will be held at the offices of Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216. The following regulatory subjects and issues shall be considered** pursuant to the Commission's authority in sections 33-9-101 to 111, C.R.S. ("Administration of Parks and Wildlife"), in sections 33-1-101 to 33-6-209, C.R.S. (the "Wildlife Act"), and especially sections 33-1-104, 33-1-106, 33-1-107, 33-1-108, 33-1-121, 33-2-104, 33-2-105, 33-2-106, 33-3-104, 33-4-101, 33-4-102 and 33-5.5-102, 33-6-107, 33-6-109, 33-6-112, 33-6-113, 33-6-114, 33-6-114.5, 33-6-117, 33-6-119, 33-6-121, 33-6-124, 33-6-125, 33-6-127, 33-6-128, 33-6-130, 33-6-205, 33-6-206, 33-6-207, 33-6-208, 33-6-209, C.R.S., and in sections 33-10-101 to 33-33-113, C.R.S. (the "Parks Act"), and especially sections 33-10-106, 33-10-107, 33-10.5-107, 33-11-109, 33-12-101, 33-12-103, 33-12-103.5, 33-12-106, 33-12.5-103, 33-13-103, 33-13-104, 33-13-106, 33-13-109, 33-13-110, 33-13-111, 33-14-107, 33-14.5-107, 33-32-103 and 33-33-105. C.R.S.

**FINAL REGULATORY ADOPTION** - March 9-10, 2016 beginning at 8:00 a.m.\*

**EFFECTIVE DATE OF REGULATIONS** approved during the March 2016 Parks and Wildlife Commission meeting: May 1, 2016, unless otherwise noted.

**FINAL REGULATIONS**

**PARKS REGULATIONS**

**Chapter P-1 - "Parks and Outdoor Recreation Lands" 2 CCR 405-1 and those related provisions of Chapter W-5 ("Small Game and Migratory Game Birds" 2 CCR 406-5) necessary to accommodate changes to or ensure consistency with Chapter P-1**

Open for annual review of the entire chapter including, but not limited to, generally-applicable and property-specific requirements for, or restrictions on use of, parks properties controlled by Colorado Parks and Wildlife, including, but not limited to, the following:

- Allowing regulated weekend waterfowl hunting on James M. Robb-Colorado River State Park's 34 Road Section parcel from two reservable blinds.
- Opening a portion of Highline Lake State Park to small game hunting on weekdays.
- Establishing park-specific regulations on the archery range at Trinidad Lake State Park.

**Chapter P-2 - "Boating" - 2 CCR 405-2**

Open for consideration of changes to regulations defining acceptable forms of "proof of ownership" for registering boats in Colorado.

*\*Please reference the Commission agenda, to be posted on or after February 29, 2016, to ensure when each regulatory item will be addressed by the Commission. The agenda will be posted at <http://cpw.state.co.us/aboutus/Pages/CommissionMeetings.aspx>.*

### **Chapter P-3 - “River Outfitters” - 2 CCR 405-3**

Open for consideration of changes to regulations requiring hands-on cardiopulmonary resuscitation (“CPR”) training for river guides, trip leaders, and guide instructors.

### **Chapter P-4 – “Snowmobile Regulations” – 2CCR 405-4**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering snowmobiles in Colorado.

### **Chapter P-5 – “Off-Highway Vehicle Regulations” - 2 CCR 405-5**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering OHV's in Colorado.

### **Chapter P-7 - “Passes, Permits and Registrations” - 2 CCR 405-7**

Open for annual review of the entire chapter including, but not limited to, regulations pertaining to eligibility requirements and fees for individual and vehicle park passes; use permits; vessel, snowmobile and off-highway vehicle registrations; and license agent requirements, including, but not limited to, the following:

- Expanding eligibility for a volunteer parks pass to all CPW volunteers who have donated 48 hours of approved service within a twelve month period.
- Adding definitions of “camping/to camp”, “camping unit” and “passenger vehicle” to chapter P-7.
- Making camping permits purchased before 5am, only valid until noon on the same day.
- Administrative clean-ups to camping regulations to comply with reservation system requirements.

## **WILDLIFE REGULATIONS**

### **Chapter W-0 - “General Provisions” - 2 CCR 406-0**

Open for consideration of changes to the no release provision for terrestrial invasive species, specifically giving the Director authority to grant exemptions.

### **Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of any necessary corrections or administrative clean-ups to regulations previously adopted by the Parks and Wildlife Commission for the 2016 big game seasons, including, but not limited to, game management unit boundaries, season dates, limited license areas and manner of take provisions for bighorn sheep, mountain goat, deer, elk, pronghorn, moose, bear and mountain lion, and regulations otherwise necessary for implementation of the 2016 big game seasons.

### **Chapter W-3 - “Furbearers and Small Game, Except Migratory Birds” - 2 CCR 406-3**

Open for consideration of annual changes to game bird seasons, excluding turkey, and other small game seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including the following:

- Reopening GMU 201 to greater sage-grouse hunting.
- Removing the chukar hunting closure in GMUs 9, 19, and 191.

#### **Chapter W-5 - “Small Game and Migratory Game Birds” - 2 CCR 406-5**

Open for consideration of annual changes to waterfowl and migratory bird hunting seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including, but not limited to, the following:

- Establishing new Pacific Flyway hunting zones (eastern and western) for both ducks and geese.

#### **Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

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

- Prohibiting fireworks on all SWA properties.
- Prohibiting any SWA user from blocking or impeding any boat ramp.
- Eliminating the requirement that all waterfowl and small game hunters must check-out of Bravo SWA and Bravo State Trust Land (STL).
- Allowing more vehicle parking at Brush Prairie Ponds SWA.
- Establishing a seasonal closure on Cimarron State Wildlife Area (SWA) from January 1 to June 30 to protect mating and nesting Gunnison sage grouse and wintering big game.
- Prohibiting hunting of dusky grouse and ruffed grouse on the Upper Baldy Tract of Garfield Creek SWA beginning in 2016.
- Modifying the open dates for the Grace Creek access road at Hohnholz Lake SWA.
- Removing fall boating and fishing restrictions at Jumbo Reservoir SWA and Red Lion SWA.
- Adding regulations for the Woodard Unit of the Jumping Cow SWA, including, but limited to restricting hunting and fishing access to permitted individuals only.
- Modifying regulations at Melon Valley SWA to open the property to all hunters on weekdays.
- Establishing specific regulations at Rio Blanco Lake SWA to limit big game hunting to archery equipment only, limit the Roselund Unit to day use only, and require parking in designated areas.
- Allowing the release of game birds at Mike Higbee SWA for education or training purposes.
- Prohibiting Off-Highway Vehicles use on Tarryall SWA.
- Prohibiting the shooting of firearms, pellet guns and bows in established campgrounds at Tarryall SWA.
- Prohibiting campfires at Tarryall SWA.
- Adopting property-specific regulations for Twin Spruce Ponds SWA, including, but not limited to prohibiting camping, fires, glass containers, alcoholic beverages, hunting, discharge of firearms or bows, and boating except for float tubes or craft propelled by hand.
- Adding Aqua Ramon STL to the Public Access Program with general STL regulations.
- Removing Lapin Creek and Deep Creek STLs from Chapter W-9.
- Limiting Columbian sharp-tailed grouse hunter numbers on the Dry Fork STL parcel on weekends and Labor Day to reduce conflicts with agriculture.



- Modifying the open hunting dates for McArthur Gulch STL, including when specific species may be hunted.
- Modifying opening date for Moosehead Mountain STL to August 15 annually.
- Enrolling the Zapata Falls STL into the Public Access Program with property-specific regulations.

**Chapter W-16- “Procedural Rules” - 2 CCR 406-16 and those related provisions of Chapter W-2 (“Big Game” 2 CCR 406-2) necessary to accommodate changes to or ensure consistency with Chapter W-16**

Open for consideration of final regulations pertaining to reissuance of returned limited licenses.

**CITIZEN PETITIONS:**

**Final action may be taken on rule-making petitions at any step of the Commission’s generally applicable two-step rule-making process.**

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Properties, as follows:

- A Citizen Petition for rulemaking requesting the Commission remove the access restrictions for the Mount Evans SWA that begin the day after Labor Day and run through the end of the 4<sup>th</sup> regular rifle season.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Parks and Unregulated Wildlife, as follows:

- A Citizen Petition for rulemaking requesting the Commission consider adding both species of two-toed sloth to the unregulated wildlife list in Chapter W-11.

The Commission may accept all or a portion of these petitions for final action, further consideration or otherwise reject the petitions at the March Commission meeting. A copy of any petition may be obtained by contacting Danielle Isenhardt (303) 866-3203 ext. 4625, Regulations Manager, Colorado Parks and Wildlife.

**ISSUE IDENTIFICATION**

**WILDLIFE REGULATIONS**

**Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of modifications to Ranching for Wildlife regulations to clarify when Dream Hunt or Youth Outreach licenses may be used on enrolled ranches.

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9 and those related provisions of Chapter P-1 (“Parks and Outdoor Recreation Lands” 2 CCR 405-1) necessary to accommodate changes to or ensure consistency with Chapter W-9**

Open for consideration of adopting new regulations to streamline the process for approving normal utility easements, lease extensions/renewals and amendments from the Colorado Parks and Wildlife Real Estate section.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

Open for consideration to amending the regulations pertaining to citizen petitions requesting to unregulate, list, or delist a species within Chapter W-11.

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# Notice of Proposed Rulemaking

**Tracking number**

2016-00084

**Department**

400 - Department of Natural Resources

**Agency**

406 - Colorado Parks and Wildlife (406 Series, Wildlife)

**CCR number**

2 CCR 406-5

**Rule title**

CHAPTER W-5 - MIGRATORY BIRDS

**Rulemaking Hearing****Date**

03/09/2016

**Time**

08:00 AM

**Location**

Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216

**Subjects and issues involved**

CHAPTER W-5 - MIGRATORY BIRDS - See attached

**Statutory authority**

see attached

**Contact information****Name**

Danielle Isenhardt

**Title**

Regulations Manager

**Telephone**

303-866-3203 x 4625

**Email**

danielle.isenhardt@state.co.us

January 29, 2016

**RULE-MAKING NOTICE  
PARKS AND WILDLIFE COMMISSION MEETING  
March 9-10, 2016**

In accordance with the State Administrative Procedure Act, section 24-4-103, C.R.S., the Parks and Wildlife Commission gives notice that regulations will be considered for adoption at their next meeting on **March 9-10, 2016. The Parks and Wildlife Commission meeting will be held at the offices of Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216. The following regulatory subjects and issues shall be considered** pursuant to the Commission's authority in sections 33-9-101 to 111, C.R.S. ("Administration of Parks and Wildlife"), in sections 33-1-101 to 33-6-209, C.R.S. (the "Wildlife Act"), and especially sections 33-1-104, 33-1-106, 33-1-107, 33-1-108, 33-1-121, 33-2-104, 33-2-105, 33-2-106, 33-3-104, 33-4-101, 33-4-102 and 33-5.5-102, 33-6-107, 33-6-109, 33-6-112, 33-6-113, 33-6-114, 33-6-114.5, 33-6-117, 33-6-119, 33-6-121, 33-6-124, 33-6-125, 33-6-127, 33-6-128, 33-6-130, 33-6-205, 33-6-206, 33-6-207, 33-6-208, 33-6-209, C.R.S., and in sections 33-10-101 to 33-33-113, C.R.S. (the "Parks Act"), and especially sections 33-10-106, 33-10-107, 33-10.5-107, 33-11-109, 33-12-101, 33-12-103, 33-12-103.5, 33-12-106, 33-12.5-103, 33-13-103, 33-13-104, 33-13-106, 33-13-109, 33-13-110, 33-13-111, 33-14-107, 33-14.5-107, 33-32-103 and 33-33-105. C.R.S.

**FINAL REGULATORY ADOPTION** - March 9-10, 2016 beginning at 8:00 a.m.\*

**EFFECTIVE DATE OF REGULATIONS** approved during the March 2016 Parks and Wildlife Commission meeting: May 1, 2016, unless otherwise noted.

**FINAL REGULATIONS**

**PARKS REGULATIONS**

**Chapter P-1 - "Parks and Outdoor Recreation Lands" 2 CCR 405-1 and those related provisions of Chapter W-5 ("Small Game and Migratory Game Birds" 2 CCR 406-5) necessary to accommodate changes to or ensure consistency with Chapter P-1**

Open for annual review of the entire chapter including, but not limited to, generally-applicable and property-specific requirements for, or restrictions on use of, parks properties controlled by Colorado Parks and Wildlife, including, but not limited to, the following:

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- Prohibiting any SWA user from blocking or impeding any boat ramp.
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**ISSUE IDENTIFICATION**

**WILDLIFE REGULATIONS**

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**Comment deadlines:** Comments will be accepted at any time prior to, or as part of the meeting. However, to ensure sufficient time for consideration prior to the meeting, comments should be provided to the Division of Parks and Wildlife by noon on the following date:

February 24, 2015, for mailing by the Division of Parks and Wildlife to the Parks and Wildlife Commission on **February 25, 2016.**

Comments received by the Division after noon on **February 24, 2016,** will be provided to the Commission on the day of the meeting.

**Opportunity to submit alternate proposals and provide comment:** the Commission will afford all interested persons an opportunity to submit alternate proposals, written data, views or arguments and to present them orally at the meeting unless it deems such oral presentation unnecessary. Written alternate proposals, data, views or arguments and other written statements should be submitted to the Division of Parks and Wildlife at 1313 Sherman St., Denver, CO 80203; or e-mailed to [dnr\\_cpwcommission@state.co.us](mailto:dnr_cpwcommission@state.co.us).

Use of Consent Agenda:

In order to increase the Parks and Wildlife Commission's efficiency and allow more time for consideration of parks and wildlife policy and contested issues, some or all of this regulatory

agenda may be listed for action by the Commission as part of a "Consent Agenda" for this meeting.

*The process for placing matters on the Consent Agenda is as follows:*

*The Director identifies matters where the recommended action follows established policy or precedent, there has been agreement reached or the matter is expected to be uncontested and non-controversial.*

*Regulatory Matters on the Consent Agenda are noticed for hearing at the same time and in the same manner as other Consent Agenda items. If a member of the Commission requests further consideration of an item on the Consent Agenda, that item will be withdrawn from the Consent Agenda and discussed at the end of the meeting or at the next meeting. The Consent Agenda may be voted on without the necessity of reading individual items. Any Commission member may request clarification from the Director of any matter on the Consent Agenda.*

**OTHER AGENDA ITEMS:** The Parks and Wildlife Commission may consider and make policy, program implementation, and other non-regulatory decisions, which may be of public interest at this meeting. A copy of the complete meeting agenda may be viewed on the Division of Parks and Wildlife's internet home page at <http://cpw.state.co.us>, on or after **February 29, 2016**.

## Notice of Proposed Rulemaking

**Tracking number**

2016-00085

**Department**

400 - Department of Natural Resources

**Agency**

406 - Colorado Parks and Wildlife (406 Series, Wildlife)

**CCR number**

2 CCR 406-9

**Rule title**

CHAPTER W-9 - WILDLIFE PROPERTIES

### Rulemaking Hearing

**Date**

03/09/2016

**Time**

08:00 AM

**Location**

Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216

**Subjects and issues involved**

CHAPTER W-9 - WILDLIFE PROPERTIES - See attached

**Statutory authority**

see attached

### Contact information

**Name**

Danielle Isenhardt

**Title**

Regulations Manager

**Telephone**

303-866-3203 x 4625

**Email**

danielle.isenhardt@state.co.us

January 29, 2016

**RULE-MAKING NOTICE  
PARKS AND WILDLIFE COMMISSION MEETING  
March 9-10, 2016**

In accordance with the State Administrative Procedure Act, section 24-4-103, C.R.S., the Parks and Wildlife Commission gives notice that regulations will be considered for adoption at their next meeting on **March 9-10, 2016. The Parks and Wildlife Commission meeting will be held at the offices of Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216. The following regulatory subjects and issues shall be considered** pursuant to the Commission's authority in sections 33-9-101 to 111, C.R.S. ("Administration of Parks and Wildlife"), in sections 33-1-101 to 33-6-209, C.R.S. (the "Wildlife Act"), and especially sections 33-1-104, 33-1-106, 33-1-107, 33-1-108, 33-1-121, 33-2-104, 33-2-105, 33-2-106, 33-3-104, 33-4-101, 33-4-102 and 33-5.5-102, 33-6-107, 33-6-109, 33-6-112, 33-6-113, 33-6-114, 33-6-114.5, 33-6-117, 33-6-119, 33-6-121, 33-6-124, 33-6-125, 33-6-127, 33-6-128, 33-6-130, 33-6-205, 33-6-206, 33-6-207, 33-6-208, 33-6-209, C.R.S., and in sections 33-10-101 to 33-33-113, C.R.S. (the "Parks Act"), and especially sections 33-10-106, 33-10-107, 33-10.5-107, 33-11-109, 33-12-101, 33-12-103, 33-12-103.5, 33-12-106, 33-12.5-103, 33-13-103, 33-13-104, 33-13-106, 33-13-109, 33-13-110, 33-13-111, 33-14-107, 33-14.5-107, 33-32-103 and 33-33-105. C.R.S.

**FINAL REGULATORY ADOPTION** - March 9-10, 2016 beginning at 8:00 a.m.\*

**EFFECTIVE DATE OF REGULATIONS** approved during the March 2016 Parks and Wildlife Commission meeting: May 1, 2016, unless otherwise noted.

**FINAL REGULATIONS**

**PARKS REGULATIONS**

**Chapter P-1 - "Parks and Outdoor Recreation Lands" 2 CCR 405-1 and those related provisions of Chapter W-5 ("Small Game and Migratory Game Birds" 2 CCR 406-5) necessary to accommodate changes to or ensure consistency with Chapter P-1**

Open for annual review of the entire chapter including, but not limited to, generally-applicable and property-specific requirements for, or restrictions on use of, parks properties controlled by Colorado Parks and Wildlife, including, but not limited to, the following:

- Allowing regulated weekend waterfowl hunting on James M. Robb-Colorado River State Park's 34 Road Section parcel from two reservable blinds.
- Opening a portion of Highline Lake State Park to small game hunting on weekdays.
- Establishing park-specific regulations on the archery range at Trinidad Lake State Park.

**Chapter P-2 - "Boating" - 2 CCR 405-2**

Open for consideration of changes to regulations defining acceptable forms of "proof of ownership" for registering boats in Colorado.

*\*Please reference the Commission agenda, to be posted on or after February 29, 2016, to ensure when each regulatory item will be addressed by the Commission. The agenda will be posted at <http://cpw.state.co.us/aboutus/Pages/CommissionMeetings.aspx>.*

### **Chapter P-3 - “River Outfitters” - 2 CCR 405-3**

Open for consideration of changes to regulations requiring hands-on cardiopulmonary resuscitation (“CPR”) training for river guides, trip leaders, and guide instructors.

### **Chapter P-4 – “Snowmobile Regulations” – 2CCR 405-4**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering snowmobiles in Colorado.

### **Chapter P-5 – “Off-Highway Vehicle Regulations” - 2 CCR 405-5**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering OHV's in Colorado.

### **Chapter P-7 - “Passes, Permits and Registrations” - 2 CCR 405-7**

Open for annual review of the entire chapter including, but not limited to, regulations pertaining to eligibility requirements and fees for individual and vehicle park passes; use permits; vessel, snowmobile and off-highway vehicle registrations; and license agent requirements, including, but not limited to, the following:

- Expanding eligibility for a volunteer parks pass to all CPW volunteers who have donated 48 hours of approved service within a twelve month period.
- Adding definitions of “camping/to camp”, “camping unit” and “passenger vehicle” to chapter P-7.
- Making camping permits purchased before 5am, only valid until noon on the same day.
- Administrative clean-ups to camping regulations to comply with reservation system requirements.

## **WILDLIFE REGULATIONS**

### **Chapter W-0 - “General Provisions” - 2 CCR 406-0**

Open for consideration of changes to the no release provision for terrestrial invasive species, specifically giving the Director authority to grant exemptions.

### **Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of any necessary corrections or administrative clean-ups to regulations previously adopted by the Parks and Wildlife Commission for the 2016 big game seasons, including, but not limited to, game management unit boundaries, season dates, limited license areas and manner of take provisions for bighorn sheep, mountain goat, deer, elk, pronghorn, moose, bear and mountain lion, and regulations otherwise necessary for implementation of the 2016 big game seasons.

### **Chapter W-3 - “Furbearers and Small Game, Except Migratory Birds” - 2 CCR 406-3**

Open for consideration of annual changes to game bird seasons, excluding turkey, and other small game seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including the following:

- Reopening GMU 201 to greater sage-grouse hunting.
- Removing the chukar hunting closure in GMUs 9, 19, and 191.

#### **Chapter W-5 - “Small Game and Migratory Game Birds” - 2 CCR 406-5**

Open for consideration of annual changes to waterfowl and migratory bird hunting seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including, but not limited to, the following:

- Establishing new Pacific Flyway hunting zones (eastern and western) for both ducks and geese.

#### **Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

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

- Prohibiting fireworks on all SWA properties.
- Prohibiting any SWA user from blocking or impeding any boat ramp.
- Eliminating the requirement that all waterfowl and small game hunters must check-out of Bravo SWA and Bravo State Trust Land (STL).
- Allowing more vehicle parking at Brush Prairie Ponds SWA.
- Establishing a seasonal closure on Cimarron State Wildlife Area (SWA) from January 1 to June 30 to protect mating and nesting Gunnison sage grouse and wintering big game.
- Prohibiting hunting of dusky grouse and ruffed grouse on the Upper Baldy Tract of Garfield Creek SWA beginning in 2016.
- Modifying the open dates for the Grace Creek access road at Hohnholz Lake SWA.
- Removing fall boating and fishing restrictions at Jumbo Reservoir SWA and Red Lion SWA.
- Adding regulations for the Woodard Unit of the Jumping Cow SWA, including, but limited to restricting hunting and fishing access to permitted individuals only.
- Modifying regulations at Melon Valley SWA to open the property to all hunters on weekdays.
- Establishing specific regulations at Rio Blanco Lake SWA to limit big game hunting to archery equipment only, limit the Roselund Unit to day use only, and require parking in designated areas.
- Allowing the release of game birds at Mike Higbee SWA for education or training purposes.
- Prohibiting Off-Highway Vehicles use on Tarryall SWA.
- Prohibiting the shooting of firearms, pellet guns and bows in established campgrounds at Tarryall SWA.
- Prohibiting campfires at Tarryall SWA.
- Adopting property-specific regulations for Twin Spruce Ponds SWA, including, but not limited to prohibiting camping, fires, glass containers, alcoholic beverages, hunting, discharge of firearms or bows, and boating except for float tubes or craft propelled by hand.
- Adding Aqua Ramon STL to the Public Access Program with general STL regulations.
- Removing Lapin Creek and Deep Creek STLs from Chapter W-9.
- Limiting Columbian sharp-tailed grouse hunter numbers on the Dry Fork STL parcel on weekends and Labor Day to reduce conflicts with agriculture.

- Modifying the open hunting dates for McArthur Gulch STL, including when specific species may be hunted.
- Modifying opening date for Moosehead Mountain STL to August 15 annually.
- Enrolling the Zapata Falls STL into the Public Access Program with property-specific regulations.

**Chapter W-16- “Procedural Rules” - 2 CCR 406-16 and those related provisions of Chapter W-2 (“Big Game” 2 CCR 406-2) necessary to accommodate changes to or ensure consistency with Chapter W-16**

Open for consideration of final regulations pertaining to reissuance of returned limited licenses.

**CITIZEN PETITIONS:**

**Final action may be taken on rule-making petitions at any step of the Commission’s generally applicable two-step rule-making process.**

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Properties, as follows:

- A Citizen Petition for rulemaking requesting the Commission remove the access restrictions for the Mount Evans SWA that begin the day after Labor Day and run through the end of the 4<sup>th</sup> regular rifle season.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Parks and Unregulated Wildlife, as follows:

- A Citizen Petition for rulemaking requesting the Commission consider adding both species of two-toed sloth to the unregulated wildlife list in Chapter W-11.

The Commission may accept all or a portion of these petitions for final action, further consideration or otherwise reject the petitions at the March Commission meeting. A copy of any petition may be obtained by contacting Danielle Isenhardt (303) 866-3203 ext. 4625, Regulations Manager, Colorado Parks and Wildlife.

**ISSUE IDENTIFICATION**

**WILDLIFE REGULATIONS**

**Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of modifications to Ranching for Wildlife regulations to clarify when Dream Hunt or Youth Outreach licenses may be used on enrolled ranches.

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9 and those related provisions of Chapter P-1 (“Parks and Outdoor Recreation Lands” 2 CCR 405-1) necessary to accommodate changes to or ensure consistency with Chapter W-9**

Open for consideration of adopting new regulations to streamline the process for approving normal utility easements, lease extensions/renewals and amendments from the Colorado Parks and Wildlife Real Estate section.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

Open for consideration to amending the regulations pertaining to citizen petitions requesting to unregulate, list, or delist a species within Chapter W-11.

**Except for the day and time indicated for when the meeting is scheduled to begin, the order indicated for each agenda item is approximate and subject to change when necessary to accommodate the Commission's schedule.**

**Viewing of Proposed Rules:** copies of the proposed rules (together with a proposed statement of basis and purpose and specific statutory authority), will be available for inspection and distribution at the Office of the Regulations Manager, Division of Parks and Wildlife, 1313 Sherman St., Denver, Colorado, at least five (5) days prior to the date of hearing. Such copies, however, are only proposals to be submitted to the Commission by the Division of Parks and Wildlife.

**Modification of Proposed Rules prior to adoption:** subject to the provisions of Section 24-4-103, C.R.S., modification of these proposals may be made by the Division of Parks and Wildlife or the Commission before the Commission promulgates final rules and regulations on the above topics.

**Comment deadlines:** Comments will be accepted at any time prior to, or as part of the meeting. However, to ensure sufficient time for consideration prior to the meeting, **comments should be provided to the Division of Parks and Wildlife by noon on the following date:**

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**OTHER AGENDA ITEMS:** The Parks and Wildlife Commission may consider and make policy, program implementation, and other non-regulatory decisions, which may be of public interest at this meeting. A copy of the complete meeting agenda may be viewed on the Division of Parks and Wildlife's internet home page at <http://cpw.state.co.us>, on or after **February 29, 2016**.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00086

**Department**

400 - Department of Natural Resources

**Agency**

406 - Colorado Parks and Wildlife (406 Series, Wildlife)

**CCR number**

2 CCR 406-11

**Rule title**

CHAPTER W-11 - WILDLIFE PARKS AND UNREGULATED WILDLIFE

**Rulemaking Hearing****Date**

03/09/2016

**Time**

08:00 AM

**Location**

Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216

**Subjects and issues involved**

CHAPTER W-11 - WILDLIFE PARKS AND UNREGULATED WILDLIFE - See attached

**Statutory authority**

see attached

**Contact information****Name**

Danielle Isenhardt

**Title**

Regulations Manager

**Telephone**

303-866-3203 x 4625

**Email**

danielle.isenhardt@state.co.us

January 29, 2016

**RULE-MAKING NOTICE  
PARKS AND WILDLIFE COMMISSION MEETING  
March 9-10, 2016**

In accordance with the State Administrative Procedure Act, section 24-4-103, C.R.S., the Parks and Wildlife Commission gives notice that regulations will be considered for adoption at their next meeting on **March 9-10, 2016. The Parks and Wildlife Commission meeting will be held at the offices of Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216. The following regulatory subjects and issues shall be considered** pursuant to the Commission's authority in sections 33-9-101 to 111, C.R.S. ("Administration of Parks and Wildlife"), in sections 33-1-101 to 33-6-209, C.R.S. (the "Wildlife Act"), and especially sections 33-1-104, 33-1-106, 33-1-107, 33-1-108, 33-1-121, 33-2-104, 33-2-105, 33-2-106, 33-3-104, 33-4-101, 33-4-102 and 33-5.5-102, 33-6-107, 33-6-109, 33-6-112, 33-6-113, 33-6-114, 33-6-114.5, 33-6-117, 33-6-119, 33-6-121, 33-6-124, 33-6-125, 33-6-127, 33-6-128, 33-6-130, 33-6-205, 33-6-206, 33-6-207, 33-6-208, 33-6-209, C.R.S., and in sections 33-10-101 to 33-33-113, C.R.S. (the "Parks Act"), and especially sections 33-10-106, 33-10-107, 33-10.5-107, 33-11-109, 33-12-101, 33-12-103, 33-12-103.5, 33-12-106, 33-12.5-103, 33-13-103, 33-13-104, 33-13-106, 33-13-109, 33-13-110, 33-13-111, 33-14-107, 33-14.5-107, 33-32-103 and 33-33-105. C.R.S.

**FINAL REGULATORY ADOPTION** - March 9-10, 2016 beginning at 8:00 a.m.\*

**EFFECTIVE DATE OF REGULATIONS** approved during the March 2016 Parks and Wildlife Commission meeting: May 1, 2016, unless otherwise noted.

**FINAL REGULATIONS**

**PARKS REGULATIONS**

**Chapter P-1 - "Parks and Outdoor Recreation Lands" 2 CCR 405-1 and those related provisions of Chapter W-5 ("Small Game and Migratory Game Birds" 2 CCR 406-5) necessary to accommodate changes to or ensure consistency with Chapter P-1**

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Open for annual review of the entire chapter including, but not limited to, regulations pertaining to eligibility requirements and fees for individual and vehicle park passes; use permits; vessel, snowmobile and off-highway vehicle registrations; and license agent requirements, including, but not limited to, the following:

- Expanding eligibility for a volunteer parks pass to all CPW volunteers who have donated 48 hours of approved service within a twelve month period.
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## **WILDLIFE REGULATIONS**

### **Chapter W-0 - “General Provisions” - 2 CCR 406-0**

Open for consideration of changes to the no release provision for terrestrial invasive species, specifically giving the Director authority to grant exemptions.

### **Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of any necessary corrections or administrative clean-ups to regulations previously adopted by the Parks and Wildlife Commission for the 2016 big game seasons, including, but not limited to, game management unit boundaries, season dates, limited license areas and manner of take provisions for bighorn sheep, mountain goat, deer, elk, pronghorn, moose, bear and mountain lion, and regulations otherwise necessary for implementation of the 2016 big game seasons.

### **Chapter W-3 - “Furbearers and Small Game, Except Migratory Birds” - 2 CCR 406-3**

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#### **Chapter W-5 - “Small Game and Migratory Game Birds” - 2 CCR 406-5**

Open for consideration of annual changes to waterfowl and migratory bird hunting seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including, but not limited to, the following:

- Establishing new Pacific Flyway hunting zones (eastern and western) for both ducks and geese.

#### **Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

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

- Prohibiting fireworks on all SWA properties.
- Prohibiting any SWA user from blocking or impeding any boat ramp.
- Eliminating the requirement that all waterfowl and small game hunters must check-out of Bravo SWA and Bravo State Trust Land (STL).
- Allowing more vehicle parking at Brush Prairie Ponds SWA.
- Establishing a seasonal closure on Cimarron State Wildlife Area (SWA) from January 1 to June 30 to protect mating and nesting Gunnison sage grouse and wintering big game.
- Prohibiting hunting of dusky grouse and ruffed grouse on the Upper Baldy Tract of Garfield Creek SWA beginning in 2016.
- Modifying the open dates for the Grace Creek access road at Hohnholz Lake SWA.
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- Adding regulations for the Woodard Unit of the Jumping Cow SWA, including, but limited to restricting hunting and fishing access to permitted individuals only.
- Modifying regulations at Melon Valley SWA to open the property to all hunters on weekdays.
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**Chapter W-16- “Procedural Rules” - 2 CCR 406-16 and those related provisions of Chapter W-2 (“Big Game” 2 CCR 406-2) necessary to accommodate changes to or ensure consistency with Chapter W-16**

Open for consideration of final regulations pertaining to reissuance of returned limited licenses.

**CITIZEN PETITIONS:**

**Final action may be taken on rule-making petitions at any step of the Commission’s generally applicable two-step rule-making process.**

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Properties, as follows:

- A Citizen Petition for rulemaking requesting the Commission remove the access restrictions for the Mount Evans SWA that begin the day after Labor Day and run through the end of the 4<sup>th</sup> regular rifle season.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Parks and Unregulated Wildlife, as follows:

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**ISSUE IDENTIFICATION**

**WILDLIFE REGULATIONS**

**Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of modifications to Ranching for Wildlife regulations to clarify when Dream Hunt or Youth Outreach licenses may be used on enrolled ranches.

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9 and those related provisions of Chapter P-1 (“Parks and Outdoor Recreation Lands” 2 CCR 405-1) necessary to accommodate changes to or ensure consistency with Chapter W-9**

Open for consideration of adopting new regulations to streamline the process for approving normal utility easements, lease extensions/renewals and amendments from the Colorado Parks and Wildlife Real Estate section.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

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**Except for the day and time indicated for when the meeting is scheduled to begin, the order indicated for each agenda item is approximate and subject to change when necessary to accommodate the Commission's schedule.**

**Viewing of Proposed Rules:** copies of the proposed rules (together with a proposed statement of basis and purpose and specific statutory authority), will be available for inspection and distribution at the Office of the Regulations Manager, Division of Parks and Wildlife, 1313 Sherman St., Denver, Colorado, at least five (5) days prior to the date of hearing. Such copies, however, are only proposals to be submitted to the Commission by the Division of Parks and Wildlife.

**Modification of Proposed Rules prior to adoption:** subject to the provisions of Section 24-4-103, C.R.S., modification of these proposals may be made by the Division of Parks and Wildlife or the Commission before the Commission promulgates final rules and regulations on the above topics.

**Comment deadlines:** Comments will be accepted at any time prior to, or as part of the meeting. However, to ensure sufficient time for consideration prior to the meeting, **comments should be provided to the Division of Parks and Wildlife by noon on the following date:**

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**Opportunity to submit alternate proposals and provide comment:** the Commission will afford all interested persons an opportunity to submit alternate proposals, written data, views or arguments and to present them orally at the meeting unless it deems such oral presentation unnecessary. Written alternate proposals, data, views or arguments and other written statements should be submitted to the Division of Parks and Wildlife at 1313 Sherman St., Denver, CO 80203; or e-mailed to **dnr\_cpwcommission@state.co.us.**

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*The process for placing matters on the Consent Agenda is as follows:*

*The Director identifies matters where the recommended action follows established policy or precedent, there has been agreement reached or the matter is expected to be uncontested and non-controversial.*

*Regulatory Matters on the Consent Agenda are noticed for hearing at the same time and in the same manner as other Consent Agenda items. If a member of the Commission requests further consideration of an item on the Consent Agenda, that item will be withdrawn from the Consent Agenda and discussed at the end of the meeting or at the next meeting. The Consent Agenda may be voted on without the necessity of reading individual items. Any Commission member may request clarification from the Director of any matter on the Consent Agenda.*

**OTHER AGENDA ITEMS:** The Parks and Wildlife Commission may consider and make policy, program implementation, and other non-regulatory decisions, which may be of public interest at this meeting. A copy of the complete meeting agenda may be viewed on the Division of Parks and Wildlife's internet home page at <http://cpw.state.co.us>, on or after **February 29, 2016**.



## Notice of Proposed Rulemaking

**Tracking number**

2016-00087

**Department**

400 - Department of Natural Resources

**Agency**

406 - Colorado Parks and Wildlife (406 Series, Wildlife)

**CCR number**

2 CCR 406-16

**Rule title**

CHAPTER W-16 - PROCEDURAL RULES

### Rulemaking Hearing

**Date**

03/09/2016

**Time**

08:00 AM

**Location**

Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216

**Subjects and issues involved**

CHAPTER W-16 - PROCEDURAL RULES - See attached

**Statutory authority**

see attached

### Contact information

**Name**

Danielle Isenhardt

**Title**

Regulations Manager

**Telephone**

303-866-3203 x 4625

**Email**

danielle.isenhardt@state.co.us

January 29, 2016

**RULE-MAKING NOTICE  
PARKS AND WILDLIFE COMMISSION MEETING  
March 9-10, 2016**

In accordance with the State Administrative Procedure Act, section 24-4-103, C.R.S., the Parks and Wildlife Commission gives notice that regulations will be considered for adoption at their next meeting on **March 9-10, 2016. The Parks and Wildlife Commission meeting will be held at the offices of Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216. The following regulatory subjects and issues shall be considered** pursuant to the Commission's authority in sections 33-9-101 to 111, C.R.S. ("Administration of Parks and Wildlife"), in sections 33-1-101 to 33-6-209, C.R.S. (the "Wildlife Act"), and especially sections 33-1-104, 33-1-106, 33-1-107, 33-1-108, 33-1-121, 33-2-104, 33-2-105, 33-2-106, 33-3-104, 33-4-101, 33-4-102 and 33-5.5-102, 33-6-107, 33-6-109, 33-6-112, 33-6-113, 33-6-114, 33-6-114.5, 33-6-117, 33-6-119, 33-6-121, 33-6-124, 33-6-125, 33-6-127, 33-6-128, 33-6-130, 33-6-205, 33-6-206, 33-6-207, 33-6-208, 33-6-209, C.R.S., and in sections 33-10-101 to 33-33-113, C.R.S. (the "Parks Act"), and especially sections 33-10-106, 33-10-107, 33-10.5-107, 33-11-109, 33-12-101, 33-12-103, 33-12-103.5, 33-12-106, 33-12.5-103, 33-13-103, 33-13-104, 33-13-106, 33-13-109, 33-13-110, 33-13-111, 33-14-107, 33-14.5-107, 33-32-103 and 33-33-105. C.R.S.

**FINAL REGULATORY ADOPTION** - March 9-10, 2016 beginning at 8:00 a.m.\*

**EFFECTIVE DATE OF REGULATIONS** approved during the March 2016 Parks and Wildlife Commission meeting: May 1, 2016, unless otherwise noted.

**FINAL REGULATIONS**

**PARKS REGULATIONS**

**Chapter P-1 - "Parks and Outdoor Recreation Lands" 2 CCR 405-1 and those related provisions of Chapter W-5 ("Small Game and Migratory Game Birds" 2 CCR 406-5) necessary to accommodate changes to or ensure consistency with Chapter P-1**

Open for annual review of the entire chapter including, but not limited to, generally-applicable and property-specific requirements for, or restrictions on use of, parks properties controlled by Colorado Parks and Wildlife, including, but not limited to, the following:

- Allowing regulated weekend waterfowl hunting on James M. Robb-Colorado River State Park's 34 Road Section parcel from two reservable blinds.
- Opening a portion of Highline Lake State Park to small game hunting on weekdays.
- Establishing park-specific regulations on the archery range at Trinidad Lake State Park.

**Chapter P-2 - "Boating" - 2 CCR 405-2**

Open for consideration of changes to regulations defining acceptable forms of "proof of ownership" for registering boats in Colorado.

*\*Please reference the Commission agenda, to be posted on or after February 29, 2016, to ensure when each regulatory item will be addressed by the Commission. The agenda will be posted at <http://cpw.state.co.us/aboutus/Pages/CommissionMeetings.aspx>.*

### **Chapter P-3 - “River Outfitters” - 2 CCR 405-3**

Open for consideration of changes to regulations requiring hands-on cardiopulmonary resuscitation (“CPR”) training for river guides, trip leaders, and guide instructors.

### **Chapter P-4 – “Snowmobile Regulations” – 2CCR 405-4**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering snowmobiles in Colorado.

### **Chapter P-5 – “Off-Highway Vehicle Regulations” - 2 CCR 405-5**

Open for consideration of changes to regulations defining acceptable forms of “proof of ownership” for registering OHV's in Colorado.

### **Chapter P-7 - “Passes, Permits and Registrations” - 2 CCR 405-7**

Open for annual review of the entire chapter including, but not limited to, regulations pertaining to eligibility requirements and fees for individual and vehicle park passes; use permits; vessel, snowmobile and off-highway vehicle registrations; and license agent requirements, including, but not limited to, the following:

- Expanding eligibility for a volunteer parks pass to all CPW volunteers who have donated 48 hours of approved service within a twelve month period.
- Adding definitions of “camping/to camp”, “camping unit” and “passenger vehicle” to chapter P-7.
- Making camping permits purchased before 5am, only valid until noon on the same day.
- Administrative clean-ups to camping regulations to comply with reservation system requirements.

## **WILDLIFE REGULATIONS**

### **Chapter W-0 - “General Provisions” - 2 CCR 406-0**

Open for consideration of changes to the no release provision for terrestrial invasive species, specifically giving the Director authority to grant exemptions.

### **Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of any necessary corrections or administrative clean-ups to regulations previously adopted by the Parks and Wildlife Commission for the 2016 big game seasons, including, but not limited to, game management unit boundaries, season dates, limited license areas and manner of take provisions for bighorn sheep, mountain goat, deer, elk, pronghorn, moose, bear and mountain lion, and regulations otherwise necessary for implementation of the 2016 big game seasons.

### **Chapter W-3 - “Furbearers and Small Game, Except Migratory Birds” - 2 CCR 406-3**

Open for consideration of annual changes to game bird seasons, excluding turkey, and other small game seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including the following:

- Reopening GMU 201 to greater sage-grouse hunting.
- Removing the chukar hunting closure in GMUs 9, 19, and 191.

#### **Chapter W-5 - “Small Game and Migratory Game Birds” - 2 CCR 406-5**

Open for consideration of annual changes to waterfowl and migratory bird hunting seasons and related provisions, including season dates, bag and possession limits and manner of take provisions, including, but not limited to, the following:

- Establishing new Pacific Flyway hunting zones (eastern and western) for both ducks and geese.

#### **Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

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

- Prohibiting fireworks on all SWA properties.
- Prohibiting any SWA user from blocking or impeding any boat ramp.
- Eliminating the requirement that all waterfowl and small game hunters must check-out of Bravo SWA and Bravo State Trust Land (STL).
- Allowing more vehicle parking at Brush Prairie Ponds SWA.
- Establishing a seasonal closure on Cimarron State Wildlife Area (SWA) from January 1 to June 30 to protect mating and nesting Gunnison sage grouse and wintering big game.
- Prohibiting hunting of dusky grouse and ruffed grouse on the Upper Baldy Tract of Garfield Creek SWA beginning in 2016.
- Modifying the open dates for the Grace Creek access road at Hohnholz Lake SWA.
- Removing fall boating and fishing restrictions at Jumbo Reservoir SWA and Red Lion SWA.
- Adding regulations for the Woodard Unit of the Jumping Cow SWA, including, but limited to restricting hunting and fishing access to permitted individuals only.
- Modifying regulations at Melon Valley SWA to open the property to all hunters on weekdays.
- Establishing specific regulations at Rio Blanco Lake SWA to limit big game hunting to archery equipment only, limit the Roselund Unit to day use only, and require parking in designated areas.
- Allowing the release of game birds at Mike Higbee SWA for education or training purposes.
- Prohibiting Off-Highway Vehicles use on Tarryall SWA.
- Prohibiting the shooting of firearms, pellet guns and bows in established campgrounds at Tarryall SWA.
- Prohibiting campfires at Tarryall SWA.
- Adopting property-specific regulations for Twin Spruce Ponds SWA, including, but not limited to prohibiting camping, fires, glass containers, alcoholic beverages, hunting, discharge of firearms or bows, and boating except for float tubes or craft propelled by hand.
- Adding Aqua Ramon STL to the Public Access Program with general STL regulations.
- Removing Lapin Creek and Deep Creek STLs from Chapter W-9.
- Limiting Columbian sharp-tailed grouse hunter numbers on the Dry Fork STL parcel on weekends and Labor Day to reduce conflicts with agriculture.

- Modifying the open hunting dates for McArthur Gulch STL, including when specific species may be hunted.
- Modifying opening date for Moosehead Mountain STL to August 15 annually.
- Enrolling the Zapata Falls STL into the Public Access Program with property-specific regulations.

**Chapter W-16- “Procedural Rules” - 2 CCR 406-16 and those related provisions of Chapter W-2 (“Big Game” 2 CCR 406-2) necessary to accommodate changes to or ensure consistency with Chapter W-16**

Open for consideration of final regulations pertaining to reissuance of returned limited licenses.

**CITIZEN PETITIONS:**

**Final action may be taken on rule-making petitions at any step of the Commission’s generally applicable two-step rule-making process.**

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Properties, as follows:

- A Citizen Petition for rulemaking requesting the Commission remove the access restrictions for the Mount Evans SWA that begin the day after Labor Day and run through the end of the 4<sup>th</sup> regular rifle season.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

At its March meeting, the Parks and Wildlife Commission will consider a Citizen Petition for Rulemaking related to Wildlife Parks and Unregulated Wildlife, as follows:

- A Citizen Petition for rulemaking requesting the Commission consider adding both species of two-toed sloth to the unregulated wildlife list in Chapter W-11.

The Commission may accept all or a portion of these petitions for final action, further consideration or otherwise reject the petitions at the March Commission meeting. A copy of any petition may be obtained by contacting Danielle Isenhardt (303) 866-3203 ext. 4625, Regulations Manager, Colorado Parks and Wildlife.

**ISSUE IDENTIFICATION**

**WILDLIFE REGULATIONS**

**Chapter W-2 - “Big Game” - 2 CCR 406-2**

Open for consideration of modifications to Ranching for Wildlife regulations to clarify when Dream Hunt or Youth Outreach licenses may be used on enrolled ranches.

**Chapter W-9 - “Wildlife Properties” - 2 CCR 406-9 and those related provisions of Chapter P-1 (“Parks and Outdoor Recreation Lands” 2 CCR 405-1) necessary to accommodate changes to or ensure consistency with Chapter W-9**

Open for consideration of adopting new regulations to streamline the process for approving normal utility easements, lease extensions/renewals and amendments from the Colorado Parks and Wildlife Real Estate section.

**Chapter W-11- “Wildlife Parks and Unregulated Wildlife” - 2 CCR 406-11**

Open for consideration to amending the regulations pertaining to citizen petitions requesting to unregulate, list, or delist a species within Chapter W-11.

**Except for the day and time indicated for when the meeting is scheduled to begin, the order indicated for each agenda item is approximate and subject to change when necessary to accommodate the Commission's schedule.**

**Viewing of Proposed Rules:** copies of the proposed rules (together with a proposed statement of basis and purpose and specific statutory authority), will be available for inspection and distribution at the Office of the Regulations Manager, Division of Parks and Wildlife, 1313 Sherman St., Denver, Colorado, at least five (5) days prior to the date of hearing. Such copies, however, are only proposals to be submitted to the Commission by the Division of Parks and Wildlife.

**Modification of Proposed Rules prior to adoption:** subject to the provisions of Section 24-4-103, C.R.S., modification of these proposals may be made by the Division of Parks and Wildlife or the Commission before the Commission promulgates final rules and regulations on the above topics.

**Comment deadlines:** Comments will be accepted at any time prior to, or as part of the meeting. However, to ensure sufficient time for consideration prior to the meeting, comments should be provided to the Division of Parks and Wildlife by noon on the following date:

February 24, 2015, for mailing by the Division of Parks and Wildlife to the Parks and Wildlife Commission on **February 25, 2016.**

Comments received by the Division after noon on **February 24, 2016,** will be provided to the Commission on the day of the meeting.

**Opportunity to submit alternate proposals and provide comment:** the Commission will afford all interested persons an opportunity to submit alternate proposals, written data, views or arguments and to present them orally at the meeting unless it deems such oral presentation unnecessary. Written alternate proposals, data, views or arguments and other written statements should be submitted to the Division of Parks and Wildlife at 1313 Sherman St., Denver, CO 80203; or e-mailed to [dnr\\_cpwcommission@state.co.us](mailto:dnr_cpwcommission@state.co.us).

Use of Consent Agenda:

In order to increase the Parks and Wildlife Commission's efficiency and allow more time for consideration of parks and wildlife policy and contested issues, some or all of this regulatory

agenda may be listed for action by the Commission as part of a "Consent Agenda" for this meeting.

*The process for placing matters on the Consent Agenda is as follows:*

*The Director identifies matters where the recommended action follows established policy or precedent, there has been agreement reached or the matter is expected to be uncontested and non-controversial.*

*Regulatory Matters on the Consent Agenda are noticed for hearing at the same time and in the same manner as other Consent Agenda items. If a member of the Commission requests further consideration of an item on the Consent Agenda, that item will be withdrawn from the Consent Agenda and discussed at the end of the meeting or at the next meeting. The Consent Agenda may be voted on without the necessity of reading individual items. Any Commission member may request clarification from the Director of any matter on the Consent Agenda.*

**OTHER AGENDA ITEMS:** The Parks and Wildlife Commission may consider and make policy, program implementation, and other non-regulatory decisions, which may be of public interest at this meeting. A copy of the complete meeting agenda may be viewed on the Division of Parks and Wildlife's internet home page at <http://cpw.state.co.us>, on or after **February 29, 2016**.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00045

**Department**

700 - Department of Regulatory Agencies

**Agency**

701 - Division of Banking

**CCR number**

3 CCR 701-6

**Rule title**

TRUST COMPANIES

**Rulemaking Hearing****Date**

03/17/2016

**Time**

10:00 AM

**Location**

Division of Banking, 975 Conference Room, 1560 Broadway, Suite 975, Denver, CO 80202

**Subjects and issues involved**

Proposed repeal of Banking Board Rule TC15, Suspicious Activity Reports.

**Statutory authority**

11-102-104(1), C.R.S.

**Contact information****Name**

Diana S. Gutierrez

**Title**

Banking Board Secretary

**Telephone**

303-894-7584

**Email**

diana.gutierrez@state.co.us



## **~~TC15 Suspicious Activity Reports [Section 11-109-103, C.R.S.]~~**

- ~~A. — A federally insured state chartered institution shall file with the State Bank Commissioner (Commissioner) a copy of the form filed to report apparent criminal violations, FFIEC Form Suspicious Activity Report, with the U.S. Department of the Treasury's Financial Crimes Enforcement Network (FinCen) pursuant to 12 U.S.C. 324, 334, et. al. The form shall be filed with the Commissioner within three (3) business days of the filing of said form with the FinCen. The fact that a report is required by this Rule should not in any case deter the institution from first informing the Commissioner by telephone or other expeditious means of an apparent violation when such is deemed fitting.~~
- ~~B. — A non-insured state chartered institution shall promptly file with the Commissioner a copy of any criminal referral filed with any state or federal prosecutorial agency. The referral shall be filed with the Commissioner within three (3) business days of the filing of said form with the prosecutorial agency. The fact that a report is required by this Rule should not in any case deter the institution from first informing the Commissioner by telephone or other expeditious means of an apparent violation when such is deemed fitting.~~
- ~~C. — Failure to comply with this Rule may result in a levy by the Banking Board of a penalty of up to \$25.00 per day for each day the report is not filed.~~
- ~~D. — Reference:~~
- ~~1. — 12 U.S.C. 324, 334 and 12 U.S.C. 93a are federal statutes granting authority to the Board of Governors of the Federal Reserve System and the Federal Deposit Insurance Corporation.~~
  - ~~2. — This Rule does not include amendments to or editions of the referenced material later than March 2, 2006. Copies of 12 U.S.C. 324, 334 and 12 U.S.C. 93a may be examined at any State Publication Depository.~~
  - ~~3. — For more detailed information pertaining to this Rule, please contact the Secretary to the Colorado State Banking Board at 1560 Broadway, Suite 1175, Denver, CO 80202, 303-894-7584.~~



# COLORADO

Department of  
Regulatory Agencies

Division of Banking

1560 Broadway, Suite 975  
Denver, CO 80202

January 22, 2016

## BEFORE THE COLORADO STATE BANKING BOARD

IN THE MATTER OF

RULE REPEAL

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NOTICE OF PROPOSED RULEMAKING

### I. Notice of hearing

PLEASE BE ADVISED THAT, as required by Section 24-4-103, C.R.S., of the State Administrative Procedures Act, the Colorado State Banking Board (Banking Board) hereby gives notice of proposed rulemaking. A hearing is scheduled for March 17, 2016, commencing at 10:00 a.m., at the Division of Banking (Division), DORA 975 Conference Room, 1560 Broadway, Suite 975, Denver, Colorado.

### II. Purpose of the proposed rulemaking

The purpose of the hearing is to hear comments concerning the proposed repeal of Banking Board Rule **TC15 – Suspicious Activity Reports**, which requires Colorado state-chartered trust companies to provide a copy of the Suspicious Activity Report (SAR) to the Commissioner. The reports are now accessible to regulators online; therefore, paper submissions are no longer necessary.

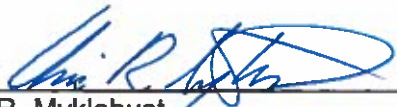
### III. Statutory authority for proposed rulemaking

The proposed repeal of the rule is being held under the authority given the Banking Board by the Colorado Banking Code in accordance with Section 11-102-104(1), C.R.S., which states “the banking board is the policy-making and rule-making authority for the division of banking and has the power to: (a) make, modify, reverse, and vacate rules for the proper enforcement and administration of this code...”

### IV. Opportunity to testify and submit written comments

Any interested person(s) has the right to submit written comments or data, view, or argument. Written information should be filed with the Division no later than January 11, 2016. To submit written comments, please contact Diana Gutierrez, Banking Board Secretary, at [diana.gutierrez@state.co.us](mailto:diana.gutierrez@state.co.us). In addition, any interested person(s) has the right to make an oral presentation at the Hearing, unless the Banking Board deems any oral presentation unnecessary.

SUBMITTED ON BEHALF OF THE  
COLORADO STATE BANKING BOARD

  
Chris R. Myklebust  
State Bank Commissioner





**COLORADO**

Department of  
Regulatory Agencies

Division of Banking

1560 Broadway, Suite 975  
Denver, CO 80202

**January 21, 2016**

**STATE BANKING BOARD  
RULE TC 15  
PERTAINING TO TITLE 11, ARTICLE 109, SECTION 103  
COLORADO REVISED STATUTES**

**STATEMENT OF BASIS, PURPOSE, AND SPECIFIC AUTHORITY**

**Statement of Basis**

A federally insured or non-insured state-chartered institution is required to file a Suspicious Activity Report (SAR) with the United States Department of the Treasury's Financial Crimes Enforcement Network (FinCEN) when it suspects criminal violations, money laundering, or other illegal activities. Banking Board Rule TC 15 – Suspicious Activity Reports, requires a copy of the SAR or criminal referral to be filed with the Commissioner within three (3) business days of the filing with FinCEN.

Beginning in 2012, FinCEN required the electronic filing of SARs and other reports related to the Bank Secrecy Act/Anti-money Laundering (BSA/AML) regulations. Financial institutions complete the electronic filing but then must print a copy of the form and send it to the attention of the Commissioner. The Division of Banking (Division) has the ability to access SARs through FinCEN's SAR database; therefore, it is no longer necessary for the financial institution to provide a copy of the SAR in order for the Division to complete its compliance review of the institution's BSA/AML compliance program.

**Purpose of this Rulemaking**

The purpose of this rulemaking is to repeal Banking Board Rule TC15 – Suspicious Activity Reports, which requires Colorado state-chartered trust companies to provide a copy of the SAR to the Commissioner.

**Rulemaking Authority**

Section 11-101-102, C.R.S. – Declaration of Policy

Section 11-102-104(1)(a), C.R.S. – Powers and duties of the Banking Board



# Notice of Proposed Rulemaking

**Tracking number**

2016-00047

**Department**

700 - Department of Regulatory Agencies

**Agency**

701 - Division of Banking

**CCR number**

3 CCR 701-10

**Rule title**

FINANCIAL INSTITUTION ADMINISTRATIVE RULES

**Rulemaking Hearing****Date**

03/17/2016

**Time**

10:00 AM

**Location**

Division of Banking, 975 Conference Room, 1560 Broadway, Suite 975, Denver, CO 80202

**Subjects and issues involved**

Proposed repeal of Banking Board Rule AR6, Notice of Hearing.

**Statutory authority**

11-102-104(1), C.R.S.

**Contact information****Name**

Diana S. Gutierrez

**Title**

Banking Board Secretary

**Telephone**

303-894-7584

**Email**

diana.gutierrez@state.co.us

**AR6—Notice of Hearing [Section 11-108-302(2), C.R.S.]**

A. ~~When a hearing is required pursuant to Section 11-108-302(2), C.R.S., a notice thereof shall be given, by the Commissioner, to the party requesting the hearing, to other persons to whom notice must be given, and to such other persons as the Commissioner, in his discretion, may specify. Such notice shall state the time, place, and nature of the hearing; the legal authority and jurisdiction under which the hearing is to be held; the matters constituting grounds for the hearing; and shall be delivered to such persons entitled to notice by this Rule by personal service, by registered or certified mail, or by other appropriate means, sufficiently in advance of the date set for hearing in order to comply with the appropriate provisions of both Section 11-108-302(2), C.R.S., and the State Administrative Procedures Act.~~



# COLORADO

Department of  
Regulatory Agencies

Division of Banking

1560 Broadway, Suite 975  
Denver, CO 80202

January 22, 2016

## BEFORE THE COLORADO STATE BANKING BOARD

IN THE MATTER OF

RULE REPEAL

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NOTICE OF PROPOSED RULEMAKING

### I. Notice of hearing

PLEASE BE ADVISED THAT, as required by Section 24-4-103, C.R.S., of the State Administrative Procedures Act, the Colorado State Banking Board (Banking Board) hereby gives notice of proposed rulemaking. A hearing is scheduled for March 17, 2016, commencing at 10:00 a.m., at the Division of Banking (Division), DORA 975 Conference Room, 1560 Broadway, Suite 975, Denver, Colorado.

### II. Purpose of the proposed rulemaking

The purpose of the hearing is to hear comments concerning the proposed repeal of Banking Board Rule **AR6 – Notice of Hearing**, which applies only to Industrial Banks. The Industrial Bank provision of the Colorado Banking Code was repealed in 2013 with the passage of SB13-154; therefore, this rule is no longer necessary.

### III. Statutory authority for proposed rulemaking

The proposed repeal of the rule is being held under the authority given the Banking Board by the Colorado Banking Code in accordance with Section 11-102-104(1), C.R.S., which states “the banking board is the policy-making and rule-making authority for the division of banking and has the power to: (a) make, modify, reverse, and vacate rules for the proper enforcement and administration of this code...”

### IV. Opportunity to testify and submit written comments

Any interested person(s) has the right to submit written comments or data, view, or argument. Written information should be filed with the Division no later than January 11, 2016. To submit written comments, please contact Diana Gutierrez, Banking Board Secretary, at [diana.gutierrez@state.co.us](mailto:diana.gutierrez@state.co.us). In addition, any interested person(s) has the right to make an oral presentation at the Hearing, unless the Banking Board deems any oral presentation unnecessary.

SUBMITTED ON BEHALF OF THE  
COLORADO STATE BANKING BOARD

Chris R. Myklebust  
State Bank Commissioner





**COLORADO**

**Department of  
Regulatory Agencies**

Division of Banking

1560 Broadway, Suite 975  
Denver, CO 80202

**January 21, 2016**

**STATE BANKING BOARD  
RULE AR 6  
PERTAINING TO TITLE 11, ARTICLE 108, SECTION 302  
COLORADO REVISED STATUTES**

**STATEMENT OF BASIS, PURPOSE, AND SPECIFIC AUTHORITY**

**Statement of Basis**

Effective July 1, 2013, Title 11, Article 108 of the Colorado Revised Statutes, the Industrial Bank provision of the Colorado Banking Code, was repealed in its entirety pursuant to Section 4 of Senate Bill 13-154. Banking Board Rule AR6 - Notice of Hearing (AR6), which was established as required by Section 11-108-302(2), C.R.S., is no longer necessary.

**Purpose of this Rulemaking**

The purpose of this rulemaking is to repeal AR6 in response to the repeal of Title 11, Article 108.

**Rulemaking Authority**

Sections 11-101-102 and 11-102-104, C.R.S.



# Notice of Proposed Rulemaking

**Tracking number**

2016-00046

**Department**

700 - Department of Regulatory Agencies

**Agency**

725 - Division of Real Estate

**CCR number**

4 CCR 725-2

**Rule title**

RULES OF THE COLORADO BOARD OF REAL ESTATE APPRAISERS

**Rulemaking Hearing****Date**

03/03/2016

**Time**

09:00 AM

**Location**

1560 Broadway, Suite 1250-C, Denver, CO

**Subjects and issues involved**

CHAPTER 11:&STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE

**Statutory authority**

Chapter 7 of Title 12, Article 61, Colorado Revised Statutes, as amended

**Contact information****Name**

Martha Torres-Recinos

**Title**

Rulemaking Administrator

**Telephone**

303-894-2359

**Email**

martha.torres-recinos@state.co.us



**DEPARTMENT OF REGULATORY AGENCIES  
DIVISION OF REAL ESTATE  
BOARD OF REAL ESTATE APPRAISERS  
4 CCR 725-2**

**NOTICE OF PROPOSED PERMANENT RULEMAKING HEARING  
March 3, 2016**

**CHAPTER 11: STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE**

Pursuant to and in compliance with Title 12, Article 61 and Title 24, Article 4, C.R.S. as amended, notice of proposed rulemaking is hereby given, including notice to the Attorney General of the State of Colorado and to all persons who have requested to be advised of the intention of the Colorado Board of Real Estate Appraisers (the "Board") to promulgate rules, or to amend, repeal or repeal and re-enact the present rules of the Board.

**STATEMENT OF BASIS**

The statutory basis for the rules titled Rules of the Board of Real Estate Appraisers is Part 7 of Title 12, Article 61, Colorado Revised Statutes, as amended.

**STATEMENT OF PURPOSE**

The purpose of this rule is to effectuate the legislative directive to promulgate necessary and appropriate rules in conformity with the statute and the provisions of the federal Financial Institutions Reform, Recovery and Enforcement Act of 1989.

**SPECIFIC PURPOSE OF THIS RULEMAKING**

The specific purpose of this rule is to amend or repeal existing rules with respect to the applicable version of the uniform standards of professional appraisal practice.

**Proposed New, Amended and Repealed Rules**

[Deleted material shown ~~struck through~~, new material shown ALL CAPS. Rules, or portions of rules, which are unaffected are reproduced. Readers are advised to obtain a copy of the complete rules of the Board at [www.dora.colorado.gov/dre](http://www.dora.colorado.gov/dre)

**CHAPTER 11: STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE**

11.1 Pursuant to Section 12-61-713(1)(g), C.R.S. (as amended), the Board adopts, and incorporates by reference in compliance with Section 24-4-103(12.5), C.R.S., as the generally accepted standards of professional appraisal practice the definitions, preamble, rules, standards, and standards rules and ~~statements~~ of the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Standards Board of the Appraisal Foundation on January 30, 1989 and amended through ~~February 1, 2013~~ FEBRUARY 6, 2015 and known as the ~~2014-2015~~ 2016-2017 edition. Amendments to the Uniform Standards of Professional Appraisal Practice subsequent to ~~February 1, 2013~~ FEBRUARY 6, 2015 are not included in this Rule. A certified copy of the Uniform Standards of Professional Appraisal Practice is on file and available for public inspection at the offices of the Board of Real Estate Appraisers at 1560 Broadway, Suite 925, Denver, Colorado. Copies of the Uniform Standards of Professional Appraisal Practice adopted under this rule may be examined at any state publications depository library. The ~~2014-2015~~ 2016-2017 edition of the Uniform Standards of Professional Appraisal Practice may be examined at the

Internet website of The Appraisal Foundation at [www.appraisalfoundation.org](http://www.appraisalfoundation.org), and copies may be ordered through that mechanism. The Appraisal Foundation may also be contacted at 1155 15th Street, NW, Suite 1111, Washington, DC 20005, or by telephone at (202) 347-7722 or by telefax at (202) 347-7727. The ~~2012-2013~~ 2014-2015 edition of the Uniform Standards of Professional Appraisal Practice, incorporating the amendments made through ~~April 8, 2011~~ FEBRUARY 1, 2013 shall remain in effect through ~~December 31, 2013~~ JANUARY 6, 2016. Beginning ~~January 1, 2014~~, JANUARY 7, 2016, the ~~2014-2015~~ 2016-2017 edition of the Uniform Standards of Professional Appraisal Practice shall be in effect.

**A hearing on the above subject matter will be held on Thursday, March 3, 2016, at the Colorado Division of Real Estate, 1560 Broadway, Suite 1250-C, Denver, Colorado 80202 beginning at 9:00 a.m.**

Any interested person may participate in the rule making through submission of written data, views and arguments to the Division of Real Estate. Persons are requested to submit data, views and arguments to the Division of Real Estate in writing no less than ten (10) days prior to the hearing date and time set forth above. However, all data, views and arguments submitted prior to or at the rulemaking hearing or prior to the closure of the rulemaking record (if different from the date and time of hearing), shall be considered.

Please be advised that the rule being considered is subject to further changes and modifications after public comment and formal hearing.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00063

**Department**

700 - Department of Regulatory Agencies

**Agency**

736 - Division of Professions and Occupations - Board of Marriage and Family Therapist Examiners

**CCR number**

4 CCR 736-1

**Rule title**

COLORADO STATE BOARD OF MARRIAGE AND FAMILY THERAPIST EXAMINERS  
RULES

**Rulemaking Hearing****Date**

03/01/2016

**Time**

12:00 PM

**Location**

1560 Broadway Street, Conference Room 1250 A, Denver, CO 80202

**Subjects and issues involved**

Modification of Board Rule 12, Licensure by Endorsement

**Statutory authority**

12-43-203(3)(a)

**Contact information****Name**

Catherine Rodriguez

**Title**

Program Director for Mental Health Boards

**Telephone**

303-894-7414

**Email**

cathys.rodriguez@state.co.us

## Marriage and Family Therapist Examiners

### **RULE 12 -- LICENSURE BY ENDORSEMENT (C.R.S. § 12-43-206)**

(a) General. To be considered for licensure by endorsement under C.R.S. §12-43-206, an applicant must submit a completed application form, all supporting documentation, and the appropriate fee.

(b) Complaints/inquiries, investigations, disciplinary actions. The Board may decline to issue a license to an applicant for licensure by endorsement against whom disciplinary action has been taken or is pending, against whom an investigation is being conducted in connection with her/his practice, or who is the subject of an unresolved complaint.

(c) Criteria. The Board has established the following criteria for determining whether an applicant possesses credentials and qualifications that are substantially equivalent to C.R.S. § 12-43-504. ~~An applicant must submit sufficient information to establish that her/his credentials and qualifications meet the statutory requirements. The applicant has the burden of proof. The Board may require additional information from the applicant.~~ An applicant who possesses a current and unrestricted license, in good standing, to practice marriage and family therapy under the laws of another state, territory or foreign country may ~~can~~ apply for licensure by endorsement.

All of the following factors must be ~~shown~~ certified ~~attested to~~ at the time of application for Colorado licensure by endorsement in order for the applicant to establish that her/his credentials and qualifications are substantially equivalent to the requirements of C.R.S. § 12-43-504:

(1) Applicant is at least 21 years of age;

(2) Applicant must attest that they:

(A) Have reported to the Board any injunction entered against her/him and any injunctive action pending against her/him on any license.

(B) Have reported any malpractice judgment, settlement, or claim, and any pending action or claim.

(C) Have reported any pending complaint, investigation, or disciplinary proceeding before the licensing, grievance, or disciplinary Board of any jurisdiction in which a license, registration or certification to practice marriage and family therapy is held and where the complaint, investigation, or proceeding concerns the practice of marriage and family therapy.

\_\_\_\_\_ (D) Have reported any applicable misdemeanor or felony conviction(s).

\_\_\_\_\_ (E) Have reported to the Board any prior disciplinary action by another jurisdiction.

~~(2) Applicant must certify that:~~

~~(A) Applicant has reported to the Board any injunction action entered against her/him and knows of no injunctive action pending against her/him or her/his license, certificate, listing or registration to practice marriage and family therapy where the injunction or injunctive action relates to her/his practice of marriage and family therapy or psychotherapy;~~

~~(B) Applicant has reported to the Board any malpractice judgment against her/him, and knows of no settlement of a malpractice action or claim against her/him, and knows of no malpractice action or claim pending against her/him where the malpractice alleged relates to her/his practice of marriage and family therapy or psychotherapy;~~

~~(C) Applicant has reported to the Board any complaint pending before, investigation being conducted by, or disciplinary proceeding pending before the licensing, grievance, or disciplinary board of any jurisdiction in which s/he is licensed, registered, or certified to practice marriage and family therapy where the complaint, investigation, or proceeding concerns practice as a licensed marriage and family therapist or psychotherapy.~~

~~(D) Applicant has reported to the Board any misdemeanor or felony conviction(s).~~

~~(E) Applicant has reported to the Board any prior disciplinary action against applicant by another jurisdiction.~~

(3) Submit verification of licensure from each jurisdiction(s) in which applicant has ever been licensed, registered, listed or certified. The verification can be retrieved by the applicant from the jurisdiction's web-site as long as the following information is included and can be verified if necessary:

\_\_\_\_\_ (A) Date license was originally issued.

\_\_\_\_\_ (B) Date of license expiration.

\_\_\_\_\_ (C) Disciplinary history, if applicable.

If the complete information is not available then the Verification of License Form must be completed by each state

(4) Applicant holds a master's or doctoral degree in marriage and family therapy from an accredited program or holds a master's or doctoral degree from a program that was equivalent to an accredited program in marriage and family therapy.

(5) Applicant ~~demonstrates~~ attests to having passed an examination, the content of which tested competence to practice marriage and family therapy.

(6) Except as provided below, a Applicant ~~demonstrates~~ attests that s/he had at least two (2) years of post- master's or one year of post-doctoral practice in individual and marriage and family therapy under supervision prior to licensure, certification, listing or registration in the jurisdiction through which applicant seeks licensure in Colorado; or applicant ~~provides information satisfactory~~ attests to the Board ~~demonstrating~~ her/his active practice of marriage and family therapy for two (2) years (as defined below).

(A) "Active practice of marriage and family therapy" means applicant has engaged in the practice of marriage and family therapy at least twenty (20) hours per week, averaged over the entire time s/he has been in practice, with no more than a six month absence from the practice of marriage and family therapy. If applicant has taught marriage and family therapy, applicant may count the hours spent teaching marriage and family therapy (including time spent in preparation, meeting with students, and related activities) as hours of active practice of marriage and family therapy provided such teaching was in courses in the same or similar field of marriage and family therapy as the competence area claimed by applicant; teaching of marriage and family therapy shall not count more than one-third (1/3) of the number of active practice hours claimed by applicant.

(7) Applicant attests that post-degree experience hours obtained for licensure in another jurisdiction has substantially similar requirements to what is outlined in Board Rule 14 Licensure by Examination. The Board may consider a combination of post-degree hours and practice experience on a case-by-case basis.

(d) Licenses, certifications, listings or registrations from outside the United States. Applicants who are licensed, certified, listed or registered marriage and family therapists in a jurisdiction outside the United States must submit their educational credentials for evaluation, including disclosure of any prior or pending disciplinary action against applicant by any jurisdiction, and satisfy the requirements of this Rule.

(e) Jurisprudence Examination. Each applicant shall pass a Board developed jurisprudence examination.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00074

**Department**

1000 - Department of Public Health and Environment

**Agency**

1011 - Health Facilities and Emergency Medical Services Division (1011, 1015 Series)

**CCR number**

6 CCR 1011-1 Chap 02

**Rule title**

CHAPTER 02 - GENERAL LICENSURE STANDARDS

## Rulemaking Hearing

**Date**

03/16/2016

**Time**

10:00 AM

**Location**

Sabin-Cleere Conference Room, Colorado Department of Public Health and Environment, Bldg. A, 4300 Cherry Creek Drive, South, Denver, CO. 80246

**Subjects and issues involved**

To consider the promulgation of amendments to 6 CCR 1011-1, Chapter 5, Long Term Care Facilities and Chapter 2, General Licensure Standards. Chapter 5 is being renamed to correspond with state statute and the entire chapter has been rewritten to reflect current practice standards, eliminate duplicative and obsolete sections and better align with federal requirements.

**Statutory authority**

25-1.5-103, C.R.S. (2015); 25-1-107.5, C.R.S. (2015); 25-1-120, C.R.S. (2015); 25-3-101, et seq; 18-6.5-108(1)(b)(V)

## Contact information

**Name**

Laurie Schoder

**Title**

Policy Analyst

**Telephone**

303-692-2832

**Email**

[laurie.schoder@state.co.us](mailto:laurie.schoder@state.co.us)





Dedicated to protecting and improving the health and environment of the people of Colorado

To: Members of the State Board of Health

From: Laurie Schoder, Policy Analyst, Health Facilities and Emergency Medical Services Division

Through: D. Randy Kuykendall, MLS; Director *DRK*

Date: January 20, 2016

Subject: Proposed Amendments to 6 CCR 1011-1, Standards for Hospitals and Health Facilities, Chapter 5, Long Term Care Facilities and Conforming and Technical Amendments to Chapter 2, General Licensure, with a Request for the Rulemaking Hearing to occur on March 16, 2016.

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In 2014, the Division conducted a regulatory review of Chapter 5 and determined that many of those rules were outdated, confusing and/or inconsistent with state or federal law. Therefore, the Division pledged to initiate a community stakeholder process to thoroughly review the entire rule.

The Division has been meeting with stakeholders every month for over a year to revise the Chapter 5 regulations. All stakeholder meetings were open to the public and routinely included the state long-term care ombudsman, a nursing care facility resident, members of the Colorado Medical Directors Association and other licensed medical professionals, owners and administrators of licensed nursing care facilities, and representatives of the Colorado Health Care Association, Leading Age Colorado, the Legal Center and the Colorado Hospital Association.

Due to the extensive nature of the revisions, the Division proposal is that the current chapter be stricken in its entirety and replaced with a new version that has also been reorganized and renumbered. The Division also proposes changing the title of Chapter 5 from Long Term Care Facilities to Nursing Care Facilities to align with the Department's statutory authority.

One proposed revision to the pharmacy section of Chapter 5, along with conforming changes to Chapter 2, is being made to align with statutory changes brought about by House Bill 15-1039 which addressed the donation of prescription medications by licensed health care facilities. In addition, language throughout the entire chapter has been revised to reflect technological advances; make it more person-centered; and reflect that a nursing care facility is not merely a health care institution but also a resident's home.

**STATEMENT OF BASIS AND PURPOSE  
AND SPECIFIC STATUTORY AUTHORITY**

For Amendments to 6 CCR 1011-1, Standards for Hospitals and Health Facilities,  
Chapter 5, Long Term Care Facilities and Conforming and Technical  
Amendments to Chapter 2, General Licensure  
January 20, 2016

**Basis and Purpose:**

In 2014, pursuant to Section 24-4-103.3, C.R.S., the Division conducted a regulatory review of Chapter 5 and determined that many of those standards were outdated, confusing and/or inconsistent with state statute. Since then the Division has conducted monthly meetings with stakeholders to completely overhaul the regulations regarding nursing care facilities. Due to the extensive nature of the revisions, the Division is proposing that the current regulation set be stricken in its entirety and replaced with a new version that has also been renamed, reorganized and renumbered.

The major highlights of the changes include adding language to require at-risk elder abuse reporting; revising the medical services section to allow for expanded use of non-physician practitioners consistent with federal and state law; updating therapist and other staff qualifications to align with state law and/or reflect current professional standards; updating the subsection on disposition of medication to align with changes made by House Bill 15-1039; requiring a security officer or other designated staff person to oversee health information security; and requiring a facility to petition the court for appointment of a guardian for any resident placed in secure unit if that resident lacks decisional capacity and has no designated representative.

The following is a brief summary of the changes to Chapter 5 by section:

**Section 1** - Updated to include reference to medical waste disposal regulations.

**Section 2** - Several new definitions added.

**Section 3** - Clarification of governing body role and reworded quality assurance subsection.

**Section 4** - Reworded for clarity and addition of language regarding at-risk elder abuse reporting.

**Section 5** - Primarily reworded.

**Section 6** - Primarily reworded.

**Section 7** - Reorganized and time frames revised to align with federal requirements. Individual responsible for nursing care planning changed to registered nurse to align with federal requirement.

**Section 8** - Revised to allow for expanded use of non-physician practitioners consistent with federal and state law; added requirement that medical director personally visit facility at least every three months; added requirements regarding the contents of practitioner's notes and time frame for inclusion in health information record; expanded medical director's responsibilities to be consistent with remainder of rule and allowed for practitioner use of telehealth within certain parameters.

**Section 9** - Reworded and clarified the subsection on restraints to align with statute. Reworded and clarified the subsections on medication administration and safety devices.

**Section 10** - Time for social services staff to review and update assessment and care plan shortened to quarterly. Updated and clarified staff qualifications.

**Section 11** - Primarily reworded.

**Section 12** - Added requirements that each resident must be informed about the consequences of undiagnosed oral health issues and about the availability of public benefits for dental services.

**Section 13** - Revised to reflect proposed federal language regarding meal times; expanded qualifications for individual overseeing dietary services; updated menu reference requirements;

clarified requirements for refrigerator safety and feeding of residents in isolation; and deleted subsection on milk because that is covered in the retail food regulations with which facilities are also required to comply.

**Section 14** - Reorganized and reworded to eliminate duplicative and obsolete subsections and better align with federal requirements.

**Section 15** - Reworded for clarity and to better align with state law.

**Section 16** - Revised to require that facilities complete a risk assessment for emergencies using an all hazards approach. Addition of items to be addressed in facility policies and procedures regarding various emergencies and addition of items to be addressed in facility disaster plans.

**Section 17** - Revised language to reflect current technology; reworded section on health information staff responsibilities; added requirement for security officer or other designated staff person to oversee health information security and updated staff qualifications to reflect current professional standards.

**Section 18** - Updated therapist qualifications to align with state law and consolidated sections to eliminate duplication.

**Section 19** - Reworded duties of consulting pharmacist to better align with federal law; added subsection on the use of investigational medications and updated subsection on disposition of medication to align with state law.

**Section 20** - Current time frame for inclusion of diagnostic reports in health information record shortened from thirty days to two days and requirement relocated to Section 17.1(A).

**Section 21** - The only change is correction of the hyperlink.

**Section 22** - Removal of footnotes and obsolete language along with clarification of resident communication system requirements.

**Section 23** - Reorganized and reworded for clarity; updated statutory references and added requirement that if resident lacks decisional capacity and has no representative, facility must petition court for appointment of guardian within 30 days of resident's placement in secure unit.

**Section 24** - Primarily reworded.

**Section 25** - Reworded and reorganized.

**Section 26** - Reworded, reorganized and references updated to include various CDC guidelines.

**Section 27** - Primarily reworded.

**Section 28** - Updated reference for disposal of medical waste.

**Section 29** - Substantially unchanged.

**Section 30** - Statutory reference added and slightly reworded.

**Section 31** - Reorganized and reworded for clarity and to better align with state law.

**Section 32** - No change.

The proposed changes to Chapter 2 update the address for submitting a waiver application and the donation of prescription medications by licensed health care facilities as authorized by House Bill 15-1039. These changes ensure alignment with Chapter 5, Sections 4.6 and 19.8 respectively. In addition, Chapter 2, Sections 8.103 and 10.5 references to Chapter 5 were updated to reflect the proposed Chapter 5 title. The statutory references and terminology in Chapter 2, Section 8.102 and 8.103 were also updated for overall alignment with Chapter 5.

**These rules are promulgated pursuant to the following statutes:**

Section 25-1.5-103, C.R.S. (2015)

Section 25-1-107.5, C.R.S. (2015)

Section 25-1-120, C.R.S. (2015)

Section 25-3-101, et seq., C.R.S. (2015)

Section 18-6.5-108(1)(b)(V), C.R.S. (2015)

## SUPPLEMENTAL QUESTIONS

**Is this rulemaking due to a change in state statute?**

☒ Yes, partially. Revisions to Chapter 5, Section 19 with conforming changes to Chapter 2 were necessitated by House Bill 15-1039.  
☐ No

**Is this rulemaking due to a federal statutory or regulatory change?**

☐ Yes  
☒ No

**Does this rule incorporate materials by reference?**

☒ Yes  
☐ No

**Does this rule create or modify fines or fees**

☐ Yes  
☒ No

**REGULATORY ANALYSIS**

For Amendments to 6 CCR 1011-1, Standards for Hospitals and Health Facilities,  
Chapter 5, Long Term Care Facilities and Conforming and Technical  
Amendments to Chapter 2, General Licensure  
January 20, 2016

1. **A description of the classes of persons who will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule.**

The proposed rule changes will affect many classes of persons. They will affect the owners, operators, staff and residents of nursing care facilities as well as other licensed professionals that serve the residents of nursing care facilities. The costs of the proposed rule will be borne primarily by the licensees and the Department. The affected nursing care facilities, their residents and the public will all benefit from amending this regulation to reflect current industry standards, align with state and federal law and clarify Department expectations.

2. **To the extent practicable, a description of the probable quantitative and qualitative impact of the proposed rule, economic or otherwise, upon affected classes of persons.**

The short-term quantitative impact of the proposed revisions will be most apparent in the time required by facility owners and staff to familiarize themselves with the revised standards and the reorganization of the entire regulation set. The expectation is that this will be offset by the anticipated long-term quantitative impact of greater staff efficiency due to the changes allowing greater use of non physician practitioners, telehealth and other electronic methods for care delivery.

The major qualitative impacts of the revisions for residents will be achieved through the use of more person centered language and higher standards of care in certain areas such as dental services, medical record entries, resident rights, and admission into a secured unit.

3. **The probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues.**

The Department will incur some costs primarily associated with administrative tasks such as rewriting the feeding assistant program protocols to align with the revised regulations and revising the software program that allows for electronic entry of survey and plan of correction data. The Department does not anticipate that these amendments will result in any costs to other agencies.

4. **A comparison of the probable costs and benefits of the proposed rule to the probable costs and benefits of inaction.**

The probable costs and benefits of the proposed amendments far outweigh the probable costs and benefits of inaction since inaction would result in continued conflict between the regulations and various state and federal laws, along with the continuation of many now antiquated requirements and obsolete language. The proposed amendments will benefit the

industry and public alike because everyone will have a better understanding of the nursing care facility licensing requirements.

**5. A determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule.**

The Department has determined that there are no less costly or intrusive methods for achieving the purpose of the revised rule. Neither Departmental policies nor guidance would have accomplished the goal of updating the regulations to reflect current industry standards, align with state and federal law and eliminate obsolete requirements.

**6. Alternative rules or alternatives to rulemaking considered and why rejected.**

Initially the Department considered revising only one section of the regulation chapter, but it became evident after consultation with stakeholders that the entire chapter needed to be rewritten. Although the complete rewrite required a larger time commitment from both stakeholders and Department personnel, it was determined to be the preferable method to avoid any unintended consequences that might result from a patchwork approach.

**7. To the extent practicable, a quantification of the data used in the analysis; the analysis must take into account both short-term and long-term consequences.**

The Department analyzed the type and number of health care entities affected by these amendments, as well as the number of resident beds involved. There are approximately 219 currently licensed nursing care facilities with a total of 20,316 beds. The majority of facilities are dually certified to serve both Medicare and Medicaid residents, so they are also subject to federal standards. Five facilities, however, serve only private pay residents. Therefore the proposed amendments had to be drafted so that they would apply to all types of nursing care facilities regardless of payment source.

In the short-term, both Department and facility personnel will need to spend extra time familiarizing themselves with the changes. However, in the long term, regulations that reflect current industry standards, align with state and federal law and are easier to navigate will benefit everyone that interacts with a nursing care facility from staff to residents and their family members.

## STAKEHOLDER COMMENTS

For Amendments to 6 CCR 1011-1, Standards for Hospitals and Health Facilities, Chapter 5, Long Term Care Facilities with conforming amendments to Chapter 2, General Licensure

**The following individuals and/or entities were included in the development of these proposed rules:**

Anne Meier, Colorado Long-Term Care Ombudsman; Shannon Gimbel, Denver Regional Council of Governments; Vinni Ferrara, Older Americans Program Assistant for Disability Law Colorado; a nursing care facility resident; Gregory Gahm, M.D., Leslie Eber, M.D., and other members of the Colorado Medical Directors Association; Joshua Zucker, N.P., Alan Miller, R.Ph., Candace Johnson, R.D., and other licensed medical professionals; various owners, administrators, staff and consultants of licensed nursing care facilities; Ann Kokish, Arlene Miles and Doug Farmer for the Colorado Health Care Association; Janice Brenner for Leading Age Colorado; Gail Finley and Joshua Ewing for the Colorado Hospital Association; Dr. Katya Mauritson, Oral Health Unit Manager, Prevention Services Division; Dan Goetz, Hazardous Waste Compliance Assurance Officer, Hazardous Materials and Waste Management Division; and various representatives of the Colorado Department of Health Care Policy and Financing.

**The following individuals and/or entities were notified that this rule-making was proposed for consideration by the Board of Health:**

The individuals and entities listed above along with all licensed health care entities and subscribers to the Health Facilities and Emergency Medical Services information blog.

**Summarize Major Factual and Policy Issues Encountered and the Stakeholder Feedback Received. If there is a lack of consensus regarding the proposed rule, please also identify the Department's efforts to address stakeholder feedback or why the Department was unable to accommodate the request.**

The stakeholder group and Division representatives tackled many factual and policy issues and were able to come to consensus on all. Examples include expanding the role of non-practitioners to align with the Colorado Nurse Practice Act but not violate certain federal requirements for facilities providing Medicare services, allowing for the use of telehealth in certain circumstances, shortening the time frame for practitioner visit details to be entered into the health information record, and requiring facilities to inform residents about public dental benefits and to provide assistance in accessing such benefits and services. At the final stakeholder meeting, the Ombudsman voiced concerns that the resident grievance process, which conforms to Colorado law, might be in conflict with federal law. The Department has referred this issue to its legal counsel and expects to have the issue resolved by the rule-making hearing.

**Please identify health equity and environmental justice (HEEJ) impacts. Does this proposal impact Coloradans equally or equitably? Does this proposal provide an opportunity to advance HEEJ? Are there other factors that influenced these rules?**

The Division believes that the proposed rule amendments will advance HEEJ in a number of ways. Because physicians in Colorado's rural and frontier areas are often in short supply, nursing care facilities in those communities will benefit from the amendments that allow for expanded use of non-physician practitioners and telehealth. Low income residents will have enhanced access to dental care because of a new requirement that nursing care facilities provide information about the

availability of publicly funded dental services and assist residents in accessing such services. Additionally, the resident rights section contains new requirements for facilities to make accommodation residents with limited English proficiency or sensory impairments that inhibit daily communications.



**DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

**Health Facilities and Emergency Medical Services Division**

**STANDARDS FOR HOSPITALS AND HEALTH FACILITIES: CHAPTER V—LONG TERM CARE FACILITIES**

**6 CCR 1011-1 Chap 05**

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Copies of these regulations may be obtained at cost by contacting:

Division Director

Colorado Department of Public Health and Environment

Health Facilities Division

4300 Cherry Creek Drive South

Denver, Colorado 80222-1530

Main switchboard: (303) 692-2800

These chapters of regulation incorporate by reference (as indicated within) material originally published elsewhere. Such incorporation, however, excludes later amendments to or editions of the referenced material. Pursuant to 24-4-103 (12.5), C.R.S., the Health Facilities Division of the Colorado Department of Public Health And Environment maintains copies of the incorporated texts in their entirety which shall be available for public inspection during regular business hours at:

Division Director

Colorado Department of Public Health and Environment

Health Facilities Division

4300 Cherry Creek Drive South

Denver, Colorado 80222-1530

Main switchboard: (303) 692-2800

Certified copies of material shall be provided by the division, at cost, upon request. Additionally, any material that has been incorporated by reference after July 1, 1994 may be examined in any state publications depository library. Copies of the incorporated materials have been sent to the state publications depository and distribution center, and are available for interlibrary loan.

**Part 01. STATUTORY AUTHORITY AND APPLICABILITY**

01.1 The statutory authority for the promulgation of these rules is set forth in sections 25-1-107.5, 25-1.5-103 and 25-3-101, et. seq., C.R.S.

01.2 A long term care facility shall comply with all applicable federal and state statutes and regulations, including but not limited to, the following:

~~(a) This Chapter V;~~

~~(b) 6 CCR 1011-1, Chapter II, General Licensure Standards; and~~

~~(c) 6 CCR 1010-2, Colorado Retail Food Establishment Rules and Regulations.~~

#### **Part 1. GOVERNING BODY**

##### Definitions

~~Department—The Department of Public Health and Environment.~~

~~LONG-TERM CARE FACILITY. A long-term care facility is a health facility that holds itself out as a nursing home, nursing facility, nursing care facility or intermediate care facility or a health facility that is planned, organized, operated, and maintained to provide supportive, restorative, and preventive services to persons who, due to physical and/or mental disability, require continuous or regular inpatient care.~~

~~(a) a long-term care facility is a nursing care facility, or a nursing facility serving residents who require continuous medical and nursing care and supervision.~~

~~(b) a long-term care facility is an intermediate care facility serving residents who require regular, but not continuous nursing care and supervision.~~

~~1.1 GOVERNING BODY. The governing body is the individual, group of individuals, or corporate entity that has ultimate authority and legal responsibility for the operation of the long-term care facility.~~

~~1.1.1 The governing body shall provide the necessary facilities, qualified personnel, and services to meet the total needs of the facility's residents.~~

~~1.1.2 The governing body shall appoint for the facility a full-time administrator, qualified as provided in Section 2.1, and delegate to that officer the executive authority and full responsibility for day-to-day administration of the facility.~~

~~1.1.3 The governing body is responsible for the performance of all persons providing services within the facility.~~

~~1.2 STRUCTURE. If the governing body includes more than one individual, the group shall be formally organized with written constitution or articles of incorporation and by-laws; hold regular, periodic meetings; and maintain meeting records.~~

~~1.2.1 The facility shall disclose its ownership as required in Part 2, chapter II of these regulations.~~

~~1.2.2 The governing body shall provide a formal means of obtaining local community involvement and opportunity to communicate with the administrator on issues of residents' rights. The means of community input shall provide opportunity for regular input and such input shall be documented.~~

~~(a) The input may come through a formally organized community advisory committee that is given the opportunity to comment and advise the governing body on matters of facility policy; is composed of members, a majority of whom reside in the facility's service area, and none of whom are owners or employees of or consultants to the facility.~~

~~(b) The input may come through membership of at least 25% of the governing body representing citizens in the facility's service area, none of whom are owners or employees of or consultant? to the facility.~~

~~(c) The facility may request Department approval of an alternative means of obtaining community input on residents' rights.~~

~~1.3 QUALITY ASSURANCE. The governing body shall assure that there is an effective quality assurance program to evaluate the availability, appropriateness, effectiveness, and efficiency of resident care, including without limitation, a continuous program of evaluating medical, nursing care, social services, activities, dietary, housekeeping, maintenance, infection control, and pharmacy services.~~

~~1.3.1 The quality assurance plan shall be in writing and shall include objectives; personnel involved; responsibility for reviewing critical incidents; methods for monitoring and evaluating care; and methods for monitoring effectiveness of actions taken to improve quality of resident care.~~

~~1.3.2 The facility shall maintain evidence of actions taken in response to quality assurance activity and their effectiveness and shall report annually to the governing body.~~

~~1.4 EXCEPTIONS TO RULES. The requirements of these regulations do not prohibit the use of alternate concepts, methods, procedures, techniques, equipment, or personnel qualifications or conducting pilot projects. A facility may request waivers or exceptions to these regulations pursuant to 6 CCR 1011-1, Chapter II, General Licensure Standards, Part 4, waiver of regulations for health care entities.~~

~~1.5 POSTING DEFICIENCIES. The facility shall post conspicuously in public view either the statement of deficiencies following its most recent survey or a notice stating the location and times at which the statement can be reviewed.~~

## **~~Part 2. ADMINISTRATION~~**

~~2.1 ADMINISTRATOR. The administrator is responsible to the governing body for planning, organizing, developing, and controlling the operations of the facility.~~

~~2.1.1 The administrator shall be licensed in the State of Colorado.~~

~~2.1.2 The administrator's responsibilities: 1) liaison among the governing body, medical staff, and physicians whose patients reside in the facility, 2) financial and personnel management, 3) providing for appropriate resident care; and 4) maintaining relationships with the community and with other health care facilities, organizations, and services; 5) assuring facility and staff compliance with all regulations; and 6) any responsibilities prescribed by facility policy.~~

~~2.2 ORGANIZATION. The facility shall be organized formally to carry out its responsibilities with a plan of organization clearly defining the authority, responsibilities, and functions of each category of personnel.~~

~~2.3 POLICIES. In consultation with the Medical Advisor and one or more registered nurses and other related health care professionals, the administrator shall develop and at least annually review written resident care policies and procedures that govern resident care in the following areas: nursing, housekeeping, maintenance sanitation, medical, dental, dietary, diagnostic, emergency, and pharmaceutical care; social services; activities; rehabilitation; physical, occupational, and speech therapy; resident admission, transfer, and discharge; notification of physician and family or other responsible party of resident's incidents, accidents and changes of status; disasters; and health records and any other policies the department determines the facility needs based on its characteristics of its resident population.~~

~~2.4 FACILITY STAFFING PLAN. The facility shall have a master staffing plan for providing staffing in compliance with these regulations, distribution of personnel, replacement of personnel, and forecasting future personnel needs.~~

~~2.5 OCCURRENCE REPORTING.~~

Notwithstanding any other reporting required by state regulation, each facility shall report the following to the department within 24 hours of discovery by the facility.

(1) Any occurrence involving neglect of a resident by failure to provide goods and services necessary to avoid the resident's physical harm or mental anguish.

(2) Any occurrence involving abuse of a resident by the willful infliction of injury, unreasonable confinement, intimidation, or punishment with resulting physical harm, pain or mental anguish.

(3) Any occurrence involving an injury of unknown source where the source of the injury could not be explained and the injury is suspicious because of the extent or location of the injury.

(4) Any occurrence involving misappropriation of a resident's property including the deliberate misplacement, exploitation, or wrongful use of a resident's belongings or money without the resident's consent.

### **Part 3 – ADMISSIONS**

**3.1 RESTRICTIONS.** The facility shall admit only those persons whose needs it can meet within the accommodations and services it provides.

3.1.1 No resident shall be admitted for inpatient care to any room or area other than one regularly designated and equipped as a resident bedroom.

3.1.2 There shall be no more than four residents admitted to a bedroom.

**3.2 BED HOLD POLICIES.** The facility shall develop policies for holding beds available for residents who are temporarily absent therefrom, provide a copy of the policy upon admission, and explain these policies to residents upon admission and before each temporary absence.

**3.3 RESIDENT IDENTIFICATION.** Upon admission, each resident shall have a visible means of identification place and maintained on his or her person and property.

### **Part 4. PERSONNEL**

**4.1 POLICIES.** The facility shall maintain written approved personnel policies, job descriptions, and rules prescribing the conditions of employment, management of employees, and quality and quantity of resident care to be provided.

4.1.1 The facility shall provide job-specific orientation to all new employees within 90 days of employment.

4.1.2 All personnel shall be informed of the purpose and objectives of the facility.

4.1.3 All personnel shall be provided access to the facility's personnel policies and the facility shall provide evidence that each employee has reviewed them.

**4.2 DEPARTMENTS.** Each department of the facility shall be under the direction of a person qualified by training, experience, and ability to direct effective services.

4.2.1 The facility shall provide a sufficient number of qualified personnel in each department to operate the department.

4.2.2 All persons assigned to direct resident care shall be prepared through formal education or on-the-job training in the principles, policies, procedures, and appropriate techniques of resident care.

~~The facility shall provide educational programs for employees to be informed of new methods and techniques.~~

~~4.3 STAFF DEVELOPMENT COORDINATOR. The long term care facility shall employ a staff development coordinator who shall be responsible for coordinating orientation, inservice, on-the-job training, and continuing education programs and for determining that staff have been properly trained and are implementing results of their training. The objective of this standard is that staff be appropriately trained in necessary aspects of resident care to carry out their job responsibilities.~~

~~4.3.1 The coordinator shall have experience in and ability to prepare and coordinate inservice education and training programs for adult learners in the area of geriatrics.~~

~~4.3.2 The facility shall employ a staff development coordinator for a sufficient amount of time to meet inservice, orientation, training, and supervision needs of staff. The facility shall provide for appropriate staff follow-up.~~

~~4.3.3 The facility shall provide annual inservice education for staff in at least the following areas: infection control, fire prevention and safety, accident prevention, confidentiality of resident information, rehabilitative nursing, resident rights, dietary, pharmacy, dental, behavior management, disaster preparedness, and, if it has developmentally disabled residents, developmental disabilities, residents with Alzheimer's conditions, those conditions, or mentally ill residents, mental illness.~~

~~4.3.4 The facility shall maintain attendance records with original signatures on inservice programs and course materials or outlines that staff who are unable to attend the program may review.~~

~~4.4 RECORDS. The facility shall maintain personnel records on each employee, including an employment application, that includes training and past experience, verification of credentials, references of past work experience, orientation, and evidence that health status is appropriate to perform duties in the employee's job description.~~

~~4.5 REFERENCE MATERIALS. The facility shall provide current reference material related to the care that is provided in the facility for use by all personnel.~~

~~4.6 STAFF IDENTIFICATION. All facility staff shall wear name and title badges while on duty, except where they may pose a danger to staff or residents due to the nature of resident conditions.~~

## **~~Part 5. RESIDENT CARE~~**

~~5.1 RESIDENT CARE. Residents shall receive the care necessary to meet individual physical, psycho-social, and rehabilitative needs and assistance to achieve and maintain their highest possible level of independence, self care, and self worth and well being. Provision of care shall be documented in the health record.~~

~~5.1.1 QUALITY OF LIFE. Residents shall be provided: a safe, supportive, comfortable, homelike environment; freedom and encouragement to exercise choice over their surroundings, schedules, health care, and life activities; the opportunity to be involved with the members of their community inside and outside the nursing home; and treatment with dignity and respect.~~

~~5.1.2 PRESSURE ULCER PREVENTION AND CARE. (See also 7.7)~~

~~(1) For residents whose pressure ulcers developed while the resident was in the facility, the facility shall have:~~

~~(a) assessed the potential for skin breakdown, and~~

~~(b) provided preventive measures before the ulcer developed to residents identified in the assessment required in section 5.2 as at risk of pressure ulcers (i.e., a resident exhibiting three or more of the following symptoms: underweight, incontinence, dehydration, disorientation or unconsciousness, or limited mobility).~~

~~(2) For all residents with pressure ulcers, the facility shall:~~

~~(a) have developed an individualized treatment plan (as prescribed by section 5.7) designed to alleviate the condition;~~

~~(b) be providing active treatment to improve the condition in accordance with the treatment plan;~~

~~(c) be evaluating the resident's progress and treatment at least weekly and revising the treatment plan as needed and required by section 5.7;~~

~~(d) be providing proper nutrition and hydration to promote healing and prevent further breakdown.~~

#### ~~5.1.3 ACCIDENT PREVENTION AND ATTENTION.~~

~~(1) The facility shall:~~

~~(a) investigate causes of accidents;~~

~~(b) monitor the resident's response to the accident, and obtain physician's or mental health evaluation, if needed;~~

~~(c) have developed and implemented an individualized plan as part of the care plan prescribed by Section 5.7 for prevention of future accidents;~~

~~(d) evaluate and revise the plan as needed.~~

~~(2) For residents at high risk for accidents, the facility shall have identified the risk in the care plan and taken reasonable precautions to prevent common accidents before the accident occurred. Residents at high risk of accidents include the blind, the deaf, those with seizure disorders, those with accidents in the last 6 months, the totally confused but ambulatory, new amputees, and residents on psychoactive drugs.~~

#### ~~5.1.4 BEHAVIOR PROBLEM CARE.~~

~~(1) For residents with behavior problems the facility shall:~~

~~(a) have noted the behavioral problem and evaluated it in the initial assessment required by Section 5.2;~~

~~(b) develop and implement an individualized treatment plan as part of the care plan prescribed by Section 5.7;~~

~~(c) develop and implement a behavior management plan as part of the care plan prescribed by Section 5.7;~~

~~(d) obtain a mental health evaluation in appropriate cases;~~

~~(e) evaluate the resident's progress and revise the plan, as needed and required by Section 5.7;~~

~~(2) For residents receiving behavior modification drugs, the facility shall indicate in nurses' notes both positive and/or negative effects of the drug and that alternatives or adjuncts to the drugs in care planning were considered. These evaluations shall meet requirements of Section 7.10.8.~~

#### ~~5.1.5 CONTRACTURE CARE. (See also 7.7)~~

~~(1) For residents with contractures upon admission, the facility shall have noted the problem, evaluated it, and undertaken restorative nursing intervention.~~

~~(2) For residents with contractures that occurred while in the facility, the facility shall have documented that range of motion and/or repositioning was performed before the contracture developed; if the resident refused treatment or preventive measures, the facility shall have documented that such measures and the consequences of the refusal were explained to the resident.~~

~~(3) For all other residents with the potential for contracture, the facility shall have developed and be implementing an individualized treatment plan as part of the care plan prescribed in Section 5.7 to prevent or manage contractures and be periodically evaluating the progress. The plan shall be reviewed and revised at least annually as needed.~~

#### ~~5.1.6 PROMOTION OF MOBILITY. (See also 7.7)~~

~~(1) For all residents, the facility shall have assessed each resident's ambulation potential and capability at least monthly, designed a plan of care as part of the care plan prescribed in section 5.7 to encourage mobility, be implementing the plan, regularly evaluate progress and revise the plan as needed.~~

~~(2) For residents requiring devices and/or personal assistance to ambulate, the facility shall provide and maintain devices in good repair, assist the resident to obtain appropriate footwear, and provide assistance to residents to move and transfer.~~

#### ~~5.1.7 INDWELLING CATHETER CARE.~~

~~(1) For residents with any indwelling catheter, the facility shall have:~~

~~(a) evaluated appropriateness of continued use at least monthly;~~

~~(b) assessed the reason for the incontinence;~~

~~(c) evaluated the potential of bladder retraining, implementing it, if indicated, or documenting reasons if retraining was not indicated;~~

~~(d) implemented any physician order for irrigation or catheter replacement.~~

~~(2) For residents exhibiting signs or symptoms of urinary tract infection, the facility shall have notified the physician, obtained orders for treatment and implemented such treatment plan.~~

#### ~~5.1.8 WEIGHT CHANGES. The facility shall:~~

- ~~(1) evaluate the resident to determine the cause of the weight change;~~
- ~~(2) develop and implement an individualized plan of care as part of the care plan prescribed by Section 5.7 (including appropriate intervention by other appropriate disciplines);  
evaluate resident progress as required by Section 5.7, and revise the plan, as needed;~~
- ~~(3) observe food and fluid intake and provide encouragement to residents with eating problems;~~
- ~~(4) provide reasonable choices of foods to meet personal preferences and religious needs;~~
- ~~(5) if nourishments are provided as part of the care plan, between meals and at bedtime,  
document the nourishments provided and whether they are consumed;~~
- ~~(6) provide assistance in eating or adaptive eating devices and assist residents in obtaining  
dentures, or dental care, as appropriate to the individual resident;~~
- ~~(7) for residents with mouth or gum problems, meet the requirements of part 10.~~

#### ~~5.1.9 GROOMING.~~

- ~~(1) The facility shall assist the resident to obtain appropriate materials for personal care for the  
resident, provide personal care in a manner that preserves resident dignity and privacy,  
and provide social services intervention, if needed.~~
- ~~(2) For residents with inappropriate, unclean, or poorly maintained clothing and/or assistive  
devices, the facility shall assist the residents to obtain clothing, shoes and devices.  
Such clothing, shoes and devices shall fit properly, be clean, and be in good repair.~~
- ~~(3) For residents with poor oral hygiene, the facility shall meet the requirements of Part 10.~~

#### ~~5.1.10 EXCORIATION PREVENTION AND CARE. (See also 7.7)~~

- ~~(1) For all residents who are incontinent or immobile, have impaired sensation, compromised  
nutritional or fluid status, or inadequate hygiene, the facility shall:~~
  - ~~(a) have completed an initial skin evaluation upon admission and re-evaluated the  
condition at least weekly;~~
  - ~~(b) be providing measures to prevent the excoriation, including:~~
    - ~~(1) maintenance of clean, dry well-lubricated skin;~~
    - ~~(2) taking incontinent residents to the bathroom on a regular individualized  
schedule;~~
    - ~~(3) evaluating the need for daily baths;~~
    - ~~(4) determining potential trouble spots where microbial growth may occur  
(breasts, gluteal folds, skin folds).~~
- ~~(2) For residents with excoriations, the facility shall:~~
  - ~~(a) develop and be implementing an individualized treatment plan as part of the care  
plan prescribed by Section 5.7 for the excoriation;~~



~~(b) evaluate the resident's progress at least daily and review and revise the treatment plan as needed;~~

~~(c) enter a progress note at least weekly in the health record.~~

~~5.1.11 FLUID MANAGEMENT. The facility shall provide fluid in quantities needed to maintain hydration and body weight and shall:~~

~~(1) assess each resident's hydration needs;~~

~~(2) observe and evaluate food and fluid intake daily and record and report deviations from sufficient food and fluid intake;~~

~~(3) provide assistance and encouragement to residents requiring assistance to meet their food and fluid requirements;~~

~~(4) provide self help adaptive devices and encourage their use.~~

~~5.1.12 PERSONAL ENVIRONMENT. The facility shall allow for personalization of rooms through the use of residents' personal furniture, appliances, decorations, plants, and memorabilia. The facility may limit the number of furniture items in resident rooms if to do so is necessary to accommodate roommate preferences, fire codes, housekeeping, or safe movement in the room.~~

~~5.1.13 PERSONAL CHOICE. The facility shall:~~

~~(1) make reasonable efforts to accommodate preferences of roommate, including the right of each resident so requesting to be assigned to a room with non-smokers;~~

~~(2) allow residents flexibility in times to eat main meals, consistent with requirements of Section 41.2 and with its own reasonable staffing and scheduling requirements;~~

~~(3) allow residents flexibility in times to bathe, rise and retire, consistent with its own reasonable staffing and scheduling requirements;~~

~~(4) provide at least one alternative menu choice for each meal of similar nutritive value. The same alternative shall not be used for two consecutive meals.~~

~~5.1.14 PROBLEM RESOLUTION. The facility shall inform residents of the resident council and grievance procedures, the name, address, and phone number of the Long-Term Care Ombudsman, and the phone number and address of the Departments of Health and Social Services and the Colorado Foundation for Medical Care. Staff shall assist residents in raising problems to the facility's administration or appropriate outside agencies.~~

~~5.2 RESIDENT ASSESSMENT. Within twenty-four hours of admission to the long-term care facility, a licensed nurse shall assess each resident's physical, mental, and functional status, including strengths, impairments, rehabilitative needs, special treatments, capability for self administration of medications, and dependence and independence in activities of daily living. The initial assessment shall form the basis of the preliminary care plan. Within seven days of admission, the nurse shall also collaborate with social services staff in assessing discharge potential and shall coordinate assessments with social services, dietetic, and activity staff. These assessments shall form the basis of the interdisciplinary care plan prescribed by Section 5.7.~~

~~5.2.1 The continuing assessment shall at all times reflect resident status.~~

~~5.2.2 The assessment shall be updated at least at three month intervals, but in any event whenever a significant change of resident condition occurs.~~

~~5.2.3 The current resident assessment shall be a part of the resident's health record and available for all direct care staff to use.~~

~~5.3 NURSING CARE PLANNING. A licensed nurse shall prepare an individualized nursing care plan for each resident based on the resident assessment prescribed by Section 5.2 and applicable physician treatment orders. The purpose of the care plan is to create an individualized tool for carrying out preventive, therapeutic, and rehabilitative nursing care.~~

~~5.3.1 Within 24 hours of admission, nursing staff shall prepare and implement a preliminary nursing care plan to meet each resident's immediate needs.~~

~~5.3.2 Within one week of admission, nursing staff shall prepare and implement a comprehensive nursing care plan for each resident.~~

~~5.3.3 The plan shall meet each resident's unique needs, problems, and strengths by identifying resident strengths, needs, and problems; specifying care interventions to capitalize on the strengths and meet those needs or problems; and defining the frequency of each intervention.~~

~~5.3.4 The nursing care plan shall be current and evaluated and revised following each assessment and whenever the resident's condition changes.~~

~~5.4 SOCIAL SERVICES CARE PLANNING. Social services staff shall assess social services needs within one week of admission and develop a social services care plan to meet each resident's needs.~~

~~5.5 ACTIVITIES CARE PLANNING. Activities staff shall assess activities needs within one week of admission and shall develop an activities care plan to meet each resident's needs.~~

~~5.6 NUTRITIONAL CARE PLANNING.~~

~~(a) The Dietary supervisor or consultant shall prepare an initial nutritional history and assessment for each resident within two weeks of admission that includes special needs, likes and dislikes, nutritional status, and need for adaptive cutlery and dishes and develop a plan of care to meet these needs.~~

~~(b) In the event the facility elects to utilize paid feeding assistants or feeding assistant volunteers pursuant to Part 11.001 of this Chapter V, as part of the history and assessment conducted pursuant to paragraph (a) of this 5.6, the interdisciplinary team shall evaluate each resident regarding the suitability of the resident to be fed and hydrated by a feeding assistant. Such evaluation shall include, but need not be limited to each resident's level of care, functional status concerning feeding and hydration, and, the resident's ability to cooperate and communicate with staff.~~

~~5.7 INTERDISCIPLINARY CARE PLANNING. Within two weeks of admission, an interdisciplinary long term care facility staff team shall develop a personalized overall care plan for each resident based on the resident assessments and applicable physician orders.~~

~~5.7.1 The overall care plan shall contain a list of resident problems and the discipline that will address each problem in its own more detailed plan of care.~~

~~5.7.2 The overall care plan shall be evaluated according to the goals set out in the plan, following each assessment and whenever the resident's condition changes.~~

~~5.7.3 The interdisciplinary team shall consist of representatives of resident services inside and outside the facility, as appropriate, including at least nursing, social services, activities, and dietetic staff. Other persons, such as medical, pharmacy, and special therapies, shall be included as appropriate. Residents and their representatives shall be invited to participate in care planning. Refusal to participate shall be documented.~~

## **Part 6. MEDICAL CARE SERVICES**

~~6.1 PHYSICIAN CARE. Each facility resident shall be admitted to the facility by a physician and have the benefit of continuing health care under supervision of a physician. The facility shall have written policies developed by the medical advisor to coordinate and designate responsibility when more than one physician is treating a resident. [See Part 26 exceptions]~~

~~6.1.1 The facility shall take all necessary steps to assure that upon admission, the physician provides to the facility sufficient information to validate the admission and identify the resident and a medical plan of therapy to include diet, medications, treatments, special procedures, activities, specialized rehabilitative services, if applicable, and potential for discharge.~~

~~6.1.2 The facility shall take all necessary steps to assure that the admitting physician provides to the facility on admission the anticipated schedule of visits to meet resident needs, which shall be no less often than every 6 months. Acknowledgement of the visit schedule by the resident or authorized representative shall be documented in the health record.~~

~~6.1.3 The facility shall take all necessary steps to assure that telephone orders are received by a physician, licensed nurse or other appropriate disciplines as authorized by their professional licensure and are countersigned by the attending physician or dentist and entered in the record within 2 weeks.~~

~~6.1.4 The facility shall take all necessary steps to assure that the attending physician authenticates medical histories and physical examinations completed by other authorized personnel.~~

~~6.1.5 The facility shall take all necessary steps to assure that a licensed dentist authenticates dental examinations and dental histories completed by other authorized personnel and signs dental treatment records.~~

~~6.1.6 The facility shall take all necessary steps to assure that the attending physician writes a progress note following each visit, and at least once per year provides a written evaluation of the resident's current medical status compared to the previous year's status.~~

~~6.1.7 The facility shall take all necessary steps to assure that all drugs and therapies ordered by the physician are supported by diagnoses indicating the use of those drugs and therapies.~~

~~6.2 MEDICAL DIRECTOR. The facility shall retain by written agreement a physician to serve as medical director to the facility.~~

~~6.2.1 The medical director is responsible for overall coordination of medical care in the facility and for systematic review of the quality of the health care provided by the facility and the medical services provided by the physicians in the facility. The medical director shall develop policies and procedures for medical care and for the physicians admitting residents to the facility.~~

~~6.2.2 The medical director is responsible to:~~

- ~~(1) be a liaison between the facility and admitting physicians on matters related to attendance on residents, prompt writing of orders, and responding to requests by facility staff;~~

- ~~(2) advise in developing and reviewing resident care policies;~~
- ~~(3) establish rules governing conduct of physicians admitting residents to the facility;~~
- ~~(4) develop a procedure to provide care in emergencies when a resident's physician is unavailable;~~
- ~~(5) review accidents and hazards; and~~
- ~~(6) participate in pharmacy advisory committee deliberations.~~

## **~~Part 7. NURSING SERVICES~~**

~~7.1 ORGANIZATION. The facility shall have a department of nursing services that is formally organized to provide complete, effective care to each resident. The facility shall clearly define qualifications, authority, and responsibility of nursing personnel in written job descriptions.~~

~~7.2 DIRECTOR OF NURSING. Except as provided in Section 7.6, a nursing care facility shall employ a full-time (40 hours/week) Director of Nursing, who is a registered nurse, qualified by education and experience to direct facility nursing care.~~

~~7.3 24 HOUR NURSING COVERAGE. The facility shall be staffed with qualified nursing personnel, awake and on duty, who are familiar with the residents and their needs in a number sufficient to meet resident functional dependency, medical, and nursing needs.~~

~~7.3.1 Staff shall be sufficient in number to provide prompt assistance to persons needing or potentially needing assistance, considering individual needs such as the risk of accidents, hazards, or other untoward events. Staff shall provide such assistance.~~

~~7.3.2 Except as provided in Section 7.6, a nursing care facility shall be staffed at all times with at least one registered nurse who is on duty on the premises. Each resident care unit shall be staffed with at least a licensed nurse.~~

~~7.3.3 Except as provided in Section 7.6, an intermediate care facility shall be staffed with at least one full time licensed registered nurse or licensed practical nurse who is on duty on the premises on the day shift seven days per week. A facility using a licensed practical nurse as a director of nursing shall provide at least 4 hours per week of consultation by a licensed registered nurse.~~

~~7.3.4 A nursing care facility shall provide nurse staffing sufficient in number to provide at least 2.0 hours of nursing time per resident per day. In facilities of 60 residents or more, the time of the Director of Nursing, Staff Development Coordinator, and other supervisory personnel who are not providing direct resident care shall not be used in computing this ratio.~~

~~7.3.5 Nursing personnel shall be trained in nursing procedures and responsibilities and shall be familiar with any equipment necessary for care on the unit.~~

~~7.3.6 All nursing assistants and other nursing personnel shall function under the direction of a registered nurse.~~

~~7.3.7 If a long term care facility operates out of more than one building, it shall have staff on duty 24 hours per day in each building in a number sufficient to meet resident care needs.~~

~~7.4 WRITTEN PROCEDURES. The facility shall have written nursing procedures establishing the standards of performance for safe, effective nursing care of residents and shall assure that they are followed by all nursing staff.~~

~~7.4.1 Procedures shall include the requirement that medications be administered in compliance with applicable Colorado law.~~

~~7.4.2 The nursing procedures shall be evaluated and revised as necessary, but no less often than annually.~~

~~7.5 NURSE STAFF RESPONSIBILITIES. Nursing staff shall participate in resident assessment, resident care planning, and resident nursing care, as prescribed by this Part and Part 5.~~

~~7.6 EXCEPTIONS. Nothing contained in this Part shall require any rural long term care facility certified as a Skilled Nursing Facility or an Intermediate Care Facility under Medicaid to employ nursing staff beyond current federal certification requirements. Since federal standards require that nurse staffing be sufficient to meet the total nursing needs of all residents, resident conditions will in all events determine the specific numbers and qualifications of staff that each facility must provide.~~

~~7.6.1 A rural facility is one that is located in:~~

~~(1) a county of fewer than fifteen thousand population; or~~

~~(2) a municipality of fewer than fifteen thousand population that is located ten miles or more from a municipality of fifteen thousand population or over; or~~

~~(3) the unincorporated part of a county ten miles or more from a municipality of fifteen thousand population or more.~~

~~7.6.2 To the extent that these regulations require any facility to employ a registered nurse more than 40 hours per week, the Department may waive such requirements for such periods as it deems appropriate if, based on findings consistent with Part 4 of chapter II of these regulations it determines that:~~

~~(1) The facility is located in a rural area as defined in Subsection 7.6.1;~~

~~(2) The facility has at least one full time registered nurse who is regularly on duty 40 hours per week;~~

~~(3) The facility has only residents whose attending physicians have indicated in orders or admission notes that each resident does not require the services of a registered nurse for a 48 hour period or the facility has made arrangements for a professional nurse or physician to spend such time at the facility as is determined necessary by the resident's attending physician to provide needed services on days when the regular full-time registered nurse is not on duty; and~~

~~(4) The facility has made and continues to make a good faith effort to comply with the more than 40 hour registered nurse requirement, but registered nurses are unavailable in the area.~~

~~7.7 SUPPLIES AND EQUIPMENT. The facility shall provide the supplies and equipment necessary to conduct the preventive, therapeutic, and rehabilitative nursing program. Equipment includes devices to assist residents to perform activities of daily living.~~

~~7.7.1 Equipment shall be maintained in clean and proper functioning condition.~~

~~7.7.2 The facility shall provide or assist residents to obtain walkers, crutches, canes, and wheelchairs (with appropriate padding), all of which shall fit residents properly.~~

~~7.7.3 Nursing staff shall be trained in rehabilitative nursing procedures, including preventive nursing care measures, and in the proper use of prosthetic devices and equipment.~~

~~7.8 CARE POLICIES. The facility shall have written resident care policies approved by the governing body, which staff shall follow.~~

~~7.9 RESIDENT SOCIALIZATION. Except where contraindicated by physician order or resident preference, residents shall be dressed, encouraged to be active, be out of bed for reasonable periods of time each day, and encouraged to eat in a dining room.~~

~~7.10 MEDICATION ADMINISTRATION. Medications shall be identified as provided in Subsection 16.3.2. Staff shall verify identification of the medication when the medication is prepared as well as when it is administered.~~

~~7.10.1 Medications and treatments shall be given only as ordered by a physician.~~

~~7.10.2 Medication shall be administered in a form that can be most easily tolerated by the resident. Staff shall not mask the medication or alter its form, through crushing or dissolving or other means, if to do so would be hazardous and not without first informing the resident or responsible party.~~

~~7.10.3 Medications that are prepared but unused shall be disposed of in accordance with state law and the facility's written procedures.~~

~~7.10.4 All administered medications shall be recorded in the resident's health record, indicating the name, strength, dosage, and mode of administration of the medication, the date and time of administration, and the signature of the person administering the medication.~~

~~7.10.5 To encourage independence and prepare residents for discharge, the facility shall permit self-administration of medications in appropriate cases upon the order of the attending physician and under the guidance of a registered or a licensed practical nurse.~~

~~7.10.6 If facility policy permits medications to be kept at the bedside, the pharmaceutical advisory committee shall approve such types of medications. The facility shall assure that each such medication is ordered by the physician to be kept at the bedside, it is used properly, use is documented, and it is stored in a secure manner that protects all residents.~~

~~7.10.7 Drug reactions and significant medication errors shall be reported within thirty minutes to the resident's physician. A call to the office or answering service does not meet the facility's responsibility to provide emergency care. The resident's condition shall be monitored for 72 hours and observations documented in the health record.~~

~~7.10.8 If a resident is administered psychoactive medications, he or she shall be evaluated for symptoms of tardive dyskinesia at least every three months.~~

~~7.11 RESTRAINTS.~~

~~(A) A PHYSICAL RESTRAINT is any manual method or physical or mechanical device, material or equipment attached or adjacent to the resident's body that the individual cannot remove easily which restricts freedom of movement or normal access to one's body.~~

~~(B) A CHEMICAL RESTRAINT is anything that is used for discipline or convenience and not required to treat medical symptoms. Any medication that can be used both to treat a medical condition and to alter or control behavior shall be evaluated to determine its~~

1 use for the resident. If a medication is used solely or primarily to treat a medical  
2 condition, it is not a chemical restraint.

3 ~~7.11.1 Linen shall not be used as restraints.~~

4 ~~7.11.2 The facility shall establish written policies and procedures governing the use of physical and~~  
5 ~~chemical restraints and shall assure that they are followed by all staff members.~~

6 ~~7.11.3 Physical and chemical restraints shall only be used upon the order of a physician and only when~~  
7 ~~necessary to prevent injury to the resident or others, based on a physical, functional, emotional~~  
8 ~~and medication assessment.~~

9 ~~7.11.4 Restraints shall not be used for disciplinary purposes, for staff convenience or to reduce the~~  
10 ~~need for care of residents during periods of understaffing.~~

11 ~~7.11.5 Whenever restraints are used, a call signal switch or similar device within reach or other~~  
12 ~~appropriate method of communication shall be provided to the resident.~~

13 ~~7.11.6 If the resident needs emergency care, restraints may be used for brief periods to permit medical~~  
14 ~~treatment to proceed, unless the resident or legal representative has previously made a valid~~  
15 ~~refusal of the treatment in question. A resident whose unanticipated violent or aggressive~~  
16 ~~behavior places the resident or others in imminent danger does not have the right to refuse the~~  
17 ~~use of restraints as long as those restraints are used as a last resort to protect the safety of the~~  
18 ~~resident or others and use is limited to the immediate episode.~~

19 ~~7.11.7 Residents in physical restraints shall be monitored at least every 15 minutes to assure that the~~  
20 ~~resident is properly positioned, blood circulation is not restricted, and other resident needs are~~  
21 ~~met.~~

22 ~~7.11.8 At least every two hours during waking hours, residents shall have the physical restraint~~  
23 ~~removed and shall have the opportunity to: drink fluids, be toileted, and be exercised, moved, or~~  
24 ~~repositioned, which activity shall be documented in the health record.~~

25 ~~7.12 SAFETY DEVICES. A safety device such as an alarm, helmet or pillow is used to protect the resident from~~  
26 ~~injury to self, maintain body alignment, or facilitate comfort. Prior to using any safety device, the facility~~  
27 ~~shall assess the resident to properly identify the resident's needs and medical symptom/s that the safety~~  
28 ~~device is being employed to address. The facility shall also evaluate whether any safety device being~~  
29 ~~used meets the definition of a physical restraint as defined at section 7.11(A).~~

30 ~~7.12.1 Linen shall not be used as safety devices.~~

31 ~~7.12.2 Safety devices shall not be used for disciplinary purposes, for the convenience of staff, or to~~  
32 ~~reduce the need for care of residents during periods of understaffing.~~

33 ~~7.12.3 The facility shall establish written policies and procedures governing the use of safety devices~~  
34 ~~and shall assure that they are followed by all staff members.~~

35 ~~7.12.4 If a safety device meets the definition of a restraint, then all regulations under section 7.11 apply.~~  
36 ~~A registered nurse may order a safety device after assessing and determining the need exists.~~  
37 ~~Through the nursing assessment, if the need is ongoing, a comprehensive, documented~~  
38 ~~physical and functional assessment shall be completed no less often than after the first 24~~  
39 ~~hours, at the end of the week, and monthly thereafter.~~

40 ~~7.12.5 At least every two hours residents with safety devices shall be monitored and such monitoring~~  
41 ~~shall be documented.~~



~~7.12.6 Residents with safety devices shall have either a call signal switch or similar device within reach or some other appropriate means of communication provided.~~

~~7.13 PHYSICIAN NOTIFICATION. Facility staff shall notify the attending physician promptly in cases of significant change in resident status and any incident or accident involving the resident.~~

## ~~Part 8. SOCIAL SERVICES~~

~~8.1 SOCIAL SERVICES. The facility shall identify, plan care for, and meet the identified emotional and social needs of each resident to enhance resident psycho-social health and well-being.~~

~~8.1.1 Social services staff shall be involved in the pre-admission process, providing input as to appropriateness of placement from a psycho-social perspective, except in emergency admissions. Such involvement may include contact with the prospective resident or family member, or interdisciplinary conferences that consider psycho-social issues as well as medical/nursing criteria.~~

~~8.1.2 Social services staff shall provide for addressing needs of individuals or groups, either directly by staff or by referral to community agencies.~~

~~8.1.3 Social services staff shall assist residents and families in coping with the medical and psycho-social aspects of the resident's illness and disability and the stay in the facility.~~

~~8.1.4 Social services staff shall assist residents in planning, for discharge by coordinating service delivery with the nursing staff and by assessing availability and facilitating use of financial and social support services in the community.~~

~~8.1.5 When services, such as community mental health services, are available in the community to meet special residents' social and emotional needs, social services staff shall provide appropriate referrals to community services.~~

~~8.1.6 Social services staff shall coordinate transfers (other than medical transfers) within and out of the facility and assist residents in adjusting to intra-facility transfers.~~

~~8.1.7 Social services staff shall participate in resident assessment and care planning as prescribed by 5.2, 5.4, and 5.7, and shall provide social services to residents. Staff shall review and update the assessment and care plan at least every six months.~~

~~8.1.8 Social services staff shall record information on social history in the health record and review it at least annually.~~

~~8.1.9 Social services staff shall record progress notes in the resident's health record at least quarterly for the first six months that a resident is in a long-term care facility and at least semi-annually thereafter.~~

~~8.1.10 Social services staff shall participate in developing policies and procedures pertaining to social services in the facility.~~

~~8.1.11 Social services staff shall provide orientation to new residents and their families (including explanation of residents' rights) and assistance to residents and families in raising concerns about resident care.~~

~~8.2 STAFFING. The facility shall employ social services staff qualified as provided in Subsections 8.2.1 and 8.2.2 and sufficient in number to meet the social and emotional needs of the residents.~~



~~8.2.1 A qualified social work staff member of a public or private non-profit facility\* is a person who is either:~~

~~(1) A social worker licensed or authorized expressly by state law to practice under supervision of a licensed social worker; or~~

~~(2) a person with a Master's or Bachelor's Degree in social work; or~~

~~(3) a person with a Master's or Bachelor's Degree in a related human services field who has monthly consultation from a person meeting the qualifications in subsections 1, or 2. The consultation shall be sufficient in amount to assist the social work staff to meet resident needs.~~

~~8.2.2 A qualified social work staff member of a for-profit facility\* is a person who is either a social worker licensed or authorized expressly by state law to practice under supervision of a licensed social worker or a person with a Master's or Bachelor's Degree in social work or other human services field who has monthly consultation from a person so licensed or authorized; the consultation shall be sufficient in amount to assist the social work staff to meet resident needs.~~

~~8.2.3 Any facility that on the effective date of these regulations employed a person with a high school degree or GED as social services staff may continue to employ that individual with prescribed consultation.~~

~~8.2.4 Any facility located in a rural area as defined by subsection 7.6.1 may apply for a waiver under Part 4 of chapter II of the qualifications for a social services staff member under this section if it demonstrates that it has made a good faith effort to hire staff with the required qualifications, but that qualified social services staff are unavailable in the area.~~

~~8.3 FACILITIES AND EQUIPMENT. The facility shall provide for social services staff suitable space, equipped with a telephone, for confidential interviews with residents and families. The space shall provide visual and auditory privacy and locked storage for confidential records and be accessible to non-ambulatory persons.~~

## **Part 9. RESIDENT ACTIVITIES**

~~9.1 ACTIVITIES PROGRAM. The facility shall offer a program of organized activities that promotes residents' physical, social, mental, and intellectual well-being, encourages resident independence and pursuit of interests, maintains an optimal level of psycho-social functioning, and retains in residents a sense of continuing usefulness to themselves and the community.~~

~~9.1.1 Activities shall be broad enough in scope to stimulate participation of all residents, including residents with mental and emotional impairments, but no resident shall be compelled to participate in any activity. Each month, activities shall include at least one from each of the following categories: social/recreational, intellectual, physical, spiritual, and creative.~~

~~9.1.2 The facility shall provide individual and group activities designed to meet each resident's individual needs.~~

~~9.1.3 Activities staff shall participate in resident assessment and care planning as prescribed by 5.2, 5.5, and 5.7, and shall implement activity programs.~~

~~9.1.4 The facility shall develop programs to encourage community contact, including use of community volunteers inside the facility and activities for residents outside the facility. The facility shall make reasonable arrangements for transportation for residents to such activities.~~

~~9.1.5 The facility shall provide activities daily, including at least one evening per week. Activities in addition to religious services shall be provided on weekends each week.~~

~~9.1.6 The facility shall post a monthly activities schedule where it is visible to all residents and families indicating date and time of each activity that is open to all residents.~~

~~9.1.7 The facility shall retain activity attendance records, maintained in a location other than the health record.~~

~~9.2 STAFFING. The facility shall employ activities staff sufficient in number to meet resident needs and qualified as either:~~

~~(1) an activity professional certified by the National Certification Council for Activity Professionals as an Activity Director Certified or Activity Consultant Certified;~~

~~(2) an occupational therapist or occupational therapy assistant meeting the requirements for certification by the American Occupational Therapy Association and having at least one year of experience in providing activity programming in a long term care facility;~~

~~(3) a therapeutic recreation specialist (registered by the National Therapeutic Recreation Society) having at least one year of experience in providing activity programming in a long term care facility;~~

~~(4) a person with a Master's or Bachelor's degree in the social or behavioral sciences who has at least one year of experience in providing activity programming in a long term care facility;~~

~~(5) a person who has completed, within a year of employment, a training course for activity professionals in an accredited state facility [if available] and who has at least two years experience in social or recreational program work, at least one year of which was full-time in an activities program in a health care setting; or~~

~~(6) a person with monthly consultation from a person meeting the qualifications set forth in subsections (1) through (5). The consultation shall be sufficient in amount to assist the activity staff members to meet resident needs.~~

~~9.3 RELIGIOUS SERVICES. The facility shall assist residents who are able and wish to do so to attend religious services of their choice. The facility shall honor resident requests to see their clergy and provide private space for such visits.~~

~~9.4 SPACE AND EQUIPMENT. The facility shall make available the supplies, space, and equipment to provide an activities program that meets each resident's individual needs. The facility shall provide an activities and recreation area and provide at least: books, current newspapers, games, stationery, radio, and television.~~

## **~~Part 10. DENTAL SERVICES~~**

~~10.1 DENTAL EXAMINATION. Upon admission, each resident of a facility upon his/her consent or upon the consent of a responsible person, shall have an oral examination by a licensed dentist or an initial oral inspection by a licensed dental hygienist designated by a dentist.~~

~~10.1.1 The facility shall take all necessary steps to assure that the dental examination is conducted according to current dental practice.~~

~~10.1.2 The facility is not responsible to pay for such services.~~

~~10.1.3 If the local dental society provides a list of dentists who are willing to participate, the facility shall make the list available to the residents.~~

~~10.1.4 In lieu of the admission examination, the resident may present written results, for entry into his/her medical record, of an oral examination administered during a period not to exceed six months prior to admission.~~

~~10.2 DENTAL RECORDS. The dentist or the designated dental hygienist is responsible for the dental record. For residents agreeing to participate in the program, the facility shall take all necessary steps to assure that there are complete, accurate dental records that include the following:~~

~~10.2.1 Results of all current dental examinations and plans for treatment.~~

~~10.2.2 One of the following to document provision of planned treatment:~~

~~(1) Record of treatment provided pursuant to a plan for treatment.~~

~~(2) A document signed by each resident of a nursing care facility or responsible party that states that the resident or responsible party is aware of any and all specific oral pathology identified during an oral examination of the resident, but elects not to obtain treatment because of cost or other reasons.~~

~~(3) In the event that the resident or responsible party elects not to obtain the initial oral examination, a signed statement to that effect in the resident's permanent medical record, which substitutes for the dental record requirement.~~

~~10.3 ORAL APPLIANCES. Upon consent, all residents' removable oral appliance and personal hygiene appliances (including without limitation, full dentures, partial dentures, and toothbrushes) shall be clearly identified and marked in a permanent manner with the user's name, as recommended by the dentist designated as advisory dentist to the facility.~~

~~10.4 DENTAL HYGIENE. Each facility shall implement policies for an oral hygiene for its residents, in consultation with the advisory dentist or the designated dental hygienist.~~

~~10.4.1 Direct care staff from each facility shall have at least annual inservice training course in preventive dentistry and oral hygiene, conducted by a dentist, dental hygienist, or preventive dental aide.~~

## **~~Part 11. DIETARY SERVICES~~**

~~11.1 DIETARY SERVICES. The facility shall provide meals that are nutritious, attractive, well balanced, in conformity with physician orders, and served at the appropriate temperature in order to enhance residents' health and well being. It shall also offer nourishing snacks.~~

~~11.2 ORGANIZATION. The facility shall have an organized food service, appropriately planned, equipped, and staffed to prepare and serve the number of meals created in the kitchen. The facility shall offer at least three meals or their equivalent per day, at regular times, with not more than 14 hour between the beginning of the evening meal and breakfast. Routine seatings shall be no later than 8 A.M. for breakfast and no earlier than 5 P.M. for the evening meal. Timing of meals shall generally comport with cultural practices in the community, unless inconsistent with these regulations.~~

~~11.3 PERSONNEL. The administrator shall designate a dietician or person qualified by training and experience to be responsible for the dietary services.~~

~~11.3.1 If not a professional dietician, the designee shall obtain frequent regularly scheduled consultation from a registered dietician or a person eligible for registration who meets the American Dietetic Association's qualifications standards or a graduate from a baccalaureate degree program with major studies in food and nutrition.~~

~~11.3.2 The number of trained food service personnel shall be sufficient to provide food service to the residents in the facility over a period of 12 hours or more per day.~~

~~11.4 POLICIES. The facility shall have written policies and procedures approved by the governing body for dietary practices and shall assure that they are followed by staff members.~~

~~11.5 ORDERS. All diets and nourishments shall be provided and served as by the attending physician.~~

~~11.6 NUTRITIONAL ASSESSMENT AND PROGRESS NOTES. The dietary supervisor consultant shall participate, in resident, assessment and care planning as prescribed by 5.2, 5.6, and 5.7.~~

~~11.6.1 The supervisor or consultant shall write progress notes on each resident at least at six month intervals.~~

~~11.6.2 The facility shall reasonably accommodate individual resident references in meals by offering appropriate and nutritionally adequate substitutes. (See Section 5.1.13(4).)~~

~~11.7 DIET MANUAL. The facility shall maintain a current diet manual conveniently available to the dietary and nursing staffs. For purposes of this section, current means initially published or revised within five years.~~

~~11.8 MENUS. Menus shall meet the requirements of the Dietary Guidelines for Americans, 2005, U.S. Department of Health and Human Services and U.S. Department of Agriculture, 6th Edition. Menus shall be written, approved by a dietitian and planned at least one week in advance, with consideration given to residents' personal tastes, desires, and cultural patterns. Menus shall be posted in the kitchen area and retained by the facility for at least four weeks after the menu is used. If menus are changed, all changes shall be posted as served. A standard meal planning guide shall be used primarily for menu planning and food purchasing. It is not intended to meet the nutritional needs of all residents. This guide shall be adjusted to consider individual differences since residents may have different nutritional needs based upon age, size, gender, physical activity, and state of health. There are many meal planning guides from reputable sources; i.e., American Diabetes Association, American Dietetic Association, American Medical Association, or U.S. Department of Agriculture, that are available and appropriate for use when adjusted to meet each resident's needs. Recipes appropriate to the menus and needs of the facility shall be available to the cooks.~~

~~11.9 SPACE. The facility shall provide adequate space to accommodate fixed and movable equipment and employee functions; receive, store, refrigerate, and prepare food; assemble trays; store carts; and clean dishes, pots, and pans.~~

~~11.10 REFRIGERATOR SAFETY. Walk-in refrigerators and freezers shall have inside lighting and inside lock releases. In facilities constructed after the effective date of these regulations, there shall be an alarm system that is clearly audible throughout the food preparation and storage areas of the facility and that may be readily activated by staff members from within walk-in refrigerators or freezers.~~

~~11.11 EQUIPMENT. The facility shall provide equipment sufficient in amount, adequate in type for efficient and timely preparation of meals.~~

~~11.12 STORAGE OF DISHES AND GLASSES. Clean glasses, cups, and other dishes shall not be stored in such a manner as to entrap moisture.~~

~~11.13 ISOLATION. Dishes and utensils with which food is served to residents in isolation because of infectious diseases shall be sanitized if they are contaminated with infectious material such as blood drainage or secretions or shall be disposable.~~

~~11.14 MILK. Milk for drinking shall be provided to consumers in an unopened, commercially filled container not exceeding a one pint capacity, or drawn from a commercially filled container stored in a mechanically refrigerated bulk milk dispenser, or poured directly into the drinking vessel from a commercially filled half-gallon or gallon container that has been refrigerated until served to maintain a temperature of 45 degrees FAHRENHEIT or less.~~

~~11.15 NAIL POLISH AND FALSE NAILS. Staff involved in preparing and serving food shall not wear nail polish or false nails.~~

~~11.16 DINING AND RECREATIONAL FACILITIES. Dining and recreation areas shall be readily accessible to all residents, and shall not be in a hallway or lane of traffic in or out of the facility. Such space shall be sufficient to accommodate activities conducted there, consistent with resident comfort and safety. The dining and recreation areas may be separate or combined.~~

#### **Part 11.001. FEEDING ASSISTANTS**

11.001.1 Definitions.

~~Unless otherwise indicated, as used in Part 11.001:~~

~~(4)~~

~~(a) "Feeding assistant" means an individual who assists residents by performing feeding assistant tasks, meets the requirements of Section 11.001.2 and 11.001.3; and, is paid as an employee of a facility; used by a facility under arrangement with another agency or organization; or, who is an unpaid volunteer.~~

~~(b) The following individuals may provide feeding assistance to residents without meeting the requirements of section 11.001.2 and 11.001.3:~~

~~(i) Registered or licensed nurses;~~

~~(ii) Certified nurse aides;~~

~~(iii) Registered dietitians;~~

~~(iv) Licensed health care practitioners with appropriate experience in feeding and hydrating residents;~~

~~(v) Private duty aides and students in nursing education programs and other allied health programs~~

~~who utilize facilities as clinical practice sites; or,~~

~~(vi) Resident family members.~~

~~(2) "Employing facility" means a facility that employs paid feeding assistants or utilizes the services of volunteer feeding assistants.~~

~~(3) "Feeding assistant tasks" include and are limited to the provision of feeding and hydration services provided in accordance with this Section 11.001. A feeding assistant may not perform or be assigned to perform any task that constitutes: the practice of professional nursing as defined in §12-38-103 (10), C.R.S.; the practice of practical nursing as defined in §12-38-103 (9), C.R.S.; or the practice of a nurse aide as defined in §12-38-102 (5), C.R.S.~~

~~(4) "Training program provider" means, an employing facility or other training entity approved by the department pursuant to 11.001.6 to administer a feeding assistant training program.~~

#### 11.001.2 Authorization; Qualifications

~~(1) A facility may employ or use an individual as a volunteer feeding assistant if: the individual meets all applicable requirements of this Chapter V; and, the facility first verifies that the individual:~~

~~(a) Has successfully completed a feeding assistant training program in accordance with 11.001.5; and,~~

~~(b) Is at least sixteen 16 years of age.~~

~~(2)~~

~~(a) An employing facility must screen prospective feeding assistants to ensure individuals have no history that would preclude their interaction with residents.~~

~~(b) In addition to applicable facility pre-employment screening procedures, an employing facility shall obtain from each prospective paid and volunteer feeding assistant a copy of the recognition of completion document evidencing successful completion of the feeding assistant training program issued in accordance with 11.001.5 (1)(b)(II). Additionally, an employing facility shall verify the following:~~

~~(I) In the case of an individual who has not previously been employed or volunteered as a feeding assistant and who has received feeding assistant training administered by an entity other than the employing facility, successful completion of the feeding assistant training program with the training entity that provided such training;~~

~~(II) In the case of an individual who has been previously employed as a feeding assistant, feeding assistant employment history with the prospective employee's previous long-term care facility employer;~~

~~(III) In the case of an individual who has previously volunteered as a feeding assistant, feeding assistant volunteer history with the long-term care facility that previously utilized the services of that individual.~~

~~(3) Feeding assistants may not be counted toward meeting or complying with any requirement for nursing care staff and functions of a facility, including minimum nurse staffing requirements.~~

#### 11.001.3 Supervision; emergencies

~~(1) A feeding assistant shall work under the supervision of and shall report to a registered or licensed practical nurse. Each feeding assistant shall be given instruction by a registered nurse, licensed practical nurse or registered dietitian concerning the specific feeding and hydration needs of each resident the feeding assistant will be assigned to assist.~~

~~(2)~~

~~(a) Feeding assistants may perform feeding assistant tasks in congregate dining areas. A nurse shall be immediately available in case of an emergency during meals.~~

~~(b) Upon a determination by the charge nurse pursuant to 11.001.4 that it is safe to do so, based on assessments conducted pursuant to 11.001.4(1), a feeding assistant may perform feeding assistant tasks in a resident room for a resident who is unable or unwilling to dine in a congregate dining area.~~

~~(3) In an emergency, a feeding assistant must immediately secure the assistance of a supervisory nurse or physician. Feeding assistants shall know how to use resident call systems. This includes use of call light systems and other methods of immediately securing the assistance of supervisory nurses and physicians.~~

#### 11.001.4 Resident Selection

~~(1) The facility must base resident selection on the charge nurse's assessment of the resident's present condition and the following provisions of this Chapter V:~~

~~(a) Most recent resident assessment performed pursuant to Section 5.2;~~

~~(b) Nutritional care plan developed pursuant to Section 5.6; and,~~

~~(c) Plan of care developed pursuant to Section 5.7.~~

~~(2) A feeding assistant may perform feeding assistant tasks for those residents who require assistance or encouragement with feeding and hydration. Consistent with the assessments and care plans specified in (1) of this section 11.001.4, a facility must ensure that a feeding assistant feeds only residents who do not have a complicated feeding problem. Such problems include, but are not limited to, difficulty with swallowing, recurrent lung aspirations, and tube or parenteral/ intravenous feedings.~~

#### 11.001.5 Feeding Assistant Training Program

~~(1)~~

~~(a) The feeding assistant training program shall be administered by a training program provider approved in accordance with 11.001.6 and shall consist of not less than twelve (12) actual clock hours of classroom instruction. Class size shall be limited to twenty (20) enrollees. Classroom instruction shall be conducted in accordance with current standards of practice and shall conform to the "Feeding Assistant Curriculum Specifications and Program Requirements" available from the department. Curriculum subjects shall include, but need not be limited to, the following:~~

~~(I) Feeding techniques;~~

~~(II) Assistance with feeding and hydration;~~

~~(III) Communication and interpersonal skills;~~

~~(IV) Appropriate responses to resident behavior;~~

~~(V) Safety and emergency procedures, including the Heimlich maneuver;~~

~~(VI) Infection control;~~

~~(VII) Resident rights; and,~~



~~(VIII) Recognizing changes in residents that are inconsistent with their normal behavior and the importance of reporting those changes to the supervisory nurse.~~

~~(b)~~

~~(I) Successful completion of the feeding assistant training program requires each individual enrolled to obtain a score of eighty (80) percent or greater in a written examination provided at the conclusion of classroom instruction. Written examination questions shall be of an appropriate level of difficulty to reflect proficiency in each module of the "Feeding Assistant Curriculum Specifications and Program Requirements" and, at the discretion of the training program provider, may include ancillary feeding assistant-related curriculum subjects. Written examination questions shall not be disclosed to candidates in advance and shall be varied in format and content from test to test.~~

~~(II) Within ten (10) calendar days from successful completion of a feeding assistant training program, a training program provider approved in accordance with 11.001.6 shall furnish each individual who successfully completes the program with a uniform recognition of completion document. Said document shall be in the format designated by and available from the department to be used by the individual to whom it is issued for the purpose of establishing successful completion of the training program. The document shall bear the notarized signature of an authorized representative of the training program provider.~~

~~(III) An individual who successfully completes a feeding assistant training program is not required to repeat the program upon employment or upon providing volunteer feeding assistant services at another facility unless the individual has not worked or volunteered in a long term care facility as a feeding assistant for a period of twenty four (24) consecutive months. In such case, the individual shall not be employed or used as a volunteer feeding assistant by a facility as a paid feeding assistant until the person successfully repeats the feeding assistant training program.~~

~~(c) An individual who fails to score eighty (80) percent or greater in the written knowledge test may be retested one time by a training program provider. An individual who fails to pass on the second attempt shall not be retested without the individual first repeating the twelve (12) actual clock hours of classroom instruction specified in subparagraph (1) (a) of this section.~~

#### 11.001.6 Feeding Assistant Training Program Provider Approval

~~(1) A feeding assistant training program may be administered by an employing facility or other training entity approved pursuant to this 11.001.6. As used in this 11.001.6, "other training entity" includes: an accredited college, university or vocational school; or, a program, seminar or in-service training sponsored by an organization, association, corporation, group or agency with specific expertise concerning the provision of feeding and hydration services.~~

~~(2) Feeding assistant training programs shall use as instructors only individuals who have appropriate experience in feeding and hydrating residents and who hold: a valid Colorado license to practice as a registered or practical nurse; a certificate of registered dietitian through the commission on dietetic registration; a certificate of speech language pathologist through the American speech language-hearing association; or, a certificate of registered occupational therapist through the national board for certification in occupational therapy.~~

~~(3)~~

~~(a) An employing facility or other training entity seeking approval to administer a feeding assistant training program shall complete and submit to the department an initial attestation in the format~~



designated by the department certifying that the feeding assistant training program conforms to the "Feeding Assistant Curriculum Specifications and Program Requirements." Program approval may be granted, for a period not to exceed one year to those programs that meet minimum requirements. Department approval is required prior to initiating feeding assistant training.

(b) A training program provider approved to administer a feeding assistant training program pursuant to this section shall submit annual renewal attestation forms in the format designated by the department in the following manner:

(I) For employing facilities, annually with the facility's annual license renewal application.

(II) For other training entities, not less than sixty (60) days in advance of the date department approval expires.

(4) Training program providers approved to administer a feeding assistant training program shall maintain the training record of each individual who attends the feeding assistant training program for a period of not less than three (3) years. Based on such records, training program providers shall verify successful completion of the feeding assistant training program pursuant to a request by an employing facility in accordance with 11.001.2 (2)(b) (I).

(5) The department may deny, suspend, or withdraw approval granted under this 11.001.6 upon a determination by the department that good cause exists to do so. Good cause may include, but is not limited to, a determination that a feeding assistant training program is not operated in compliance with applicable regulations.

#### 11.001.7 Policies and Procedures

An employing facility shall develop and implement policies and procedures concerning the use of paid feeding assistants developed in accordance with this section.

#### 11.001.8 Records Maintenance

(4)

(a) An employing facility shall maintain a record of all individuals employed as feeding assistants and all individuals who serve as volunteer feeding assistants, including but not limited to records evidencing successful training program completion. Such records shall be maintained for not less than three (3) years from the date of separation or completion of volunteer service.

(b) Based on such records, a facility shall verify previous feeding assistant employment and volunteer history pursuant to a request by an employing facility in accordance with 11.001.2 (2)(b) (II).

#### 11.001.9 Reporting Requirements

(1) Periodically, facilities and training program providers may be required to submit information regarding their feeding assistant program and feeding assistant training program. Such reports may include, but not be limited to:

(a) The number of feeding assistants routinely utilized by the facility to assist residents;

(b) The number of residents identified as benefiting from the feeding assistant program; and,

(c) Information concerning the feeding assistant training program administered by the training program provider.

**Part 12. RESIDENTS' RIGHTS**

~~12.1 RESIDENTS' RIGHTS. The facility shall adopt a statement of the rights and responsibilities of their residents, post it conspicuously in a public place, and provide a copy to each resident or guardian before admission. The facility and staff shall observe these rights in the care, treatment, and supervision of the residents. Rights shall include at least:~~

~~12.1.1 The right to receive adequate and appropriate health care consistent with established and recognized practice standards within the community and with long-term care facility rules issued by the Department;~~

~~12.1.2 The right to civil and religious liberties, including:~~

~~(1) Knowledge of available choices and the right to independent personal decisions, which will not be infringed upon;~~

~~(2) The right to encouragement and assistance from the staff of the facility in the fullest possible exercise of these rights;~~

~~(3) The right to vote;~~

~~(4) The right to participate in activities of the community both inside and outside the facility;~~

~~12.1.3 The right to present grievances on behalf of him/herself or others to the facility's staff or administrator, to governmental officials, or to any other person, without fear of reprisal, and to join with other patients or individuals within or outside of the facility to work for improvements in resident care, including:~~

~~(1) The right to participate in the resident council;~~

~~(2) The right to be informed of the address and telephone number for the Department and the state and local Nursing Home Ombudsman; the facility shall post these numbers conspicuously;~~

~~12.1.4 The right to manage his or her own financial affairs or to have a quarterly accounting of any financial transactions made in his or her behalf, should the resident delegate such responsibility to the facility for any period of time;~~

~~12.1.5 The right to be fully informed, in writing, prior to or at the time of admission and during his or her stay, of services available in the facility and of related charges, including charges for services not covered under Medicare or Medicaid or not covered by the basic per diem rate;~~

~~12.1.6 The right to be adequately informed of his or her medical condition and proposed treatment unless otherwise indicated by his or her physician, and to participate in the planning of all medical treatment, including:~~

~~(1) The right to refuse medication and treatment, unless otherwise indicated by his or her physician, and to know the consequences of such actions;~~

~~(2) The right to participate in discharge planning; and~~

~~(3) The right to review and obtain copies of his or her medical records in accordance with Part 5 of chapter II of these regulations.~~

~~(4) For residents whose primary language is other than English, the facility shall arrange for persons speaking the resident's language to facilitate daily communications and to attend assessment and care planning conferences in order to allow the resident to participate in those activities. This section does not require a translator to be present daily as long as the resident is enabled to engage in necessary daily communication within the facility.~~

~~(5) For residents with sensory impairments that inhibit daily communication, the facility shall provide assistance so that they may participate in care and activities of daily living.~~

~~12.1.7 The right to have private and unrestricted communications with any person of his or her choice; including~~

~~(1) The right to privacy for telephone calls.~~

~~(2) The right to receive mail unopened;~~

~~(3) The right to private consensual sexual activity;~~

~~12.1.8 The right to be free from mental and physical abuse and from physical and chemical restraints, except those restraints initiated through the judgment of professional staff for a specified and limited period of time or on the written authorization of a physician;~~

~~12.1.9 The right to freedom of choice in selecting a health care facility;~~

~~12.1.10 The right of copies of the facility's rules and regulations, including a copy of these rights, and an explanation of his or her rights and responsibility to obey all reasonable rules and regulations of the facility and to respect the personal rights and private property of the other patients;~~

~~(1) If the resident does not speak English, the right to an explanation of rights and responsibilities in a language the resident can understand; and~~

~~(2) The right to see facility policies, upon request, and state survey reports on the facility;~~

~~12.1.11 The right to be transferred or discharged only for medical reasons or his or her welfare, or that of other residents, or for nonpayment for his or her stay, not for raising concerns or complaints, and the right to be given reasonable advance notice of any transfer or discharge, except in the case of an emergency as determined by professional staff, in accordance with the transfer procedures prescribed by Section 12.6;~~

~~12.1.12 The right to have privacy in treatment and in caring for personal needs, confidentiality in the treatment of personal and medical records, and security in storing and using personal possessions;~~

~~12.1.13 The right to be treated courteously, fairly, and with the fullest measure of dignity and to receive a written statement of the services provided by the facility, including those required to be offered on an as-needed basis;~~

~~12.1.14 The right of any person eligible to receive Medicaid to select any long-term care facility certified for participation in Medicaid where space is available.~~

~~12.2 DEVOLUTION OF RIGHTS. The rights of a Long-term care resident who is adjudicated incompetent under state Law devolve to the resident's legal guardian or sponsoring agency, who are responsible to assure that the resident is provided with adequate, appropriate, and respectful health care and that his~~

1 or her rights are observed. In the case of devolution, the facility shall observe these rights with respect  
2 to the guardian or sponsoring agency.

3 ~~12.3 STAFF TRAINING IN RESIDENTS' RIGHTS.~~ The facility shall provide a copy of the facility's statement of  
4 residents' rights at new employee orientation. Current employees shall be provided a copy of the rights  
5 no later than the first pay period after receipt of these rules. The facility shall train all staff in the  
6 observation and protection of residents' rights. Social services staff shall assist in residents' rights  
7 orientation for new employees.

8 ~~12.4 GRIEVANCE PROCEDURE.~~ The facility shall develop a grievance procedure, which it shall post  
9 conspicuously in a public place, for presentation of grievances by residents, the resident council, or  
10 members of the resident's family regarding any conditions, treatment, or violations of rights of any  
11 resident by the facility or staff (regardless of the consent of the victim of the alleged improper conduct).

12 ~~12.4.1~~ The facility shall designate a full time staff member ("staff designee") to receive all grievances.

13 ~~12.4.2~~ The facility shall establish a grievance committee consisting of the chief administrator or his or  
14 her designee, a resident selected by the facility's residents, and a third person agreed upon by  
15 the administrator and the resident representative.

16 ~~12.4.3~~ Any resident or legal representative, or member of a resident's family or the resident council may  
17 present a grievance to the facility staff designee orally or in writing within 14 days of the incident  
18 giving rise to the grievance.

19 ~~12.4.4~~ The staff designee shall confer with persons involved in the incident and other relevant persons  
20 and within 3 days of receiving the grievance shall provide a written explanation of findings and  
21 proposed remedies to the complainant and the aggrieved party, if other than the complainant,  
22 and legal representative, if any. Where appropriate due to the mental or physical condition of  
23 the complainant or aggrieved party, an oral explanation shall accompany the written one.

24  
25 ~~12.4.5~~ If the complainant or aggrieved party is dissatisfied with the findings and remedies of the staff  
26 designee or their implementation, within 10 days of receiving the designee's explanation, the  
27 complainant or aggrieved party may file the grievance orally or in writing along with any  
28 additional information it wishes to the grievance committee.

29 ~~12.4.6~~ The committee shall confer with persons involved in the incident and other relevant persons,  
30 including the complainant, and within 10 days of the date of the appeal shall provide a written  
31 explanation of its findings and proposed remedies to the complainant and the aggrieved party, if  
32 other than the complainant, and to the legal representative, if any. Where appropriate due to the  
33 mental or physical condition of the complainant, or aggrieved party, an oral explanation shall  
34 accompany the written one.

35 ~~12.4.7~~ If the complainant or aggrieved party is dissatisfied with the findings and remedies of the  
36 grievance committee or their implementation (except for grievances regarding physician or  
37 physician-prescribed treatment), the person may file the grievance in writing with the Executive  
38 Director of the Department within 10 days of receipt of the written findings of the grievance  
39 committee. The Department shall then investigate the facts and circumstances of the grievance  
40 and make written findings of fact, conclusions, and recommendations and provide them to the  
41 complainant, aggrieved party, legal representative, if any and the facility administrator.

42 ~~12.4.8~~ If the complainant or facility administrator is aggrieved by the Department's findings and  
43 recommendations, he or she may request, within 30 days of receipt of the findings and  
44 recommendations, a hearing to be conducted by the Department pursuant to C.R.S. 24-4-105.

~~12.5 RESIDENT ADVISORY COUNCIL. Each facility shall establish a resident advisory council consisting of no less than five members selected from the facility's residents.~~

~~12.5.1 The council shall be conducted by residents. It shall have the opportunity to meet without staff present and shall meet at least monthly with the administrator and a staff representative to make recommendations concerning facility policies. Staff shall respond to these suggestions in writing by the next meeting. Minutes of council meetings shall be maintained and posted or otherwise available to residents.~~

~~12.5.2 The council may present grievances to the grievance committee on behalf of residents.~~

~~12.5.3 The council shall elect its officers and establish a process for obtaining views of all facility residents.~~

#### ~~12.6 TRANSFER, DISCHARGE, AND ROOM CHANGE PROCEDURES AND APPEALS.~~

##### ~~12.6.1 Definitions:~~

~~(1) "Discharge" means movement of a resident from a nursing facility to a noninstitutional setting when the discharging facility ceases to be legally responsible for the care of the resident.~~

~~(2) "Transfer" means movement of a resident from a nursing facility to another institutional setting when the legal responsibility for the care of the resident changes from the transferring facility to the receiving facility.~~

~~(3) "Room change" refers to the movement of a resident from one room to another.~~

##### ~~12.6.2 A resident shall not be transferred or discharged unless:~~

~~(1) The transfer or discharge is necessary for the resident's welfare. Facilities that are certified to participate in the Medicaid and/or Medicare reimbursement program must also demonstrate that the resident's needs cannot be met in the facility;~~

~~(2) the transfer or discharge is only for medical reasons. Facilities that are certified to participate in the Medicaid and/or Medicare reimbursement program must also demonstrate that the resident's needs cannot be met in the facility;~~

~~(3) the transfer or discharge is necessary to preserve the welfare of other residents; or~~

~~(4) the resident has failed to pay for (or to have paid under Medicaid or Medicare) a stay at the facility. Facilities that are certified to participate in the Medicaid and/or Medicare reimbursement program must also provide reasonable and appropriate notice of non-payment and its consequences to the resident prior to initiating a transfer or discharge of a resident for reasons of non-payment.~~

##### ~~12.6.3 When the facility transfers or discharges a resident under any of the circumstances specified in 12.6.2, the resident's clinical record must be documented. The documentation must be made by:~~

~~(1) the resident's physician when the transfer or discharge is necessary under 12.6.2 (1) and (2); and~~

~~(2) a physician when transfer or discharge is necessary under 12.6.2 (3).~~

~~12.6.4 Whenever a resident is transferred or discharged for the reasons in 12.6.2 (1), 12.6.2 (2) or 12.6.2 (3), the facility must provide assessment and reasonable intervention prior to determining the need for the transfer or discharge. The assessment, attempted intervention and reason for the discharge or transfer shall be documented in the clinical record.~~

~~12.6.5 The facility shall provide reasonable advance notice to the resident and the family member or legal representative of the resident of its intent to transfer or discharge a resident. Reasonable advance notice means notice in writing at least thirty (30) days before the transfer or discharge except in the following circumstances in which the professional staff determines there is an emergency, in which case the notice must be made as soon as practicable before the transfer or discharge:~~

~~(1) the safety of residents in the facility is endangered;~~

~~(2) the health of residents in the facility is endangered; or~~

~~(3) an immediate transfer or discharge is required by the resident's urgent medical needs.~~

~~12.6.6 The written notice shall be in a language and manner understandable to the resident and the resident's legal representative, if applicable, and shall include:~~

~~(1) The reason for the transfer or discharge;~~

~~(2) The effective date of the transfer or discharge;~~

~~(3) The location to which the resident is transferred or discharged;~~

~~(4) The grievance procedure; and~~

~~(5) the following text:~~

~~"You have a right to appeal the nursing care facility's decision to transfer or discharge you. If you think you should not be transferred or discharged, you may appeal to \_\_\_\_\_ (staff designee). If you do not wish to handle the appeal yourself, you may use an attorney, relative, or friend. If your appeal is not resolved to your satisfaction by the staff designee, you can continue your appeal to the nursing care facility's grievance committee and, if necessary, the Colorado Department of Public Health and Environment. You may direct questions regarding this notice to the Department of Public Health and Environment at \_\_\_\_\_ (division name, address and phone number)."~~

~~(a) Nursing care facilities that are certified for Medicaid and/or Medicare reimbursement, must also add the following statement:~~

~~"In addition, if you have questions or complaints about the transfer or discharge or would like help to appeal, call or write the State or Local Long Term Care Ombudsman at \_\_\_\_\_ (phone numbers/addresses)."~~

~~(b) If the resident who is being involuntarily transferred is a person with a developmental disability for whom an agency has been authorized by law as the agency responsible for advocacy and protection of the rights of persons with developmental disabilities, the nursing care facility must also furnish to resident and the resident's family member or legal representative, the following statement:~~

~~"In addition, if you have questions or complaints about the transfer or discharge or would like help to appeal, call or write the \_\_\_\_\_, (name, phone number and address of the agency)."~~

(c) If the resident who is being transferred is a person with mental illness for whom an agency has been authorized by law as the agency responsible for the advocacy and protection of persons with mental illness, the nursing care facility must also furnish to the resident and the resident's family member or legal representative the following statement:

"In addition, if you have questions or complaints about the transfer or discharge or would like help to appeal, call or write the \_\_\_\_\_, (name, phone number and address of the agency.)"

12.6.7 In cases where a resident is being involuntarily transferred or discharged from a nursing care facility that is certified to participate in the Medicaid and/or Medicare reimbursement program, a copy of the written notice (including the grievance and appeal rights, and the name, address and telephone number of the State and Local Long Term Care Ombudsman) shall also be sent the State or Local Long Term Care Ombudsman at the same time it is sent to the resident or as soon as the determination is made that the transfer or discharge is involuntary.

12.6.8 A facility must provide sufficient preparation and orientation to residents to ensure safe and orderly transfer and discharge from the facility.

12.6.9 When the facility intends to move a resident to another room in the facility without the resident's consent, the facility shall provide the resident and a family member or legal representative with written notice of such intent to be received at least 5 days before such move, including an explanation on their right to appeal.

12.6.10 A resident shall not be involuntarily transferred, discharged, or moved to another room within the facility until:

(1) The expiration of the notice period, or

(2) The time for any further administrative appeals has expired, or

(3) The grievance or appeal has been resolved.

12.7 RESIDENT RELOCATION. If a facility intends to close or change bed classification, it shall notify the Department of Public Health and Environment and the Colorado Department of Health Care Policy And Financing, if it has Medicaid residents, at least 60 days before it expects to cease or change operations and at least 7 days before it notifies residents and families.

12.7.1 The facility shall appoint one staff person to coordinate resident relocation activities.

12.7.2 If the facility has Medicaid residents, it shall review its relocation plan with the Department of Health Care Policy And Financing.

12.7.3 Any facility certified for participation in Medicaid shall follow the relocation procedures prescribed by regulations of the Department of Social Services. Other facilities shall provide for an orderly relocation of residents, designed to minimize risks and ensure optimal placement of all residents, in coordination with the Department of Health, the Nursing Home Ombudsman, and local public and private social services agencies.

### Part 13. EMERGENCY SERVICES

13.1 EMERGENCY CARE POLICIES. The facility shall have and follow written policies for the care of residents in an emergency available for staff use, including: 1) arrangements for necessary medical care when a resident's physician is unavailable (developed by persons described in Section 6.2); 2)



procedures and training programs that cover immediate care of residents; and 3) persons to be notified in an emergency.

~~13.2 FIRE AND INTERNAL DISASTER PLAN. With the assistance of qualified fire and safety experts, the facility shall develop written policies and procedures for protection of persons within the building in case of fire, explosion, flood, staff shortage, food shortage, termination of vital services, or other emergency in the building. Policies shall include: 1) brief, written instructions, posted at each nurses' station, that include persons to be notified and other immediate steps to be taken before the fire department or other assistance arrives; 2) a schematic plan of the building or portions thereof posted at each nurses' station, showing evacuation routes, smoke stop and fire doors, exit doors, and the location of fire extinguishers and fire alarm boxes; 3) procedures for evacuating helpless residents; 4) assignment of specific tasks and responsibilities to the personnel on each shift; 5) provision for at least annual training and instruction to keep employees informed of their duties; and 6) provisions for conducting simulated fire drills at least three times per year.~~

~~13.3 MASS CASUALTY PLAN. Each facility shall develop a written mass casualty plan for managing residents and treating casualties in an external or community disaster. The program shall be developed in cooperation with other health facilities in the area and with official and other community agencies.~~

#### **Part 14. FACILITY RECORDS**

~~14.1 HEALTH RECORDS. The facility shall maintain on its premises a health record for each resident. The record and the resident for which it is maintained shall be identified by a separate, unique number. The record shall contain sufficient information to identify the resident; provide and support resident diagnoses; include orders for medications, treatments, restorative services, diet, special procedures, and activities. It shall include a care plan and discharge plan and indicate in progress notes the resident's progress at appropriate intervals. The components of the record may be kept separately as long as they are readily retrievable.~~

~~14.1.1 Only physicians, dentists or persons operating under their supervision shall write or dictate medical histories and physical examinations in the medical record, and only dentists shall write dental histories.~~

~~14.1.2 Telephone orders shall be taken by licensed nurses or members of other appropriate disciplines as authorized by their professional licensure and as approved in facility policy. They shall be countersigned by the physician or dentist and entered into the record within two weeks.~~

~~14.1.3 All orders for diagnostic procedures, treatments, and medications shall be entered into the health record and authenticated and signed by the physician, except that orders for dental procedures shall be authenticated and signed by a dentist. All reports of x-ray, laboratory, EKG, and other diagnostic tests shall be authenticated by the person submitting them and incorporated into the health record within two weeks after receipt by the facility.~~

~~14.1.4 All entries in the health record shall be the original ink or typed copy of valid copies, kept current, dated, and signed or authenticated. The responsibility for completing the health record rests with the attending physician and the facility administrator. A physician may authenticate the health record by written signature, identifiable initials, computer key, or, under the following conditions, facsimile stamp:~~

~~(1) The physician whose signature the facsimile stamp represents is the only one who has possession of the stamp and is the only one who uses it; and~~

~~(2) The physician places in the medical record office a signed statement to the effect that the physician is the only one who has the stamp and the only one who will use it.~~



~~14.1.5 A completed health record shall be maintained on every resident from the time of admission through the time of discharge. All health records shall contain:~~

~~(1) Identification and summary sheet that includes:~~

~~(a) resident's name, health record number, social security number, marital status, age, race, home address, date of birth, place of birth, religion, occupation, name of informant and other available identifying sociological data (country of citizenship, father's name, mother's maiden name, military service, if any, and dates);~~

~~(b) name, address, and telephone number of referral source,~~

~~(c) name, address, and telephone number of attending physician and dentist,~~

~~(d) name of next of kin or other responsible person,~~

~~(e) date and time of admission and discharge,~~

~~(f) admitting diagnosis, final diagnosis(es), condition on discharge, and disposition, and~~

~~(g) attending physician's signature.~~

~~(2) Medical data that includes:~~

~~(a) medical history,~~

~~(b) medical evaluation reports on admission and thereafter as needed and at least annually,~~

~~(c) reports of any special examinations, including laboratory and x-ray reports,~~

~~(d) reports of consultations by consulting physicians, if any,~~

~~(e) reports from all consulting persons and agencies, if any,~~

~~(f) reports of special treatments, such as physical or occupational therapy,~~

~~(g) dental reports, if any,~~

~~(h) treatment and progress notes written and signed by the attending physician at the time of each visit,~~

~~(i) authentication of hospital diagnosis(es) in a hospital summary sheet or transfer form when applicable, and a summary of the course of treatment followed in the hospital if the resident is hospitalized,~~

~~(j) physician orders for all medications, treatments, diet, and restorative and special procedures,~~

~~(k) autopsy protocol, if any, and authorization for autopsy, and~~

~~(3) plans and notes of the social service and activities service, including social history, social services assessment/plan, progress notes, activities assessment/plan and activities progress notes;~~

~~(4) nutritional assessments and progress notes of the dietary service; and~~

~~(5) reports or accidents or incidents experienced by the resident,~~

~~(6) Nursing records, dated and signed by nursing personnel, which include the resident assessment required by Section 5.2, all medications and treatments administered, special procedures performed, notes of observations, and the time and circumstances of death.~~

~~14.2 FACILITIES. The facility shall provide a health record room or other health record accommodation and supplies and equipment adequate for health record functions. Health records shall be maintained and stored safely for confidentiality and protection from loss, damage, and unauthorized use.~~

~~14.3 PRESERVATION. All health records shall be completed promptly, not later than 30 days following resident discharge, filed, and retained for a period of time consistent with the applicable statute of limitations and the facility's written policies.~~

~~14.4 STAFFING. A Registered Record Administrator (RRA), Accredited Record Technician (ART), or other employee who is trained in medical records and who has consultation from a registered record administrator or accredited record technician shall be responsible for the custody, supervision, filing, and indexing of completed health records of all residents and for allied health records services.~~

~~14.5 LONG TERM CARE FACILITY RECORDS. The facility shall maintain current the following records: 1) daily census including current resident problems and room numbers, 2) admission and discharge analysis records, 3) master resident file, 4) resident number index, and 5) disease index and (6) file of all accident and incident reports, including without limitation, those required by Part 3 of Chapter II.~~

## **~~Part 15. OCCUPATIONAL, AND PHYSICAL AND SPEECH THERAPY~~**

~~15.1 OCCUPATIONAL THERAPY. The facility shall provide or make arrangements for referral to occupational therapy services for all residents whom a physician refers to such therapy. If the facility provides occupational therapy services directly, it shall comply with the following requirements:~~

~~15.1.1 The facility shall have written policies approved by the governing body identifying the organization, administration, performance standards, direction, and supervision of resident care.~~

~~15.1.2 Only a qualified occupational therapist, who is a graduate of an occupational therapy curriculum accredited jointly by the Council on Medical Education of the American Medical Association and the American Occupational Therapy Association or is eligible for certification by the AOTA, shall provide occupational therapy. All personnel assisting residents with occupational therapy shall be under supervision of a qualified occupational therapist.~~

~~15.1.3 Records of occupational therapy shall include the physician's referral for treatment, resident progress notes, and results of special tests and measurements.~~

~~15.1.4 The facility shall take all necessary steps to assure that therapist communicates to the facility the resident's condition and response to treatment within two weeks of initiation of treatment and every thirty days thereafter while treatment continues.~~

~~15.1.5 The facility shall provide space, appropriate equipment, and storage areas adequate for occupational therapy on all referred residents. Services shall be provided in an area readily accessible to residents. Equipment shall be properly maintained to ensure safety of residents and staff.~~

~~15.2 PHYSICAL THERAPY. The facility shall provide or make arrangements for referral to physical therapy services for all residents whom a physician refers to such therapy. If the facility provides physical therapy services directly or holds itself out through advertisement or door sign to provide such care, it shall comply with the following requirements:~~

~~15.2.1 The facility shall have written policies approved by the governing body identifying the organization, administration, performance standards, direction, and supervision of resident care.~~

~~15.2.2 Only a physical therapist who is registered by Physical Therapy Registration (Department of Regulatory Agencies) shall provide physical therapy. All personnel assisting residents with physical therapy shall be under supervision of a qualified physical therapist.~~

~~15.2.3 Records of physical therapy shall include the physician's order for treatment, resident progress notes, and results of special tests and measurements.~~

~~15.2.4 The facility shall take all necessary steps to assure that therapist communicates to the facility the resident's condition and response to treatment within two weeks of initiation of treatment and every thirty days thereafter while treatment continues.~~

~~15.2.5 The facility shall provide space, appropriate equipment, and storage areas adequate for physical therapy on all referred residents. Services shall be provided in an area readily accessible to residents. Equipment shall be properly maintained to ensure safety of residents and staff.~~

~~15.3 SPEECH THERAPY. The facility shall provide or make arrangements for referral to speech therapy services for all residents whom a physician refers to such therapy. If the facility provides speech therapy services directly or holds itself out through advertisement or door sign to provide such care, it shall comply with the following requirements:~~

~~15.3.1 The facility shall have written policies approved by the governing body identifying the organization, administration, performance standards, direction, and supervision of resident care.~~

~~15.3.2 Only a speech pathologist who is eligible for certification by the American Speech and Hearing Association or meets educational requirements thereof and is obtaining the supervised experience required for certification shall provide speech therapy. All personnel assisting residents with speech therapy shall be under supervision of a qualified speech pathologist.~~

~~15.3.3 Records of speech therapy shall include the physician's order for treatment, resident progress notes, and results of special tests and measurements.~~

~~15.3.4 The facility shall take all necessary steps to assure that the therapist communicates to the facility the resident's condition and response to treatment within two weeks of initiation of treatment and every thirty days thereafter while treatment continues.~~

~~15.3.5 The facility shall provide space, appropriate equipment, and storage areas adequate for speech therapy on all referred residents. Services shall be provided in an area readily accessible to residents. Equipment shall be properly maintained to ensure safety of residents and staff.~~

## **~~Part 16. PHARMACEUTICAL SERVICES~~**

~~16.1 ORGANIZATION. The pharmaceutical services of the facility shall be organized and maintained exclusively for the benefit of the facility's residents.~~

~~16.1.1 The pharmaceutical service shall be supervised by a consultant pharmacist licensed to practice pharmacy in the State of Colorado.~~

~~16.1.2 All compounding and dispensing shall be from a pharmacy licensed by the Colorado Board of Pharmacy in accordance with all pharmacy laws and regulations.~~

~~16.2 ADVISORY COMMITTEE. The facility shall establish a pharmaceutical advisory committee, including a registered nurse, the consulting pharmacist and the medical advisor, to assist in the formulation of broad professional policies and procedures relating to pharmaceutical service in the facility.~~

~~16.3 DRUG REQUISITION AND STORAGE POLICIES. The facility shall designate in written policies approved by the governing body the person authorized to requisition, receive, control, and manage drugs.~~

~~16.3.1 Resident drugs shall be obtained from a licensed pharmacy on an individual prescription basis for each resident.~~

~~16.3.2 Unless the facility uses a unit dose system, each resident drug shall be stored in individual, originally received containers or "blister" or "bubble" cards that are clearly and legibly labeled with the name, strength, dosage, frequency and mode of administration, date of issue and expiration of the drug; physician's name; name, address, and telephone number of the dispensing pharmacy; and the full name of the resident for whom the drug is prescribed.~~

~~16.3.3 The facility shall protect each resident's drugs from use by other residents, visitors, and staff.~~

~~16.4 CONSULTING PHARMACIST. The facility shall contract in writing with a licensed pharmacist to be responsible for all pharmaceutical matters in the facility. The contract shall set forth the fees to be paid for services and the pharmacist's responsibilities, including at least the following:~~

~~(1) Legal compounding;~~

~~(2) Prompt dispensing of properly labeled individual resident prescriptions;~~

~~(3) Inventory control; establishment of necessary records;~~

~~(4) Periodic inspection of all pharmaceutical supplies and drugs on all resident care units;~~

~~(5) Provision of an emergency medical kit, which remains the property of a licensed pharmacy approved by the pharmaceutical advisory committee and the Colorado State Board of Pharmacy;~~

~~(6) Regularly scheduled visits and consultations and at least annual in-service training to staff;~~

~~(7) Inspection of prescriptions all drugs for proper labeling, proper storage, and drug deterioration or expiration of shelf life;~~

~~(8) Determination of proper procurement and maintenance of all prescriptions and other drugs;~~

~~(9) Development of proper accounting procedures for controlled substances and legend drugs;~~

~~(10) Evaluation of the rule 01 policies of the pharmaceutical advisory committee; and~~

~~(11) Quarterly reports to the Pharmacy Advisory Committee on the status of pharmacy services.~~

~~16.5 CONTROLLED SUBSTANCES. Only practitioners authorized under the laws of the State of Colorado and properly registered with the federal government shall prescribe controlled substances, The facility shall~~

1 comply with all federal and state laws and regulations relating to procurement, storage, administration,  
2 and disposal of scheduled drugs. Unless the facility uses a unit dose system, it shall maintain a record  
3 on a separate sheet for each resident receiving a scheduled drug, which contains the name of the drug,  
4 strength, date, time administered, resident name, dose, physician's name, signature of person  
5 administering, and the quantity of the drug remaining.

#### 6 ~~16.6 DISPOSITION OF MEDICATIONS~~

7 ~~16.6.1 If controlled substances (Schedules 2 through 5) are being held by a facility on behalf of a~~  
8 ~~resident and the controlled substances are no longer needed, the facility shall conduct on-site~~  
9 ~~destruction of the controlled substances as follows:~~

10 ~~(1) The facility shall properly inventory the destruction and keep the inventory copy on file for at~~  
11 ~~least two years.~~

12 ~~(2) At least the administrator or designee, the supervisory nurse, and the consulting pharmacist~~  
13 ~~shall witness each destruction and sign the destruction inventory.~~

14 ~~(3) The destruction shall be performed in a manner that renders the controlled substances~~  
15 ~~totally irretrievable.~~

16 ~~16.6.2 Except for medications returned to a pharmacist or transferred to a relief agency as provided~~  
17 ~~under 6 CCR 1011-1, Chapter II, Subpart 7.200 Donation of Unused Medications, Medical~~  
18 ~~Devices, and Medical Supplies, all prescriptions and other drugs (except controlled substances)~~  
19 ~~remaining upon death or discharge shall be destroyed by the administrator, a registered nurse,~~  
20 ~~and a pharmacist who shall record the quantity of the drugs destroyed.~~

21 ~~16.7 MEDICATION RELEASE. The facility staff shall release medications to a resident only upon written~~  
22 ~~physician authorization.~~

23 ~~16.8 RESIDENT DRUG PROFILE RECORD. The dispensing pharmacist shall maintain drug profile records on~~  
24 ~~each resident for whom he or she dispenses medications.~~

#### 25 **Part 17. DIAGNOSTIC SERVICES**

26 ~~17.1 POLICIES. The facility shall establish and follow policies for obtaining clinical laboratory, x-ray, and other~~  
27 ~~diagnostic services.~~

28 ~~17.2 PHYSICIAN ORDERS. Diagnostic services shall be provided only on the order of the attending physician~~  
29 ~~or dentist.~~

30 ~~17.3 TRANSPORTATION. The facility shall assist residents to make arrangements for transportation of~~  
31 ~~residents and/or laboratory specimens to and from the source of diagnostic services.~~

32 ~~17.4 REPORTS. All diagnostic reports shall be included in the resident's health record within thirty days of the~~  
33 ~~time the facility receives them.~~

#### 34 **Part 18. RESIDENT CARE UNIT**

35  
36 ~~18.1 RESIDENT CARE UNIT. A resident care unit means a designated area of a long-term care facility~~  
37 ~~consisting of a bedroom or a grouping of bedrooms with supporting facilities and services that are~~  
38 ~~planned, organized, operated, and maintained to provide adequate nursing and supportive care of not~~  
39 ~~more than sixty residents.~~

~~18.2 PRIVATE AND MULTIPLE BEDROOMS. The long-term care facility shall provide private and multiple bedrooms to meet resident needs. There shall be no more than four beds per room.~~

~~18.2.1 \* Minimum room area, exclusive of closets, lockers, wardrobes of any type, vestibules and toilet rooms, shall be 100 sq. ft. for one-bed rooms and 80 sq. ft. per bed in multi-bed rooms.~~

~~18.2.2 \* Privacy shall be provided for each resident in a multiple bedroom by the installation of opaque flame retardant cubicle curtains or movable screening.~~

~~18.2.3 \* Each bedroom shall have an exterior window. One-half of the required window area shall be openable without the use of tools. If a mechanical ventilation system is provided, a portion of the required window shall be openable without the use of tools. Privacy for the resident and control of light shall be provided at each window.~~

~~18.2.4 \* Each bedroom shall have direct entry from a corridor.~~

~~18.2.5 \* Artificial light shall be provided and include: 1) General illumination; 2) Other sources of illumination for reading, observation, examinations, and treatments; 3) Night light controlled at the door of the bedroom; 4) Quiet operating switches.~~

~~18.2.6 \* A lavatory complete with mixing faucet, blade controls, soap and sanitary hand-drying accommodations shall be provided in each bedroom.~~

~~The lavatory may be installed within the toilet room in private bedrooms. Mirrors should be arranged for convenient use by residents in wheelchairs as well as by residents in a standing position.~~

~~18.2.7 \* A toilet room, directly accessible from each bedroom, without going through a general corridor, shall be provided. One toilet may serve two resident rooms but not more than four beds. The minimum dimensions for any room containing only one water closet shall be 3'0" x 6'0". The door to the toilet room must be at least 2'10" in width and shall not swing into the toilet room unless provided with rescue hardware permitting the door to swing outward. The toilet room shall be provided with the following: 1) Toilet preferably with bedpan flushing equipment; 2) Grab bars convenient for the safety of residents; 3) Waste paper receptacle with a removable impervious liner.~~

~~18.2.8 Comfortable bedrooms shall be equipped with movable furniture and equipment with the following for each resident: 1) Adjustable, washable bed (roll-away type beds, cots and folding beds shall not be used) mattress protected by water-proof material, mattress pad, and a comfortable pillow; 2) Cabinet or bedside table; 3) Over bed table as applicable; 4) Waste paper receptacle with impervious, disposable liner or disposable waste receptacle; 5) Complete personal care equipment including water carafe, mouth wash cup, emesis basin, wash basin, bedpan and, when necessary, a urinal; 6) Comfortable chair; 7) Storage facilities adequate for residents' personal articles and grooming.~~

~~18.2.9 \* Each bedroom shall be provided with a separate closet or locker for each resident. The minimum size of closet or locker in a nursing care facility shall be 1'8" wide by 1'10" deep with full length hanging space, clothes rod and shelf.~~

~~18.2.10 \* Each resident shall be furnished with a nurse call signal system that registers a visual signal from the resident at the corridor bedroom door and at the clean and soiled holding areas and a visual and audible signal at the Nurse's Station. Calling stations shall be located at the resident's bed, toilet room and at each tub and shower. The nurses call in toilet, tub or shower shall be an emergency call.~~

~~\* Other approved facilities for resident services may be substituted to meet the requirements specified in 18.2.1 through 18.2.7, 18.2.9 through 18.2.10, 18.3.1 through 18.3.10 and 18.4.~~

~~18.3 SERVICE FACILITIES. The following service areas shall be provided on each floor housing residents and located conveniently for patient care.~~

~~18.3.1 \* The Nurses Station shall be designed and equipped for medical record recording, communications, and storage for supplies and nurses' personal effects.~~

~~18.3.2 \* The medication preparation area shall be equipped with: 1) Cabinets with suitable locking devices to protect drugs stored therein; 2) Refrigerator equipped with thermometer and used exclusively for pharmaceutical storage; 3) Counter work space; 4) sink with approved handwashing facilities; 5) Antidote, incompatibility, and metriapothecary conversion charts. Only medications, equipment, and supplies for their preparation and administration shall be stored in the medication preparation area. Test reagents, general disinfectants, cleaning agents, and other similar products shall not be stored in the medication area.~~

~~18.3.3 \* The clean supply holding room shall be equipped with: 1) Counter, sink with mixing faucet, blade controls, soap, and sanitary hand drying facility; 2) Waste container with cover (foot controlled recommended) and impervious, disposable liner; 3) Cupboards or carts for supplies.~~

~~18.3.4 \* There shall be a separate closed area in the clean supply holding room, on a cart, or in a separate closet for clean linen supplies.~~

~~18.3.5 \* The soiled holding room shall be equipped with: 1) Suitable counter, double sink with mixing faucet, blade controls, soap, and sanitary hand drying facility; 2) Waste container with cover (foot controlled recommended) and impervious, disposable liner; 3) Soiled linen cart or hamper with impervious liner; 4) Accommodations and provisions for enclosed soiled articles; 5) Space for short time holding of specimens awaiting delivery to laboratory; 6) Adequate shelf and counter space; and in nursing care facilities 7) Clinical flushing sink.~~

~~18.3.6 \* The janitor's closet shall be equipped with: 1) Sink, preferably depressed or floor mounted, with mixing faucets; 2) Hook strip for mop handles from which soiled mopheads have been removed; 3) Shelving for cleaning materials; 4) Approved handwashing facilities; 5) Waste receptacles with impervious liner. The floor area should be adequate to store mop buckets on a roller carriage, wet and dry vacuum machine, and floor scrubbing machine.~~

~~18.3.7 \* A storage room should be provided on the Resident Care Unit. Storage space for stretchers and wheelchairs should be recessed off the corridor.~~

~~18.3.8 \* BATHING FACILITIES. Resident bathing facilities shall be provided in the ratio of one tub or one shower for each fifteen residents. Approved grab bars shall be installed at each tub or shower and tubs shall be of non-slip surface. The room shall provide privacy and be sufficiently large to provide space for wheelchair movement. The entry door shall be at least 36" in width. Curbs should be omitted from showers. There shall be toilet and lavatory facilities in the bathroom with mixing faucet, blade controls, soap, and sanitary hand drying accommodations.~~

~~18.3.9 \* Nourishment stations shall be provided with storage space and sink for serving between meal nourishments.~~

~~18.3.10 \* An examination and treatment room shall be provided on at least one Resident Care Unit and shall be equipped with a treatment table, storage cabinet for supplies and instruments; and a lavatory complete with blade controls.~~

~~\* Other approved facilities for resident services may be substituted to meet the requirements specified in 18.2.1 through 18.2.7, 18.2.9 through 18.2.10, 18.3.1 through 18.3.10 and 18.4.~~



~~18.4 \* PERSONNEL TOILET FACILITIES. Toilet facilities shall be provided for personnel on each Resident Care Unit.~~

~~\* Other approved facilities for resident services may be substituted to meet the requirements specified in 18.2.1 through 18.2.7, 18.2.9 through 18.2.10, 18.3.1 through 18.3.10 and 18.4.~~

~~18.5 EMERGENCY EQUIPMENT AND SUPPLIES. The following shall be readily available at all times: 1) Oxygen; 2) Suction; 3) Portable emergency equipment, supplies and medications; and in nursing care facilities 4) Compatible supplies and equipment for immediate intravenous therapy to be administered only in accordance with applicable Colorado laws.~~

~~18.6 THERMOMETER. A disinfected thermometer shall be used each time a resident's temperature is taken.~~

~~18.7 DRESSINGS. There shall be individual resident equipment and supplies for changing dressings.~~

## **Part 19. SECURE UNITS**

~~19.1 COMPLIANCE. Any facility that has one or more units that are secured to prohibit free egress of residents shall comply with the standards in this Part in addition to all other applicable requirements of this chapter.~~

~~19.2 MENTAL HEALTH FACILITIES. Any facility that is a "designated" or "placement" facility under 27-10-101 C.R.S., et seq, shall comply with the regulations of the Department of Human Services. In the case of conflicting regulations, the stricter shall apply.~~

~~19.3 ADMISSIONS.~~

~~19.3.1 Residents on a secure unit shall be placed so as to insure that those placed in the unit because they are dangerous to self or wander out of the building and are unable to return on their own are protected from harm by residents who are a danger to others or whose behavior seriously disrupts the rights of other residents.~~

~~19.3.2 Placement on a secure unit shall not be used for the punishment of a resident or the convenience of the staff and shall be the least restrictive alternative available.~~

~~19.3.3 A facility shall have written programs to treat residents whom it admits, as required by 19.7.~~

~~19.3.4 Residents of a secure unit shall be allowed to have visitors on the unit. Residents of the facility may participate in organized activities on the unit.~~

~~19.4 PRE-ADMISSION SCREENING AND PLACEMENT. The facility shall not place a resident into a secure unit unless the requirements of this section are met:~~

~~19.4.1 An evaluation team finds, based on available evidence, that:~~

~~(1) the resident is a serious danger to self or others; or~~

~~(2) the resident habitually wanders or would wander out of buildings and is unable to find the way back; or~~

~~(3) the resident has a significant behavior problem that seriously disrupts the rights of other residents; and in all cases~~

~~(4) less restrictive alternatives have been unsuccessful in preventing harm to self or others; and~~

~~(5) legal authority for such restrictive authority has been established.~~



~~19.4.2 The evaluation team shall consist of at least the Director of Nursing, Social Services staff member, member of the facility's utilization control committee, if any, and a person with mental health or social work training (as appropriate to the needs of the unit's residents) who is not a facility staff member. Such non-staff member need not participate in prior review of admissions. A facility that is a mental health "placement facility" under 27-10-101, C.R.S., et seq. shall have a person from its contracting "designated facility" on the evaluation team for evaluations of clients referred by the designated facility.~~

~~19.4.3 Written findings and their factual basis shall be documented in the health record.~~

~~19.4.4 The resident or his/her legally responsible and authorized representative gives informed, written consent, and~~

~~19.4.5 A physician has authenticated the placement.~~

~~19.5 PLACEMENT EVALUATION. A resident's placement in or restriction to a secure unit shall terminate when the condition or behavior justifying the placement have diminished to the extent that the criteria in 19.4.1 are no longer met or when consent is terminated or withdrawn or if the facility and physician determine that such continued placement would adversely affect resident health or safety.~~

~~19.5.1 The facility shall provide the same notice and appeal rights required by Section 12.6 before moving a resident out of a secure unit.~~

~~19.5.2 The evaluation team described in Subsection 19.4.2 shall re-evaluate the placement of each resident 30 days after initial placement and no less often than every 180 days thereafter. Persons under involuntary mental health placement under 27-10-101, C.R.S., et seq., shall be evaluated as prescribed in rules of the Department of Human Services.~~

~~19.5.3 For residents with Alzheimer's disease whose conditions have stabilized, the evaluation team may recommend continued placement on the unit if it finds that placement is necessary to avoid a likely recurrence of the condition that was the purpose of the initial placement on the unit.~~

~~19.6 STAFFING. The facility shall provide a sufficient number of qualified staff to meet fully the needs of residents in the secure unit, which may require a higher staffing ratio than in other units in the facility, particularly on the night shift.~~

~~19.6.1 Staff in the special secure unit shall be experienced and trained in the particular needs and care of the types of residents in the unit.~~

~~19.6.2 For residents in the secure unit, the facility shall provide additional social work and activities staff to meet the social, emotional, and recreational needs of the residents and the social and emotional needs of their families in coping with the resident's illness.~~

~~19.6.3 For residents with mental illness, the facility shall provide staff who have demonstrated knowledge and skill in caring for residents with mental illness.~~

~~19.7 PROGRAMS. In addition to meeting the special medical and nursing needs of each resident in the secure unit, the facility shall provide social services and activity programs especially designed for the residents of the secure unit to avoid programmatic isolation.~~

~~19.7.1 Activities and social services programs shall include the opportunity for regular interaction with non-confused residents of the facility and regular interaction with the community outside the facility.~~

~~19.7.2 Residents of the secure unit may not be locked into or out of their rooms, except that facilities that are "designated" or "placement" facilities under 27-10-101, C.R.S. et seq, may use seclusion under procedures prescribed by Department of Human Services' regulations.~~

~~19.8 PHYSICAL FACILITIES. In addition to the physical plant requirements of these regulations, the facility shall provide at least 10 square feet per resident (excluding hallways) of common areas within the secure unit.~~

~~19.8.1 The facility shall identify its method for securing the unit and establish and implement procedures for monitoring the effectiveness of the security system.~~

~~19.8.2 Any facility that has an outside area or yard that residents in the non-secure areas of the facility may use shall establish a secure outside area for residents of the secure unit.~~

~~19.8.3 In accordance with 6 CCR 1011-1, Chapter II, Part 4, a facility may seek a waiver from the standards required in Part 18 of this Chapter that may be detrimental to resident needs, safety, or health.~~

## **~~Part 20. HOUSEKEEPING SERVICES~~**

~~20.1 ORGANIZATION. Each facility shall establish an organized housekeeping service that keeps the facility clean and orderly and free from odor resulting from poor housekeeping practices.~~

~~20.1.1 The facility shall provide a sufficient number of housekeeping personnel and adequate equipment.~~

~~20.1.2 Deodorizers shall not be used to cover up odors caused by unsanitary conditions, poor nursing care, or housekeeping practices.~~

~~20.2 EQUIPMENT AND SUPPLIES. Suitable equipment and supplies shall be provided for cleaning of all surfaces. Such equipment shall be maintained in a safe, sanitary condition.~~

~~20.3 DISINFECTANTS. Disinfectants shall be only those registered by the manufacturer with the United States Environmental Protection Agency and shall be stored in a manner approved by the Department.~~

~~20.4 STORAGE. Storage areas, attics, and cellars shall be kept safe and free from accumulations of extraneous materials such as refuse, discarded furniture, and old newspapers.~~

~~20.4.1 Combustibles such as cleaning rags and compounds shall be kept in closed metal containers.~~

~~20.4.2 Cleaning compounds and other hazardous substances (including products labeled "Keep out of reach of children" on their original containers) shall be clearly labeled to indicate contents and (except when a staff member is present) shall be stored in a location sufficiently secure to deny access to confused residents. Janitors' rooms used for storing disinfectants and detergent concentrates, caustic bowl and tile cleaners, and insecticides shall be locked.~~

~~20.4.3 Paper towels, tissues, and other absorbent paper goods shall be stored in a manner that prevents their contamination prior to use.~~

~~20.5 CLEANING METHODS. Cleaning shall be performed in a manner to minimize the spread of pathogenic organisms. Floors shall be cleaned regularly.~~

~~20.6 FLOOR SURFACES. Uncarpeted floors and adjacent base coving shall be maintained to provide a smooth, continuous, washable surface that is free of discoloration or staining. Polishes applied to~~

uncarpeted floors shall provide a nonslip surface; throw or scatter rugs shall not be used except for nonslip entrance mats.

20.7 HANDWASHING. All personnel shall wash their hands thoroughly after handling waste products.

20.8 TRAINING AND SUPERVISION. Housekeeping personnel shall receive adequate supervision. Frequent in-service training programs shall be provided for housekeeping personnel.

20.9 POISON CONTROL. The facility shall maintain at each nurses' station a current list of potentially hazardous substances in regular use by housekeeping and other staff and the name, manufacturer, EPA registration number, notation of where used and by whom, where stored, cautionary information, antidote if any, and phone number of the poison control center.

## **Part 21. LINEN AND LAUNDRY**

21.1 LAUNDRY FACILITIES. Laundry facilities and/or contract with commercial laundry shall be provided with the necessary washing, drying, and ironing equipment having sufficient capacity to process a continuous seven-day supply based on ten pounds of dry laundry per bed per day. Laundry equipment shall meet all safety and sanitary requirements. The equipment shall be designed and installed to comply with all state and local laws. Laundry equipment, processing, and procedures shall render soiled linen and patient clothing clean and free from detergent, soap, and other chemical residues.

21.1.1 Laundry facilities and operations shall be located in an area separated from Resident Care Units.

21.1.2 In facilities constructed after the effective date of these regulations, there shall be proper spacing and placing of the equipment to minimize material transportation and operation, to avoid all cross traffic between clean and soiled linen, to provide balance of operations, and to provide storage between operations. The general air movement shall be from the cleanest areas to the most contaminated areas. Soiled laundry shall be processed frequently enough to prevent excessive unsanitary accumulations.

21.2 WASHING TEMPERATURE. The temperature of water during the washing and hot rinsing process shall be a minimum of 130 degrees F and for a combined period of time of at least 25 minutes, and the detergent shall be compatible with the wash cycle and temperature (as evidenced by purveyor statement or literature kept for inspection). Washers shall not be overloaded so as to limit adequate movement of contents and flow of water through the fabrics.

21.3 COMMERCIAL LAUNDRY SERVICES. If laundry facilities are not provided entirely within the facility there shall be a written contract between the facility and a commercial laundry service that provides for compliance with Section 21.2.

21.4 RESIDENT LINEN SUPPLY. Linen supply (top and bottom sheets, pillowcases, washcloths, bath and face towels) shall be at least three complete changes times the number of licensed beds. All linens shall be maintained clean, in good repair.

21.5 SOILED LINEN HANDLING. In removing and handling soiled linen from a bed, there shall be minimal shaking of the linen. Soiled linen, including blankets, shall be placed in bags tightly closed before removal from a bedroom. The bags shall remain closed, shall be removed from the Resident Care Unit at least every eight hours.

21.6 INFECTIOUS DISEASE LINEN. All linens and blankets from residents with infectious disease shall be placed in special bags identified "contaminated" and transported in these closed bags. Special

measures shall be taken to insure the disinfection of contaminated laundry and protection of persons doing laundry.

~~21.7 SORTING AND PRE RINSING. Pre-rinsing shall be permitted only in a designated room where approved facilities are provided. Sorting and all other linen and laundry operations shall be confined to the laundry facility and shall not be permitted in the resident's room, bathtub, shower, lavatory or janitor's closets.~~

~~21.8 LINEN CHUTES. If linen chutes are used, all soiled linen, clothing, and other items deposited in them shall first be enclosed in bags before placing them in chute. Linen chutes shall be cleaned regularly by methods approved by the Department.~~

~~21.9 SOILED LINEN CARTS. Carts and hampers used to transport soiled linen shall be constructed of or lined with impervious materials, cleaned and disinfected after use, and used only for transporting soiled linen.~~

~~21.10 SOILED LINEN STORAGE. The facility shall provide a separate soiled linen storage and sorting area, mechanically ventilated to the outside atmosphere. No re-circulation of air from this area is permitted.~~

~~21.11 HANDWASHING EQUIPMENT. Handwashing facilities shall be provided in the laundry facility.~~

~~21.12 HANDWASHING. All personnel shall wash their hands thoroughly after handling any soiled linen.~~

~~21.13 RESIDENT CLOTHING. Resident clothing and other laundry shall be processed and stored in a manner approved by the Department.~~

~~21.14 CLEAN LINEN STORAGE. A clean linen folding/storage room shall be provided as part of the laundry area, located adjacent to the drying equipment. Positive pressure shall be maintained in this area. Storage for clean linen for current use shall be provided on each Resident Care Unit.~~

~~21.15 CLEAN LINEN HANDLING. Clean linen shall be transported in a manner that preserves its clean condition so that it is clean at the site of its use.~~

## **Part 22. INFECTION CONTROL**

~~22.1 INFECTION CONTROL PROGRAM. The facility shall have an infection control program that provides in-service training on infection control and shall have current infection control policies and procedures available to all staff members.~~

~~22.2 POLICIES. The facility shall have and follow the following written policies approved by the governing body 1) a policy prohibiting admission of residents who have a communicable disease with a significant risk of transmission to other persons, as determined by the Department; 2) a policy for preventing transmission of disease in the facility that is applicable to any resident who is discovered to have a communicable disease after admission or to any employee with a communicable disease; and 3) a policy of reporting diseases to the state or local health department, pursuant to regulations promulgated by the Board of Health pertaining to control of communicable diseases.~~

~~22.2.1 By itself the fact that a resident or employee has a communicable infection that is primarily transmitted either sexually or by blood products shall not prevent admission to or employment by the facility. Decisions concerning the admission or employment of such individuals should be made by the individual's personal physician in conjunction with the professional staff of the facility. Upon order of a physician, residents with such infectious diseases may be admitted to facilities. The facility shall observe the following precautions for residents with such conditions:~~

~~(1) Staff shall wash hands before and after working with such residents.~~

~~(2) Staff shall exercise caution when handling sharp objects such as needles around such residents. Needles shall not be recapped, broken off, or disposed of in other than puncture-proof containers.~~

~~(3) Linen and clothing of such residents shall be washed in water of at least 140-degree temperature.~~

~~(5) Staff shall wear disposable gloves when handling items soiled with blood or body fluids, but gowns and masks are not necessary except where staff performs a procedure requiring extensive contact with blood or body fluids.~~

~~(6) If resuscitation appears necessary, equipment shall be immediately at hand to minimize the need for mouth-to-mouth resuscitation.~~

~~(7) Wearing disposable gloves, staff shall immediately clean up spills of blood or bodily fluid from such residents. Staff shall then disinfect the contaminated area using an appropriate concentration of a disinfectant certified by the manufacturer to be effective as used. Appropriate concentrations of phenol disinfectant or chlorine bleach may be used.~~

~~(8) All disposable equipment containing infective waste shall be disposed of in the room where it is used in sturdy plastic bags and then rebagged outside the room. It shall either be autoclaved or incinerated prior to disposal in a sanitary landfill.~~

~~(9) A private room is indicated if resident hygiene is poor (e.g., the resident does not wash hands after touching infective material, contaminates the environment with infective material, or shares contaminated material with other residents). In general, residents infected with the same organism may share a room. The resident shall be permitted to eat with other residents and be encouraged to participate in activities inside and outside the facility.~~

~~(10) Health care workers with colds or other communicable diseases shall not be assigned to care for such residents, since the residents are highly vulnerable to infection. Health care workers with HIV infection or other immunosuppressive disorders should not be required to work with residents with communicable diseases.~~

~~22.3 RESIDENT ISOLATION. Facilities shall provide for the isolation of residents with communicable diseases, as determined by the Department. Facilities shall provide well-ventilated single-bed rooms and separate toilet facilities for residents, when indicated.~~

~~22.4 SANITATION OF NURSING AND RESIDENT CARE EQUIPMENT. Nursing and resident care equipment shall be properly cleaned, sanitized, disinfected or sterilized, and stored. Nursing care equipment that is to be used internally shall be properly cleaned, sterilized and stored after each use; thermometers shall be properly disinfected.~~

~~22.5 DISPOSABLE EQUIPMENT AND SUPPLIES. Single-service disposable nursing care equipment shall be used only once and shall be disposed of in an approved manner. Other disposable nursing care equipment shall be used only for the resident to which assigned. Disposable sterile equipment shall be certified by the distributor as sterile and be destroyed after initial use.~~

~~22.6 PRESSURIZED STEAM. When pressurized steam sterilizers or equivalents are used, they shall be of approved type and necessary capacity for adequate sterilization and all sterilization equipment shall be maintained in good operating condition. Bacteriological methods shall be used to evaluate the effectiveness of pressurized steam sterilization, by at least monthly testing with records maintained.~~

~~22.7 STERILE SOLUTIONS. Water used for sterile solutions shall be distilled and sterilized in flasks that are resistant to heat, chemical and electrical action and are properly sealed, labeled, and stored.~~

~~22.8 HANDWASHING. Personnel shall wash their hands after contact with a resident or with a contaminated object and observe the following techniques: 1) Remove watches and rings, and roll sleeves of clothing above elbows; 2) Wash hands and forearms with soap or detergent with friction, not a brush, and rinse under running water; 3) Repeat the washing procedure two or three times; 4) Dry hands with a disposable towel.~~

~~22.9 SANITATION OF AIR. Design, installation, and operation of heating/cooling/ventilation system shall insure adequate microbial control of the air.~~

~~22.10 PETS. If the facility allows pets, it shall be responsible for their proper care and feeding and shall have them vaccinated and licensed, as appropriate.~~

## **Part 23. PEST CONTROL**

~~23.1 INSECT, PEST AND RODENT CONTROL. The facility shall be maintained free of infestations of insects, arachnids, rodents, and other vermin.~~

~~23.1.1 The facility shall have a pest control program provided by maintenance personnel or by contract with a pest control company using the least toxic and least flammable effective pesticides. The pesticides shall not be stored in patient or food areas and shall be kept under lock and only properly trained responsible personnel shall be allowed to apply them. The application of pesticides shall conform to applicable State of Colorado Pesticide Applicators' Act, Section 35-40 101, et seq., C.R.S.~~

~~23.1.2 Screens or screen doors shall be provided on all exterior openings except where prohibited by fire regulations. Facility doors, door screens, and window screens shall fit with sufficient tightness at their perimeters to exclude vermin.~~

## **Part 24. WASTE DISPOSAL**

~~24.1 SEWAGE AND SEWER SYSTEMS. All sewage shall be discharged into a public sewer system, or if such is not available, disposed of in a manner approved by the State and local health authorities and the Colorado Water Quality Control Commission.~~

~~24.1.1 When private sewage disposal systems are in use, records of maintenance and the system design plans shall be kept on the premises.~~

~~24.1.2 No unprotected exposed sewer line shall be located directly above working, storage or eating surfaces in kitchens, dining rooms, pantries, or food storage rooms, or where medical or nursing supplies are prepared, processed, or stored.~~

~~24.2 REFUSE. All garbage and rubbish that is not disposed of as sewage shall be collected in impervious containers in such manner as not to become a nuisance or a health hazard and shall be removed to an outside approved storage area at least once a day.~~

~~24.2.1 The refuse storage area shall be kept clean, and free from nuisance.~~

~~24.2.2 A sufficient number of impervious containers with tight fitting lids shall be provided and kept clean and in good repair.~~

~~24.3 REFUSE CART. Carts used to transport refuse shall be constructed of impervious materials, enclosed, used solely for refuse, and maintained in a sanitary manner.~~

~~24.4 INCINERATORS. Incinerators shall comply with state and local air pollution regulations and be so constructed as to prevent insect and rodent breeding and harborage. The facility shall obtain a permit to operate an incinerator from the State Air Pollution Control Division and maintain the permit on file. [Eff. 04/30/2009]~~

## **Part 25. PHYSICAL PLANT STANDARDS**

~~25.1 COMPLIANCE WITH FGI GUIDELINES. Effective July 1, 2013, all long term care nursing facilities shall be constructed in conformity with the standards adopted by the Director of the Division of Fire Prevention and Control (DFPC) at the Colorado Department of Public Safety. For construction initiated or systems installed on or after July 1, 2013, that affect patient health and safety and for which DFPC has no applicable standards, each facility shall conform to the relevant section(s) of the Guidelines for Design and Construction of Health Care Facilities, (2010 Edition), Facilities Guidelines Institute. The Guidelines for Design and Construction of Health Care Facilities, (2010 Edition), Facilities Guidelines Institute (FGI), is hereby incorporated by reference and excludes any later amendments to or editions of the Guidelines. The 2010 FGI Guidelines are available at no cost in a read only version at: [http://openpub.realread.com/rrserver/browser?title=/FGI/2010\\_Guidelines](http://openpub.realread.com/rrserver/browser?title=/FGI/2010_Guidelines)~~

## **Part 26. RELIGIOUS TREATMENT EXCLUSIONS**

~~26.1 EXCEPTION OF CERTAIN FACILITIES. Nothing in this Part applies to any nursing facility conducted by or for the adherents of any well recognized church or religious denomination for the purpose of providing facilities for the care and treatment of the sick who depend exclusively upon spiritual means through prayer for healing in the practice of the religion of such church or denomination~~

~~26.2 EXCEPTION FOR RELIGIOUS BELIEFS. Nothing in this chapter authorizes the Department to impose on a resident any mode of treatment inconsistent with the resident's religious belief.~~

## **Part 27. MEDICAID CERTIFICATION STANDARDS**

~~27.1 For the purpose of fulfilling its facility certification responsibilities as the State Survey Agency pursuant to the requirements of Title XIX (Medicaid) of the Social Security Act (42 U.S.C. Section 1396(a), et seq.) and the Colorado Medical Assistance Act, Section 25.5-4-104, et seq., C.R.S., the Department shall apply and enforce the Skilled Nursing Facility and Intermediate Care Facility certification standards of the U.S. Department of Health and Human Services as those standards presently exist pursuant to Title XIX. (These standards are presently contained in Title 42 of the Code of Federal Regulations (C.F.R.)).~~

## **Part 28. ENFORCEMENT REMEDIES**

~~28.1 Sections 25-2-107.5 and 25.5-6-205, C.R.S. provide the authority for the Department to recommend to the Department of Health Care Policy and Financing that a civil money penalty imposed against a nursing facility that violates federal regulations for participation in the Medicaid program as enumerated in 42 USC 1396r(h) (2006).~~

~~28.2 Collection, enforcement, and assessment of a civil money penalty pursuant to this chapter and the denial of Medicaid payments, shall be the responsibility of the Department of the Health Care Policy and Financing and shall be made upon recommendation of the Department of Public Health and Environment pursuant to section 25.5-6-205, C.R.S.~~

~~28.3 Definitions. For purposes of this part, the following definitions shall apply:~~



(a) ~~“Deficiency” or “violation” means any failure to comply with a requirement of participation for which the facility is required to take some form of corrective action.~~

(b) ~~“Enforcement remedy or remedies” means any remedy or combination of remedies, in accordance with 42 USC 1396r(h) and sections 25-1-107.5 and 25.5-6-205, C.R.S., which may be imposed by the Department or recommended by the Department for imposition by the Department of Health Care Policy and Financing against any nursing facility which fails to meet any one of the enumerated requirements for participation in the Medicaid program. Remedies include, but are not limited to:~~

~~(1) a plan of correction,~~

~~(2) a directed plan of correction,~~

~~(3) monitoring of a facility by the state survey agency,~~

~~(4) full or partial bans on admissions,~~

~~(5) denial of payment under the state Medicaid plan with respect to any individual admitted to the nursing facility involved after such notice to the public and the facility as may be provided for by law,~~

~~(6) civil money penalties,~~

~~(7) temporary management,~~

~~(8) termination of the facility's participation under the state plan, and~~

~~(9) receivership as provided by section 25-3-108, C.R.S.~~

(c) ~~“HCPF” means the Colorado Department of Health Care Policy and Financing.~~

(d) ~~“Nursing facility” means any skilled or intermediate nursing care facility which receives federal and state funds under the Title XIX of the federal Social Security Act.~~

(e) ~~“Nursing Home Penalty Cash Fund” means the fund created pursuant to section 25.5-6-205, C.R.S.~~

(f) ~~“Plan of correction” means a written plan prepared by the facility and approved by the department that describes the actions the facility will take to correct noted deficiencies and specifically sets the date the corrective action will be accomplished.~~

(g) ~~“Requirements of participation” means those requirements of participation in the medicaid program as enumerated in 42 USC 1396r (h) of the federal Omnibus Budget Reconciliation Act of 1987, 1989, and 1990, regulations promulgated pursuant to those acts, and section 25-1-107.5, C.R.S.~~

(h) ~~“Secretary” means the secretary of the federal department of Health and Human Services.~~

(i) ~~“Scope” means the frequency of the occurrence of the deficiency in one of the following levels:~~

~~(1) Level 1. The deficiency exists in only one or a limited number of cases.~~



~~(2) Level 2. The deficiency exists in more than a limited number of cases, but no pattern can be identified.~~

~~(3) Level 3. The deficiency exists in more than a limited number of cases and indicates a pattern.~~

~~(4) Level 4. The deficiency occurs in sufficient number among residents or staff or with sufficient regularity that it can be considered systemic/pervasive.~~

~~(j) "Severity" means the seriousness of the deficiency in one of the following levels:~~

~~(1) Level 1. Any deficiency not meeting the criteria for Levels 2, 3, or 4.~~

~~(2) Level 2. Any deficiency which may result in a negative outcome to the resident or residents.~~

~~(3) Level 3. Any deficiency which has resulted in a negative outcome to the resident or residents.~~

~~(4) Level 4. Any deficiency which has a high probability that serious harm or serious injury to residents could occur at any time, or already has occurred and may well occur again if residents are not protected effectively from the harm, or the threat is not removed.~~

~~(k) "Temporary management" means the temporary utilization of a substitute manager pursuant to either an agreement between the licensee and the department or pursuant to section 25-3-108, et seq., C.R.S.~~

~~(l) "Negative outcome" means that the impact of the facility's deficient practice on the resident or residents is:~~

~~(1) The physical, mental or psychosocial deterioration of the resident or residents, or~~

~~(2) The ability of the resident or residents to achieve the highest practicable physical, mental, or psychosocial well being has been compromised.~~

~~(m) "Repeat deficiency" means a subsequent deficiency with comparable circumstances or the same tag number, unless the department determines that the circumstances of the previous deficiency are so dissimilar that it would not be proper to consider the deficiency to be a repeat.~~

~~28.4 If the Department, as a result of a standard survey, extended survey, or verified complaint or other investigation by the Department at any time upon reasonable cause, determines that a facility fails to meet the requirements of participation as defined herein and further determines that such failure places the health or safety of the facility's residents in serious and immediate jeopardy, the Department shall take immediate action to remove such jeopardy and correct the deficiency, by either:~~

~~(a) temporary management, or~~

~~(b) termination of the facility's participation in the state plan.~~

~~28.4.1 In addition to the action taken pursuant to 28.4, the Department may apply any other remedy as provided by law or regulation.~~

28.4.2 If the Department, as a result of a standard survey, extended survey, or verified complaint or other investigation by the Department at any time upon reasonable cause, determines that a facility fails to meet the requirements of participation and further determines that such failure does not place the health or safety of the facility's residents in serious and immediate jeopardy, the Department may take action to correct the deficiency including the application of any remedy designed to minimize the length of time between the identification of a deficiency indicating failure to meet a requirement of participation and the correction of that deficiency. Such a remedy shall not be limited to those remedies enumerated in 28.3(b).

28.5 In determining which remedies to apply, the Department shall consider the severity of the deficiency and shall, in addition to any other remedies provided by law or regulation, impose the remedies provided by 28.3(b) as follows:

(a) For a deficiency of severity Level 1, the Department shall impose the remedy specified in 28.3(b)(1) and may impose the remedies specified in 28.3(b)(2). For a repeat deficiency within a fifteen (15) month period, the Department shall impose the remedy specified in 28.3(b)(1), or (2), and may impose the remedy specified in 28.3(b)(6).

(b) For a deficiency of severity Level 2, the Department shall impose the remedies specified in 28.3(b)(1), or (2), and may impose the remedies specified in 28.3(b)(3) and/or (6). For a repeat deficiency within a fifteen (15) month period, the Department shall impose the remedies specified in 28.3(b)(1) or (2) and may impose the remedies specified in 28.3(b)(3) and/or (6).

(c) For a deficiency of severity Level 3, the Department shall impose the remedies specified in 28.3(b)(1) or (2), and if the scope of the deficiency is Level 4, shall impose the remedies specified in 28.3(b)(3) or (4) or (5) or (6), and may impose any available remedies. For a repeat deficiency within a fifteen (15) month period, the Department shall impose the remedies specified in 28.3(b)(1) or (2), and (3), or (4), or (5), or (6) and may impose any available remedy.

(d) For a deficiency of severity Level 4, the Department shall impose the remedies specified in 28.3(b)(1) or (2), and (6) and (7) or (8). In addition, the Department may impose any other available remedy. For a repeat deficiency within a fifteen (15) month period, the Department shall impose the remedies specified in 28.3(b)(2) and (6) and (7) or (8). In addition, the Department may impose any available remedy.

28.6 The Department shall make a recommendation in a timely manner to HCPF that a civil money penalty be assessed against a facility for failure to comply with a requirement of participation if the Department determines that a civil money penalty is an appropriate remedy.

(a) The Department shall consider all mitigating factors, including but not limited to, a change of ownership of the facility subject to the approval of the Department as provided in 6 CCR 1011-1, Chapter II.

(b) A civil money penalty shall not be recommended under circumstances where the relevant deficiency occurred for reasons outside the nursing facility's reasonable control or despite reasonable, good faith efforts to avoid the deficiency.

28.7 Pursuant to 25-1-107.5, C.R.S., if the Department determines that recommendation of a civil money penalty is appropriate, the Department shall adopt criteria for determining the amount of the penalty to be recommended for assessment by HCPF. Such criteria shall include, but need not be limited to, consideration of the following factors:

(a) The period of time over which the violation occurred;

~~(b) The frequency of the violation;~~

~~(c) The nursing facility's history concerning the type of violation for which the penalty is assessed;~~

~~(d) The nursing facility's intent or reason for the violation;~~

~~(e) The effect, if any, of the violation on residents' health, safety, security, or welfare; i.e., severity;~~

~~(f) The existence of other violations, in combination with the violation for which the penalty is assessed, which increase the threat to residents' health, safety, security, or welfare;~~

~~(g) The accuracy, thoroughness and availability of records regarding the violation which the nursing facility is required to maintain; and~~

~~(h) The number of additional related violations occurring within the same time span as the violation in question.~~

~~28.7.1 In determining the amount of a civil money penalty, multiple violations of different requirements of participation resulting from a single act shall be considered as one violation. However, this shall not preclude their consideration under 28.7(f) or (h) above.~~

~~28.7.2 Any civil money penalty which is recommended to HCPF for imposition by that Department shall be not less than \$100 nor more than \$10,000 for each day the facility is found to have been in violation of the federal regulations. Penalties assessed shall include interest at the statutory rate.~~

~~28.7.3 Any such civil money penalty shall accrue from the date the facility receives written notice from the Department regarding its recommendation of a civil money penalty. In the event the Department determines that a violation is life threatening to one or more residents or creates a direct threat or serious adverse harm to the health, safety, security, rights or welfare of one or more residents, a penalty shall be imposed for each day the deficiencies which constitute the violation are found to exist. The period of time during which the civil money penalty accrues shall be as follows:~~

~~(a) No longer than six (6) months in the case of non-serious or non-immediate threat.~~

~~(b) Until the Department verifies the deficiency is corrected or the facility notifies the Department that the deficiency is corrected, whichever is earlier.~~

~~(1) If the facility acts in a timely and diligent manner to correct the violation in accordance with a plan of correction as agreed to by the Department, the Department shall recommend to HCPF that the penalty be suspended or reduced for the period of the plan of correction.~~

~~(2) In the event the facility has not corrected the violation, pursuant to the notice provided by the facility, the penalty shall be reinstated at an increased amount retroactive to the date the penalty was tolled.~~

~~(3) For the purposes of this provision, the plan of correction must contain a reasonable and appropriate plan of action and timetable to completely correct the deficiency. This provision (plan of correction) shall not apply in cases of repeat deficiencies or those with a severity level of 4.~~

~~28.8 The Department shall notify the facility, by personal service, first class mail, or electronic transmission ("fax"), of its recommendation of the imposition of a civil money penalty and the amount of any such penalty not later than the fifth day following the last day of the inspection or survey on which the deficiencies which constitute the violation were found. The notice shall explain the deficiencies that are the basis for the recommendation and shall provide instructions for responding to the notice, including that the facility submit a written plan of correction.~~

~~28.8.1 After notice pursuant to 28.8 above, a facility may notify the Department of the correction of the deficiency for which the civil money penalty is being recommended. Such initial notice to the Department may be given by telephone, electronic transmission ("fax"), or in person, but shall be documented by a writing postmarked within five (5) business days of the initial notification to the Department.~~

~~28.8.2 It shall be the responsibility of HCPF pursuant to section 25.5-6-205, C.R.S., to provide for an appeal process for any facility which has a civil money penalty assessed against it for failure to meet a requirement of participation.~~

~~28.9 If a facility fails to correct a deficiency or deficiencies within three (3) months after the date the facility is found by HCPF to be out of compliance with a requirement of participation pursuant to 25-1-107.5, C.R.S., the Department shall recommend to HCPF denial of payment under the state plan with respect to any individual admitted to the facility involved after such notice to the public and the facility as is provided for by the state.~~

~~28.10 If a facility has provided a substandard quality of care to the residents as evidenced by three consecutive standard surveys, the Department shall take the actionS set forth in (a) and (b) below and may take any such additional action allowed by statute or regulation, including recommending that a civil money penalty be imposed by HCPF.~~

~~(a) Recommend to HCPF that payment be denied under the state plan with regard to any individual admitted to the facility involved after such notice to the public and to the facility as may be provided for by the state; and~~

~~(b) Monitor the facility until such time as it has demonstrated to the satisfaction of the Department that it is in compliance with the requirements and that it has the management capacity to remain in compliance.~~

~~28.11 Nothing in this Part shall preclude the Department from recommending alternative remedies as provided by law so long as such remedy or remedies are deemed to be at least as effective in correcting the violation and deterring future violations as those remedies enumerated in the federal Omnibus Budget Reconciliation Act of 1987, 1989, and 1990, 42 USC 1396r(h).~~

~~28.11.1 Nothing in this Part shall be construed as limiting, negating, or superseding any other remedy available for use by the Department to correct a deficiency or deficiencies. In recommending or selecting a particular remedy, the primary consideration shall be the selection of the remedy or remedies most likely to achieve correction of the relevant deficiency and long term compliance.~~

~~28.12 The Department shall, in conjunction with HCPF, establish circumstances under which the funds of the Nursing Home Penalty Cash Fund may be disbursed in order to protect the health or property of residents. Those circumstances shall include, but not be limited to, the following:~~

~~(a) relocating residents to other facilities if necessary;~~

~~(b) maintaining the operation of a facility pending completion of a plan of correction or directed plan of correction;~~

1                   (c) ~~maintaining the operation of a facility pending closure; and~~

2                   (d) ~~reimbursing residents for personal funds lost.~~

3           28.12.1 ~~Neither the Department nor HCPF may use money from the Nursing Home Penalty Cash Fund~~  
4           ~~to pay the costs of administration of those departments.~~

5           28.12.2 ~~At the end of the fiscal year, all unexpended and unencumbered moneys remaining in the~~  
6           ~~Nursing Home Penalty Cash Fund must remain in the fund and may not be transferred or~~  
7           ~~credited to the general fund.~~

8   **Part 29. LICENSING FEES**

9   29.1 ~~All license fees are non-refundable. The total fee shall be submitted with the appropriate license~~  
10   ~~application.~~

11   29.2 ~~Initial license—\$6,000 per facility.~~

12   29.3 ~~Renewal license—Effective April 1, 2011, the annual renewal fee shall be as follows.~~

13   ~~Medicare and/or Medicaid certified facility: \$1,600 base fee plus \$8 per bed.~~

14   ~~Non-certified facility: \$3,480 base fee plus \$8 per bed.~~

15   29.4 ~~Change of ownership—Change of ownership shall be determined in accordance with the criteria set forth~~  
16   ~~in 6 CCR 1011-1, Chapter II, Part 2. The fee shall be \$6,000 per facility.~~

17   29.5 ~~Opening a secure unit—A facility that wishes to open a secure unit shall submit a fee of \$1,600 in addition~~  
18   ~~to any other applicable license fees.~~

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**DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT****Health Facilities and Emergency Medical Services Division****STANDARDS FOR HOSPITALS AND HEALTH FACILITIES: CHAPTER 5 - NURSING CARE FACILITIES****6 CCR 1011-1 Chap 05**

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1     **SECTION 1 - STATUTORY AUTHORITY AND APPLICABILITY**

2     1.1     THE STATUTORY AUTHORITY FOR THE PROMULGATION OF THESE RULES IS SET FORTH IN SECTIONS 25-1-107.5,  
3             25-1.5-103 AND 25-3-101, ET SEQ., C.R.S.

4     1.2     A NURSING CARE FACILITY SHALL COMPLY WITH ALL APPLICABLE FEDERAL AND STATE STATUTES AND  
5             REGULATIONS INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

6             A)     THIS CHAPTER 5;

7             B)     6 CCR 1011-1, CHAPTER 2, GENERAL LICENSURE STANDARDS;

8             C)     6 CCR 1010-2, COLORADO RETAIL FOOD ESTABLISHMENTS; AND

9             D)     6 CCR 1007-2, PART 1, REGULATIONS PERTAINING TO SOLID WASTE SITES AND FACILITIES,  
10             SECTION 13, MEDICAL WASTE.

11    1.3     THIS REGULATION INCORPORATES BY REFERENCE (AS INDICATED WITHIN) MATERIAL ORIGINALLY PUBLISHED  
12             ELSEWHERE. SUCH INCORPORATION, HOWEVER, EXCLUDES LATER AMENDMENTS TO OR EDITIONS OF THE  
13             REFERENCED MATERIAL. PURSUANT TO SECTION 24-4-103 (12.5), C.R.S., THE HEALTH FACILITIES AND  
14             EMERGENCY MEDICAL SERVICES DIVISION OF THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND  
15             ENVIRONMENT MAINTAINS COPIES OF THE INCORPORATED TEXTS IN THEIR ENTIRETY WHICH SHALL BE AVAILABLE  
16             FOR PUBLIC INSPECTION DURING REGULAR BUSINESS HOURS AT:

17             COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
18             HEALTH FACILITIES AND EMERGENCY MEDICAL SERVICES DIVISION  
19             4300 CHERRY CREEK DRIVE SOUTH  
20             DENVER, COLORADO 80246-1530  
21             PHONE: 303-692-2800  
22

23             CERTIFIED COPIES OF MATERIAL WILL BE PROVIDED BY THE DIVISION, AT COST, UPON REQUEST. ADDITIONALLY,  
24             ANY MATERIAL THAT HAS BEEN INCORPORATED BY REFERENCE MAY BE EXAMINED IN ANY STATE PUBLICATIONS  
25             DEPOSITORY LIBRARY. COPIES OF THE INCORPORATED MATERIALS HAVE BEEN SENT TO THE STATE  
26             PUBLICATIONS DEPOSITORY AND DISTRIBUTION CENTER, AND ARE AVAILABLE FOR INTERLIBRARY LOAN.

27    **SECTION 2 - DEFINITIONS**

28    AT-RISK ELDER MEANS A PERSON AGE 70 AND OLDER.

29    DEPARTMENT MEANS THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

30    DESIGNATED FACILITY MEANS AN AGENCY THAT HAS APPLIED AND BEEN APPROVED BY THE DEPARTMENT OF HUMAN  
31    SERVICES TO PROVIDE MENTAL HEALTH SERVICES.

32    ENFORCEMENT ACTIVITY MEANS THE IMPOSITION OF REMEDIES SUCH AS CIVIL MONEY PENALTIES; APPOINTMENT OF A  
33    RECEIVER OR TEMPORARY MANAGER; CONDITIONAL LICENSURE; SUSPENSION OR REVOCATION OF A LICENSE; A DIRECTED  
34    PLAN OF CORRECTION; INTERMEDIATE RESTRICTIONS OR CONDITIONS, INCLUDING RETAINING A CONSULTANT,  
35    DEPARTMENT MONITORING OR PROVIDING ADDITIONAL TRAINING TO EMPLOYEES, OWNERS OR OPERATORS; OR ANY  
36    OTHER REMEDY PROVIDED BY STATE OR FEDERAL LAW OR AS AUTHORIZED BY FEDERAL SURVEY, CERTIFICATION, AND  
37    ENFORCEMENT REGULATIONS AND AGREEMENTS FOR VIOLATIONS OF FEDERAL OR STATE LAW.

38    GOVERNING BODY MEANS THE INDIVIDUAL, GROUP OF INDIVIDUALS OR CORPORATE ENTITY THAT HAS ULTIMATE  
39    AUTHORITY AND LEGAL RESPONSIBILITY FOR THE OPERATION OF THE FACILITY.

- 1 MEDICAL DIRECTOR MEANS A PHYSICIAN WHO OVERSEES THE MEDICAL CARE AND OTHER DESIGNATED CARE AND  
2 SERVICES IN THE FACILITY.
- 3 NON-PHYSICIAN PRACTITIONER MEANS A PHYSICIAN ASSISTANT OR ADVANCE PRACTICE NURSE (I.E., NURSE  
4 PRACTITIONER OR CLINICAL NURSE SPECIALIST).
- 5 NURSING CARE FACILITY MEANS A LICENSED HEALTH CARE ENTITY THAT IS PLANNED, ORGANIZED, OPERATED AND  
6 MAINTAINED TO PROVIDE SUPPORTIVE, RESTORATIVE AND PREVENTATIVE SERVICES TO PERSONS WHO, DUE TO PHYSICAL  
7 AND/OR MENTAL DISABILITY, REQUIRE CONTINUOUS OR REGULAR INPATIENT NURSING CARE.
- 8 PLACEMENT FACILITY MEANS A PUBLIC OR PRIVATE NURSING CARE FACILITY THAT HAS A WRITTEN AGREEMENT WITH A  
9 DESIGNATED FACILITY TO PROVIDE CARE AND TREATMENT TO ANY INDIVIDUAL UNDERGOING MENTAL HEALTH EVALUATION  
10 OR TREATMENT BY THE DESIGNATED FACILITY.
- 11 PRACTITIONER MEANS PHYSICIAN AND NON-PHYSICIAN PRACTITIONER.
- 12 RESIDENT REPRESENTATIVE MEANS AN INDIVIDUAL OF THE RESIDENT'S CHOICE WHO HAS ACCESS TO INFORMATION AND  
13 PARTICIPATES IN HEALTH CARE DISCUSSIONS OR A PERSONAL REPRESENTATIVE WITH LEGAL STANDING INCLUDING, BUT  
14 NOT LIMITED TO, POWER OF ATTORNEY; MEDICAL POWER OF ATTORNEY; LEGAL GUARDIAN OR HEALTH CARE SURROGATE  
15 APPOINTED OR DESIGNATED IN ACCORDANCE WITH STATE LAW.
- 16 SKILLED NURSING CARE FACILITY MEANS A NURSING CARE FACILITY THAT IS FEDERALLY CERTIFIED BY THE CENTERS FOR  
17 MEDICARE AND MEDICAID SERVICES.
- 18 TELEHEALTH MEANS A MODE OF DELIVERY OF HEALTH CARE SERVICES THROUGH TELECOMMUNICATION SYSTEMS,  
19 INCLUDING INFORMATION, ELECTRONIC, AND COMMUNICATION TECHNOLOGIES, TO FACILITATE THE ASSESSMENT,  
20 DIAGNOSIS, CONSULTATION, TREATMENT, EDUCATION AND CARE MANAGEMENT OF A RESIDENT'S HEALTH CARE WHEN THE  
21 RESIDENT AND PRACTITIONER ARE LOCATED AT DIFFERENT SITES. TELEHEALTH INCLUDES "TELEMEDICINE" AS DEFINED IN  
22 SECTION 12-36-102.5, C.R.S.

### 23 **SECTION 3 - GOVERNING BODY**

#### 24 **3.1 DUTIES**

- 25 A) THE GOVERNING BODY SHALL PROVIDE THE NECESSARY FACILITIES, QUALIFIED PERSONNEL, AND  
26 SERVICES TO MEET THE TOTAL NEEDS OF THE FACILITY'S RESIDENTS.
- 27 B) THE GOVERNING BODY SHALL APPOINT FOR THE FACILITY A FULL-TIME ADMINISTRATOR WITH AN ACTIVE  
28 COLORADO NURSING HOME ADMINISTRATOR LICENSE AND DELEGATE TO THAT ADMINISTRATOR THE  
29 EXECUTIVE AUTHORITY AND FULL RESPONSIBILITY FOR DAY-TO-DAY ADMINISTRATION OF THE FACILITY.
- 30 C) THE GOVERNING BODY SHALL BE RESPONSIBLE FOR THE PERFORMANCE OF ALL PERSONS PROVIDING  
31 SERVICES WITHIN THE FACILITY.

#### 32 **3.2 STRUCTURE**

- 33 IF THE GOVERNING BODY INCLUDES MORE THAN ONE INDIVIDUAL, THE GROUP SHALL BE FORMALLY ORGANIZED  
34 WITH A WRITTEN CONSTITUTION OR ARTICLES OF INCORPORATION AND BY-LAWS; HOLD REGULAR, PERIODIC  
35 MEETINGS; AND MAINTAIN MEETING RECORDS.

#### 36 **3.3 QUALITY ASSURANCE**

- 37 THE GOVERNING BODY SHALL ENSURE THAT THE FACILITY HAS A QUALITY MANAGEMENT PROGRAM THAT  
38 EVALUATES THE QUALITY OF RESIDENT CARE AND SAFETY AND MEETS ALL THE REQUIREMENTS SET FORTH IN 6



CCR 1011-2, CHAPTER 2, GENERAL LICENSURE STANDARDS, PART 3.1. THE FACILITY SHALL HAVE A COMMITTEE THAT MEETS MONTHLY TO ADDRESS THE REQUIRED QUALITY MANAGEMENT ACTIVITIES.

#### **SECTION 4 - FACILITY ADMINISTRATION**

##### **4.1 ADMINISTRATOR**

THE FACILITY SHALL EMPLOY AN ADMINISTRATOR WHO IS RESPONSIBLE TO THE GOVERNING BODY FOR PLANNING, ORGANIZING, DEVELOPING AND CONTROLLING THE OPERATIONS OF THE FACILITY.

A) THE ADMINISTRATOR SHALL HAVE AN ACTIVE COLORADO NURSING HOME ADMINISTRATOR LICENSE.

B) THE ADMINISTRATOR SHALL BE RESPONSIBLE FOR, AT A MINIMUM, THE FOLLOWING DUTIES:

1) ACTING AS A LIAISON AMONG THE GOVERNING BODY, MEDICAL STAFF AND PRACTITIONERS WHOSE PATIENTS RESIDE IN THE FACILITY;

2) MANAGING FACILITY PERSONNEL AND FINANCES;

3) PROVIDING FOR APPROPRIATE RESIDENT CARE;

4) MAINTAINING RELATIONSHIPS WITH THE COMMUNITY AND WITH OTHER HEALTH CARE FACILITIES, ORGANIZATIONS AND SERVICES;

5) ENSURING FACILITY AND STAFF COMPLIANCE WITH ALL REGULATIONS; AND

6) ANY OTHER RESPONSIBILITIES REQUIRED BY FACILITY POLICY OR THE GOVERNING BODY.

##### **4.2 ORGANIZATION**

THE FACILITY SHALL HAVE A WRITTEN PLAN OF ORGANIZATION CLEARLY DEFINING THE AUTHORITY, RESPONSIBILITIES AND FUNCTIONS OF EACH CATEGORY OF PERSONNEL.

##### **4.3 POLICIES**

IN CONSULTATION WITH THE MEDICAL DIRECTOR, ONE OR MORE REGISTERED NURSES AND OTHER RELATED HEALTH CARE PROFESSIONALS, THE ADMINISTRATOR SHALL DEVELOP AND AT LEAST ANNUALLY REVIEW WRITTEN RESIDENT CARE POLICIES AND PROCEDURES THAT GOVERN RESIDENT CARE IN THE FOLLOWING AREAS: NURSING; HOUSEKEEPING; MAINTENANCE; SANITATION; INFECTION CONTROL; MEDICAL, DENTAL, DIETARY, DIAGNOSTIC, EMERGENCY AND PHARMACEUTICAL CARE; SOCIAL SERVICES; ACTIVITIES; REHABILITATION; PHYSICAL, OCCUPATIONAL, AND SPEECH THERAPY; RESIDENT ADMISSION, TRANSFER, AND DISCHARGE; NOTIFYING PRACTITIONER AND RESIDENT REPRESENTATIVE OF RESIDENT'S INCIDENTS, ACCIDENTS AND CHANGES OF STATUS; DISASTERS; AND HEALTH INFORMATION RECORDS; ALONG WITH ANY OTHER POLICIES THE DEPARTMENT DETERMINES THE FACILITY NEEDS BASED ON ITS CHARACTERISTICS OF ITS RESIDENT POPULATION.

##### **4.4 FACILITY STAFFING PLAN**

THE FACILITY SHALL HAVE A MASTER STAFFING PLAN FOR PROVIDING STAFFING IN COMPLIANCE WITH THESE REGULATIONS; DISTRIBUTION OF PERSONNEL; REPLACEMENT OF PERSONNEL AND FORECASTING FUTURE PERSONNEL NEEDS.

##### **4.5 POSTING DEFICIENCIES**

1 THE FACILITY SHALL POST CONSPICUOUSLY IN PUBLIC VIEW EITHER THE STATEMENT OF DEFICIENCIES  
2 FOLLOWING ITS MOST RECENT SURVEY OR A NOTICE STATING THE LOCATION AND TIMES AT WHICH THE  
3 STATEMENT CAN BE REVIEWED.

#### 4 4.6 WAIVERS

5 A FACILITY MAY REQUEST WAIVERS TO THESE REGULATIONS PURSUANT TO 6 CCR 1011-1, CHAPTER 2,  
6 GENERAL LICENSURE STANDARDS, PART 4, WAIVER OF REGULATIONS FOR HEALTH CARE ENTITIES.

#### 7 4.7 MANDATORY REPORTING

8  
9 A) FACILITY PERSONNEL ENGAGED IN THE ADMISSION, CARE OR TREATMENT OF AT-RISK ELDERS SHALL  
10 REPORT SUSPECTED PHYSICAL OR SEXUAL ABUSE, EXPLOITATION AND CARETAKER NEGLECT TO LAW  
11 ENFORCEMENT WITHIN 24 HOURS OF OBSERVATION OR DISCOVERY PURSUANT TO SECTION 18-6.5-  
12 108, C.R.S.

13 B) FACILITIES SHALL COMPLY WITH ALL OCCURRENCE AND MANDATORY REPORTING REQUIRED BY STATE  
14 AND FEDERAL LAW INCLUDING, BUT NOT LIMITED TO, NOTIFYING THE DEPARTMENT OF THE FOLLOWING  
15 ITEMS WITHIN 24 HOURS OF DISCOVERY BY THE FACILITY.

16 1) ANY OCCURRENCE INVOLVING NEGLECT OF A RESIDENT BY FAILURE TO PROVIDE GOODS AND  
17 SERVICES NECESSARY TO AVOID THE RESIDENT'S PHYSICAL HARM OR MENTAL ANGUISH;

18 2) ANY OCCURRENCE INVOLVING ABUSE OF A RESIDENT BY THE WILLFUL INFLICTION OF INJURY,  
19 UNREASONABLE CONFINEMENT, INTIMIDATION OR PUNISHMENT WITH RESULTING PHYSICAL  
20 HARM, PAIN OR MENTAL ANGUISH;

21 3) ANY OCCURRENCE INVOLVING AN INJURY OF UNKNOWN SOURCE WHERE THE SOURCE OF THE  
22 INJURY COULD NOT BE EXPLAINED AND THE INJURY IS SUSPICIOUS BECAUSE OF THE EXTENT OR  
23 LOCATION OF THE INJURY; AND

24 4) ANY OCCURRENCE INVOLVING MISAPPROPRIATION OF A RESIDENT'S PROPERTY INCLUDING THE  
25 DELIBERATE MISPLACEMENT, EXPLOITATION OR WRONGFUL USE OF A RESIDENT'S BELONGINGS  
26 OR MONEY WITHOUT THE RESIDENT'S CONSENT.

### 27 SECTION 5 - ADMISSIONS

#### 28 5.1 RESTRICTIONS

29 THE FACILITY SHALL ADMIT ONLY THOSE PERSONS WHOSE NEEDS IT CAN MEET WITHIN THE ACCOMMODATIONS  
30 AND SERVICES IT PROVIDES.

31 A) NO RESIDENT SHALL BE ADMITTED FOR INPATIENT CARE TO ANY ROOM OR AREA OTHER THAN ONE  
32 REGULARLY DESIGNATED AND EQUIPPED AS A RESIDENT BEDROOM.

33 B) THERE SHALL BE NO MORE THAN FOUR RESIDENTS ADMITTED TO A BEDROOM.

#### 34 5.2 BED HOLD POLICIES

35 THE FACILITY SHALL DEVELOP POLICIES FOR HOLDING BEDS AVAILABLE FOR RESIDENTS WHO ARE TEMPORARILY  
36 ABSENT FROM THE FACILITY, PROVIDE A COPY OF THE POLICY UPON ADMISSION AND EXPLAIN THESE POLICIES TO  
37 RESIDENTS UPON ADMISSION AND BEFORE EACH TEMPORARY ABSENCE.

#### 38 5.3 RESIDENT IDENTIFICATION

THE FACILITY SHALL HAVE A MECHANISM FOR IDENTIFICATION OF RESIDENTS.

## SECTION 6 - PERSONNEL

### 6.1 POLICIES

THE FACILITY SHALL MAINTAIN WRITTEN APPROVED PERSONNEL POLICIES, JOB DESCRIPTIONS AND RULES PRESCRIBING THE CONDITIONS OF EMPLOYMENT, MANAGEMENT OF EMPLOYEES AND QUALITY AND QUANTITY OF RESIDENT CARE TO BE PROVIDED.

A) THE FACILITY SHALL COMPLETE A JOB-SPECIFIC ORIENTATION FOR ALL NEW EMPLOYEES WITHIN 90 DAYS OF EMPLOYMENT.

B) ALL PERSONNEL SHALL BE INFORMED OF THE PURPOSE AND OBJECTIVES OF THE FACILITY.

C) ALL PERSONNEL SHALL BE PROVIDED ACCESS TO THE FACILITY'S PERSONNEL POLICIES AND THE FACILITY SHALL PROVIDE EVIDENCE THAT EACH EMPLOYEE HAS REVIEWED THEM.

### 6.2 DEPARTMENTS

EACH DEPARTMENT OF THE FACILITY SHALL BE UNDER THE DIRECTION OF A PERSON QUALIFIED BY TRAINING, EXPERIENCE, AND ABILITY TO DIRECT EFFECTIVE SERVICES.

A) THE FACILITY SHALL PROVIDE A SUFFICIENT NUMBER OF QUALIFIED PERSONNEL IN EACH DEPARTMENT TO EFFECTIVELY OPERATE THE DEPARTMENT AND COMPLY WITH STATE AND FEDERAL REQUIREMENTS.

B) ALL PERSONS ASSIGNED TO DIRECT RESIDENT CARE SHALL BE PREPARED THROUGH FORMAL EDUCATION OR ON-THE-JOB TRAINING IN THE PRINCIPLES, POLICIES, PROCEDURES, AND APPROPRIATE TECHNIQUES OF RESIDENT CARE. THE FACILITY SHALL PROVIDE EDUCATIONAL PROGRAMS FOR EMPLOYEES TO BE INFORMED OF NEW METHODS AND TECHNIQUES.

### 6.3 STAFF DEVELOPMENT

THE NURSING CARE FACILITY SHALL EMPLOY STAFF WHO SHALL BE RESPONSIBLE FOR COORDINATING ORIENTATION, IN-SERVICE, ON-THE-JOB TRAINING AND CONTINUING EDUCATION PROGRAMS, AND FOR DETERMINING THAT FACILITY PERSONNEL HAVE BEEN PROPERLY TRAINED AND ARE IMPLEMENTING THE RESULTS OF THEIR TRAINING. THE OBJECTIVE OF THIS STANDARD IS THAT STAFF BE APPROPRIATELY TRAINED IN NECESSARY ASPECTS OF RESIDENT CARE TO CARRY OUT THEIR JOB RESPONSIBILITIES.

A) THE IDENTIFIED STAFF SHALL HAVE EXPERIENCE IN AND ABILITY TO PREPARE AND COORDINATE IN-SERVICE EDUCATION AND TRAINING PROGRAMS FOR ADULT LEARNERS IN THE AREA OF GERIATRICS.

B) THE FACILITY SHALL IDENTIFY STAFF TO MEET IN-SERVICE, ORIENTATION, TRAINING AND SUPERVISION NEEDS. THE FACILITY SHALL PROVIDE FOR APPROPRIATE FOLLOW-UP.

C) THE FACILITY SHALL PROVIDE ANNUAL IN-SERVICE EDUCATION FOR STAFF IN, AT A MINIMUM, THE FOLLOWING TOPICS:

1) INFECTION CONTROL,

2) FIRE PREVENTION AND SAFETY,

3) ACCIDENT PREVENTION,

4) CONFIDENTIALITY OF RESIDENT INFORMATION,

- 5) REHABILITATIVE NURSING,
- 6) RESIDENT RIGHTS,
- 7) DIETARY,
- 8) PHARMACY,
- 9) DENTAL,
- 10) BEHAVIOR MANAGEMENT,
- 11) PERSON CENTERED CARE, AND
- 12) DISASTER PREPAREDNESS.

D) IF A FACILITY HAS RESIDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, DEMENTIA OR BEHAVIORAL HEALTH ISSUES, IT SHALL ALSO PROVIDE ANNUAL IN-SERVICE EDUCATION FOR STAFF IN THOSE TOPICS.

E) THE FACILITY SHALL MAINTAIN ATTENDANCE RECORDS WITH ORIGINAL SIGNATURES ON IN-SERVICE PROGRAMS AND COURSE MATERIALS OR OUTLINES THAT STAFF WHO ARE UNABLE TO ATTEND THE PROGRAM MAY REVIEW.

#### 6.4 RECORDS

THE FACILITY SHALL MAINTAIN PERSONNEL RECORDS ON EACH EMPLOYEE, INCLUDING AN EMPLOYMENT APPLICATION THAT INCLUDES TRAINING AND PAST EXPERIENCE, VERIFICATION OF CREDENTIALS, REFERENCES OF PAST WORK EXPERIENCE, ORIENTATION AND EVIDENCE THAT HEALTH STATUS IS APPROPRIATE TO PERFORM DUTIES IN THE EMPLOYEE'S JOB DESCRIPTION.

#### 6.5 REFERENCE MATERIALS

THE FACILITY SHALL PROVIDE CURRENT REFERENCE MATERIAL RELATED TO THE CARE THAT IS PROVIDED IN THE FACILITY FOR USE BY ALL PERSONNEL.

#### 6.6 STAFF IDENTIFICATION

ALL FACILITY STAFF SHALL WEAR NAME AND TITLE BADGES WHILE ON DUTY, EXCEPT WHERE THEY MAY POSE A DANGER TO STAFF OR RESIDENTS DUE TO THE NATURE OF RESIDENT CONDITIONS.

### SECTION 7 - RESIDENT CARE

#### 7.1 OVERALL CARE

RESIDENTS SHALL RECEIVE THE CARE NECESSARY TO MEET INDIVIDUAL PHYSICAL, PSYCHO-SOCIAL AND REHABILITATIVE NEEDS AND ASSISTANCE TO ACHIEVE AND MAINTAIN THEIR HIGHEST POSSIBLE LEVEL OF INDEPENDENCE, SELF-CARE, SELF-WORTH AND WELL-BEING. PROVISION OF CARE SHALL BE DOCUMENTED IN THE HEALTH INFORMATION RECORD.

#### 7.2 QUALITY OF LIFE

RESIDENTS SHALL BE PROVIDED A SAFE, SUPPORTIVE, COMFORTABLE, HOMELIKE ENVIRONMENT; FREEDOM AND ENCOURAGEMENT TO EXERCISE CHOICE OVER THEIR SURROUNDINGS, SCHEDULES, HEALTH CARE AND LIFE

ACTIVITIES; THE OPPORTUNITY TO BE INVOLVED WITH THE MEMBERS OF THEIR COMMUNITY INSIDE AND OUTSIDE THE NURSING CARE FACILITY; AND TREATMENT WITH DIGNITY AND RESPECT.

### 7.3 PRESSURE ULCER PREVENTION AND CARE

A) UPON ADMISSION, THE FACILITY SHALL:

- 1) ASSESS THE POTENTIAL FOR SKIN BREAKDOWN DURING THE INITIAL RESIDENT ASSESSMENT, AND
- 2) PROVIDE MEASURES TO PREVENT PRESSURE ULCERS TO RESIDENTS IDENTIFIED AS BEING AT RISK OF DEVELOPING THEM (I.E., A RESIDENT EXHIBITING THREE OR MORE OF THE FOLLOWING SYMPTOMS: UNDERWEIGHT, INCONTINENCE, DEHYDRATION, DISORIENTATION OR UNCONSCIOUSNESS, OR LIMITED MOBILITY).

B) FOR ALL RESIDENTS WHO ARE ADMITTED WITH OR DEVELOP PRESSURE ULCERS, THE FACILITY SHALL:

- 1) DEVELOP AN INDIVIDUALIZED TREATMENT PLAN AS PART OF THE REQUISITE CARE PLAN THAT IS DESIGNED TO ALLEVIATE THE CONDITION;
- 2) PROVIDE ACTIVE TREATMENT TO IMPROVE THE CONDITION IN ACCORDANCE WITH THE TREATMENT PLAN;
- 3) EVALUATE THE RESIDENT'S PROGRESS AND TREATMENT AT LEAST WEEKLY AND REVISE THE TREATMENT PLAN AS NEEDED; AND
- 4) PROVIDE PROPER NUTRITION AND HYDRATION TO PROMOTE HEALING AND PREVENT FURTHER BREAKDOWN.

### 7.4 ACCIDENT PREVENTION AND ATTENTION

THE FACILITY SHALL:

- A) INVESTIGATE ALL CAUSES OF ACCIDENTS;
- B) MONITOR THE RESIDENT'S RESPONSE TO THE ACCIDENT AND OBTAIN PRACTITIONER'S OR MENTAL HEALTH EVALUATION, IF NEEDED;
- C) IDENTIFY ALL RESIDENTS AT HIGH RISK FOR ACCIDENTS AND DEVELOP AN INDIVIDUALIZED CARE PLAN FOR THEM TO PREVENT FUTURE ACCIDENTS; AND
- D) EVALUATE AND REVISE THE PLAN AS NEEDED.

### 7.5 BEHAVIORAL HEALTH CARE

A) FOR RESIDENTS WITH BEHAVIORAL HEALTH ISSUES, THE FACILITY SHALL:

- 1) NOTE THE BEHAVIORAL ISSUE AND EVALUATE IT IN THE RESIDENT'S ASSESSMENT;
- 2) DEVELOP AND IMPLEMENT AN INDIVIDUALIZED TREATMENT PLAN DESIGNED TO ADDRESS THE BEHAVIORAL HEALTH ISSUE;
- 3) OBTAIN A MENTAL HEALTH EVALUATION IN APPROPRIATE CASES; AND

- 1 4) EVALUATE THE RESIDENT'S PROGRESS AND REVISE THE PLAN, BOTH AS NEEDED AND  
2 WHENEVER THERE IS A CHANGE IN THE RESIDENT'S BEHAVIORAL CONDITION.

- 3 B) FOR RESIDENTS RECEIVING MEDICATION FOR BEHAVIOR MODIFICATION, THE FACILITY SHALL INDICATE IN  
4 THE HEALTH INFORMATION RECORD POSITIVE AND/OR NEGATIVE EFFECTS OF THE MEDICATION AND  
5 WHAT ALTERNATIVES TO THE MEDICATION WERE CONSIDERED.

6 7.6 CONTRACTURE CARE

- 7 A) UPON ADMISSION, THE FACILITY SHALL:

- 8 1) ASSESS THE POTENTIAL FOR CONTRACTURE DURING THE INITIAL RESIDENT ASSESSMENT, AND  
9 2) DEVELOP, IMPLEMENT AND PERIODICALLY EVALUATE AN INDIVIDUALIZED TREATMENT PLAN TO  
10 PREVENT CONTRACTURES FOR RESIDENTS IDENTIFIED AS BEING AT RISK OF DEVELOPING  
11 THEM.  
12 a) SUCH PLANS SHALL BE REVIEWED AND REVISED AS NEEDED AND ANNUALLY.

- 13 B) FOR RESIDENTS WHO ARE ADMITTED WITH CONTRACTURES, THE FACILITY SHALL:

- 14 1) DOCUMENT THE CONTRACTURE, EVALUATE IT AND UNDERTAKE RESTORATIVE NURSING  
15 INTERVENTION, IF APPROPRIATE.

- 16 C) FOR RESIDENTS WHO DEVELOP CONTRACTURES DURING THEIR RESIDENCY, THE FACILITY SHALL:

- 17 1) DOCUMENT THAT APPROPRIATE INTERVENTION WAS PERFORMED TO TREAT THE CONDITION  
18 BEFORE THE CONTRACTURE DEVELOPED.  
19 a) IF THE RESIDENT REFUSED TREATMENT OR PREVENTIVE MEASURES, THE FACILITY  
20 SHALL DOCUMENT THE REFUSAL AND THAT THE CONSEQUENCES OF THE REFUSAL  
21 WERE EXPLAINED TO THE RESIDENT.

22 7.7 PROMOTION OF MOBILITY

23 THE FACILITY SHALL ASSESS EACH RESIDENT'S AMBULATION POTENTIAL AND CAPABILITY UPON ADMISSION,  
24 QUARTERLY AND UPON A CHANGE IN CONDITION. EACH RESIDENT'S CARE PLAN SHALL BE DESIGNED TO  
25 ENCOURAGE MOBILITY AND REVISED AS NEEDED.

- 26 A) FOR RESIDENTS REQUIRING ADAPTIVE DEVICES AND/OR PERSONAL ASSISTANCE TO AMBULATE, THE  
27 FACILITY SHALL PROVIDE AND MAINTAIN SUCH DEVICES ACCORDING TO THE MANUFACTURER'S  
28 RECOMMENDATIONS. THE FACILITY SHALL ALSO ASSIST RESIDENTS IN OBTAINING APPROPRIATE  
29 FOOTWEAR AND PROVIDE RESIDENTS WITH ASSISTANCE TO MOVE AND TRANSFER.

30 7.8 INDWELLING URINARY CATHETER CARE

- 31 A) FOR RESIDENTS WITH AN INDWELLING URINARY CATHETER, THE FACILITY SHALL:

- 32 1) EVALUATE APPROPRIATENESS OF CONTINUED USE AT LEAST MONTHLY;  
33 2) ASSESS THE REASON FOR THE INCONTINENCE;  
34 3) EVALUATE THE POTENTIAL OF BLADDER RETRAINING AND IMPLEMENT RETRAINING, IF  
35 INDICATED, OR DOCUMENT THE REASONS IF RETRAINING WAS NOT INDICATED; AND

4) IMPLEMENT ANY PRACTITIONER ORDER FOR IRRIGATION OR CATHETER REPLACEMENT.

B) FOR RESIDENTS EXHIBITING SIGNS OR SYMPTOMS OF URINARY TRACT INFECTION, THE FACILITY SHALL NOTIFY THE PRACTITIONER, OBTAIN ORDERS FOR TREATMENT AND IMPLEMENT SUCH TREATMENT PLAN.

#### 7.9 WEIGHT CHANGES

FOR RESIDENTS WITH WEIGHT CHANGES THE FACILITY SHALL:

A) EVALUATE THE RESIDENT TO DETERMINE THE CAUSE OF THE WEIGHT CHANGE;

B) DEVELOP AND IMPLEMENT AN INDIVIDUALIZED PLAN OF CARE AS PART OF THE REQUISITE CARE PLAN THAT INCLUDES INTERVENTION BY OTHER DISCIPLINES, IF APPROPRIATE; EVALUATE RESIDENT PROGRESS AND REVISE THE PLAN AS NEEDED;

C) OBSERVE FOOD AND FLUID INTAKE AND PROVIDE ENCOURAGEMENT TO RESIDENTS WITH EATING ISSUES;

D) PROVIDE REASONABLE CHOICES OF FOODS TO MEET PERSONAL PREFERENCES AND RELIGIOUS NEEDS;

E) IF NOURISHMENTS ARE PROVIDED BETWEEN MEALS AND AT BEDTIME AS PART OF THE CARE PLAN, DOCUMENT THE NOURISHMENTS PROVIDED AND WHETHER THEY ARE CONSUMED;

F) PROVIDE ASSISTANCE IN EATING OR ADAPTIVE EATING DEVICES AND ASSIST RESIDENTS IN OBTAINING DENTURES OR DENTAL CARE, AS APPROPRIATE TO THE INDIVIDUAL RESIDENT; AND

G) FOR RESIDENTS WITH MOUTH OR GUM ISSUES, MEET THE REQUIREMENTS OF SECTION 12 ON DENTAL SERVICES.

#### 7.10 GROOMING

A) THE FACILITY SHALL ASSIST THE RESIDENT TO OBTAIN APPROPRIATE PERSONAL CARE MATERIALS AND ASSIST WITH PERSONAL CARE IN A MANNER THAT PRESERVES RESIDENT DIGNITY AND PRIVACY.

B) FOR RESIDENTS WITH INAPPROPRIATE, UNCLEAN, OR POORLY MAINTAINED CLOTHING AND/OR ASSISTIVE DEVICES, THE FACILITY SHALL ASSIST THE RESIDENTS TO OBTAIN CLOTHING, SHOES AND DEVICES. SUCH CLOTHING, SHOES AND DEVICES SHALL FIT PROPERLY, BE CLEAN AND IN GOOD REPAIR.

#### 7.11 EXCORIATION PREVENTION AND CARE

A) FOR ALL RESIDENTS WHO ARE INCONTINENT OR IMMOBILE, HAVE IMPAIRED SENSATION, COMPROMISED NUTRITIONAL OR FLUID STATUS, OR INADEQUATE HYGIENE, THE FACILITY SHALL:

1) COMPLETE AN INITIAL SKIN EVALUATION UPON ADMISSION AND RE-EVALUATE THE CONDITION AS NEEDED, BUT AT LEAST WEEKLY.

2) PROVIDE MEASURES TO PREVENT THE EXCORIATION THAT INCLUDE:

a) MAINTAINING CLEAN, DRY, WELL LUBRICATED SKIN;

b) TAKING INCONTINENT RESIDENTS TO THE BATHROOM ON A REGULAR INDIVIDUALIZED SCHEDULE;

c) EVALUATING THE NEED FOR DAILY BATHS; AND

d) DETERMINING POTENTIAL TROUBLE SPOTS WHERE MICROBIAL GROWTH MAY OCCUR (BREASTS, GLUTEAL FOLDS, SKIN FOLDS).

B) FOR RESIDENTS WITH EXCORIATIONS, THE FACILITY SHALL:

1) DEVELOP AND IMPLEMENT AN INDIVIDUALIZED TREATMENT PLAN AS PART OF THE CARE PLAN FOR THE EXCORIATION;

2) EVALUATE THE RESIDENT'S PROGRESS AND REVIEW AND REVISE THE TREATMENT PLAN AS NEEDED; AND

3) ENTER A PROGRESS NOTE AT LEAST WEEKLY IN THE HEALTH INFORMATION RECORD.

#### 7.12 FLUID MANAGEMENT

THE FACILITY SHALL PROVIDE FLUID IN SUFFICIENT QUANTITIES TO MAINTAIN HYDRATION AND BODY WEIGHT. IN ADDITION, THE FACILITY SHALL:

A) ASSESS EACH RESIDENT'S HYDRATION NEEDS;

B) OBSERVE AND EVALUATE FOOD AND FLUID INTAKE DAILY AND RECORD AND REPORT DEVIATIONS FROM SUFFICIENT FOOD AND FLUID INTAKE;

C) PROVIDE ASSISTANCE AND ENCOURAGEMENT TO RESIDENTS REQUIRING ASSISTANCE TO MEET THEIR FOOD AND FLUID REQUIREMENTS; AND

D) PROVIDE SELF-HELP ADAPTIVE DEVICES AND ENCOURAGE USE.

#### 7.13 PERSONAL ENVIRONMENT

THE FACILITY SHALL ALLOW FOR PERSONALIZATION OF ROOMS THROUGH THE USE OF RESIDENTS' PERSONAL FURNITURE, APPLIANCES, DECORATIONS, PLANTS AND MEMORABILIA. THE FACILITY MAY LIMIT THE NUMBER OF FURNITURE ITEMS IN RESIDENT ROOMS IF TO DO SO IS NECESSARY TO ACCOMMODATE ROOMMATE PREFERENCES, FIRE CODES, HOUSEKEEPING OR SAFE MOVEMENT IN THE ROOM.

#### 7.14 PERSONAL CHOICE

THE FACILITY SHALL:

A) MAKE REASONABLE EFFORTS TO ACCOMMODATE PREFERENCES OF ROOMMATE, INCLUDING THE RIGHT OF EACH RESIDENT SO REQUESTING TO BE ASSIGNED TO A ROOM WITH NON-SMOKERS;

B) ALLOW RESIDENTS FLEXIBILITY IN TIMES TO EAT MAIN MEALS, CONSISTENT WITH REQUIREMENTS OF SECTION 13.2 ON DIETARY SERVICES AND WITH ITS OWN REASONABLE STAFFING AND SCHEDULING REQUIREMENTS;

C) ALLOW RESIDENTS FLEXIBILITY IN TIMES TO BATHE, RISE AND RETIRE, CONSISTENT WITH ITS OWN REASONABLE STAFFING AND SCHEDULING REQUIREMENTS; AND

D) PROVIDE AT LEAST ONE ALTERNATIVE MENU CHOICE FOR EACH MEAL OF SIMILAR NUTRITIVE VALUE. THE SAME ALTERNATIVE SHALL NOT BE USED FOR TWO CONSECUTIVE MEALS.

#### 7.15 PROBLEM RESOLUTION



THE FACILITY SHALL INFORM RESIDENTS OF THE RESIDENT COUNCIL AND GRIEVANCE PROCEDURES; THE NAME, ADDRESS AND PHONE NUMBER OF THE STATE AND LOCAL LONG-TERM CARE OMBUDSMAN; AND THE ADDRESS AND PHONE NUMBER OF THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, HEALTH FACILITIES AND EMERGENCY MEDICAL SERVICES DIVISION. STAFF SHALL ASSIST RESIDENTS IN RAISING ISSUES TO THE FACILITY'S ADMINISTRATION OR APPROPRIATE OUTSIDE AGENCIES.

#### 7.16 RESIDENT ASSESSMENT

A) WITHIN 24 HOURS OF ADMISSION TO THE NURSING CARE FACILITY, A REGISTERED NURSE SHALL ASSESS EACH RESIDENT'S PHYSICAL, MENTAL AND FUNCTIONAL STATUS INCLUDING STRENGTHS; IMPAIRMENTS; REHABILITATIVE NEEDS; SPECIAL TREATMENTS; CAPABILITY FOR SELF-ADMINISTRATION OF MEDICATIONS; DEPENDENCE AND INDEPENDENCE IN ACTIVITIES OF DAILY LIVING. THE INITIAL ASSESSMENT SHALL FORM THE BASIS OF THE PRELIMINARY CARE PLAN.

B) WITHIN 14 DAYS OF ADMISSION, THE NURSE SHALL ALSO COLLABORATE WITH SOCIAL SERVICES STAFF IN ASSESSING DISCHARGE POTENTIAL AND SHALL COORDINATE ASSESSMENTS WITH SOCIAL SERVICES, DIETETIC AND ACTIVITY STAFF. THESE ASSESSMENTS SHALL FORM THE BASIS OF THE INTERDISCIPLINARY CARE PLAN REQUIRED BY SECTION 7.21.

1) THE CONTINUING ASSESSMENT SHALL REFLECT RESIDENT STATUS.

2) THE ASSESSMENT SHALL BE UPDATED AT LEAST EVERY THREE MONTHS, AS WELL AS WHENEVER A SIGNIFICANT CHANGE OF RESIDENT CONDITION OCCURS.

3) THE CURRENT RESIDENT ASSESSMENT SHALL BE A PART OF THE RESIDENT'S HEALTH INFORMATION RECORD AND AVAILABLE FOR DIRECT CARE STAFF AND OTHERS AS IDENTIFIED BY FACILITY POLICY.

#### 7.17 NURSING CARE PLANNING

A REGISTERED NURSE SHALL PREPARE AN INDIVIDUALIZED NURSING CARE PLAN FOR EACH RESIDENT BASED ON THE RESIDENT ASSESSMENT AND APPLICABLE PRACTITIONER TREATMENT ORDERS. THE PURPOSE OF THE CARE PLAN IS TO CREATE AN INDIVIDUALIZED TOOL FOR CARRYING OUT PREVENTIVE, THERAPEUTIC, AND REHABILITATIVE NURSING CARE.

A) WITHIN 24 HOURS OF ADMISSION, NURSING STAFF SHALL PREPARE AND IMPLEMENT A PRELIMINARY NURSING CARE PLAN TO MEET EACH RESIDENT'S IMMEDIATE NEEDS.

B) WITHIN 21 DAYS OF ADMISSION, NURSING STAFF SHALL PREPARE AND IMPLEMENT A COMPREHENSIVE NURSING CARE PLAN FOR EACH RESIDENT.

C) THE NURSING CARE PLAN SHALL MEET EACH RESIDENT'S UNIQUE NEEDS, PROBLEMS AND STRENGTHS BY IDENTIFYING RESIDENT STRENGTHS, NEEDS AND PROBLEMS; SPECIFYING CARE INTERVENTIONS TO CAPITALIZE ON THE STRENGTHS AND MEET THOSE NEEDS OR PROBLEMS; AND DEFINING THE FREQUENCY OF EACH INTERVENTION.

D) THE NURSING CARE PLAN SHALL BE CURRENT AND EVALUATED AND REVISED FOLLOWING EACH ASSESSMENT AND WHENEVER THE RESIDENT'S CONDITION CHANGES.

#### 7.18 SOCIAL SERVICES CARE PLANNING

SOCIAL SERVICES STAFF SHALL ASSESS THE SOCIAL SERVICES NEEDS OF EACH RESIDENT WITHIN 14 DAYS OF ADMISSION. WITHIN 21 DAYS OF ADMISSION, STAFF SHALL DEVELOP A SOCIAL SERVICES CARE PLAN TO MEET EACH RESIDENT'S NEEDS.

1     7.19    ACTIVITIES CARE PLANNING

2           EACH RESIDENT SHALL BE ASSESSED FOR ACTIVITY INVOLVEMENT WITHIN 14 DAYS OF ADMISSION. WITHIN 21  
3           DAYS OF ADMISSION, THE FACILITY SHALL DEVELOP AN ACTIVITIES CARE PLAN TO MEET EACH RESIDENT'S NEEDS.

4     7.20    NUTRITIONAL CARE PLANNING

5           A)     THE DIETARY SUPERVISOR OR CONSULTANT SHALL PREPARE AN INITIAL NUTRITIONAL HISTORY AND  
6                   ASSESSMENT FOR EACH RESIDENT WITHIN 14 DAYS OF ADMISSION THAT INCLUDES SPECIAL NEEDS,  
7                   LIKES AND DISLIKES, NUTRITIONAL STATUS AND NEED FOR ADAPTIVE CUTLERY AND DISHES.

8           B)     WITHIN 21 DAYS OF ADMISSION, THE DIETARY SUPERVISOR OR CONSULTANT SHALL DEVELOP A  
9                   NUTRITIONAL PLAN OF CARE TO MEET EACH RESIDENT'S IDENTIFIED NEEDS.

10          C)     IN THE EVENT THE FACILITY ELECTS TO UTILIZE FEEDING ASSISTANTS PURSUANT TO SECTION 14 OF THIS  
11                   CHAPTER, THE INTERDISCIPLINARY TEAM SHALL, AS PART OF THE HISTORY AND ASSESSMENT REQUIRED  
12                   IN SECTION 7.16(A), EVALUATE EACH RESIDENT FOR HIS/HER NEED FOR ASSISTANCE WITH EATING AND  
13                   DRINKING. SUCH EVALUATION SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE RESIDENT'S LEVEL OF  
14                   CARE, FUNCTIONAL STATUS CONCERNING FEEDING AND HYDRATION, AND ABILITY TO COOPERATE AND  
15                   COMMUNICATE WITH STAFF.

16    7.21    INTERDISCIPLINARY CARE PLANNING

17           WITHIN 21 DAYS OF ADMISSION, A NURSING CARE FACILITY INTERDISCIPLINARY TEAM SHALL DEVELOP A  
18           PERSONALIZED OVERALL CARE PLAN FOR EACH RESIDENT BASED ON THE RESIDENT ASSESSMENTS AND  
19           APPLICABLE PRACTITIONER ORDERS.

20          A)     THE OVERALL CARE PLAN SHALL CONTAIN A LIST OF RESIDENT PROBLEMS AND THE DISCIPLINE THAT  
21                   WILL ADDRESS EACH PROBLEM IN ITS OWN MORE DETAILED PLAN OF CARE.

22          B)     THE OVERALL CARE PLAN SHALL BE EVALUATED ACCORDING TO THE GOALS SET OUT IN THE PLAN,  
23                   FOLLOWING EACH ASSESSMENT AND WHENEVER THE RESIDENT'S CONDITION CHANGES.

24          C)     THE INTERDISCIPLINARY TEAM SHALL CONSIST OF REPRESENTATIVES OF RESIDENT SERVICES INSIDE  
25                   AND OUTSIDE THE FACILITY, AS APPROPRIATE, INCLUDING AT LEAST NURSING, SOCIAL SERVICES,  
26                   ACTIVITIES AND DIETETIC STAFF. REPRESENTATIVES FROM OTHER AREAS SUCH AS MEDICAL,  
27                   PHARMACY AND SPECIAL THERAPIES, SHALL BE INCLUDED AS APPROPRIATE. RESIDENTS AND RESIDENT  
28                   REPRESENTATIVES SHALL BE INVITED TO PARTICIPATE IN CARE PLANNING. REFUSAL TO PARTICIPATE  
29                   SHALL BE DOCUMENTED.

30    **SECTION 8     MEDICAL CARE SERVICES**

31    8.1     PRACTITIONER CARE

32           EACH FACILITY RESIDENT SHALL BE ADMITTED TO THE FACILITY UNDER THE CARE OF A PHYSICIAN. THE FACILITY  
33           SHALL DEVELOP WRITTEN POLICIES THAT ARE APPROVED BY THE MEDICAL DIRECTOR TO COORDINATE AND  
34           DESIGNATE RESPONSIBILITY WHEN MORE THAN ONE PRACTITIONER IS TREATING A RESIDENT. THE FACILITY MAY,  
35           AT ITS DISCRETION, ALLOW PRACTITIONERS TO UTILIZE TELEHEALTH FOR THE PERFORMANCE OF ANY TASK  
36           REQUIRED BY THESE REGULATIONS EXCEPT THOSE TASKS WHICH SPECIFICALLY REQUIRE A FACE TO FACE  
37           EVALUATION.

38          A)     THE FACILITY SHALL ENSURE THAT ALL RESIDENTS, WITHIN SEVEN DAYS OF ADMISSION, RECEIVE A FACE  
39                   TO FACE EVALUATION BY A PRACTITIONER WHO PROVIDES THE FACILITY WITH SUFFICIENT INFORMATION  
40                   TO VALIDATE THE ADMISSION.

1) IF THE RESIDENT WAS THOROUGHLY ASSESSED IN THE 24 HOURS IMMEDIATELY PRIOR TO THE RESIDENT'S ADMISSION TO THE FACILITY BY A PRACTITIONER (OR HIS/HER ASSOCIATE) WHO WILL BE INVOLVED IN THE RESIDENT'S CONTINUING CARE, AND DOCUMENTATION OF THAT EVALUATION ACCOMPANIES THE RESIDENT UPON ADMISSION, THAT EVALUATION SATISFIES THE CRITERIA REQUIRED IN SECTION 8.1(A).

B) THE FACILITY SHALL ENSURE THAT ALL RESIDENTS RECEIVE A FACE TO FACE COMPREHENSIVE MEDICAL EVALUATION BY A PRACTITIONER, AS SPECIFIED BELOW, WITHIN 30 DAYS OF ADMISSION AND ON A YEARLY BASIS THEREAFTER. SUCH EVALUATION SHALL INCLUDE OBTAINING A THOROUGH MEDICAL HISTORY; CONDUCTING A PHYSICAL EXAMINATION; CONDUCTING A REVIEW OF ROUTINE, PRN AND OTHER MEDICATIONS AND SUPPLEMENTS ALONG WITH INDICATIONS OF CONTINUED NECESSARY USE; AND DEVELOPING OR UPDATING A DETAILED MEDICAL PLAN OF CARE.

1) IN A SKILLED NURSING CARE FACILITY THAT IS CERTIFIED TO PROVIDE MEDICARE SERVICES, THE INITIAL COMPREHENSIVE MEDICAL EVALUATION SHALL ONLY BE PERFORMED BY A PHYSICIAN, AS REQUIRED BY FEDERAL LAW.

2) IN A NURSING CARE FACILITY THAT IS NOT CERTIFIED TO PROVIDE MEDICARE SERVICES, THE COMPREHENSIVE MEDICAL EVALUATION MAY BE PERFORMED BY EITHER A PHYSICIAN OR A NON-PHYSICIAN PRACTITIONER WHO IS NOT A FACILITY EMPLOYEE.

C) THE FACILITY SHALL ENSURE THAT ALL RESIDENTS ARE SEEN BY A PRACTITIONER EVERY 30 DAYS FOR THE FIRST 90 DAYS AFTER ADMISSION AND AT LEAST ONCE EVERY 60 DAYS THEREAFTER.

D) THE FACILITY SHALL ENSURE THAT THERE IS 24-HOUR PRACTITIONER COVERAGE AVAILABLE TO PROMPTLY ASSESS ANY SIGNIFICANT CHANGES OF CONDITION.

E) THE FACILITY SHALL ENSURE THAT THE ONLY PERSONS ALLOWED TO ACCEPT A VERBAL OR ELECTRONICALLY TRANSMITTED ORDER TO THE FACILITY ARE A PRACTITIONER, LICENSED NURSE OR OTHER APPROPRIATE DISCIPLINE AS AUTHORIZED BY THEIR PROFESSIONAL LICENSURE. ALL SUCH ORDERS SHALL BE SIGNED WITHIN 14 DAYS AND ENTERED IN THE HEALTH INFORMATION RECORD WITHIN 30 DAYS.

F) THE FACILITY SHALL ENSURE THAT AT THE TIME OF VISIT, THE PRACTITIONER DOCUMENTS THE DATE OF THE VISIT ALONG WITH A RELEVANT DISCUSSION OF ANY URGENT ISSUES, PERTINENT FINDINGS AND UPDATED PLANS. THE COMPLETE NOTE, ALONG WITH SIGNATURE AND CREDENTIALS, SHALL BE AVAILABLE IN THE HEALTH INFORMATION RECORD WITHIN SEVEN DAYS.

G) THE FACILITY SHALL ENSURE THAT ALL MEDICATIONS AND THERAPIES ORDERED BY THE PRACTITIONER ARE SUPPORTED BY DIAGNOSES AND THAT THERE IS DOCUMENTATION OF ATTEMPTS TO DISCUSS WITH THE RESIDENT OR RESIDENT REPRESENTATIVE THE INTENDED BENEFITS AND RISKS OF THOSE MEDICATIONS AND THERAPIES.

## 8.2 MEDICAL DIRECTOR

THE FACILITY SHALL RETAIN BY WRITTEN AGREEMENT A PHYSICIAN TO SERVE AS MEDICAL DIRECTOR TO THE FACILITY AND REQUIRE THAT THE MEDICAL DIRECTOR VISIT THE FACILITY IN PERSON AT LEAST ONCE EVERY THREE MONTHS.

A) THE MEDICAL DIRECTOR IS RESPONSIBLE FOR OVERALL COORDINATION OF MEDICAL CARE IN THE FACILITY AND FOR SYSTEMATIC REVIEW OF THE QUALITY OF THE HEALTH CARE PROVIDED BY THE FACILITY AND THE MEDICAL SERVICES PROVIDED BY THE PRACTITIONERS IN THE FACILITY. THE MEDICAL DIRECTOR SHALL COLLABORATE WITH THE ADMINISTRATOR, STAFF AND OTHER PRACTITIONERS AND CONSULTANTS TO HELP DEVELOP POLICIES AND PROCEDURES FOR MEDICAL CARE AND FOR THE PHYSICIANS ADMITTING RESIDENTS TO THE FACILITY.

B) THE MEDICAL DIRECTOR IS RESPONSIBLE FOR:

- 1) ACTING AS A LIAISON BETWEEN THE FACILITY AND ADMITTING PHYSICIANS ON MATTERS RELATED TO PHYSICIAN SERVICES, PROMPT WRITING OF ORDERS AND RESPONDING TO REQUESTS BY FACILITY STAFF;
- 2) CONSULTING ON THE DEVELOPMENT AND IMPLEMENTATION OF RESIDENT CARE POLICIES;
- 3) ESTABLISHING STANDARDS GOVERNING THE CONDUCT OF PHYSICIANS ADMITTING RESIDENTS TO THE FACILITY;
- 4) CONSULTING ON THE DEVELOPMENT AND IMPLEMENTATION OF A PROCEDURE TO PROVIDE CARE IN EMERGENCIES WHEN A RESIDENT'S PRACTITIONER IS UNAVAILABLE;
- 5) REVIEWING ACCIDENTS AND HAZARDS;
- 6) PARTICIPATING IN PHARMACEUTICAL ADVISORY COMMITTEE DELIBERATIONS;
- 7) PARTICIPATING IN THE PSYCHOTROPIC MEDICATION REVIEW COMMITTEE; AND
- 8) CHAIRING OR CO-CHAIRING THE QUALITY MANAGEMENT COMMITTEE REQUIRED BY SECTION 3.3 OF THIS CHAPTER.

C) THE MEDICAL DIRECTOR MAY UTILIZE TELEHEALTH FOR THE PERFORMANCE OF ANY TASK REQUIRED BY THESE REGULATIONS EXCEPT THOSE TASKS WHERE THE REGULATIONS SPECIFICALLY REQUIRE A FACE TO FACE EVALUATION OR PERSONAL VISIT.

## SECTION 9 NURSING SERVICES

### 9.1 ORGANIZATION

THE FACILITY SHALL HAVE A DEPARTMENT OF NURSING SERVICES THAT IS FORMALLY ORGANIZED TO PROVIDE COMPLETE, EFFECTIVE CARE TO EACH RESIDENT. THE FACILITY SHALL CLEARLY DEFINE QUALIFICATIONS, AUTHORITY AND RESPONSIBILITY OF NURSING PERSONNEL IN WRITTEN JOB DESCRIPTIONS.

### 9.2 DIRECTOR OF NURSING

EXCEPT AS PROVIDED IN SECTION 9.5, THE NURSING CARE FACILITY SHALL EMPLOY A FULL-TIME (40 HOURS/WEEK) DIRECTOR OF NURSING WHO IS A REGISTERED NURSE, QUALIFIED BY EDUCATION AND EXPERIENCE TO DIRECT FACILITY NURSING CARE.

### 9.3 24-HOUR NURSING COVERAGE

THE FACILITY SHALL BE STAFFED WITH QUALIFIED NURSING PERSONNEL, AWAKE AND ON DUTY, WHO ARE FAMILIAR WITH THE RESIDENTS AND THEIR NEEDS IN A NUMBER SUFFICIENT TO MEET RESIDENT FUNCTIONAL DEPENDENCY, MEDICAL AND NURSING NEEDS.

A) STAFF SHALL BE SUFFICIENT IN NUMBER TO PROVIDE PROMPT ASSISTANCE TO PERSONS NEEDING OR POTENTIALLY NEEDING ASSISTANCE, CONSIDERING INDIVIDUAL NEEDS SUCH AS THE RISK OF ACCIDENTS, HAZARDS OR OTHER UNTOWARD EVENTS.

B) EXCEPT AS PROVIDED IN SECTION 9.5, A NURSING CARE FACILITY SHALL BE STAFFED AT ALL TIMES WITH AT LEAST ONE REGISTERED NURSE WHO IS ON DUTY ON THE PREMISES. EACH RESIDENT CARE UNIT SHALL BE STAFFED WITH AT LEAST ONE LICENSED NURSE.

C) A NURSING CARE FACILITY SHALL PROVIDE NURSE STAFFING SUFFICIENT TO MEET THE NEEDS OF RESIDENTS, BUT NO LESS THAN TWO HOURS OF NURSING TIME PER RESIDENT PER DAY. IN FACILITIES OF 60 RESIDENTS OR MORE, THE TIME OF THE DIRECTOR OF NURSING AND OTHER SUPERVISORY PERSONNEL WHO ARE NOT PROVIDING DIRECT RESIDENT CARE SHALL NOT BE USED IN COMPUTING THIS RATIO.

D) NURSING PERSONNEL SHALL BE TRAINED IN NURSING PROCEDURES AND RESPONSIBILITIES AND SHALL BE FAMILIAR WITH ANY EQUIPMENT NECESSARY FOR CARE ON THE UNIT.

E) ALL CERTIFIED NURSING ASSISTANTS SHALL FUNCTION UNDER THE DIRECTION OF A LICENSED NURSE.

F) IF A NURSING CARE FACILITY OPERATES OUT OF MORE THAN ONE BUILDING, IT SHALL HAVE STAFF ON DUTY 24 HOURS PER DAY IN EACH BUILDING IN A NUMBER SUFFICIENT TO MEET RESIDENT CARE NEEDS.

#### 9.4 WRITTEN PROCEDURES

THE FACILITY SHALL HAVE WRITTEN NURSING PROCEDURES ESTABLISHING THE STANDARDS OF PERFORMANCE FOR SAFE, EFFECTIVE NURSING CARE OF RESIDENTS AND SHALL ASSURE THAT THEY ARE FOLLOWED BY ALL NURSING STAFF.

A) PROCEDURES SHALL INCLUDE THE REQUIREMENT THAT MEDICATIONS BE ADMINISTERED IN COMPLIANCE WITH APPLICABLE COLORADO LAW.

B) THE NURSING PROCEDURES SHALL BE EVALUATED AND REVISED AS NECESSARY, BUT NO LESS OFTEN THAN ANNUALLY.

#### 9.5 EXCEPTIONS

NOTHING CONTAINED IN THIS SECTION 9 SHALL REQUIRE ANY RURAL NURSING CARE FACILITY THAT IS A SKILLED NURSING CARE FACILITY TO EMPLOY NURSING STAFF BEYOND CURRENT FEDERAL CERTIFICATION REQUIREMENTS. SINCE FEDERAL STANDARDS REQUIRE THAT NURSE STAFFING BE SUFFICIENT TO MEET THE TOTAL NURSING NEEDS OF ALL RESIDENTS, RESIDENT CONDITIONS WILL DETERMINE THE SPECIFIC NUMBERS AND QUALIFICATIONS OF STAFF THAT EACH FACILITY MUST PROVIDE.

A) A RURAL FACILITY IS ONE THAT IS LOCATED IN:

1) A COUNTY WITH A POPULATION OF FEWER THAN 15,000; OR

2) A MUNICIPALITY WITH A POPULATION OF FEWER THAN 15,000 THAT IS LOCATED TEN MILES OR MORE FROM A MUNICIPALITY WITH A POPULATION OF 15,000 OR MORE; OR

3) THE UNINCORPORATED PART OF A COUNTY TEN MILES OR MORE FROM A MUNICIPALITY WITH A POPULATION OF 15,000 OR MORE.

B) TO THE EXTENT THAT THESE REGULATIONS REQUIRE ANY FACILITY TO EMPLOY A REGISTERED NURSE MORE THAN 40 HOURS PER WEEK, THE DEPARTMENT MAY WAIVE SUCH REQUIREMENTS FOR SUCH PERIODS AS IT DEEMS APPROPRIATE IF, BASED ON FINDINGS CONSISTENT WITH 6 CCR 1011-1, CHAPTER 2, PART 4, IT DETERMINES THAT:

1) THE FACILITY IS LOCATED IN A RURAL AREA AS DEFINED IN SECTION 9.5(A);

2) THE FACILITY HAS AT LEAST ONE FULL-TIME REGISTERED NURSE WHO IS REGULARLY ON DUTY 40 HOURS PER WEEK;

3) THE FACILITY HAS ONLY RESIDENTS WHOSE ATTENDING PHYSICIANS HAVE INDICATED IN ORDERS OR ADMISSION NOTES THAT EACH RESIDENT DOES NOT REQUIRE THE SERVICES OF A REGISTERED NURSE FOR A 48-HOUR PERIOD OR THE FACILITY HAS MADE ARRANGEMENTS FOR A REGISTERED NURSE, CONSULTING REGISTERED NURSE OR PHYSICIAN TO SPEND SUCH TIME AT THE FACILITY AS IS DETERMINED NECESSARY BY THE RESIDENT'S ATTENDING PHYSICIAN TO PROVIDE NECESSARY SKILLED NURSING SERVICES ON DAYS WHEN THE REGULAR FULL-TIME REGISTERED NURSE IS NOT ON DUTY; AND

(4) THE FACILITY HAS MADE AND CONTINUES TO MAKE A GOOD FAITH EFFORT TO COMPLY WITH THE MORE THAN 40-HOUR REGISTERED NURSE REQUIREMENT, BUT REGISTERED NURSES ARE UNAVAILABLE IN THE AREA.

#### 9.6 SUPPLIES AND EQUIPMENT

THE FACILITY SHALL PROVIDE THE SUPPLIES AND EQUIPMENT NECESSARY TO CONDUCT A PREVENTIVE, THERAPEUTIC AND REHABILITATIVE NURSING PROGRAM. EQUIPMENT INCLUDES DEVICES TO ASSIST RESIDENTS TO PERFORM ACTIVITIES OF DAILY LIVING.

A) EQUIPMENT SHALL BE MAINTAINED IN CLEAN AND PROPER FUNCTIONING CONDITION.

B) THE FACILITY SHALL PROVIDE OR ASSIST RESIDENTS TO OBTAIN WALKERS, CRUTCHES, CANES AND WHEELCHAIRS WITH APPROPRIATE PADDING, ALL OF WHICH SHALL FIT RESIDENTS PROPERLY.

C) NURSING STAFF SHALL BE TRAINED IN REHABILITATIVE NURSING PROCEDURES, INCLUDING PREVENTIVE NURSING CARE MEASURES, AND IN THE PROPER USE OF PROSTHETIC DEVICES AND EQUIPMENT.

#### 9.7 CARE POLICIES

THE FACILITY SHALL HAVE WRITTEN RESIDENT CARE POLICIES APPROVED BY THE GOVERNING BODY, WHICH STAFF SHALL FOLLOW.

#### 9.8 MEDICATION ADMINISTRATION

MEDICATIONS SHALL BE IDENTIFIED AS SPECIFIED IN SECTIONS 19.3(B) AND (C). STAFF SHALL VERIFY IDENTIFICATION OF THE MEDICATION WHEN THE MEDICATION IS PREPARED AS WELL AS WHEN IT IS ADMINISTERED.

A) MEDICATIONS AND TREATMENTS SHALL BE GIVEN ONLY AS ORDERED BY A PRACTITIONER. MEDICATIONS SHALL BE ADMINISTERED BY MEDICATION CERTIFIED OR LICENSED NURSING PERSONNEL AS ALLOWED WITHIN THE INDIVIDUAL'S LICENSE OR CERTIFICATION SCOPE OF PRACTICE.

B) MEDICATION SHALL BE ADMINISTERED IN A FORM THAT CAN BE MOST EASILY TOLERATED BY THE RESIDENT. STAFF SHALL NOT MASK THE MEDICATION OR ALTER ITS FORM THROUGH CRUSHING, DISSOLVING OR OTHER MEANS, IF TO DO SO WOULD BE HAZARDOUS AND NOT WITHOUT FIRST INFORMING THE RESIDENT OR RESIDENT REPRESENTATIVE.

C) MEDICATIONS THAT ARE PREPARED BUT UNUSED SHALL BE DISPOSED OF IN ACCORDANCE WITH STATE LAW AND THE FACILITY'S WRITTEN PROCEDURES.

D) ALL ADMINISTERED MEDICATIONS SHALL BE RECORDED IN THE RESIDENT'S HEALTH INFORMATION RECORD, INDICATING THE NAME, REASON, STRENGTH, DOSAGE AND MODE OF ADMINISTRATION; THE DATE AND TIME OF ADMINISTRATION; THE SIGNATURE OF THE PERSON ADMINISTERING THE MEDICATION AND EFFECTIVENESS OF "AS NEEDED" MEDICATIONS.

- 1 E) TO ENCOURAGE INDEPENDENCE AND PREPARE RESIDENTS FOR DISCHARGE, THE FACILITY SHALL  
2 PERMIT SELF-ADMINISTRATION OF MEDICATIONS IN APPROPRIATE CASES UPON THE ORDER OF THE  
3 ATTENDING PRACTITIONER AND UNDER THE GUIDANCE OF A LICENSED NURSE.
- 4 F) IF FACILITY POLICY PERMITS MEDICATIONS TO BE KEPT AT THE BEDSIDE, THE INTERDISCIPLINARY TEAM  
5 SHALL APPROVE SUCH TYPES OF MEDICATIONS. THE FACILITY SHALL ENSURE THAT EACH SUCH  
6 MEDICATION ORDERED BY A PRACTITIONER TO BE KEPT AT THE BEDSIDE IS USED PROPERLY, ITS USE IS  
7 DOCUMENTED AND IT IS STORED IN A SECURE MANNER THAT PROTECTS ALL RESIDENTS.
- 8 G) DRUG REACTIONS AND SIGNIFICANT MEDICATION ERRORS SHALL BE REPORTED WITHIN 30 MINUTES TO  
9 THE RESIDENT'S PRACTITIONER. A CALL TO THE PRACTITIONER'S OFFICE OR ANSWERING SERVICE DOES  
10 NOT MEET THE FACILITY'S RESPONSIBILITY TO PROVIDE EMERGENCY CARE. THE RESIDENT'S CONDITION  
11 SHALL BE MONITORED FOR 72 HOURS AND OBSERVATIONS DOCUMENTED IN THE HEALTH INFORMATION  
12 RECORD.
- 13 H) IF A RESIDENT IS ADMINISTERED PSYCHOACTIVE MEDICATIONS, HE OR SHE SHALL BE EVALUATED FOR  
14 MEDICATION EFFECTIVENESS AT LEAST EVERY THREE MONTHS. THE RESIDENT SHALL BE ASSESSED  
15 EVERY SIX MONTHS FOR ADVERSE EFFECTS INCLUDING, BUT NOT LIMITED TO, EXTRAPYRAMIDAL  
16 SYNDROME AND NEUROLEPTIC MALIGNANT SYNDROME.

17  
18 9.9 RESTRAINTS  
19

20 FACILITIES SHALL COMPLY WITH THE PROTECTION OF PERSONS FROM RESTRAINT ACT AT SECTION 26-20-101,  
21 *ET SEQ.*, C.R.S., IN ADDITION TO THE REQUIREMENTS OF THIS SECTION 9.9.  
22

- 23 A) RESTRAINT MEANS ANY METHOD OR DEVICE USED TO INVOLUNTARILY LIMIT FREEDOM OF MOVEMENT,  
24 INCLUDING BUT NOT LIMITED TO BODILY PHYSICAL FORCE, MECHANICAL DEVICES OR CHEMICALS.  
25
- 26 1) CHEMICAL RESTRAINT INVOLVES GIVING AN INDIVIDUAL MEDICATION INVOLUNTARILY FOR THE  
27 PURPOSE OF RESTRAINING THAT INDIVIDUAL, BUT DOES NOT INCLUDE MEDICATION  
28 ADMINISTERED FOR VOLUNTARY OR LIFE-SAVING MEDICAL PROCEDURES.  
29
- 30 2) PHYSICAL RESTRAINT INVOLVES THE USE OF BODILY, PHYSICAL FORCE TO INVOLUNTARILY  
31 LIMIT AN INDIVIDUAL'S FREEDOM OF MOVEMENT.  
32
- 33 3) MECHANICAL RESTRAINT INVOLVES THE USE OF A PHYSICAL DEVICE TO INVOLUNTARILY  
34 RESTRICT THE MOVEMENT OF AN INDIVIDUAL OR THE MOVEMENT OR NORMAL FUNCTION OF A  
35 PORTION OF THE INDIVIDUAL'S BODY.  
36
- 37 B) RESTRAINT DOES NOT INCLUDE:  
38 1) THE USE OF PROTECTIVE DEVICES OR ADAPTIVE DEVICES FOR PROVIDING PHYSICAL  
39 SUPPORT, PREVENTION OF INJURY, VOLUNTARY OR LIFE-SAVING MEDICAL PROCEDURES;  
40
- 41 2) THE HOLDING OF A RESIDENT FOR LESS THAN FIVE MINUTES BY A STAFF PERSON FOR THE  
42 PROTECTION OF THE RESIDENT OR OTHER PERSONS;  
43
- 44 3) PLACEMENT OF A RESIDENT IN HIS OR HER ROOM FOR THE NIGHT; OR  
45
- 46 4) THE USE OF A TIME-OUT AS DEFINED IN WRITING BY THE FACILITY.  
47
- 48 C) THE FACILITY SHALL ESTABLISH WRITTEN POLICIES AND PROCEDURES GOVERNING THE USE OF  
49 RESTRAINTS. THE FACILITY SHALL ENSURE AND DOCUMENT THAT REASONABLE EFFORTS ARE  
50 ATTEMPTED TO OBTAIN CONSENT FROM THE RESIDENT AND/OR RESIDENT REPRESENTATIVE FOR THE  
51 USE OF RESTRAINTS. THE FACILITY SHALL INFORM THE RESIDENT AND/OR RESIDENT REPRESENTATIVE  
52 REGARDING THE POTENTIAL RISKS AND BENEFITS OF RESTRAINTS PRIOR TO THEIR USE.  
53

- D) MEDICAL CONDITIONS THAT WARRANT THE USE OF RESTRAINT SHALL BE DOCUMENTED IN THE RESIDENT'S HEALTH INFORMATION RECORD AND INCLUDE AN ORDER FROM A PHYSICIAN OR ADVANCED PRACTICE NURSE, ONGOING ASSESSMENTS AND CARE PLANS. AN ORDER ALONE IS NOT SUFFICIENT TO WARRANT THE USE OF THE RESTRAINT.
- E) THE FACILITY SHALL DOCUMENT OVERSIGHT, ASSESSMENT OF THE RESTRAINT DURING USE, SUBSTANTIATION OF THE MEDICAL CONDITION REQUIRING THE RESTRAINT AND THE EXPECTED LENGTH OF TIME FOR THE RESTRAINT TO BE USED. THE FACILITY SHALL ALSO DOCUMENT THE FREQUENCY AND DURATION OF SAFETY CHECKS DURING RESTRAINT USE.
- F) RESIDENTS IN MECHANICAL RESTRAINTS SHALL BE OBSERVED AT LEAST EVERY 15 MINUTES TO ENSURE THAT THE RESIDENT IS PROPERLY POSITIONED AND THE RESIDENT'S PHYSICAL NEEDS ARE BEING MET. EACH OBSERVATION SHALL BE DOCUMENTED IN WRITING.
- G) AT LEAST EVERY TWO HOURS DURING WAKING HOURS, RESIDENTS SHALL HAVE THE PHYSICAL RESTRAINT REMOVED AND SHALL HAVE THE OPPORTUNITY TO DRINK FLUIDS; BE TOILETED; AND BE EXERCISED, MOVED OR REPOSITIONED; WHICH ACTIVITY SHALL BE DOCUMENTED IN THE RESIDENT'S HEALTH INFORMATION RECORD.

#### 9.10 SAFETY DEVICES

A SAFETY DEVICE SUCH AS AN ALARM, HELMET OR PILLOW IS USED TO PROTECT THE RESIDENT FROM INJURY TO SELF, MAINTAIN BODY ALIGNMENT OR FACILITATE COMFORT. PRIOR TO USING ANY SAFETY DEVICE, THE FACILITY SHALL ASSESS THE RESIDENT TO PROPERLY IDENTIFY THE RESIDENT'S NEEDS AND MEDICAL SYMPTOMS THAT THE SAFETY DEVICE IS BEING EMPLOYED TO ADDRESS. THE FACILITY SHALL ALSO ENSURE THAT ANY SAFETY DEVICE BEING USED IS NOT A MECHANICAL RESTRAINT.

- A) SAFETY DEVICES SHALL ONLY BE USED FOR APPROPRIATE CLINICAL CONDITIONS.
- B) THE FACILITY SHALL ESTABLISH WRITTEN POLICIES AND PROCEDURES GOVERNING THE USE OF SAFETY DEVICES.
- C) IF A SAFETY DEVICE MEETS THE DEFINITION OF A RESTRAINT, THEN ALL REQUIREMENTS IN SECTION 9.9 APPLY. A REGISTERED NURSE MAY ORDER A SAFETY DEVICE AFTER ASSESSING AND DETERMINING THE NEED EXISTS. THROUGH THE NURSING ASSESSMENT, IF THE NEED IS ONGOING, A COMPREHENSIVE, DOCUMENTED PHYSICAL AND FUNCTIONAL ASSESSMENT SHALL BE COMPLETED NO LESS OFTEN THAN AFTER THE FIRST 24 HOURS AND QUARTERLY THEREAFTER.
- D) AT LEAST EVERY TWO HOURS RESIDENTS WITH SAFETY DEVICES SHALL BE OBSERVED AND SUCH OBSERVATION SHALL BE DOCUMENTED.
- E) RESIDENTS WITH SAFETY DEVICES SHALL HAVE EITHER A CALL SIGNAL SWITCH OR SIMILAR DEVICE WITHIN REACH OR SOME OTHER APPROPRIATE MEANS OF COMMUNICATION PROVIDED.

#### 9.11 PRACTITIONER NOTIFICATION

FACILITY STAFF SHALL NOTIFY THE ATTENDING PRACTITIONER PROMPTLY IN CASES OF SIGNIFICANT CHANGE IN RESIDENT STATUS AND ANY INCIDENT OR ACCIDENT INVOLVING THE RESIDENT.

### SECTION 10 SOCIAL SERVICES

#### 10.1 GENERAL STANDARDS

THE FACILITY SHALL IDENTIFY, PLAN CARE FOR AND MEET THE IDENTIFIED EMOTIONAL AND SOCIAL NEEDS OF EACH RESIDENT TO ENHANCE RESIDENT PSYCHO-SOCIAL HEALTH AND WELL-BEING.



- 1 A) SOCIAL SERVICES STAFF SHALL BE INVOLVED IN THE PRE-ADMISSION PROCESS, PROVIDING INPUT AS TO  
2 APPROPRIATENESS OF PLACEMENT FROM A PSYCHO-SOCIAL PERSPECTIVE, EXCEPT IN EMERGENCY  
3 ADMISSIONS. SUCH INVOLVEMENT MAY INCLUDE CONTACT WITH THE PROSPECTIVE RESIDENT OR  
4 RESIDENT REPRESENTATIVE, OR INTERDISCIPLINARY CONFERENCES THAT CONSIDER PSYCHO-SOCIAL  
5 ISSUES AS WELL AS MEDICAL/NURSING CRITERIA.
- 6 B) SOCIAL SERVICES STAFF SHALL PROVIDE FOR INDIVIDUAL AND GROUP NEEDS, EITHER DIRECTLY OR BY  
7 REFERRAL TO COMMUNITY AGENCIES.
- 8 C) SOCIAL SERVICES STAFF SHALL ASSIST RESIDENTS AND FAMILIES IN COPING WITH THE MEDICAL AND  
9 PSYCHO-SOCIAL ASPECTS OF THE RESIDENT'S ILLNESS AND DISABILITY AND THE STAY IN THE FACILITY.
- 10 D) SOCIAL SERVICES STAFF SHALL ASSIST RESIDENTS IN PLANNING FOR DISCHARGE BY COORDINATING  
11 SERVICE DELIVERY WITH THE NURSING STAFF AND BY ASSESSING AVAILABILITY AND FACILITATING USE  
12 OF FINANCIAL AND SOCIAL SUPPORT SERVICES IN THE COMMUNITY.
- 13 E) WHEN SERVICES, SUCH AS COMMUNITY MENTAL HEALTH SERVICES, ARE AVAILABLE IN THE COMMUNITY  
14 TO MEET SPECIAL RESIDENTS' SOCIAL AND EMOTIONAL NEEDS, SOCIAL SERVICES STAFF SHALL PROVIDE  
15 APPROPRIATE REFERRALS TO COMMUNITY SERVICES.
- 16 F) SOCIAL SERVICES STAFF SHALL COORDINATE TRANSFERS (OTHER THAN MEDICAL TRANSFERS) WITHIN  
17 AND OUT OF THE FACILITY AND ASSIST RESIDENTS IN ADJUSTING TO INTRA-FACILITY TRANSFERS.
- 18 G) SOCIAL SERVICES STAFF SHALL PARTICIPATE IN RESIDENT ASSESSMENT AND CARE PLANNING AND  
19 SHALL PROVIDE SOCIAL SERVICES TO RESIDENTS. STAFF SHALL REVIEW AND UPDATE THE ASSESSMENT  
20 AND CARE PLAN AT LEAST QUARTERLY.
- 21 H) SOCIAL SERVICES STAFF SHALL RECORD INFORMATION ON SOCIAL HISTORY IN THE HEALTH  
22 INFORMATION RECORD AND REVIEW IT AT LEAST ANNUALLY.
- 23 I) SOCIAL SERVICES STAFF SHALL RECORD PROGRESS NOTES IN THE RESIDENT'S HEALTH INFORMATION  
24 RECORD QUARTERLY.
- 25 J) SOCIAL SERVICES STAFF SHALL PARTICIPATE IN DEVELOPING POLICIES AND PROCEDURES PERTAINING  
26 TO SOCIAL SERVICES IN THE FACILITY.
- 27 K) SOCIAL SERVICES STAFF SHALL PROVIDE ORIENTATION TO NEW RESIDENTS AND THEIR RESIDENT  
28 REPRESENTATIVES (INCLUDING EXPLANATION OF RESIDENTS' RIGHTS) AND ASSISTANCE TO RESIDENTS  
29 AND RESIDENT REPRESENTATIVES IN RAISING CONCERNS ABOUT RESIDENT CARE.

## 30 10.2 STAFFING

31 THE FACILITY SHALL EMPLOY SOCIAL SERVICES STAFF THAT IS QUALIFIED ACCORDING TO THE CRITERIA BELOW  
32 AND SUFFICIENT IN NUMBER TO MEET THE SOCIAL AND EMOTIONAL NEEDS OF THE RESIDENTS.

33 A) A QUALIFIED SOCIAL WORK STAFF MEMBER IS A PERSON WHO IS EITHER:

- 34 1) A SOCIAL WORKER WITH A BACHELOR'S DEGREE IN SOCIAL WORK REGISTERED OR  
35 AUTHORIZED EXPRESSLY BY COLORADO LAW TO PRACTICE AS A SOCIAL WORKER WHO HAS  
36 ONE YEAR OF SOCIAL WORK EXPERIENCE UNDER THE SUPERVISION OF A LICENSED SOCIAL  
37 WORKER IN A HEALTH CARE SETTING WORKING DIRECTLY WITH RESIDENTS; OR
- 38 2) A SOCIAL WORKER WITH A MASTER'S DEGREE IN SOCIAL WORK WHO IS LICENSED AS A  
39 LICENSED SOCIAL WORKER OR LICENSED CLINICAL SOCIAL WORKER UNDER COLORADO LAW;  
40 OR

3) A PERSON WITH A MASTER'S OR BACHELOR'S DEGREE IN A RELATED HUMAN SERVICES FIELD WHO HAS MONTHLY CONSULTATION WITH A PERSON MEETING THE QUALIFICATIONS IN SUBSECTION 2 ABOVE. THE CONSULTATION SHALL BE SUFFICIENT IN AMOUNT TO ASSIST THE SOCIAL WORK STAFF TO MEET RESIDENT NEEDS.

B) EFFECTIVE MAY 15, 2016, ANY FACILITY THAT HAS EMPLOYED A PERSON WITH A HIGH SCHOOL DEGREE OR GED AS SOCIAL SERVICES STAFF MAY CONTINUE TO EMPLOY THAT INDIVIDUAL AS LONG AS THE FACILITY CAN DOCUMENT PRESCRIBED CONSULTATION.

### 10.3 FACILITIES AND EQUIPMENT

THE FACILITY SHALL PROVIDE FOR SOCIAL SERVICES STAFF SUITABLE SPACE, EQUIPPED WITH A TELEPHONE, FOR CONFIDENTIAL INTERVIEWS WITH RESIDENTS AND THEIR RESIDENT REPRESENTATIVES. THE SPACE SHALL PROVIDE VISUAL AND AUDITORY PRIVACY AND LOCKED STORAGE FOR CONFIDENTIAL RECORDS AND BE ACCESSIBLE TO NON-AMBULATORY PERSONS.

## SECTION 11 RESIDENT ENGAGEMENT

### 11.1 ACTIVITIES PROGRAM

THE FACILITY SHALL OFFER A PROGRAM OF ORGANIZED ENGAGEMENT ACTIVITIES THAT PROMOTE RESIDENTS' PHYSICAL, SOCIAL, MENTAL AND INTELLECTUAL WELL-BEING; ENCOURAGES RESIDENT INDEPENDENCE AND PURSUIT OF INTERESTS; MAINTAINS AN OPTIMAL LEVEL OF PSYCHO-SOCIAL FUNCTIONING; AND RETAINS IN RESIDENTS A SENSE OF CONTINUING USEFULNESS TO THEMSELVES AND THE COMMUNITY.

A) THE ACTIVITIES PROGRAM SHALL BE BROAD ENOUGH IN SCOPE TO STIMULATE PARTICIPATION OF ALL RESIDENTS, BUT NO RESIDENT SHALL BE COMPELLED TO PARTICIPATE IN ANY ACTIVITY. EACH MONTH, ACTIVITIES SHALL INCLUDE AT LEAST ONE FROM EACH OF THE FOLLOWING CATEGORIES: SOCIAL/RECREATIONAL, INTELLECTUAL, PHYSICAL, SPIRITUAL AND CREATIVE.

B) THE FACILITY SHALL PROVIDE INDIVIDUAL AND GROUP ENGAGEMENT ACTIVITIES DESIGNED TO MEET EACH RESIDENT'S INDIVIDUAL NEEDS.

C) ACTIVITIES STAFF SHALL PARTICIPATE IN RESIDENT ASSESSMENT AND CARE PLANNING AND SHALL IMPLEMENT ENGAGEMENT PROGRAMS.

D) THE FACILITY SHALL DEVELOP PROGRAMS TO ENCOURAGE COMMUNITY CONTACT, INCLUDING USE OF COMMUNITY VOLUNTEERS INSIDE THE FACILITY AND ENGAGEMENT ACTIVITIES FOR RESIDENTS OUTSIDE THE FACILITY. THE FACILITY SHALL MAKE REASONABLE TRANSPORTATION ARRANGEMENTS FOR RESIDENTS TO PARTICIPATE IN SUCH ACTIVITIES.

E) THE FACILITY SHALL PROVIDE ENGAGEMENT ACTIVITIES DAILY, INCLUDING AT LEAST ONE EVENING PER WEEK. ENGAGEMENT ACTIVITIES IN ADDITION TO RELIGIOUS SERVICES SHALL BE PROVIDED ON WEEKENDS EACH WEEK.

F) THE FACILITY SHALL HAVE A MEANS OF COMMUNICATING SCHEDULED AND SPONTANEOUS DAILY ENGAGEMENT ACTIVITIES TO ALL RESIDENTS.

G) THE FACILITY SHALL RETAIN ACTIVITY ATTENDANCE RECORDS.

### 11.2 STAFFING

A) THE FACILITY SHALL EMPLOY STAFF SUFFICIENT IN NUMBER TO MEET RESIDENT NEEDS.

B) THE FACILITY SHALL EMPLOY AN ACTIVITIES DIRECTOR WHO MEETS AT LEAST ONE OF THE FOLLOWING CRITERIA:

- 1) AN ACTIVITY PROFESSIONAL CERTIFIED BY THE NATIONAL CERTIFICATION COUNCIL FOR ACTIVITY PROFESSIONALS AS AN ACTIVITY DIRECTOR CERTIFIED (ADC) OR ACTIVITY CONSULTANT CERTIFIED (ACC);
- 2) AN OCCUPATIONAL THERAPIST OR OCCUPATIONAL THERAPY ASSISTANT MEETING THE REQUIREMENTS FOR CERTIFICATION BY THE AMERICAN OCCUPATIONAL THERAPY ASSOCIATION AND HAVING AT LEAST ONE YEAR OF EXPERIENCE IN PROVIDING ACTIVITY PROGRAMMING IN A NURSING CARE FACILITY;
- 3) A THERAPEUTIC RECREATION SPECIALIST, REGISTERED BY THE NATIONAL COUNCIL FOR THERAPEUTIC RECREATION CERTIFICATION, HAVING AT LEAST ONE YEAR OF EXPERIENCE IN PROVIDING ACTIVITY PROGRAMMING IN A NURSING CARE FACILITY;
- 4) A PERSON WITH A MASTER'S OR BACHELOR'S DEGREE IN THE SOCIAL OR BEHAVIORAL SCIENCES WHO HAS AT LEAST ONE YEAR OF EXPERIENCE IN PROVIDING ACTIVITY PROGRAMMING IN A NURSING CARE FACILITY;
- 5) A PERSON WHO HAS COMPLETED, WITHIN A YEAR OF EMPLOYMENT, A TRAINING COURSE FOR ACTIVITY PROFESSIONALS IN AN ACCREDITED STATE FACILITY AND WHO HAS AT LEAST TWO YEARS EXPERIENCE IN SOCIAL OR RECREATIONAL PROGRAM WORK, AT LEAST ONE YEAR OF WHICH WAS FULL-TIME IN AN ACTIVITIES PROGRAM IN A HEALTH CARE SETTING; OR
- 6) A PERSON WHO HAS MONTHLY CONSULTATION WITH A PERSON MEETING THE QUALIFICATIONS SET FORTH IN SUBSECTIONS (1) THROUGH (5) ABOVE. THE CONSULTATION SHALL BE SUFFICIENT IN AMOUNT TO ASSIST THE ACTIVITY STAFF MEMBERS TO MEET RESIDENT NEEDS.

### 11.3 RELIGIOUS SERVICES

THE FACILITY SHALL ASSIST RESIDENTS WHO ARE ABLE AND WISH TO DO SO TO ATTEND RELIGIOUS SERVICES OF THEIR CHOICE. THE FACILITY SHALL HONOR RESIDENT REQUESTS TO SEE THEIR CLERGY AND PROVIDE PRIVATE SPACE FOR SUCH VISITS.

### 11.4 SPACE AND EQUIPMENT

THE FACILITY SHALL MAKE AVAILABLE THE SUPPLIES, SPACE AND EQUIPMENT TO PROVIDE AN ACTIVITIES PROGRAM THAT MEETS EACH RESIDENT'S INDIVIDUAL NEEDS. THE FACILITY SHALL PROVIDE AN ACTIVITIES AND RECREATION AREA WITH ITEMS SUCH AS BOOKS, CURRENT NEWSPAPERS, GAMES, STATIONERY, RADIO AND TELEVISION.

## SECTION 12 DENTAL SERVICES

### 12.1 DENTAL EXAMINATION

UPON ADMISSION, THE FACILITY SHALL PROVIDE EACH RESIDENT WHO CONSENTS WITH AN ORAL EXAMINATION BY A LICENSED DENTIST OR LICENSED DENTAL HYGIENIST. REFUSAL TO CONSENT TO SUCH EXAMINATION SHALL BE DOCUMENTED IN THE RESIDENT'S HEALTH INFORMATION RECORD. EACH RESIDENT OR RESIDENT REPRESENTATIVE SHALL BE INFORMED THAT UNDIAGNOSED ORAL HEALTH ISSUES MAY LEAD TO FUTURE HEALTH ISSUES.

- A) THE FACILITY SHALL ENSURE THAT THE DENTAL EXAMINATION IS CONDUCTED ACCORDING TO CURRENT DENTAL PRACTICE.

B) WHILE THE FACILITY IS NOT RESPONSIBLE TO PAY FOR SUCH SERVICES, THE FACILITY SHALL INFORM ALL RESIDENTS ABOUT PUBLIC BENEFITS FOR DENTAL SERVICES AND ASSIST RESIDENTS IN ACCESSING SUCH BENEFITS AND SERVICES.

C) IN LIEU OF THE ADMISSION EXAMINATION, THE FACILITY MAY ACCEPT WRITTEN RESULTS OF A RESIDENT'S ORAL EXAMINATION ADMINISTERED DURING A PERIOD NOT TO EXCEED SIX MONTHS PRIOR TO ADMISSION. DOCUMENTATION OF SUCH EXAMINATION SHALL BE ENTERED INTO THE RESIDENT'S HEALTH INFORMATION RECORD.

## 12.2 DENTAL RECORDS

THE DENTIST OR THE DENTAL HYGIENIST IS RESPONSIBLE FOR THE DENTAL RECORD. FOR RESIDENTS WHO AGREE TO HAVE DENTAL SERVICES, THE FACILITY SHALL TAKE ALL NECESSARY STEPS TO ASSURE THAT THERE ARE COMPLETE, ACCURATE DENTAL RECORDS THAT INCLUDE THE FOLLOWING:

A) RESULTS OF ALL CURRENT DENTAL EXAMINATIONS AND PLANS FOR TREATMENT.

B) ONE OF THE FOLLOWING TO DOCUMENT PROVISION OF PLANNED TREATMENT:

1) RECORD OF TREATMENT PROVIDED PURSUANT TO A PLAN FOR TREATMENT, OR

2) DOCUMENTATION THAT A RESIDENT OF A NURSING CARE FACILITY OR RESIDENT REPRESENTATIVE IS AWARE OF ANY AND ALL SPECIFIC ORAL PATHOLOGY IDENTIFIED DURING AN ORAL EXAMINATION OF THE RESIDENT, BUT ELECTS NOT TO OBTAIN TREATMENT BECAUSE OF COST OR OTHER REASONS.

## 12.3 ORAL APPLIANCES

UPON CONSENT, ALL RESIDENTS' REMOVABLE ORAL APPLIANCES OR THEIR CONTAINERS AND PERSONAL HYGIENE APPLIANCES (INCLUDING WITHOUT LIMITATION, FULL DENTURES, PARTIAL DENTURES, AND TOOTHBRUSHES) SHALL BE CLEARLY IDENTIFIED AND MARKED WITH THE USER'S NAME, AS RECOMMENDED BY A DENTIST.

## 12.4 DENTAL HYGIENE

THE FACILITY SHALL IMPLEMENT POLICIES FOR DAILY ORAL HYGIENE FOR ITS RESIDENTS, IN CONSULTATION WITH A DENTIST OR A DENTAL HYGIENIST. THIS SHALL INCLUDE DAILY REMOVAL AND CLEANING OF REMOVABLE PROSTHODONTICS.

A) DIRECT CARE STAFF FROM EACH FACILITY SHALL HAVE AT LEAST AN ANNUAL IN-SERVICE TRAINING COURSE IN PREVENTIVE DENTISTRY AND ORAL HYGIENE, CONDUCTED BY A DENTIST OR DENTAL HYGIENIST.

# SECTION 13 DIETARY SERVICES

## 13.1 GENERAL STANDARDS

THE FACILITY SHALL PROVIDE MEALS THAT ARE NUTRITIOUS; ATTRACTIVE; WELL BALANCED; IN CONFORMITY WITH PRACTITIONER ORDERS AND RESIDENT CHOICE AND SERVED AT THE APPROPRIATE TEMPERATURE IN ORDER TO ENHANCE RESIDENTS' HEALTH AND WELL BEING. IT SHALL ALSO OFFER NOURISHING SNACKS.

## 13.2 ORGANIZATION

THE FACILITY SHALL HAVE AN ORGANIZED FOOD SERVICE THAT IS APPROPRIATELY PLANNED, EQUIPPED AND STAFFED TO PREPARE AND SERVE MEALS. THE FACILITY SHALL OFFER AT LEAST THREE MEALS DAILY AT

REGULAR TIMES COMPARABLE TO NORMAL MEALTIMES IN THE COMMUNITY OR IN ACCORDANCE WITH RESIDENT NEEDS, PREFERENCES, REQUESTS AND PLAN OF CARE. THE FACILITY SHALL MAKE AVAILABLE SUITABLE, NOURISHING ALTERNATIVE MEALS AND SNACKS FOR RESIDENTS WHO WANT TO EAT AT NON-TRADITIONAL TIMES OR OUTSIDE OF SCHEDULED MEAL SERVICE TIMES AND IN ACCORDANCE WITH THE RESIDENT PLAN OF CARE.

### 13.3 PERSONNEL

THE ADMINISTRATOR SHALL DESIGNATE A REGISTERED DIETITIAN WHO MEETS STANDARDS ESTABLISHED BY THE COMMISSION ON DIETETIC REGISTRATION TO BE RESPONSIBLE FOR THE DIETARY SERVICES.

A) IF NOT A REGISTERED DIETITIAN, THE DESIGNEE SHALL RECEIVE REGULARLY SCHEDULED CONSULTATION FOR DIETARY SERVICES OVERSIGHT FROM A REGISTERED DIETITIAN AND HAVE APPLICABLE QUALIFICATIONS THAT MEET AT LEAST ONE OF THE CRITERIA LISTED BELOW.

1) A BACHELOR'S DEGREE WITH A MAJOR STUDY IN FOOD, NUTRITION, DIETETICS, OR HOTEL AND/OR RESTAURANT MANAGEMENT;

2) AN ASSOCIATE'S DEGREE WITH A MAJOR IN DIETETIC TECHNOLOGY, FOOD MANAGEMENT, CULINARY ARTS OR HOTEL AND/OR RESTAURANT MANAGEMENT;

3) ELIGIBLE TO TAKE THE EXAM FOR CERTIFYING DIETARY MANAGERS OR CULINARY CERTIFICATION FROM A NATIONAL CREDENTIALLED ORGANIZATION;

4) A GRADUATE OF A STATE APPROVED COURSE OF 90 HOURS FOR FOOD SERVICE MANAGEMENT AND TWO YEARS FOOD SERVICE MANAGEMENT EXPERIENCE;

5) MILITARY EDUCATION AND TRAINING EQUIVALENT TO SUBSECTION (2) OR (4); OR

6) A COMBINATION OF TRAINING AND EXPERIENCE DEEMED APPROPRIATE BY THE NURSING HOME ADMINISTRATOR TO MEET THE EXPECTATIONS FOR PROVIDING COMPREHENSIVE DIETARY SERVICES OVERSIGHT.

B) THE NUMBER OF TRAINED FOOD SERVICE PERSONNEL SHALL BE SUFFICIENT TO PROVIDE FOOD SERVICE TO THE RESIDENTS IN THE FACILITY OVER A PERIOD OF 12 HOURS OR MORE PER DAY.

### 13.4 POLICIES

THE FACILITY SHALL HAVE WRITTEN POLICIES AND PROCEDURES APPROVED BY THE GOVERNING BODY FOR DIETARY PRACTICES.

### 13.5 ORDERS

ALL DIETS AND NOURISHMENTS SHALL BE PROVIDED AND SERVED AS ORDERED BY THE ATTENDING PRACTITIONER.

### 13.6 NUTRITIONAL ASSESSMENT AND PROGRESS NOTES

THE DIETARY SUPERVISOR OR CONSULTANT SHALL PARTICIPATE IN RESIDENT ASSESSMENT AND CARE PLANNING REQUIRED IN SECTIONS 7.16, 7.20, AND 7.21 OF THIS CHAPTER.

A) THE SUPERVISOR OR CONSULTANT SHALL WRITE PROGRESS NOTES ON EACH RESIDENT AT LEAST AT SIX MONTH INTERVALS.

B) THE FACILITY SHALL REASONABLY ACCOMMODATE INDIVIDUAL RESIDENT PREFERENCES IN MEALS BY OFFERING APPROPRIATE AND NUTRITIONALLY ADEQUATE SUBSTITUTES.

### 13.7 DIET MANUAL

THE FACILITY SHALL MAINTAIN A CURRENT DIET MANUAL CONVENIENTLY AVAILABLE TO THE DIETARY AND NURSING STAFFS. FOR PURPOSES OF THIS SECTION, CURRENT MEANS INITIALLY PUBLISHED OR REVISED WITHIN FIVE YEARS.

### 13.8 MENUS

A) MENUS SHALL MEET THE NUTRITIONAL NEEDS OF RESIDENTS IN ACCORDANCE WITH THE RECOMMENDED DIETARY ALLOWANCES OF THE FOOD AND NUTRITION BOARD OF THE NATIONAL RESEARCH COUNCIL, THE NATIONAL ACADEMY OF SCIENCES.

B) MENUS SHALL BE WRITTEN, APPROVED BY A DIETITIAN AND PLANNED AT LEAST ONE WEEK IN ADVANCE, WITH CONSIDERATION GIVEN TO RESIDENTS' PERSONAL TASTES, DESIRES AND CULTURAL PATTERNS. MENUS SHALL BE POSTED IN THE KITCHEN AREA AND RETAINED BY THE FACILITY FOR AT LEAST FOUR WEEKS AFTER THE MENU IS USED. IF MENUS ARE CHANGED, ALL CHANGES SHALL BE POSTED AS SERVED.

C) A STANDARD MEAL PLANNING GUIDE SHALL BE USED PRIMARILY FOR MENU PLANNING AND FOOD PURCHASING. IT IS NOT INTENDED TO MEET THE NUTRITIONAL NEEDS OF ALL RESIDENTS. THIS GUIDE SHALL BE ADJUSTED TO CONSIDER INDIVIDUAL DIFFERENCES SINCE RESIDENTS MAY HAVE DIFFERENT NUTRITIONAL NEEDS BASED UPON AGE, SIZE, GENDER, PHYSICAL ACTIVITY AND STATE OF HEALTH.

1) THERE ARE MANY MEAL PLANNING GUIDES FROM REPUTABLE SOURCES SUCH AS THE AMERICAN DIABETES ASSOCIATION, ACADEMY OF NUTRITION AND DIETETICS OR U.S. DEPARTMENT OF AGRICULTURE THAT ARE AVAILABLE AND APPROPRIATE FOR USE WHEN ADJUSTED TO MEET EACH RESIDENT'S NEEDS. RECIPES APPROPRIATE TO THE MENUS AND NEEDS OF THE FACILITY SHALL BE AVAILABLE TO THE COOKS.

### 13.9 SPACE

THE FACILITY SHALL PROVIDE ADEQUATE SPACE TO ACCOMMODATE FIXED AND MOVABLE EQUIPMENT AND EMPLOYEE FUNCTIONS; RECEIVE, STORE, REFRIGERATE AND PREPARE FOOD; ASSEMBLE TRAYS; STORE CARTS AND CLEAN DISHES, POTS, AND PANS.

### 13.10 REFRIGERATOR SAFETY

EFFECTIVE MAY 15, 2016, WALK-IN REFRIGERATORS AND FREEZERS SHALL HAVE INSIDE LIGHTING AND INSIDE LOCK RELEASES. IN FACILITIES WHERE THE WALK-IN REFRIGERATORS OR FREEZERS DO NOT HAVE AN INSIDE LOCK RELEASE, THERE SHALL BE AN ALARM SYSTEM THAT IS CLEARLY AUDIBLE THROUGHOUT THE FOOD PREPARATION AND STORAGE AREAS OF THE FACILITY AND THAT MAY BE READILY ACTIVATED BY STAFF MEMBERS FROM WITHIN THE WALK-IN REFRIGERATORS OR FREEZERS.

### 13.11 EQUIPMENT

THE FACILITY SHALL PROVIDE EQUIPMENT OF SUFFICIENT AMOUNT AND ADEQUATE TYPE FOR EFFICIENT AND TIMELY PREPARATION OF MEALS.

### 13.12 STORAGE OF DISHES AND GLASSES

CLEAN GLASSES, CUPS AND OTHER DISHES SHALL NOT BE STORED IN SUCH A MANNER AS TO ENTRAP MOISTURE.

### 13.13 RESIDENTS IN ISOLATION

DISPOSABLE DISHES AND UTENSILS ARE ACCEPTABLE FOR USE WITH RESIDENTS IN ISOLATION.

1 13.14 NAIL POLISH AND FALSE NAILS

2 UNLESS WEARING INTACT GLOVES IN GOOD REPAIR, STAFF INVOLVED IN PREPARING AND SERVING FOOD SHALL  
3 NOT WEAR NAIL POLISH OR FALSE NAILS.

4 13.15 DINING AND RECREATIONAL FACILITIES

5 DINING AND RECREATION AREAS SHALL BE READILY ACCESSIBLE TO ALL RESIDENTS AND SHALL NOT BE IN A  
6 HALLWAY OR LANE OF TRAFFIC IN OR OUT OF THE FACILITY. SUCH SPACE SHALL BE SUFFICIENT TO  
7 ACCOMMODATE ACTIVITIES CONDUCTED THERE, CONSISTENT WITH RESIDENT COMFORT AND SAFETY. THE  
8 DINING AND RECREATION AREAS MAY BE SEPARATE OR COMBINED.

9 **SECTION 14 FEEDING ASSISTANTS**

10 14.1 "FEEDING ASSISTANT" MEANS AN INDIVIDUAL WHO PROVIDES RESIDENTS WITH ASSISTANCE IN EATING AND  
11 DRINKING IN ORDER TO REDUCE THE INCIDENCE OF UNPLANNED WEIGHT LOSS AND DEHYDRATION.

12 14.2 QUALIFICATIONS

13 A) A NURSING CARE FACILITY SHALL ENSURE THAT ITS FEEDING ASSISTANTS ARE QUALIFIED AND TRAINED  
14 TO MEET THE REQUIREMENTS OF THIS SECTION 14, WITH THE EXCEPTION OF THE FOLLOWING  
15 INDIVIDUALS WHO SHALL BE CONSIDERED EXEMPT:

- 16 1) LICENSED PRACTITIONERS;  
17 2) CERTIFIED NURSE AIDES;  
18 3) SUPERVISED NURSING STUDENTS; AND  
19 4) RESIDENT FAMILY MEMBERS OR DESIGNEES.

20 B) THE FACILITY SHALL VERIFY THAT EACH FEEDING ASSISTANT MEETS THE FOLLOWING CRITERIA:

- 21 1) HAS NO HISTORY THAT WOULD PRECLUDE INTERACTION WITH RESIDENTS; AND  
22 2) HAS SUCCESSFULLY COMPLETED THE FEEDING ASSISTANT TRAINING PROGRAM DESCRIBED IN  
23 SECTION 14.9 OF THIS CHAPTER.

24 14.3 SUPERVISION

25 A FEEDING ASSISTANT SHALL WORK UNDER THE SUPERVISION OF AND SHALL REPORT TO A REGISTERED OR  
26 LICENSED PRACTICAL NURSE. EACH FEEDING ASSISTANT SHALL BE GIVEN INSTRUCTION BY A REGISTERED  
27 NURSE, LICENSED PRACTICAL NURSE OR REGISTERED DIETITIAN CONCERNING THE SPECIFIC FEEDING AND  
28 HYDRATION NEEDS OF EACH RESIDENT BEING ASSISTED.

29 14.4 STAFFING

30 FEEDING ASSISTANTS MAY NOT BE COUNTED TOWARD MEETING OR COMPLYING WITH ANY REQUIREMENT FOR  
31 NURSING CARE STAFF AND FUNCTIONS OF A FACILITY, INCLUDING MINIMUM NURSE STAFFING REQUIREMENTS.

32 14.5 LOCATION

33 FEEDING ASSISTANCE MAY BE PERFORMED IN EITHER CONGREGATE DINING AREAS OR RESIDENT ROOMS IF  
34 DETERMINED SAFE BY THE NURSE IN CHARGE. A NURSE SHALL BE IMMEDIATELY AVAILABLE IN CASE OF AN  
35 EMERGENCY DURING MEALS.

14.6 EMERGENCY ASSISTANCE

FEEDING ASSISTANTS SHALL KNOW HOW TO USE RESIDENT CALL SYSTEMS AND SHALL IMMEDIATELY SECURE THE ASSISTANCE OF A NURSE, PRACTITIONER OR OTHER LICENSED PERSONNEL IN AN EMERGENCY.

14.7 RESIDENT SELECTION

A) RESIDENT SELECTION SHALL BE BASED UPON THE CHARGE NURSE'S ASSESSMENT AND THE RESIDENT'S LATEST ASSESSMENT AND PLAN OF CARE.

B) THE FACILITY SHALL ENSURE THAT A FEEDING ASSISTANT ONLY ASSISTS THOSE RESIDENTS WHO HAVE NO COMPLICATED FEEDING ISSUES.

1) COMPLICATED FEEDING ISSUES INCLUDE, BUT ARE NOT LIMITED TO, DIFFICULTY SWALLOWING, RECURRENT LUNG ASPIRATIONS AND TUBE OR PARENTERAL/IV FEEDINGS.

14.8 POLICIES AND PROCEDURES

AN EMPLOYING FACILITY SHALL DEVELOP AND IMPLEMENT POLICIES AND PROCEDURES CONCERNING THE USE OF FEEDING ASSISTANTS DEVELOPED IN ACCORDANCE WITH THIS SECTION.

14.9 FEEDING ASSISTANT TRAINING PROGRAM

FEEDING ASSISTANT CURRICULUM SPECIFICATIONS AND PROGRAM REQUIREMENTS ARE DEFINED BY THE DEPARTMENT. NURSING CARE FACILITIES MAY OFFER A FEEDING ASSISTANT TRAINING PROGRAM ONLY UPON APPROVAL BY THE DEPARTMENT.

A) A FACILITY SEEKING APPROVAL TO ADMINISTER A FEEDING ASSISTANT TRAINING PROGRAM SHALL SUBMIT, IN THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT, WRITTEN CONFIRMATION THAT ITS TRAINING PROGRAM CONFORMS TO THE CURRICULUM SPECIFICATIONS AND PROGRAM REQUIREMENTS ESTABLISHED BY THE DEPARTMENT.

1) PROGRAM APPROVAL MAY BE GRANTED FOR A PERIOD NOT TO EXCEED ONE YEAR TO THOSE PROGRAMS THAT MEET THE MINIMUM REQUIREMENTS.

2) A FACILITY APPROVED TO ADMINISTER A FEEDING ASSISTANT TRAINING PROGRAM PURSUANT TO THIS SECTION SHALL SUBMIT ANNUAL RENEWAL FORMS, IN THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT, IN ORDER TO CONTINUE ITS TRAINING PROGRAM.

3) THE DEPARTMENT MAY DENY, SUSPEND OR WITHDRAW ITS APPROVAL OF A TRAINING PROGRAM IF IT DETERMINES THAT THERE IS GOOD CAUSE TO DO SO. GOOD CAUSE INCLUDES, BUT IS NOT LIMITED TO, A DETERMINATION THAT A FEEDING ASSISTANT TRAINING PROGRAM IS NOT BEING ADMINISTERED IN COMPLIANCE WITH THE APPLICABLE REGULATIONS.

B) FEEDING ASSISTANT TRAINING PROGRAMS SHALL USE AS INSTRUCTORS ONLY INDIVIDUALS WHO HAVE APPROPRIATE EXPERIENCE IN FEEDING AND HYDRATING RESIDENTS AND WHO MEET THE FOLLOWING PROFESSIONAL CRITERIA:

1) LICENSED IN COLORADO AS A REGISTERED OR PRACTICAL NURSE;

2) A REGISTERED DIETICIAN WHO MEETS STANDARDS ESTABLISHED BY THE COMMISSION ON DIETETIC REGISTRATION;

3) A SPEECH-LANGUAGE PATHOLOGIST CERTIFIED BY THE COLORADO DEPARTMENT OF REGULATORY AGENCIES; OR



4) AN OCCUPATIONAL THERAPIST LICENSED OR AUTHORIZED BY THE COLORADO DEPARTMENT OF REGULATORY AGENCIES.

C) CURRICULUM FOR THE FEEDING ASSISTANT TRAINING PROGRAM SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING SUBJECTS:

1) FEEDING TECHNIQUES;

2) ASSISTANCE WITH FEEDING AND HYDRATION;

3) COMMUNICATION AND INTERPERSONAL SKILLS;

4) APPROPRIATE RESPONSES TO RESIDENT BEHAVIOR;

5) SAFETY AND EMERGENCY PROCEDURES, INCLUDING THE HEIMLICH MANEUVER;

6) INFECTION CONTROL;

7) RESIDENT RIGHTS; AND

8) RECOGNIZING CHANGES IN RESIDENTS THAT ARE INCONSISTENT WITH THEIR NORMAL BEHAVIOR AND THE IMPORTANCE OF REPORTING THOSE CHANGES TO THE SUPERVISORY NURSE.

D) SUCCESSFUL COMPLETION OF THE FEEDING ASSISTANT TRAINING PROGRAM REQUIRES EACH INDIVIDUAL ENROLLED TO OBTAIN A SCORE OF 80 PERCENT OR GREATER IN A WRITTEN EXAMINATION PROVIDED AT THE CONCLUSION OF CLASSROOM INSTRUCTION. WRITTEN EXAMINATION QUESTIONS SHALL BE OF AN APPROPRIATE LEVEL OF DIFFICULTY TO REFLECT PROFICIENCY IN EACH MODULE OF THE "FEEDING ASSISTANT CURRICULUM SPECIFICATIONS AND PROGRAM REQUIREMENTS" AND, AT THE DISCRETION OF THE TRAINING PROGRAM PROVIDER, MAY INCLUDE ANCILLARY FEEDING ASSISTANT-RELATED CURRICULUM SUBJECTS. WRITTEN EXAMINATION QUESTIONS SHALL NOT BE DISCLOSED TO CANDIDATES IN ADVANCE AND SHALL BE VARIED IN FORMAT AND CONTENT FROM TEST TO TEST.

E) AN INDIVIDUAL WHO SUCCESSFULLY COMPLETES A FEEDING ASSISTANT TRAINING PROGRAM IS NOT REQUIRED TO REPEAT THE PROGRAM UNLESS THE INDIVIDUAL HAS NOT PROVIDED FEEDING ASSISTANCE FOR A PERIOD OF 24 CONSECUTIVE MONTHS. IN SUCH CASE, THE FACILITY SHALL NOT ALLOW THE INDIVIDUAL TO PROVIDE FEEDING ASSISTANCE UNTIL THE INDIVIDUAL SUCCESSFULLY REPEATS THE FEEDING ASSISTANT TRAINING PROGRAM.

F) FACILITIES SHALL MAINTAIN THE TRAINING RECORD OF EACH INDIVIDUAL WHO ATTENDS THE FEEDING ASSISTANT TRAINING PROGRAM FOR A PERIOD OF NOT LESS THAN THREE YEARS.

## SECTION 15 RESIDENT RIGHTS

### 15.1 STATEMENT OF RIGHTS

THE FACILITY SHALL ADOPT AND MAKE PUBLIC A STATEMENT REGARDING OF THE RIGHTS AND RESPONSIBILITIES OF ITS RESIDENTS AND PROVIDE A COPY TO EACH RESIDENT AND RESIDENT REPRESENTATIVE AT OR BEFORE ADMISSION. THE FACILITY AND STAFF SHALL OBSERVE THESE RIGHTS IN THE CARE, TREATMENT AND SUPERVISION OF THE RESIDENTS. THE STATEMENT OF RIGHTS SHALL INCLUDE AT A MINIMUM, THE FOLLOWING ITEMS:

A) THE RIGHT TO RECEIVE ADEQUATE AND APPROPRIATE HEALTH CARE CONSISTENT WITH ESTABLISHED AND RECOGNIZED PRACTICE STANDARDS WITHIN THE COMMUNITY AND THIS CHAPTER.

- 1) FOR RESIDENTS WITH LIMITED ENGLISH PROFICIENCY, THE FACILITY SHALL ARRANGE FOR PERSONS SPEAKING THE RESIDENT'S LANGUAGE TO FACILITATE DAILY COMMUNICATIONS AND TO ATTEND ASSESSMENT AND CARE PLANNING CONFERENCES IN ORDER TO ALLOW THE RESIDENT TO PARTICIPATE IN THOSE ACTIVITIES. THIS SECTION DOES NOT REQUIRE A TRANSLATOR TO BE PRESENT DAILY AS LONG AS THE RESIDENT IS ABLE TO ENGAGE IN NECESSARY DAILY COMMUNICATION WITHIN THE FACILITY.
  - 2) FOR RESIDENTS WITH SENSORY IMPAIRMENTS THAT INHIBIT DAILY COMMUNICATION, THE FACILITY SHALL PROVIDE ASSISTANCE SO THAT THEY MAY PARTICIPATE IN CARE AND ACTIVITIES OF DAILY LIVING.
- B) THE RIGHT TO CIVIL AND RELIGIOUS LIBERTIES, INCLUDING:
- 1) KNOWLEDGE OF AVAILABLE CHOICES AND THE RIGHT TO INDEPENDENT PERSONAL DECISIONS, WHICH WILL NOT BE INFRINGED UPON;
  - 2) THE RIGHT TO ENCOURAGEMENT AND ASSISTANCE FROM THE STAFF OF THE FACILITY IN THE FULLEST POSSIBLE EXERCISE OF THESE RIGHTS;
  - 3) THE RIGHT TO VOTE; AND
  - 4) THE RIGHT TO PARTICIPATE IN ACTIVITIES OF THE COMMUNITY BOTH INSIDE AND OUTSIDE THE FACILITY.
- C) THE RIGHT TO PRESENT GRIEVANCES ON BEHALF OF HIM/HERSELF OR OTHERS TO THE FACILITY'S STAFF OR ADMINISTRATOR; TO GOVERNMENTAL OFFICIALS OR TO ANY OTHER PERSON WITHOUT FEAR OF REPRISAL AND TO JOIN WITH OTHER PATIENTS OR INDIVIDUALS WITHIN OR OUTSIDE OF THE FACILITY TO WORK FOR IMPROVEMENTS IN RESIDENT CARE, INCLUDING:
- 1) THE RIGHT TO PARTICIPATE IN THE RESIDENT COUNCIL; AND
  - 2) THE RIGHT TO BE INFORMED OF THE ADDRESS AND PHONE NUMBER FOR THE STATE AND LOCAL LONG-TERM CARE OMBUDSMAN AND THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, HEALTH FACILITIES AND EMERGENCY MEDICAL SERVICES DIVISION. THE FACILITY SHALL POST THESE NUMBERS IN A CONSPICUOUS MANNER.
- D) THE RIGHT TO MANAGE HIS OR HER OWN FINANCIAL AFFAIRS OR TO HAVE A QUARTERLY ACCOUNTING OF ANY FINANCIAL TRANSACTIONS MADE IN HIS OR HER BEHALF, SHOULD THE RESIDENT DELEGATE SUCH RESPONSIBILITY TO THE FACILITY FOR ANY PERIOD OF TIME.
- E) THE RIGHT TO BE FULLY INFORMED, IN WRITING, PRIOR TO OR AT THE TIME OF ADMISSION AND DURING HIS OR HER STAY, OF SERVICES AVAILABLE IN THE FACILITY AND OF RELATED CHARGES, INCLUDING CHARGES FOR SERVICES NOT COVERED UNDER MEDICARE OR MEDICAID OR NOT COVERED BY THE BASIC PER DIEM RATE.
- F) THE RIGHT TO BE FULLY INFORMED OF HIS OR HER MEDICAL CONDITION AND PROPOSED TREATMENT UNLESS OTHERWISE INDICATED BY HIS OR HER PRACTITIONER, AND TO PARTICIPATE IN THE PLANNING OF ALL MEDICAL TREATMENT, INCLUDING:
- 1) THE RIGHT TO REFUSE MEDICATION AND TREATMENT, UNLESS OTHERWISE INDICATED BY HIS OR HER PRACTITIONER, AND TO KNOW THE CONSEQUENCES OF SUCH ACTIONS;
  - 2) THE RIGHT TO PARTICIPATE IN DISCHARGE PLANNING; AND

- 1 3) THE RIGHT TO REVIEW AND OBTAIN COPIES OF HIS OR HER MEDICAL RECORDS IN ACCORDANCE  
2 WITH 6 CCR 1011-1, CHAPTER 2, PART 5.
- 3 G) THE RIGHT TO HAVE PRIVATE AND UNRESTRICTED COMMUNICATIONS WITH ANY PERSON OF HIS OR HER  
4 CHOICE; INCLUDING
- 5 1) THE RIGHT TO PRIVACY FOR TELEPHONE CALLS OR USE OF ELECTRONIC COMMUNICATION  
6 DEVICES;
- 7 2) THE RIGHT TO RECEIVE MAIL UNOPENED; AND
- 8 3) THE RIGHT TO PRIVATE CONSENSUAL SEXUAL ACTIVITY.
- 9 H) THE RIGHT TO BE FREE FROM MENTAL AND PHYSICAL ABUSE AND FROM PHYSICAL AND CHEMICAL  
10 RESTRAINTS, EXCEPT THOSE RESTRAINTS INITIATED THROUGH THE JUDGMENT OF PROFESSIONAL STAFF  
11 FOR A SPECIFIED AND LIMITED PERIOD OF TIME OR ON THE WRITTEN AUTHORIZATION OF A  
12 PRACTITIONER.
- 13 I) THE RIGHT TO FREEDOM OF CHOICE IN SELECTING A HEALTH CARE FACILITY.
- 14 J) THE RIGHT TO COPIES OF THE FACILITY'S RULES AND REGULATIONS, INCLUDING A COPY OF THESE  
15 RIGHTS, AND AN EXPLANATION OF HIS OR HER RIGHTS AND RESPONSIBILITY TO OBEY ALL REASONABLE  
16 RULES AND REGULATIONS OF THE FACILITY AND TO RESPECT THE PERSONAL RIGHTS AND PRIVATE  
17 PROPERTY OF THE OTHER PATIENTS.
- 18 1) IF THE RESIDENT HAS LIMITED ENGLISH PROFICIENCY, THE RIGHT TO AN EXPLANATION OF  
19 RIGHTS AND RESPONSIBILITIES IN A LANGUAGE THE RESIDENT CAN UNDERSTAND; AND
- 20 2) THE RIGHT TO SEE FACILITY POLICIES, UPON REQUEST, AND STATE SURVEY REPORTS ON THE  
21 FACILITY.
- 22 K) THE RIGHT TO BE TRANSFERRED OR DISCHARGED ONLY FOR MEDICAL REASONS, HIS OR HER WELFARE  
23 OR THAT OF OTHER RESIDENTS, OR FOR NONPAYMENT FOR HIS OR HER STAY; AND THE RIGHT TO BE  
24 GIVEN REASONABLE ADVANCE NOTICE OF ANY TRANSFER OR DISCHARGE, EXCEPT IN THE CASE OF AN  
25 EMERGENCY AS DETERMINED BY PROFESSIONAL STAFF, CONSISTENT WITH SECTION 15.6.
- 26 L) THE RIGHT NOT TO BE TRANSFERRED OR DISCHARGED FOR RAISING CONCERNS OR COMPLAINTS.
- 27 M) THE RIGHT TO HAVE PRIVACY IN TREATMENT AND IN CARING FOR PERSONAL NEEDS, CONFIDENTIALITY IN  
28 THE TREATMENT OF PERSONAL AND MEDICAL RECORDS, AND SECURITY IN STORING AND USING  
29 PERSONAL POSSESSIONS.
- 30 N) THE RIGHT TO BE TREATED COURTEOUSLY, FAIRLY AND WITH THE FULLEST MEASURE OF DIGNITY AND  
31 TO RECEIVE A WRITTEN STATEMENT OF THE SERVICES PROVIDED BY THE FACILITY, INCLUDING THOSE  
32 REQUIRED TO BE OFFERED ON AN AS-NEEDED BASIS.
- 33 O) THE RIGHT OF ANY PERSON ELIGIBLE TO RECEIVE MEDICAID TO SELECT ANY NURSING CARE FACILITY  
34 CERTIFIED FOR PARTICIPATION IN MEDICAID WHERE A CERTIFIED BED IS AVAILABLE AND THE FACILITY  
35 CAN MEET THE RESIDENT'S NEEDS.

## 15.2 TRANSFER OF RIGHTS

A RESIDENT'S RIGHTS SHALL TRANSFER TO THE RESIDENT REPRESENTATIVE IF THE RESIDENT LACKS DECISIONAL CAPACITY.

1 15.3 STAFF TRAINING IN RESIDENTS' RIGHTS

2 THE FACILITY SHALL TRAIN ALL STAFF IN THE OBSERVATION AND PROTECTION OF RESIDENTS' RIGHTS AND  
3 ENSURE THAT A COPY OF THE FACILITY'S STATEMENT OF RESIDENTS' RIGHTS IS AVAILABLE TO ALL NEW AND  
4 CURRENT EMPLOYEES.

5 15.4 GRIEVANCE PROCEDURE

6 THE FACILITY SHALL DEVELOP A GRIEVANCE PROCEDURE, WHICH IT SHALL POST CONSPICUOUSLY IN A PUBLIC  
7 PLACE, FOR PRESENTATION OF GRIEVANCES BY RESIDENTS, RESIDENT REPRESENTATIVES OR THE RESIDENT  
8 COUNCIL REGARDING ANY CONDITIONS, TREATMENT OR VIOLATIONS OF RIGHTS OF ANY RESIDENT BY THE  
9 FACILITY OR STAFF (REGARDLESS OF THE CONSENT OF THE VICTIM OF THE ALLEGED IMPROPER CONDUCT).

10 A) THE FACILITY SHALL DESIGNATE A FULL-TIME STAFF MEMBER ("STAFF DESIGNEE") TO RECEIVE ALL  
11 GRIEVANCES.

12 B) THE FACILITY SHALL ESTABLISH A GRIEVANCE COMMITTEE CONSISTING OF THE ADMINISTRATOR OR HIS  
13 OR HER DESIGNEE, A RESIDENT SELECTED BY THE FACILITY'S RESIDENTS AND A THIRD PERSON AGREED  
14 UPON BY THE ADMINISTRATOR AND THE FACILITY'S RESIDENT REPRESENTATIVE.

15 C) ANY RESIDENT, RESIDENT REPRESENTATIVE OR THE RESIDENT COUNCIL MAY PRESENT A GRIEVANCE TO  
16 THE FACILITY STAFF DESIGNEE ORALLY OR IN WRITING WITHIN 14 DAYS OF THE INCIDENT GIVING RISE TO  
17 THE GRIEVANCE.

18 D) THE STAFF DESIGNEE SHALL CONFER WITH PERSONS INVOLVED IN THE INCIDENT AND OTHER RELEVANT  
19 PERSONS AND, WITHIN THREE DAYS OF RECEIVING THE GRIEVANCE, SHALL PROVIDE A WRITTEN  
20 EXPLANATION OF FINDINGS AND PROPOSED REMEDIES TO THE COMPLAINANT AND THE AGGRIEVED  
21 PARTY, IF OTHER THAN THE COMPLAINANT, AND RESIDENT REPRESENTATIVE, IF ANY. WHERE  
22 APPROPRIATE DUE TO THE MENTAL OR PHYSICAL CONDITION OF THE COMPLAINANT OR AGGRIEVED  
23 PARTY, AN ORAL EXPLANATION SHALL ACCOMPANY THE WRITTEN ONE.

24 E) IF THE COMPLAINANT OR AGGRIEVED PARTY IS DISSATISFIED WITH THE FINDINGS AND REMEDIES OF THE  
25 STAFF DESIGNEE OR THEIR IMPLEMENTATION, WITHIN TEN DAYS OF RECEIVING THE DESIGNEE'S  
26 EXPLANATION, THE COMPLAINANT OR AGGRIEVED PARTY MAY FILE THE GRIEVANCE ORALLY OR IN  
27 WRITING ALONG WITH ANY ADDITIONAL INFORMATION IT WISHES TO THE GRIEVANCE COMMITTEE.

28 F) THE COMMITTEE SHALL CONFER WITH PERSONS INVOLVED IN THE INCIDENT AND OTHER RELEVANT  
29 PERSONS, INCLUDING THE COMPLAINANT, AND WITHIN TEN DAYS OF THE DATE OF THE APPEAL SHALL  
30 PROVIDE A WRITTEN EXPLANATION OF ITS FINDINGS AND PROPOSED REMEDIES TO THE COMPLAINANT  
31 AND THE AGGRIEVED PARTY, IF OTHER THAN THE COMPLAINANT, AND TO THE RESIDENT  
32 REPRESENTATIVE, IF ANY. WHERE APPROPRIATE DUE TO THE MENTAL OR PHYSICAL CONDITION OF THE  
33 COMPLAINANT OR AGGRIEVED PARTY, AN ORAL EXPLANATION SHALL ACCOMPANY THE WRITTEN ONE.

34 G) THE COMPLAINANT OR AGGRIEVED PARTY, IF DISSATISFIED WITH THE FINDINGS AND REMEDIES OF THE  
35 GRIEVANCE COMMITTEE OR THEIR IMPLEMENTATION (EXCEPT FOR GRIEVANCES REGARDING  
36 PRACTITIONER OR PRACTITIONER-PRESCRIBED TREATMENT), MAY FILE THE GRIEVANCE IN WRITING  
37 WITH THE EXECUTIVE DIRECTOR OF THE DEPARTMENT WITHIN TEN DAYS OF RECEIPT OF THE WRITTEN  
38 FINDINGS OF THE GRIEVANCE COMMITTEE. THE DEPARTMENT SHALL THEN INVESTIGATE THE FACTS AND  
39 CIRCUMSTANCES OF THE GRIEVANCE AND MAKE WRITTEN FINDINGS OF FACT, CONCLUSIONS, AND  
40 RECOMMENDATIONS AND PROVIDE THEM TO THE COMPLAINANT, AGGRIEVED PARTY, RESIDENT  
41 REPRESENTATIVE, IF ANY, AND THE FACILITY ADMINISTRATOR.

42 H) IF THE COMPLAINANT OR FACILITY ADMINISTRATOR IS AGGRIEVED BY THE DEPARTMENT'S FINDINGS AND  
43 RECOMMENDATIONS, HE OR SHE MAY REQUEST, WITHIN 30 DAYS OF RECEIPT OF THE FINDINGS AND  
44 RECOMMENDATIONS, THAT THE DEPARTMENT SET THE MATTER FOR HEARING PURSUANT TO SECTION

24-4-105, C.R.S. SUCH HEARING MAY BE CONDUCTED BY THE DEPARTMENT, AN ADMINISTRATIVE LAW JUDGE FROM THE OFFICE OF ADMINISTRATIVE COURTS OR A HEARING OFFICER APPOINTED BY THE DEPARTMENT.

#### 15.5 RESIDENT ADVISORY COUNCIL

EACH FACILITY SHALL ESTABLISH A RESIDENT ADVISORY COUNCIL CONSISTING OF NO LESS THAN FIVE MEMBERS SELECTED FROM THE FACILITY'S RESIDENTS.

A) THE COUNCIL SHALL BE CONDUCTED BY RESIDENTS. IT SHALL HAVE THE OPPORTUNITY TO MEET WITHOUT STAFF PRESENT AND SHALL MEET AT LEAST MONTHLY WITH THE ADMINISTRATOR AND A STAFF REPRESENTATIVE TO MAKE RECOMMENDATIONS CONCERNING FACILITY POLICIES. STAFF SHALL RESPOND TO THESE SUGGESTIONS IN WRITING BY THE NEXT MEETING. MINUTES OF COUNCIL MEETINGS SHALL BE MAINTAINED AND POSTED OR OTHERWISE AVAILABLE TO RESIDENTS.

B) THE COUNCIL MAY PRESENT GRIEVANCES TO THE GRIEVANCE COMMITTEE ON BEHALF OF RESIDENTS.

C) THE COUNCIL SHALL ELECT ITS OFFICERS AND ESTABLISH A PROCESS FOR OBTAINING VIEWS OF ALL FACILITY RESIDENTS.

#### 15.6 RESIDENT TRANSFER, DISCHARGE OR ROOM CHANGE

A) THE FOLLOWING DEFINITIONS APPLY TO THIS SECTION 15.6:

1) "DISCHARGE" MEANS MOVEMENT OF A RESIDENT FROM A NURSING CARE FACILITY TO A NON-INSTITUTIONAL SETTING WHEN THE DISCHARGING FACILITY CEASES TO BE LEGALLY RESPONSIBLE FOR THE CARE OF THE RESIDENT.

2) "TRANSFER" MEANS MOVEMENT OF A RESIDENT FROM A NURSING CARE FACILITY TO ANOTHER INSTITUTIONAL SETTING WHEN THE LEGAL RESPONSIBILITY FOR THE CARE OF THE RESIDENT CHANGES FROM THE TRANSFERRING FACILITY TO THE RECEIVING FACILITY.

3) "ROOM CHANGE" REFERS TO THE MOVEMENT OF A RESIDENT FROM ONE ROOM TO ANOTHER.

B) A RESIDENT SHALL NOT BE TRANSFERRED OR DISCHARGED UNLESS:

1) THE TRANSFER OR DISCHARGE IS NECESSARY FOR THE RESIDENT'S WELFARE. FACILITIES THAT ARE CERTIFIED TO PARTICIPATE IN THE MEDICAID AND/OR MEDICARE REIMBURSEMENT PROGRAM MUST ALSO DEMONSTRATE THAT THE RESIDENT'S NEEDS CANNOT BE MET IN THE FACILITY;

2) THE TRANSFER OR DISCHARGE IS ONLY FOR MEDICAL REASONS. FACILITIES THAT ARE CERTIFIED TO PARTICIPATE IN THE MEDICAID AND/OR MEDICARE REIMBURSEMENT PROGRAM MUST ALSO DEMONSTRATE THAT THE RESIDENT'S NEEDS CANNOT BE MET IN THE FACILITY;

3) THE TRANSFER OR DISCHARGE IS NECESSARY TO PRESERVE THE WELFARE OF OTHER RESIDENTS; OR

4) THE RESIDENT HAS FAILED TO PAY FOR (OR TO HAVE PAID UNDER MEDICAID OR MEDICARE) A STAY AT THE FACILITY. FACILITIES THAT ARE CERTIFIED TO PARTICIPATE IN THE MEDICAID AND/OR MEDICARE REIMBURSEMENT PROGRAM MUST ALSO PROVIDE REASONABLE AND APPROPRIATE NOTICE OF AT LEAST 30 DAYS FOR NON-PAYMENT AND ITS CONSEQUENCES TO THE RESIDENT PRIOR TO INITIATING A TRANSFER OR DISCHARGE OF A RESIDENT FOR REASONS OF NON-PAYMENT.

- C) WHEN A RESIDENT IS TRANSFERRED OR DISCHARGED UNDER ANY OF THE CIRCUMSTANCES SPECIFIED IN 15.6(B), THE FACILITY SHALL ENSURE THAT THE RESIDENT'S HEALTH INFORMATION RECORD CONTAINS DOCUMENTATION FROM:
- (1) THE RESIDENT'S PRACTITIONER WHEN THE TRANSFER OR DISCHARGE IS FOR THE REASONS DESCRIBED IN SECTIONS 15.6(B)(1), (2) OR (3); AND
  - (2) THE NURSING HOME ADMINISTRATOR WHEN TRANSFER OR DISCHARGE IS FOR THE REASON DESCRIBED IN SECTION 15.6(B)(4).
- D) WHENEVER A RESIDENT IS TRANSFERRED OR DISCHARGED FOR THE REASONS DESCRIBED IN SECTIONS 15.6(B)(1), (2) OR (3), THE FACILITY SHALL PROVIDE ASSESSMENT AND REASONABLE INTERVENTION PRIOR TO DETERMINING THE NEED FOR THE TRANSFER OR DISCHARGE. THE ASSESSMENT, ATTEMPTED INTERVENTION AND REASON FOR THE DISCHARGE OR TRANSFER SHALL BE DOCUMENTED IN THE RESIDENT'S HEALTH INFORMATION RECORD.
- E) THE FACILITY SHALL PROVIDE REASONABLE ADVANCE NOTICE TO THE RESIDENT AND RESIDENT REPRESENTATIVE OF ITS INTENT TO TRANSFER OR DISCHARGE THE RESIDENT. REASONABLE ADVANCE NOTICE MEANS NOTICE IN WRITING AT LEAST 30 DAYS BEFORE THE TRANSFER OR DISCHARGE EXCEPT IN THE FOLLOWING CIRCUMSTANCES IN WHICH THE PROFESSIONAL STAFF DETERMINES THERE IS AN EMERGENCY, IN WHICH CASE THE NOTICE MUST BE MADE AS SOON AS PRACTICABLE BEFORE THE TRANSFER OR DISCHARGE:
- 1) THE SAFETY OF RESIDENTS IN THE FACILITY IS ENDANGERED;
  - 2) THE HEALTH OF RESIDENTS IN THE FACILITY IS ENDANGERED; AND/OR
  - 3) AN IMMEDIATE TRANSFER OR DISCHARGE IS REQUIRED BY THE RESIDENT'S URGENT MEDICAL NEEDS.
- F) THE WRITTEN NOTICE SHALL BE IN A LANGUAGE AND MANNER UNDERSTANDABLE TO THE RESIDENT AND THE RESIDENT REPRESENTATIVE, IF APPLICABLE, AND SHALL INCLUDE:
- 1) THE REASON FOR THE TRANSFER OR DISCHARGE;
  - 2) THE EFFECTIVE DATE OF THE TRANSFER OR DISCHARGE;
  - 3) THE LOCATION TO WHICH THE RESIDENT IS TRANSFERRED OR DISCHARGED;
  - 4) THE GRIEVANCE PROCEDURE; AND
  - 5) THE FOLLOWING TEXT:
- "YOU HAVE A RIGHT TO APPEAL THE NURSING CARE FACILITY'S DECISION TO TRANSFER OR DISCHARGE YOU. IF YOU THINK YOU SHOULD NOT BE TRANSFERRED OR DISCHARGED, YOU MAY APPEAL TO \_\_\_\_\_ (STAFF DESIGNEE). IF YOU DO NOT WISH TO HANDLE THE APPEAL YOURSELF, YOU MAY USE AN ATTORNEY, RELATIVE, OR FRIEND. IF YOUR APPEAL IS NOT RESOLVED TO YOUR SATISFACTION BY THE STAFF DESIGNEE, YOU CAN CONTINUE YOUR APPEAL TO THE NURSING CARE FACILITY'S GRIEVANCE COMMITTEE AND, IF NECESSARY, THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. YOU MAY DIRECT QUESTIONS REGARDING THIS NOTICE TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AT \_\_\_\_\_ (DIVISION NAME, ADDRESS AND PHONE NUMBER)."
- (a) NURSING CARE FACILITIES THAT ARE CERTIFIED FOR MEDICAID AND/OR MEDICARE REIMBURSEMENT, MUST ALSO ADD THE FOLLOWING STATEMENT:

“IN ADDITION, IF YOU HAVE QUESTIONS OR COMPLAINTS ABOUT THE TRANSFER OR DISCHARGE OR WOULD LIKE HELP TO APPEAL, CALL OR WRITE THE STATE OR LOCAL LONG-TERM CARE OMBUDSMAN AT \_\_\_\_\_(PHONE NUMBERS/ADDRESSES).”

- (b) IF THE RESIDENT WHO IS BEING INVOLUNTARILY TRANSFERRED IS A PERSON WITH A DEVELOPMENTAL DISABILITY FOR WHOM AN AGENCY HAS BEEN AUTHORIZED BY LAW AS THE AGENCY RESPONSIBLE FOR ADVOCACY AND PROTECTION OF THE RIGHTS OF PERSONS WITH DEVELOPMENTAL DISABILITIES, THE NURSING CARE FACILITY MUST ALSO FURNISH TO RESIDENT AND THE RESIDENT REPRESENTATIVE, THE FOLLOWING STATEMENT:

“IN ADDITION, IF YOU HAVE QUESTIONS OR COMPLAINTS ABOUT THE TRANSFER OR DISCHARGE OR WOULD LIKE HELP TO APPEAL, CALL OR WRITE THE \_\_\_\_\_, (NAME, PHONE NUMBER AND ADDRESS OF THE AGENCY.)”

- (c) IF THE RESIDENT WHO IS BEING TRANSFERRED IS A PERSON WITH MENTAL ILLNESS FOR WHOM AN AGENCY HAS BEEN AUTHORIZED BY LAW AS THE AGENCY RESPONSIBLE FOR THE ADVOCACY AND PROTECTION OF PERSONS WITH MENTAL ILLNESS, THE NURSING CARE FACILITY MUST ALSO FURNISH TO THE RESIDENT AND THE RESIDENT REPRESENTATIVE THE FOLLOWING STATEMENT:

“IN ADDITION, IF YOU HAVE QUESTIONS OR COMPLAINTS ABOUT THE TRANSFER OR DISCHARGE OR WOULD LIKE HELP TO APPEAL, CALL OR WRITE THE \_\_\_\_\_, (NAME, PHONE NUMBER AND ADDRESS OF THE AGENCY.)”

- G) IN CASES WHERE A RESIDENT IS BEING INVOLUNTARILY TRANSFERRED OR DISCHARGED FROM A NURSING CARE FACILITY THAT IS CERTIFIED TO PARTICIPATE IN THE MEDICAID AND/OR MEDICARE REIMBURSEMENT PROGRAM, A COPY OF THE WRITTEN NOTICE (INCLUDING THE GRIEVANCE AND APPEAL RIGHTS, AND CURRENT CONTACT INFORMATION FOR THE STATE AND LOCAL LONG-TERM CARE OMBUDSMAN) SHALL ALSO BE SENT TO THE STATE AND LOCAL LONG-TERM CARE OMBUDSMAN AT THE SAME TIME IT IS SENT TO THE RESIDENT OR AS SOON AS THE DETERMINATION IS MADE THAT THE TRANSFER OR DISCHARGE IS INVOLUNTARY.

- H) A FACILITY MUST PROVIDE SUFFICIENT PREPARATION AND ORIENTATION TO RESIDENTS TO ENSURE SAFE AND ORDERLY TRANSFER AND DISCHARGE FROM THE FACILITY.

- I) WHEN THE FACILITY INTENDS TO MOVE A RESIDENT TO ANOTHER ROOM IN THE FACILITY WITHOUT THE RESIDENT'S CONSENT, THE FACILITY SHALL PROVIDE THE RESIDENT AND RESIDENT REPRESENTATIVE WITH WRITTEN NOTICE OF SUCH INTENT TO BE RECEIVED AT LEAST FIVE DAYS BEFORE SUCH MOVE, INCLUDING AN EXPLANATION ON THEIR RIGHT TO APPEAL.

- J) A RESIDENT SHALL NOT BE INVOLUNTARILY TRANSFERRED, DISCHARGED, OR MOVED TO ANOTHER ROOM WITHIN THE FACILITY UNTIL:

- 1) THE EXPIRATION OF THE NOTICE PERIOD, OR
- 2) THE TIME FOR ANY FURTHER ADMINISTRATIVE APPEALS HAS EXPIRED, OR
- 3) THE GRIEVANCE OR APPEAL HAS BEEN RESOLVED.

## 15.7 RESIDENT RELOCATION

IF A FACILITY INTENDS TO CLOSE OR CHANGE BED CLASSIFICATION, IT SHALL NOTIFY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND THE COLORADO DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, IF IT HAS MEDICAID RESIDENTS, AT LEAST 60 DAYS BEFORE IT EXPECTS TO CEASE OR CHANGE OPERATIONS AND AT LEAST SEVEN DAYS BEFORE IT NOTIFIES RESIDENTS AND FAMILIES.

- 1 A) THE FACILITY SHALL APPOINT ONE STAFF PERSON TO COORDINATE RESIDENT RELOCATION ACTIVITIES.
- 2 B) IF THE FACILITY HAS MEDICAID RESIDENTS, IT SHALL REVIEW ITS RELOCATION PLAN WITH THE
- 3 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING.
- 4 C) ANY FACILITY CERTIFIED FOR PARTICIPATION IN MEDICAID SHALL FOLLOW THE RELOCATION
- 5 PROCEDURES REQUIRED BY THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING. OTHER
- 6 FACILITIES SHALL PROVIDE FOR AN ORDERLY RELOCATION OF RESIDENTS, DESIGNED TO MINIMIZE RISKS
- 7 AND ENSURE OPTIMAL PLACEMENT OF ALL RESIDENTS, IN COORDINATION WITH THE DEPARTMENT OF
- 8 PUBLIC HEALTH AND ENVIRONMENT, THE STATE AND/OR LOCAL LONG-TERM CARE OMBUDSMAN AND
- 9 LOCAL PUBLIC AND PRIVATE SOCIAL SERVICES AGENCIES.

## 10 SECTION 16 EMERGENCY SERVICES

### 11 16.1 EMERGENCY CARE POLICIES

12 THE FACILITY SHALL COMPLETE A RISK ASSESSMENT USING AN ALL HAZARDS APPROACH. THE FACILITY SHALL

13 DEVELOP AND FOLLOW DETAILED WRITTEN POLICIES AND PROCEDURES FOR MISSING RESIDENTS AND FOR CARE

14 OF ALL RESIDENTS TO MEET THE RISKS IDENTIFIED BY THE FACILITY. EMERGENCY POLICIES SHALL BE TAILORED

15 TO THE GEOGRAPHIC LOCATION OF THE FACILITY; TYPES OF RESIDENTS SERVED AND UNIQUE RISKS AND

16 CIRCUMSTANCES IDENTIFIED BY THE FACILITY. POLICIES SHALL TAKE AN ALL HAZARDS APPROACH AND SHALL

17 ADDRESS:

- 18 A) ARRANGEMENTS, DEVELOPED IN CONSULTATION WITH THE MEDICAL DIRECTOR, FOR NECESSARY
- 19 MEDICAL CARE WHEN A RESIDENT'S PRACTITIONER IS UNAVAILABLE;
- 20 B) SUBSISTENCE NEEDS OF RESIDENTS, STAFF AND VISITORS;
- 21 C) PROCEDURES AND TRAINING PROGRAMS THAT COVER IMMEDIATE CARE OF RESIDENTS DURING
- 22 NATURAL OR MAN-MADE DISASTERS;
- 23 D) POWER NEEDS WITH EMERGENCY AND STANDBY POWER SYSTEMS;
- 24 E) AVAILABILITY AND TRANSFER OF ALL INFORMATION NECESSARY TO MEET THE NEEDS OF THE RESIDENTS
- 25 IN THE EVENT OF AN EVACUATION WHILE MAINTAINING CONFIDENTIALITY STANDARDS;
- 26 F) EVACUATION PLANS WITH ALTERNATE FACILITY AGREEMENTS; AND
- 27 G) NOTIFICATION OF PERSONS, SUPPLIERS AND AGENCIES IN AN EMERGENCY.

### 28 16.2 DISASTER PLANS

29 WITH THE ASSISTANCE OF QUALIFIED EXPERTS, THE FACILITY SHALL DEVELOP WRITTEN PLANS FOR PROTECTION

30 OF PERSONS WITHIN THE BUILDING DURING AN IMPENDING OR ACTUAL DISASTER. PLANS SHALL INCLUDE:

- 31 A) WRITTEN INSTRUCTIONS FOR EACH IDENTIFIED RISK THAT INCLUDE PERSONS TO BE NOTIFIED AND
- 32 STEPS TO BE TAKEN. THE INSTRUCTIONS SHALL BE READILY AVAILABLE 24 HOURS A DAY IN MORE THAN
- 33 ONE LOCATION WITH ALL STAFF AWARE OF THE LOCATIONS;
- 34 B) A SCHEMATIC PLAN OF THE BUILDING OR PORTIONS THEREOF POSTED AT EACH NURSES' STATION AND
- 35 THROUGHOUT THE BUILDING, AS NEEDED, SHOWING EVACUATION ROUTES, SMOKE STOP AND FIRE
- 36 DOORS, EXIT DOORS, AND THE LOCATION OF FIRE EXTINGUISHERS AND FIRE ALARM BOXES;
- 37 C) PROCEDURES FOR EVACUATING THE PREMISES;



- D) ASSIGNMENT OF SPECIFIC TASKS AND RESPONSIBILITIES TO THE PERSONNEL ON EACH SHIFT;
- E) AN EMERGENCY PREPAREDNESS COMMUNICATION PLAN;
- F) PROTECTION AND TRANSFER OF HEALTH INFORMATION AS NEEDED TO MEET THE CARE NEEDS OF RESIDENTS;
- G) PROVISION FOR CARE OF RESIDENTS WHEN ELECTRONIC AND PAPER HEALTH INFORMATION RECORDS MAY NOT BE ACCESSIBLE;
- H) PROVISION FOR UNANNOUNCED DRILLS AND INSTRUCTION TO KEEP EMPLOYEES INFORMED OF THEIR DUTIES;
- I) PROVISIONS FOR CONDUCTING SIMULATED FIRE DRILLS AT LEAST QUARTERLY ON EACH SHIFT;
- J) PERIODIC TESTING OF POWER SYSTEMS AND ELECTRONIC RECORD BACK-UPS TO ENSURE OPERABILITY; AND
- K) WRITTEN MEMORANDUMS OF UNDERSTANDING WITH ALTERNATE HEALTH FACILITIES AND COORDINATION WITH OTHER COMMUNITY AGENCIES.

#### 16.3 MASS CASUALTY PLAN

EACH FACILITY SHALL DEVELOP A WRITTEN MASS CASUALTY PLAN FOR MANAGING RESIDENTS AND TREATING CASUALTIES IN AN EXTERNAL OR COMMUNITY DISASTER. THE PROGRAM SHALL BE DEVELOPED IN COOPERATION WITH OTHER HEALTH FACILITIES IN THE AREA AND WITH OFFICIAL AND OTHER COMMUNITY AGENCIES.

### SECTION 17 HEALTH INFORMATION RECORDS

#### 17.1 RECORD CONTENT

THE FACILITY SHALL MAINTAIN ON ITS PREMISES A HEALTH INFORMATION RECORD FOR EACH RESIDENT. THE RECORD AND THE RESIDENT FOR WHICH IT IS MAINTAINED SHALL BE IDENTIFIED BY A SEPARATE, UNIQUE NUMBER. THE RECORD SHALL CONTAIN SUFFICIENT INFORMATION TO IDENTIFY THE RESIDENT; PROVIDE AND SUPPORT RESIDENT DIAGNOSES; AND INCLUDE ORDERS FOR MEDICATIONS, TREATMENTS, RESTORATIVE SERVICES, DIET, SPECIAL PROCEDURES AND RESIDENT ENGAGEMENT. IT SHALL INCLUDE A CARE PLAN AND DISCHARGE PLAN AND INDICATE IN PROGRESS NOTES FROM ALL APPLICABLE DISCIPLINES THE RESIDENT'S PROGRESS AT APPROPRIATE INTERVALS. THE COMPONENTS OF THE RECORD MAY BE KEPT SEPARATELY AS LONG AS THEY ARE READILY RETRIEVABLE.

- A) ALL ORDERS FOR DIAGNOSTIC PROCEDURES, TREATMENTS, AND MEDICATIONS SHALL BE ENTERED INTO THE HEALTH INFORMATION RECORD AND AUTHENTICATED AND SIGNED BY THE PRACTITIONER, EXCEPT THAT ORDERS FOR DENTAL PROCEDURES SHALL BE AUTHENTICATED AND SIGNED BY A DENTIST. ALL REPORTS OF X-RAY, LABORATORY TESTS, EKG, AND OTHER DIAGNOSTIC TESTS SHALL BE AUTHENTICATED BY THE PERSON OR ENTITY SUBMITTING THEM AND INCORPORATED INTO THE HEALTH INFORMATION RECORD WITHIN TWO DAYS AFTER RECEIPT BY THE FACILITY.
- B) ALL ENTRIES IN THE HEALTH INFORMATION RECORD SHALL BE CURRENT, DATED, AND SIGNED OR AUTHENTICATED. THE RESPONSIBILITY FOR COMPLETING THE HEALTH INFORMATION RECORD RESTS WITH THE ATTENDING PRACTITIONER AND THE FACILITY ADMINISTRATOR. AUTHENTICATION OF THE HEALTH INFORMATION RECORD SHALL BE ACCOMPLISHED BY HAND WRITTEN SIGNATURE, IDENTIFIABLE INITIALS OR DIGITIZED ELECTRONIC SIGNATURE.

C) A COMPLETED HEALTH INFORMATION RECORD SHALL BE MAINTAINED ON EVERY RESIDENT FROM THE TIME OF ADMISSION THROUGH THE TIME OF DISCHARGE. ALL HEALTH INFORMATION RECORDS SHALL CONTAIN THE FOLLOWING ITEMS.

1) IDENTIFICATION AND SUMMARY SHEET (FACE SHEET) THAT INCLUDES:

- a) RESIDENT'S LEGAL NAME, PREFERRED NAME, HEALTH INFORMATION RECORD NUMBER SOCIAL SECURITY NUMBER, HEALTH INSURANCE INFORMATION, MARITAL STATUS, AGE, RACE, HOME ADDRESS, DATE OF BIRTH, RELIGION, LIFETIME OCCUPATION, GENDER AND LANGUAGE;
- b) NAME, ADDRESS AND PHONE NUMBER OF ATTENDING PRACTITIONER(S);
- c) NAME OF MEDICAL POWER OF ATTORNEY, NEXT OF KIN AND/OR RESIDENT REPRESENTATIVE, IF KNOWN;
- d) DATE AND TIME OF ADMISSION AND DISCHARGE;
- e) PLACE ADMITTED FROM AND DISCHARGED TO; AND
- f) ADMITTING DIAGNOSIS, FINAL DIAGNOSIS(ES), CONDITION ON DISCHARGE AND DISPOSITION

(2) MEDICAL DATA THAT INCLUDES:

- a) PAST MEDICAL HISTORY;
- b) ADVANCE DIRECTIVES AND LEGAL AUTHORITY DOCUMENTATION;
- c) DOCUMENTATION OF AN INITIAL COMPREHENSIVE PHYSICIAN VISIT WITHIN 30 DAYS OF ADMISSION AND RE-ADMISSION BASED ON RESIDENT NEED AND AT LEAST ANNUALLY;
- d) INFORMED CONSENTS, RELEASES AND NOTIFICATIONS;
- e) PRACTITIONER ORDERS OF ALL MEDICATIONS, TREATMENT, DIET, RESTORATIVE AND SPECIAL PROCEDURES;
- f) REPORTS OF ANY SPECIAL EXAMINATIONS, INCLUDING LABORATORY AND X-RAY REPORTS;
- g) REPORTS OF CONSULTATIONS BY CONSULTING PRACTITIONERS, IF ANY;
- h) REPORTS FROM ALL CONSULTING PERSONS AND AGENCIES, IF ANY;
- i) REPORTS OF SPECIAL TREATMENTS, SUCH AS PHYSICAL, OCCUPATIONAL, SPEECH OR RESPIRATORY THERAPY;
- j) HOSPICE, DIALYSIS, ULCER AND/OR WOUND CARE;
- k) DENTAL REPORTS, IF ANY;
- l) TREATMENT AND PROGRESS NOTES WRITTEN AND SIGNED BY THE PRACTITIONER AT THE TIME OF EACH VISIT,

- m) HOSPITAL DISCHARGE SUMMARY SHEET AND TRANSFER FORM WHEN APPLICABLE; HISTORY AND PHYSICAL; SURGICAL REPORT WHEN APPLICABLE; AND PERTINENT MEDICATION AND FLUID ADMINISTRATION (INCLUDING NAMES AND DATES OF INTRAVENOUS MEDICATION);
  - n) CARE PLANS;
  - o) INTERDISCIPLINARY DISCHARGE SUMMARIES;
  - p) PHYSICIAN DISCHARGE SUMMARY INCLUDING FINAL DIAGNOSES AND, WHEN APPLICABLE, CAUSE OF DEATH;
  - q) TRANSFER RECORDS; AND
  - r) WHEN APPLICABLE, MORTICIAN RECEIPT OF BODY AND ANY POSSESSIONS INCLUDED.
- 3) PLANS AND NOTES OF THE SOCIAL SERVICE AND RESIDENT ENGAGEMENT, INCLUDING SOCIAL HISTORY, SOCIAL SERVICES ASSESSMENT/PLAN, PROGRESS NOTES, RESIDENT ATTENDANCE RECORDS, ACTIVITIES ASSESSMENT/PLAN AND ACTIVITIES PROGRESS NOTES;
  - 4) NUTRITIONAL ASSESSMENTS AND PROGRESS NOTES OF THE DIETARY SERVICE;
  - 5) DOCUMENTATION OF ACCIDENTS OR INCIDENTS EXPERIENCED BY THE RESIDENT; AND
  - 6) NURSING RECORDS, DATED AND SIGNED BY NURSING PERSONNEL, THAT INCLUDE THE RESIDENT ASSESSMENT, ALL MEDICATIONS AND TREATMENTS ADMINISTERED, SPECIAL PROCEDURES PERFORMED, NOTES OF OBSERVATIONS, RESTORATIVE SERVICES AND THE TIME AND CIRCUMSTANCES OF DISCHARGE OR DEATH.

## 17.2 RECORD STORAGE

THE FACILITY SHALL PROVIDE A HEALTH INFORMATION RECORD ROOM OR OTHER HEALTH INFORMATION RECORD ACCOMMODATION, SUPPLIES AND EQUIPMENT ADEQUATE FOR HEALTH INFORMATION RECORD FUNCTIONS AND PROTECTION OF RESIDENT PRIVACY AND CONFIDENTIALITY REGARDLESS OF THE FORM OR STORAGE METHOD OF RECORDS.

A) HEALTH INFORMATION RECORDS SHALL BE MAINTAINED AND STORED SAFELY OUT OF DIRECT ACCESS OF WATER, FIRE AND OTHER HAZARDS, FOR PRIVACY AND PROTECTION FROM LOSS, DAMAGE, AND UNAUTHORIZED ACCESS OR USE. ELECTRONICALLY STORED RECORDS SHALL BE BACKED UP DAILY AND SECURED FROM UNAUTHORIZED ACCESS AND LOSS.

1) A PRIVACY OFFICER OR OTHER DESIGNATED STAFF PERSON SHALL BE APPOINTED TO ENSURE THE PRIVACY OF HEALTH INFORMATION RECORDS IN ALL FORMATS; PROTECT ALL FACILITY HELD PERSONAL HEALTH INFORMATION; AND HANDLE AMENDMENTS TO AND ACCOUNTING OF HEALTH INFORMATION RECORDS.

B) CUSTODY OF HEALTH INFORMATION RECORDS SHALL BE THE RESPONSIBILITY OF THE PRIVACY OFFICER OR OTHER DESIGNATED STAFF PERSON APPOINTED TO ASSESS RISKS AND MANAGE THE SECURITY OF HEALTH INFORMATION RECORDS IN ALL FORMATS. CURRENT PURGED AND CLOSED PAPER RECORDS MUST BE SECURED WITH DOUBLE LOCKS. ELECTRONIC EQUIPMENT NEEDED FOR THE CREATION AND MAINTENANCE OF AN ELECTRONIC HEALTH INFORMATION RECORD MUST BE SECURED FROM UNAUTHORIZED ACCESS AND USE AND PROTECTED FROM LOSS. ELECTRONIC EQUIPMENT INCLUDES SERVERS, COMPUTERS, LAPTOPS, TABLETS, PDAS, SMART PHONES AND CAMERAS.

## 17.3 RECORD PRESERVATION

ALL HEALTH INFORMATION RECORDS SHALL BE COMPLETED NO LATER THAN 30 DAYS FOLLOWING RESIDENT DISCHARGE; FILED, ARCHIVED AND REPRODUCIBLE FOR TEN YEARS AFTER THE DATE OF THE LAST DISCHARGE.

#### 17.4 RECORD MAINTENANCE

THE FACILITY SHALL IDENTIFY AND MAKE PROVISIONS FOR THE COMPLETE AND ACCURATE MAINTENANCE OF THE RESIDENT HEALTH INFORMATION RECORD TO ENSURE PRIVACY, CONFIDENTIALITY AND SECURITY STANDARDS.

#### 17.5 STAFFING

THE FACILITY SHALL EMPLOY HEALTH INFORMATION MANAGEMENT STAFF IN SUFFICIENT NUMBER TO MEET THE NEEDS OF THE FACILITY. STAFF MEMBERS SHALL BE CONSIDERED QUALIFIED IF THEY MEET EITHER OF THE CRITERIA BELOW.

1) A REGISTERED HEALTH INFORMATION ADMINISTRATOR (RHIA) OR REGISTERED HEALTH INFORMATION TECHNICIAN (RHIT) WITH EITHER ONE YEAR OF EXPERIENCE IN A NURSING CARE FACILITY OR, IF NO EXPERIENCE IN A NURSING CARE FACILITY, REGULAR CONSULTATIONS FOR ONE YEAR WITH A QUALIFIED RHIA OR RHIT; OR

2) DEDICATED STAFF MEMBER(S) WITH ONE YEAR WORK EXPERIENCE AND/OR TRAINING IN HEALTH INFORMATION MANAGEMENT AND REGULAR CONSULTATIONS FROM A QUALIFIED RHIA OR RHIT.

#### 17.6 STAFF RESPONSIBILITIES

HEALTH INFORMATION STAFF SHALL BE RESPONSIBLE FOR ALL OF THE FOLLOWING ITEMS:

A) THE AUDITING, MAINTENANCE, SUPERVISION, CODING, CLOSING, SCANNING, FILING AND PROVIDING SECURE STORAGE OF ALL RESIDENT HEALTH INFORMATION RECORDS.

B) PROVIDING ACCESS TO AND RELEASE OF HEALTH INFORMATION PER SECTION 25-1-801, C.R.S.

C) REPORTING TO THE NURSING HOME ADMINISTRATOR ANY IRREGULARITIES IDENTIFIED DURING AUDITS, SURVEYS OR OTHER INVESTIGATIONS BY THE DEPARTMENT.

D) OBTAINING, MAINTAINING AND SECURING CURRENT CREDENTIALING DOCUMENTATION FOR ALL NON-EMPLOYEE PRACTITIONERS, CONSULTANTS AND OTHER LICENSED PROFESSIONALS WHO PROVIDE SERVICES IN THE FACILITY INCLUDING, WHEN APPLICABLE, THE FOLLOWING:

1) DEA LICENSE;

2) NPI NUMBER;

3) MEDICAID PROVIDER NUMBER;

4) LIABILITY INSURANCE INFORMATION;

5) PROOF OF MONTHLY OFFICE OF INSPECTOR GENERAL (OIG) EXCLUSION LIST CHECKS AND ANNUAL PECOS ENROLLMENT CHECKS AS REQUIRED BY FEDERAL REGULATION; AND

6) TUBERCULOSIS TEST RESULTS AND ANNUAL INFLUENZA VACCINATION DOCUMENTATION.

E) OBTAINING AUTHENTICATION OF SIGNATURE AND INITIALS FROM EACH PRACTITIONER, CONSULTANT AND OTHER LICENSED PROFESSIONAL WHO PROVIDES SERVICES TO RESIDENTS. FOR ELECTRONIC HEALTH

1 INFORMATION RECORDS, AN ELECTRONIC SIGNATURE AGREEMENT SHALL BE OBTAINED STATING  
2 ELECTRONIC RECORD ACCESS AND PASSWORDS WILL NOT BE SHARED.

- 3 F) IMPLEMENTATION OF HEALTH INFORMATION RECORD DISASTER PLANS TO MEET THE NEEDS OF THE  
4 RESIDENTS DURING EMERGENCIES.

#### 5 17.7 NURSING CARE FACILITY RECORDS

6 THE FACILITY SHALL MAINTAIN, WITH CURRENT INFORMATION, THE FOLLOWING RECORDS:

- 7 A) DAILY CENSUS INCLUDING CURRENT RESIDENT ROOM NUMBERS;  
8 B) ADMISSION AND DISCHARGE REGISTRIES;  
9 C) MASTER RESIDENT INDEX;  
10 D) RESIDENT NUMBER INDEX;  
11 E) DISEASE INDEX BY ICD CODE; AND  
12 F) FILE OF ALL ACCIDENT AND INCIDENT REPORTS INCLUDING, WITHOUT LIMITATION, THOSE REQUIRED BY  
13 6 CCR 1011-1, CHAPTER 2, PART 3.

### 14 SECTION 18 OCCUPATIONAL, PHYSICAL AND SPEECH THERAPY

#### 15 18.1 SERVICES

16 THE FACILITY SHALL PROVIDE OR MAKE ARRANGEMENTS FOR REFERRAL TO OCCUPATIONAL, PHYSICAL AND/OR  
17 SPEECH THERAPY SERVICES FOR ALL RESIDENTS WITH PRACTITIONER ORDERS FOR SUCH THERAPY.

- 18 A) THE FACILITY SHALL HAVE WRITTEN POLICIES APPROVED BY THE GOVERNING BODY IDENTIFYING THE  
19 ORGANIZATION, ADMINISTRATION, PERFORMANCE STANDARDS, DIRECTION AND SUPERVISION OF  
20 THERAPY CARE FOR RESIDENTS.

#### 21 18.2 THERAPIST QUALIFICATIONS

- 22 A) OCCUPATIONAL THERAPY SHALL ONLY BE PROVIDED BY AN OCCUPATIONAL THERAPIST LICENSED OR  
23 AUTHORIZED BY THE COLORADO DEPARTMENT OF REGULATORY AGENCIES. ALL PERSONNEL  
24 ASSISTING RESIDENTS WITH OCCUPATIONAL THERAPY SHALL DO SO ONLY UNDER SUPERVISION OF A  
25 LICENSED OCCUPATIONAL THERAPIST.
- 26 B) PHYSICAL THERAPY SHALL ONLY BE PROVIDED BY A PHYSICAL THERAPIST LICENSED BY THE COLORADO  
27 DEPARTMENT OF REGULATORY AGENCIES. ALL PERSONNEL ASSISTING RESIDENTS WITH PHYSICAL  
28 THERAPY SHALL DO SO ONLY UNDER SUPERVISION OF A LICENSED PHYSICAL THERAPIST.
- 29 C) SPEECH THERAPY SHALL ONLY BE PROVIDED BY A SPEECH-LANGUAGE PATHOLOGIST CERTIFIED BY THE  
30 COLORADO DEPARTMENT OF REGULATORY AGENCIES. ALL PERSONNEL ASSISTING RESIDENTS WITH  
31 SPEECH THERAPY SHALL DO SO ONLY UNDER THE SUPERVISION OF A CERTIFIED SPEECH-LANGUAGE  
32 PATHOLOGIST.

#### 33 18.3 RECORDS

34 THERAPY RECORDS SHALL INCLUDE THE PRACTITIONER'S ORDER FOR TREATMENT, SIGNED PLAN OF CARE,  
35 RESIDENT PROGRESS NOTES, AND RESULTS OF SPECIAL TESTS AND MEASUREMENTS.

1 18.4 COMMUNICATION

2 THE FACILITY SHALL ENSURE THAT THE THERAPIST COMMUNICATES TO THE FACILITY THE RESIDENT'S CONDITION  
3 AND RESPONSE TO TREATMENT WITHIN 14 DAYS OF INITIATION OF TREATMENT AND EVERY 30 DAYS THEREAFTER  
4 WHILE TREATMENT CONTINUES.

5 18.5 SPACE AND EQUIPMENT

6 THE FACILITY SHALL PROVIDE SPACE, APPROPRIATE EQUIPMENT AND STORAGE AREAS ADEQUATE FOR THERAPY  
7 ON ALL REFERRED RESIDENTS. SERVICES SHALL BE PROVIDED IN AN AREA READILY ACCESSIBLE TO RESIDENTS.  
8 EQUIPMENT SHALL BE PROPERLY MAINTAINED TO ENSURE SAFETY OF RESIDENTS AND STAFF.

9 **SECTION 19 PHARMACEUTICAL SERVICES**

10 19.1 ORGANIZATION

11 THE PHARMACEUTICAL SERVICES OF THE FACILITY SHALL BE ORGANIZED AND MAINTAINED EXCLUSIVELY FOR THE  
12 BENEFIT OF THE FACILITY'S RESIDENTS.

13 A) THE PHARMACEUTICAL SERVICE SHALL BE SUPERVISED BY A CONSULTANT PHARMACIST LICENSED TO  
14 PRACTICE PHARMACY IN THE STATE OF COLORADO.

15 1) IN THE EVENT OF A CONFLICT BETWEEN THE RULES IN THIS SECTION REGARDING  
16 PHARMACEUTICAL SERVICES AND THE COLORADO BOARD OF PHARMACY RULES AT 3 CCR  
17 719-1, THE LATER SHALL CONTROL.

18 B) ALL COMPOUNDING AND DISPENSING SHALL BE FROM A PHARMACY LICENSED BY THE COLORADO  
19 BOARD OF PHARMACY IN ACCORDANCE WITH ALL PHARMACY LAWS AND REGULATIONS.

20 19.2 ADVISORY COMMITTEES

21 A) THE FACILITY SHALL ESTABLISH A PHARMACEUTICAL ADVISORY COMMITTEE THAT INCLUDES A  
22 REGISTERED NURSE, THE CONSULTING PHARMACIST AND THE MEDICAL DIRECTOR, TO ASSIST IN THE  
23 FORMULATION OF BROAD PROFESSIONAL POLICIES AND PROCEDURES RELATING TO PHARMACEUTICAL  
24 SERVICE IN THE FACILITY.

25 B) THE FACILITY SHALL ESTABLISH A PSYCHOTROPIC ADVISORY COMMITTEE THAT INCLUDES, AT A  
26 MINIMUM, A REGISTERED NURSE, THE CONSULTING PHARMACIST, THE MEDICAL DIRECTOR AND A SOCIAL  
27 WORKER.

28 19.3 MEDICATION REQUISITION AND STORAGE POLICIES

29 THE FACILITY SHALL DESIGNATE IN WRITTEN POLICIES, APPROVED BY THE GOVERNING BODY, THE PERSON  
30 AUTHORIZED TO REQUISITION, RECEIVE, CONTROL AND MANAGE MEDICATIONS.

31 A) RESIDENT MEDICATIONS SHALL BE OBTAINED FROM A LICENSED PHARMACY ON AN INDIVIDUAL  
32 PRESCRIPTION BASIS FOR EACH RESIDENT.

33 B) MEDICATIONS BROUGHT INTO A FACILITY BY A RESIDENT SHALL BE IN THE ORIGINAL PACKAGING WITH  
34 LEGIBLE DIRECTIONS FOR ADMINISTRATION.

35 C) UNLESS THE FACILITY USES A UNIT DOSE SYSTEM, EACH RESIDENT MEDICATION SHALL BE STORED IN  
36 INDIVIDUAL, ORIGINALLY RECEIVED CONTAINERS OR "BLISTER" OR "BUBBLE" CARDS THAT ARE CLEARLY  
37 AND LEGIBLY LABELED WITH THE MEDICATION NAME, STRENGTH, DOSAGE FREQUENCY AND MODE OF  
38 ADMINISTRATION; DATE OF ISSUE AND EXPIRATION; NAME OF PRESCRIBING PRACTITIONER OR DENTIST;

DISPENSING PHARMACY NAME, ADDRESS AND TELEPHONE NUMBER; AND THE FULL NAME OF THE RESIDENT FOR WHOM THE MEDICATION IS PRESCRIBED.

- D) THE FACILITY SHALL PROTECT EACH RESIDENT'S MEDICATIONS FROM USE BY OTHER RESIDENTS, VISITORS, AND STAFF.

#### 19.4 CONSULTING PHARMACIST

THE FACILITY SHALL CONTRACT IN WRITING WITH A LICENSED PHARMACIST OR PHARMACY TO PROVIDE CONSULTANT PHARMACIST SERVICE TO BE RESPONSIBLE FOR ALL PHARMACEUTICAL MATTERS IN THE FACILITY. THE CONTRACT SHALL SET FORTH THE FEES TO BE PAID FOR SERVICES AND THE PHARMACIST'S RESPONSIBILITIES, INCLUDING AT LEAST THE FOLLOWING:

- A) LEGAL COMPOUNDING;
- B) PROMPT DISPENSING OF PROPERLY LABELED INDIVIDUAL RESIDENT PRESCRIPTIONS;
- C) INVENTORY CONTROL;
- D) ESTABLISHMENT OF NECESSARY RECORDS;
- E) PERIODIC INSPECTION OF ALL PHARMACEUTICAL SUPPLIES, MEDICATIONS AND PROCEDURES ON ALL RESIDENT CARE UNITS INCLUDING INSPECTION OF PRESCRIPTION LABELS, EXPIRATION DATES, STORAGE AND EMERGENCY KIT PROCEDURES;
- F) PROVISION OF AN EMERGENCY MEDICAL KIT, WHICH REMAINS THE PROPERTY OF A LICENSED PHARMACY APPROVED BY THE PHARMACEUTICAL ADVISORY COMMITTEE AND THE COLORADO STATE BOARD OF PHARMACY;
- G) REGULARLY SCHEDULED VISITS AND CONSULTATIONS AND AT LEAST ANNUAL IN-SERVICE TRAINING TO STAFF;
- H) DETERMINATION OF PROPER PROCUREMENT AND MAINTENANCE OF ALL PRESCRIPTIONS AND OTHER MEDICATIONS;
- I) DEVELOPMENT OF PROPER ACCOUNTING PROCEDURES FOR CONTROLLED SUBSTANCES AND LEGEND MEDICATIONS;
- J) EVALUATION OF THE POLICIES OF THE PHARMACEUTICAL ADVISORY COMMITTEE; AND
- K) QUARTERLY REPORTS TO THE PHARMACEUTICAL ADVISORY COMMITTEE ON THE STATUS OF PHARMACY SERVICES.

#### 19.5 TELEHEALTH

THE CONSULTING PHARMACIST MAY UTILIZE TELEHEALTH FOR THE PERFORMANCE OF ANY TASK SET FORTH IN THESE REGULATIONS EXCEPT THOSE TASKS WHERE THE REGULATIONS SPECIFICALLY REQUIRE IN-PERSON INSPECTION OR FACE TO FACE EVALUATION.

#### 19.6 CONTROLLED SUBSTANCES

ONLY PRACTITIONERS AUTHORIZED UNDER THE LAWS OF THE STATE OF COLORADO AND PROPERLY REGISTERED WITH THE FEDERAL GOVERNMENT SHALL PRESCRIBE CONTROLLED SUBSTANCES. THE FACILITY SHALL COMPLY WITH ALL FEDERAL AND STATE LAWS AND REGULATIONS RELATING TO PROCUREMENT, STORAGE, ADMINISTRATION AND DISPOSAL OF CONTROLLED SUBSTANCES. UNLESS THE FACILITY USES A UNIT DOSE

SYSTEM, IT SHALL MAINTAIN A RECORD ON A SEPARATE SHEET FOR EACH RESIDENT RECEIVING A CONTROLLED SUBSTANCE, WHICH CONTAINS THE NAME OF THE CONTROLLED SUBSTANCE; STRENGTH AND DOSAGE; DATE AND TIME ADMINISTERED; RESIDENT NAME; NAME OF PRESCRIBING PHYSICIAN OR ADVANCE PRACTICE NURSE; SIGNATURE OF PERSON ADMINISTERING AND THE QUANTITY OF THE CONTROLLED SUBSTANCE REMAINING.

#### 19.7 INVESTIGATIONAL MEDICATIONS

A) IF INVESTIGATIONAL MEDICATIONS ARE USED, POLICIES AND PROCEDURES SHALL BE DEVELOPED AND IMPLEMENTED FOR SAFE AND PROPER USE.

B) INVESTIGATIONAL MEDICATIONS SHALL BE USED ONLY:

1) WHEN THERE IS WRITTEN APPROVAL OF AN INSTITUTIONAL REVIEW BOARD (IRB), ESTABLISHED IN ACCORDANCE WITH FEDERAL LAW AND REGULATION; AND

2) UNDER THE SUPERVISION OF A MEMBER OF THE MEDICAL STAFF AND ADMINISTERED IN ACCORDANCE WITH AN IRB APPROVED PROTOCOL.

#### 19.8 DISPOSITION OF MEDICATIONS, MEDICAL DEVICES AND MEDICAL SUPPLIES

A) IF CONTROLLED SUBSTANCES (SCHEDULES 2 THROUGH 5) ARE BEING HELD BY A FACILITY ON BEHALF OF A RESIDENT AND THE CONTROLLED SUBSTANCES ARE NO LONGER NEEDED, THE FACILITY SHALL CONDUCT ON-SITE DESTRUCTION OF THE CONTROLLED SUBSTANCES AS FOLLOWS:

1) THE FACILITY SHALL PROPERLY INVENTORY THE DESTRUCTION AND KEEP THE INVENTORY COPY ON FILE FOR AT LEAST TWO YEARS;

2) DESTRUCTION OF CONTROLLED SUBSTANCES SHALL BE WITNESSED AND DOCUMENTED IN WRITING BY THE ADMINISTRATOR OR DESIGNEE AND TWO CLINICALLY LICENSED INDIVIDUALS; AND

3) THE DESTRUCTION SHALL BE PERFORMED IN A MANNER THAT RENDERS THE CONTROLLED SUBSTANCES TOTALLY IRRETRIEVABLE.

B) ONCE A DEA CONTROLLED SUBSTANCE, OR ANY MEDICATION REQUIRING DISPOSAL, HAS BEEN RENDERED TOTALLY IRRETRIEVABLE, THE FACILITY SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS INCLUDING SOLID AND HAZARDOUS WASTE DISPOSAL REGULATIONS.

C) IF A FACILITY MEETS THE CRITERIA IN 6 CCR 1011-1, CHAPTER 2, PART 7.202, IT MAY RETURN UNUSED MEDICATIONS OR MEDICAL SUPPLIES AND USED OR UNUSED MEDICAL DEVICES TO A PHARMACIST WITHIN THE FACILITY OR TO A PRESCRIPTION DRUG OUTLET IN ORDER FOR THE MATERIALS TO BE RE-DISPENSED TO ANOTHER RESIDENT OR PATIENT, OR DONATED TO A NONPROFIT ENTITY THAT HAS THE LEGAL AUTHORITY TO POSSESS THE MATERIALS OR TO A PRACTITIONER AUTHORIZED BY LAW TO DISPENSE THE MATERIALS.

1) A PERSON OR ENTITY IS NOT SUBJECT TO CIVIL OR CRIMINAL LIABILITY OR PROFESSIONAL DISCIPLINARY ACTION FOR DONATING, ACCEPTING, DISPENSING OR FACILITATING THE DONATION OF MATERIAL IN GOOD FAITH, WITHOUT NEGLIGENCE, AND IN COMPLIANCE WITH COLORADO LAW.

#### 19.10 MEDICATION RELEASE

UPON DISCHARGE, THE FACILITY STAFF SHALL RELEASE MEDICATIONS TO A RESIDENT ONLY WITH WRITTEN PRACTITIONER AUTHORIZATION.



1 19.11 RESIDENT MEDICATION PROFILE RECORD

2 THE DISPENSING PHARMACIST SHALL MAINTAIN MEDICATION PROFILE RECORDS ON EACH RESIDENT FOR WHOM  
3 MEDICATIONS ARE DISPENSED.

4 **SECTION 20 DIAGNOSTIC SERVICES**

5 20.1 POLICIES

6 THE FACILITY SHALL ESTABLISH AND FOLLOW POLICIES FOR OBTAINING CLINICAL LABORATORY, IMAGING AND  
7 OTHER DIAGNOSTIC SERVICES.

8 20.2 PRACTITIONER ORDERS

9 DIAGNOSTIC SERVICES SHALL BE PROVIDED ONLY ON THE ORDER OF THE ATTENDING PRACTITIONER.

10 20.3 TRANSPORTATION

11 THE FACILITY SHALL ASSIST RESIDENTS TO MAKE ARRANGEMENTS FOR TRANSPORTATION OF RESIDENTS AND/OR  
12 LABORATORY SPECIMENS TO AND FROM THE SOURCE OF DIAGNOSTIC SERVICES.

13 **SECTION 21 PHYSICAL PLANT STANDARDS**

14 21.1 COMPLIANCE WITH FGI GUIDELINES

15 EFFECTIVE JULY 1, 2013, ALL NURSING CARE FACILITIES SHALL BE CONSTRUCTED IN CONFORMITY WITH THE  
16 STANDARDS ADOPTED BY THE DIRECTOR OF THE DIVISION OF FIRE PREVENTION AND CONTROL (DFPC) AT THE  
17 COLORADO DEPARTMENT OF PUBLIC SAFETY. FOR CONSTRUCTION INITIATED OR SYSTEMS INSTALLED ON OR  
18 AFTER JULY 1, 2013, THAT AFFECT PATIENT HEALTH AND SAFETY AND FOR WHICH DFPC HAS NO APPLICABLE  
19 STANDARDS, EACH FACILITY SHALL CONFORM TO THE RELEVANT SECTION(S) OF THE GUIDELINES FOR DESIGN  
20 AND CONSTRUCTION OF HEALTH CARE FACILITIES, (2010 EDITION), FACILITIES GUIDELINES INSTITUTE. THE  
21 GUIDELINES FOR DESIGN AND CONSTRUCTION OF HEALTH CARE FACILITIES, (2010 EDITION), FACILITIES  
22 GUIDELINES INSTITUTE (FGI), IS HEREBY INCORPORATED BY REFERENCE AND EXCLUDES ANY LATER  
23 AMENDMENTS TO OR EDITIONS OF THE GUIDELINES. THE 2010 FGI GUIDELINES ARE AVAILABLE AT NO COST IN A  
24 READ-ONLY VERSION AT: [HTTP://FGIGUIDELINES.ORG/DIGITALCOPY.PHP](http://fgiguideelines.org/digitalcopy.php)

25 **SECTION 22 RESIDENT CARE UNIT**

26 22.1 A RESIDENT CARE UNIT IS A DESIGNATED AREA OF A NURSING CARE FACILITY CONSISTING OF A BEDROOM OR A  
27 GROUPING OF BEDROOMS WITH SUPPORTING FACILITIES AND SERVICES THAT ARE PLANNED, ORGANIZED,  
28 OPERATED AND MAINTAINED TO PROVIDE ADEQUATE NURSING AND SUPPORTIVE CARE OF NOT MORE THAN 60  
29 RESIDENTS.

30 22.2 PRIVATE AND MULTI-BED ROOMS

31 THE NURSING CARE FACILITY SHALL PROVIDE PRIVATE AND/OR MULTI-BED ROOMS TO MEET RESIDENT NEEDS.  
32 THERE SHALL BE NO MORE THAN FOUR BEDS PER ROOM.

33 A) MINIMUM ROOM AREA, EXCLUSIVE OF CLOSETS, LOCKERS, WARDROBES OF ANY TYPE, VESTIBULES AND  
34 TOILET ROOMS, SHALL BE 100 SQ. FT. FOR ONE-BED ROOMS AND 80 SQ. FT. PER BED IN MULTI-BED  
35 ROOMS.

36 B) PRIVACY SHALL BE PROVIDED FOR EACH RESIDENT IN A MULTI-BED ROOM BY THE INSTALLATION OF  
37 OPAQUE FLAME RETARDANT CUBICLE CURTAINS OR MOVABLE SCREENING.

- 1 C) EACH BEDROOM SHALL HAVE AN EXTERIOR WINDOW. ONE-HALF OF THE REQUIRED WINDOW AREA  
2 SHALL OPEN WITHOUT THE USE OF TOOLS. IF A MECHANICAL VENTILATION SYSTEM IS PROVIDED, A  
3 PORTION OF THE REQUIRED WINDOW SHALL OPEN WITHOUT THE USE OF TOOLS. PRIVACY FOR THE  
4 RESIDENT AND CONTROL OF LIGHT SHALL BE PROVIDED AT EACH WINDOW.
- 5 D) EACH BEDROOM SHALL HAVE DIRECT ENTRY FROM A CORRIDOR.
- 6 E) ARTIFICIAL LIGHT SHALL BE PROVIDED AND INCLUDE:
- 7 1) GENERAL ILLUMINATION;
- 8 2) OTHER SOURCES OF ILLUMINATION FOR READING, OBSERVATION, EXAMINATIONS AND  
9 TREATMENTS; AND
- 10 3) NIGHT LIGHT CONTROLLED AT THE DOOR OF THE BEDROOM.
- 11 F) A SINK COMPLETE WITH MIXING FAUCET, EASY-TO-USE CONTROLS, SANITARY SOAP AND A METHOD FOR  
12 SANITARY HAND-DRYING SHALL BE PROVIDED IN EACH BEDROOM.
- 13 G) A TOILET ROOM, DIRECTLY ACCESSIBLE FROM EACH BEDROOM, WITHOUT GOING THROUGH A GENERAL  
14 CORRIDOR, SHALL BE PROVIDED.
- 15 1) THERE MAY BE ONE TOILET FOR TWO RESIDENT ROOMS BUT NOT MORE THAN FOUR BEDS.
- 16 2) THE MINIMUM DIMENSIONS FOR ANY ROOM CONTAINING ONLY ONE TOILET ROOM SHALL BE 3  
17 FEET BY 6 FEET.
- 18 3) THE DOOR TO THE TOILET ROOM SHALL BE AT LEAST 2 FEET, 10 INCHES IN WIDTH AND SHALL  
19 NOT SWING INTO THE TOILET ROOM UNLESS PROVIDED WITH RESCUE HARDWARE PERMITTING  
20 THE DOOR TO SWING OUTWARD.
- 21 4) THE TOILET ROOM SHALL CONTAIN A TOILET, PREFERABLY WITH BEDPAN FLUSHING  
22 EQUIPMENT, AND GRAB BARS THAT ARE SECURELY INSTALLED AND STRONG ENOUGH TO  
23 SUPPORT A RESIDENT'S WEIGHT SHALL BE CONVENIENTLY LOCATED FOR THE SAFETY OF  
24 RESIDENTS.
- 25 H) BEDROOMS SHALL BE EQUIPPED WITH MOVABLE FURNITURE AND EQUIPMENT WITH THE FOLLOWING FOR  
26 EACH RESIDENT:
- 27 1) ADJUSTABLE, WASHABLE BED (ROLL AWAY TYPE BEDS, COTS AND FOLDING BEDS SHALL NOT BE  
28 USED), MATTRESS PROTECTED BY WATER-PROOF MATERIAL, MATTRESS PAD AND A  
29 COMFORTABLE PILLOW;
- 30 2) CABINET OR BEDSIDE TABLE;
- 31 3) OVER BED TABLE AS APPLICABLE;
- 32 4) WASTE PAPER RECEPTACLE WITH IMPERVIOUS, DISPOSABLE LINER OR DISPOSABLE WASTE  
33 RECEPTACLE;
- 34 5) PERSONAL CARE EQUIPMENT AS NEEDED; AND
- 35 6) STORAGE FACILITIES ADEQUATE FOR RESIDENTS' PERSONAL ARTICLES AND GROOMING.

- I) EACH BEDROOM SHALL BE PROVIDED WITH A SEPARATE CLOSET OR LOCKER FOR EACH RESIDENT. THE MINIMUM SIZE OF CLOSET OR LOCKER IN A NURSING CARE FACILITY SHALL BE 1 FOOT, 8 INCHES WIDE BY 1 FOOT, 10 INCHES DEEP WITH FULL LENGTH HANGING SPACE, CLOTHES ROD AND SHELF.
- J) EACH RESIDENT ROOM SHALL BE EQUIPPED WITH A COMMUNICATION SYSTEM TO ALLOW RESIDENTS TO CALL FOR STAFF ASSISTANCE. THE SYSTEM SHALL BE CAPABLE OF ACTIVATION FROM THE RESIDENT'S BED, WITH EMERGENCY ACTIVATION FROM THE TOILET ROOM, AND EACH TUB AND SHOWER. THE SYSTEM SHALL NOTIFY STAFF OF A REQUEST FOR ASSISTANCE VIA AUDIBLE, VISUAL OR ELECTRONIC MEANS.

### 22.3 SERVICE AREAS

THE FOLLOWING SERVICE AREAS SHALL BE PROVIDED ON EACH FLOOR WHERE RESIDENTS RESIDE AND LOCATED CONVENIENTLY FOR PATIENT CARE.

- A) THERE SHALL BE A STAFF WORK AREA IN EACH RESIDENT CARE UNIT, ALONG WITH ACCESS TO TOILET FACILITIES OTHER THAN THOSE IN RESIDENT ROOMS.
- B) THERE SHALL BE A MEDICATION PREPARATION AREA EQUIPPED WITH:
- 1) CABINETS WITH SUITABLE LOCKING DEVICES TO PROTECT MEDICATIONS STORED THEREIN;
  - 2) REFRIGERATOR EQUIPPED WITH THERMOMETER AND USED EXCLUSIVELY FOR PHARMACEUTICAL STORAGE;
  - 3) COUNTER WORK SPACE;
  - 4) SINK WITH HAND WASHING FACILITIES; AND
  - 5) READY ACCESS TO MEDICATION REFERENCE MANUALS.
- C) ONLY MEDICATIONS, EQUIPMENT, AND SUPPLIES FOR THEIR PREPARATION AND ADMINISTRATION SHALL BE STORED IN THE MEDICATION PREPARATION AREA. TEST REAGENTS, GENERAL DISINFECTANTS, CLEANING AGENTS, AND OTHER SIMILAR PRODUCTS SHALL NOT BE STORED IN THE MEDICATION AREA.
- D) THERE SHALL BE A STORAGE AREA IN EACH RESIDENT CARE UNIT FOR CLEAN LINEN THAT IS USED ON A ROUTINE BASIS. THE ROOM SHALL BE EQUIPPED WITH:
- 1) COUNTER, SINK WITH MIXING FAUCET, EASY TO USE CONTROLS, SANITARY SOAP AND A METHOD FOR SANITARY HAND-DRYING;
  - 2) WASTE CONTAINER WITH COVER (FOOT CONTROLLED RECOMMENDED) AND IMPERVIOUS, DISPOSABLE LINER; AND
  - 3) AREA FOR SUPPLIES.
- E) THERE SHALL BE A SOILED HOLDING ROOM EQUIPPED WITH:
- 1) SUITABLE COUNTER, DOUBLE-SINK WITH MIXING FAUCET, EASY TO USE CONTROLS, SANITARY SOAP AND A METHOD FOR SANITARY HAND-DRYING;
  - 2) WASTE CONTAINER WITH COVER (FOOT CONTROLLED RECOMMENDED) AND IMPERVIOUS, DISPOSABLE LINER;
  - 3) SPACE FOR SHORT-TIME HOLDING OF SPECIMENS AWAITING DELIVERY TO LABORATORY;

4) ADEQUATE SHELF AND COUNTER SPACE; AND

5) CLINICAL FLUSHING SINK.

F) THERE SHALL BE A UTILITY CLOSET EQUIPPED WITH:

1) SINK, PREFERABLY DEPRESSED OR FLOOR MOUNTED, WITH MIXING FAUCETS;

2) HOOK STRIP FOR MOP HANDLES FROM WHICH SOILED MOP HEADS HAVE BEEN REMOVED;

3) SHELVING FOR CLEANING MATERIALS;

4) HAND WASHING FACILITIES; AND

5) WASTE RECEPTACLES WITH IMPERVIOUS LINER.

G) HALLWAYS SHALL BE FREE OF OBSTRUCTIONS SUCH AS FURNITURE, MEDICAL SUPPLIES AND EQUIPMENT.

#### 22.4 BATHING ROOMS

RESIDENT BATHING ROOMS SHALL BE PROVIDED IN THE RATIO OF ONE TUB OR ONE SHOWER FOR EACH 15 RESIDENTS AND MEET THE FOLLOWING CRITERIA:

A) GRAB BARS SHALL BE SECURELY INSTALLED AT EACH TUB OR SHOWER AND BE STRONG ENOUGH TO SUPPORT A RESIDENT'S WEIGHT.

B) TUBS SHALL HAVE A NON-SLIP SURFACE.

C) THE ROOM SHALL PROVIDE PRIVACY AND BE SUFFICIENTLY LARGE TO PROVIDE SPACE FOR WHEELCHAIR MOVEMENT.

1) THE ENTRY DOOR SHALL BE AT LEAST 36 INCHES IN WIDTH.

2) CURBS SHALL BE OMITTED FROM SHOWERS.

D) THE BATHING AREA SHALL ALSO CONTAIN A TOILET AND SINK WITH MIXING FAUCET, EASY TO USE CONTROLS, SANITARY SOAP AND A METHOD FOR SANITARY HAND-DRYING.

#### 22.5 EMERGENCY EQUIPMENT AND SUPPLIES

A) THE FOLLOWING ITEMS SHALL BE READILY AVAILABLE AT ALL TIMES:

1) OXYGEN DELIVERY DEVICES;

2) SUCTION DEVICES;

3) PORTABLE EMERGENCY EQUIPMENT, SUPPLIES AND MEDICATIONS; AND

4) COMPATIBLE SUPPLIES AND EQUIPMENT FOR IMMEDIATE INTRAVENOUS THERAPY.

### SECTION 23 SECURE ENVIRONMENT

#### 23.1 COMPLIANCE

ANY FACILITY THAT HAS ONE OR MORE RESIDENT CARE UNITS THAT ARE SECURED TO PROHIBIT FREE EGRESS OF RESIDENTS SHALL COMPLY WITH THE STANDARDS IN THIS SECTION IN ADDITION TO ALL OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER.

23.2 THERE SHALL BE A DESIGNATED TEAM TO EVALUATE PLACEMENT OF A RESIDENT IN A SECURE ENVIRONMENT. THE TEAM SHALL INCLUDE, AT A MINIMUM, THE DIRECTOR OF NURSING OR DESIGNEE, A SOCIAL SERVICES STAFF MEMBER, THE ADMINISTRATOR OR DESIGNEE AND AN INDIVIDUAL (WITH MENTAL HEALTH OR SOCIAL WORK TRAINING AS APPROPRIATE TO THE NEEDS OF THE RESIDENTS) WHO IS NOT A FACILITY STAFF MEMBER.

A) IN EMERGENT SITUATIONS, INITIAL PLACEMENT MAY PROCEED WITHOUT THE INPUT OF A NON FACILITY STAFF MEMBER PROVIDED A FULL TEAM EVALUATION IS COMPLETED WITHIN SEVEN DAYS OF PLACEMENT.

B) A FACILITY THAT IS A PLACEMENT FACILITY AS DEFINED IN THIS CHAPTER SHALL HAVE AN INDIVIDUAL FROM ITS CONTRACTING DESIGNATED FACILITY ON THE EVALUATION TEAM FOR EVALUATIONS OF CLIENTS REFERRED BY THE DESIGNATED FACILITY.

### 23.3 MENTAL HEALTH PLACEMENT FACILITIES

ANY FACILITY THAT IS A PLACEMENT FACILITY AS DEFINED IN THIS CHAPTER SHALL ALSO COMPLY WITH 2 CCR 502-1, SECTION 21.280, CARE AND TREATMENT OF PERSONS WITH A MENTAL HEALTH DISORDER IN A DESIGNATED FACILITY. IN THE CASE OF CONFLICTING REGULATIONS, THE STRICTER SHALL APPLY.

### 23.4 PRE-ADMISSION SCREENING AND PLACEMENT

A) IN ORDER TO PLACE A RESIDENT INTO A SECURE ENVIRONMENT, THE FACILITY SHALL ENSURE THAT ALL OF THE FOLLOWING REQUIREMENTS ARE MET:

1) AN EVALUATION TEAM FINDS, BASED ON AVAILABLE EVIDENCE, THAT:

a) THE RESIDENT IS A SERIOUS DANGER TO SELF OR OTHERS, OR

b) THE RESIDENT HABITUALLY WANDERS OR WOULD WANDER OUT OF BUILDINGS AND IS UNABLE TO FIND THE WAY BACK, OR

c) THE RESIDENT HAS A SIGNIFICANT BEHAVIORAL HEALTH ISSUE THAT SERIOUSLY DISRUPTS THE RIGHTS OF OTHER RESIDENTS; AND IN ALL CASES

d) LESS RESTRICTIVE ALTERNATIVES HAVE BEEN UNSUCCESSFUL IN PREVENTING HARM TO SELF OR OTHERS.

2) A PRACTITIONER HAS AUTHENTICATED THE PLACEMENT;

3) WRITTEN FINDINGS AND THE FACTUAL BASIS FOR THE PLACEMENT ARE DOCUMENTED IN THE HEALTH INFORMATION RECORD; AND

4) THE RESIDENT OR RESIDENT REPRESENTATIVE HAS GIVEN INFORMED, WRITTEN CONSENT.

a) IF THE RESIDENT LACKS DECISIONAL CAPACITY AND HAS NO RESIDENT REPRESENTATIVE THE FACILITY SHALL, WITHIN 30 DAYS OF PLACEMENT, PETITION THE APPROPRIATE COURT TO HAVE A GUARDIAN APPOINTED FOR THE RESIDENT.

B) PLACEMENT IN A SECURE ENVIRONMENT SHALL BE BASED SOLELY ON THE PHYSICAL AND PSYCHOSOCIAL NEEDS OF THE RESIDENT AND SHALL BE THE LEAST RESTRICTIVE ALTERNATIVE AVAILABLE.

23.5 A FACILITY SHALL HAVE WRITTEN PROGRAMS TO SUPPORT THE RESIDENTS IT ADMITS, AS REQUIRED BY SECTION 23.9.

23.6 RESIDENTS OF A SECURE ENVIRONMENT SHALL BE ALLOWED TO HAVE VISITORS AND PARTICIPATE IN ORGANIZED ACTIVITIES.

#### 23.7 PLACEMENT EVALUATION

A) A RESIDENT'S PLACEMENT IN OR RESTRICTION TO A SECURE ENVIRONMENT SHALL TERMINATE IN A TIMELY MANNER WHEN THE CONDITION OR BEHAVIOR JUSTIFYING THE PLACEMENT HAVE DIMINISHED TO THE EXTENT THAT THE CRITERIA IN SECTION 23.4 ARE NO LONGER MET, OR WHEN CONSENT IS TERMINATED OR WITHDRAWN, OR IF THE FACILITY AND PRACTITIONER DETERMINE THAT SUCH CONTINUED PLACEMENT COULD ADVERSELY AFFECT RESIDENT HEALTH OR SAFETY.

1) THE FACILITY SHALL PROVIDE THE SAME NOTICE AND APPEAL RIGHTS REQUIRED BY SECTION 15.6(E) AND (F) BEFORE MOVING A RESIDENT OUT OF A SECURE ENVIRONMENT.

B) THE EVALUATION TEAM DESCRIBED IN SECTION 23.2 SHALL RE-EVALUATE THE PLACEMENT OF EACH RESIDENT 30 DAYS AFTER INITIAL PLACEMENT AND NO LESS OFTEN THAN EVERY 180 DAYS THEREAFTER.

1) INDIVIDUALS UNDER INVOLUNTARY MENTAL HEALTH PLACEMENT UNDER SECTION 27-65-101, C.R.S., ET SEQ., SHALL BE EVALUATED IN ACCORDANCE WITH 2 CCR 502-1, §21.280 CARE AND TREATMENT OF PERSONS WITH A MENTAL HEALTH DISORDER IN A DESIGNATED FACILITY.

C) FOR RESIDENTS WITH BEHAVIORAL HEALTH ISSUES WHOSE CONDITIONS HAVE STABILIZED, THE FACILITY MAY CONTINUE PLACEMENT IN THE SECURE ENVIRONMENT IF THE EVALUATION TEAM FINDS THAT PLACEMENT IS NECESSARY TO MEET THE RESIDENT'S INDIVIDUAL NEEDS.

#### 23.8 STAFFING

THE FACILITY SHALL PROVIDE A SUFFICIENT NUMBER OF QUALIFIED STAFF TO MEET FULLY THE NEEDS OF RESIDENTS IN THE SECURE ENVIRONMENT, PARTICULARLY ON THE NIGHT SHIFT.

A) STAFF IN THE SECURE ENVIRONMENT SHALL BE EXPERIENCED AND TRAINED IN THE PARTICULAR NEEDS AND CARE OF ITS RESIDENTS.

B) FOR RESIDENTS IN THE SECURE ENVIRONMENT, THE FACILITY SHALL ENSURE THERE IS TIME AND STAFF DEDICATED TO MEET THE SOCIAL, EMOTIONAL AND RECREATIONAL NEEDS OF THE RESIDENTS AND THE SOCIAL AND EMOTIONAL NEEDS OF THEIR FAMILIES IN COPING WITH THE RESIDENT'S ILLNESS.

C) FOR RESIDENTS WITH MENTAL ILLNESS, THE FACILITY SHALL PROVIDE STAFF WHO HAVE DEMONSTRATED KNOWLEDGE AND SKILL IN CARING FOR RESIDENTS WITH MENTAL ILLNESS.

#### 23.9 PROGRAMS

IN ADDITION TO MEETING THE SPECIAL MEDICAL AND NURSING NEEDS OF EACH RESIDENT IN THE SECURE ENVIRONMENT, THE FACILITY SHALL PROVIDE SOCIAL SERVICES AND ACTIVITY PROGRAMS ESPECIALLY DESIGNED FOR THOSE RESIDENTS TO AVOID PROGRAMMATIC ISOLATION.

A) ACTIVITIES AND SOCIAL SERVICES PROGRAMS SHALL INCLUDE THE OPPORTUNITY FOR REGULAR INTERACTION WITH RESIDENTS NOT RESIDING IN THE SECURE ENVIRONMENT AND REGULAR INTERACTION WITH THE COMMUNITY OUTSIDE THE FACILITY.

1     23.10   SECLUSION

2               RESIDENTS OF THE SECURE ENVIRONMENT MAY NOT BE LOCKED INTO THEIR ROOMS. IF A PLACEMENT FACILITY  
3               CONFINES TO A ROOM ANY INDIVIDUAL WHO IS UNDER INVOLUNTARY MENTAL HEALTH PLACEMENT, THE FACILITY  
4               SHALL COMPLY WITH 2 CCR 502-1, SECTION 21.280.42, USE OF SECLUSION.

5     23.11   PHYSICAL SPACE

6               IN ADDITION TO THE PHYSICAL PLANT REQUIREMENTS OF THESE REGULATIONS, THE FACILITY SHALL PROVIDE AT  
7               LEAST 10 SQUARE FEET PER RESIDENT (EXCLUDING HALLWAYS) OF COMMON AREAS WITHIN THE SECURE  
8               ENVIRONMENT.

9               A)        THE FACILITY SHALL IDENTIFY ITS METHOD FOR SECURING THE AREA AND ESTABLISH AND IMPLEMENT  
10              PROCEDURES FOR MONITORING THE EFFECTIVENESS OF THE SECURITY SYSTEM.

11              B)        ANY FACILITY THAT HAS AN OUTSIDE AREA OR YARD THAT RESIDENTS IN THE NON-SECURE AREAS OF  
12              THE FACILITY MAY USE SHALL ESTABLISH A SECURE OUTSIDE AREA FOR RESIDENTS OF THE SECURE  
13              ENVIRONMENT.

14     **SECTION 24   HOUSEKEEPING SERVICES**

15     24.1   ORGANIZATION

16               EACH FACILITY SHALL ESTABLISH AN ORGANIZED HOUSEKEEPING SERVICE THAT KEEPS THE FACILITY CLEAN,  
17               ORDERLY AND FREE FROM ODOR RESULTING FROM POOR HOUSEKEEPING PRACTICES.

18              A)        THE FACILITY SHALL PROVIDE A SUFFICIENT NUMBER OF HOUSEKEEPING PERSONNEL AND ADEQUATE  
19              EQUIPMENT.

20              B)        DEODORIZERS SHALL NOT BE USED TO COVER UP ODORS CAUSED BY UNSANITARY CONDITIONS OR  
21              INADEQUATE HOUSEKEEPING PRACTICES.

22     24.2   EQUIPMENT AND SUPPLIES

23               SUITABLE EQUIPMENT AND SUPPLIES SHALL BE PROVIDED FOR CLEANING OF ALL SURFACES. SUCH EQUIPMENT  
24               SHALL BE MAINTAINED IN A SAFE, SANITARY CONDITION.

25     24.3   DISINFECTANTS

26               DISINFECTANTS SHALL BE ONLY THOSE REGISTERED BY THE MANUFACTURER WITH THE UNITED STATES  
27               ENVIRONMENTAL PROTECTION AGENCY.

28     24.4   STORAGE

29               STORAGE AREAS, ATTICS, AND CELLARS SHALL BE KEPT SAFE AND FREE FROM ACCUMULATIONS OF  
30               EXTRANEIOUS MATERIALS SUCH AS REFUSE, DISCARDED FURNITURE AND OLD NEWSPAPERS.

31              A)        COMBUSTIBLES SUCH AS CLEANING RAGS AND COMPOUNDS SHALL BE KEPT IN CLOSED METAL  
32              CONTAINERS.

33              B)        CLEANING COMPOUNDS AND OTHER HAZARDOUS SUBSTANCES (INCLUDING PRODUCTS LABELED "KEEP  
34              OUT OF REACH OF CHILDREN" ON THEIR ORIGINAL CONTAINERS) SHALL BE CLEARLY LABELED TO  
35              INDICATE CONTENTS AND (EXCEPT WHEN A STAFF MEMBER IS PRESENT) SHALL BE STORED IN A  
36              LOCATION SUFFICIENTLY SECURE TO DENY ACCESS TO CONFUSED RESIDENTS.

- 1) THE FACILITY SHALL MAINTAIN A READILY AVAILABLE LIST AND THE MATERIAL SAFETY DATA SHEET OF POTENTIALLY HAZARDOUS SUBSTANCES USED BY HOUSEKEEPING AND OTHER STAFF.
- 2) UTILITY ROOMS USED FOR STORING DISINFECTANTS AND DETERGENT CONCENTRATES, CAUSTIC BOWL AND TILE CLEANERS AND INSECTICIDES SHALL BE LOCKED.
- C) PAPER TOWELS, TISSUES AND OTHER ABSORBENT PAPER GOODS SHALL BE STORED IN A MANNER THAT PREVENTS THEIR CONTAMINATION PRIOR TO USE.

#### 24.5 CLEANING METHODS

CLEANING SHALL BE PERFORMED IN A MANNER TO MINIMIZE THE SPREAD OF PATHOGENIC ORGANISMS. FLOORS SHALL BE CLEANED REGULARLY.

#### 24.6 FLOOR SURFACES

UNCARPETED FLOORS AND ADJACENT BASE COVING SHALL BE MAINTAINED TO PROVIDE A SMOOTH, CONTINUOUS, WASHABLE SURFACE THAT IS FREE OF DISCOLORATION OR STAINING. POLISHES APPLIED TO UNCARPETED FLOORS SHALL PROVIDE A NONSLIP SURFACE. THROW OR SCATTER RUGS SHALL NOT BE USED EXCEPT FOR NONSLIP ENTRANCE MATS.

#### 24.7 TRAINING AND SUPERVISION

HOUSEKEEPING PERSONNEL SHALL RECEIVE ADEQUATE SUPERVISION. INITIAL AND ANNUAL IN-SERVICE TRAINING PROGRAMS SHALL BE PROVIDED FOR HOUSEKEEPING PERSONNEL.

### SECTION 25 LINEN AND LAUNDRY

#### 25.1 LAUNDRY SERVICES

THE FACILITY SHALL PROVIDE LAUNDRY SERVICES, AND/OR CONTRACT WITH A COMMERCIAL LAUNDRY, WITH WASHING, DRYING, AND IRONING EQUIPMENT OF SUFFICIENT CAPACITY TO PROCESS A CONTINUOUS SEVEN-DAY SUPPLY BASED ON TEN POUNDS OF DRY LAUNDRY PER BED PER DAY.

- A) LAUNDRY EQUIPMENT SHALL MEET ALL SAFETY AND SANITARY REQUIREMENTS. THE EQUIPMENT SHALL BE DESIGNED AND INSTALLED TO COMPLY WITH ALL STATE AND LOCAL LAWS.
- B) LAUNDRY EQUIPMENT, PROCESSING, AND PROCEDURES SHALL RENDER SOILED LINEN AND PATIENT CLOTHING CLEAN AND FREE FROM DETERGENT, SOAP, AND OTHER CHEMICAL RESIDUES.
- C) IF LAUNDRY SERVICES ARE NOT PROVIDED ENTIRELY WITHIN THE FACILITY, THERE SHALL BE A WRITTEN CONTRACT BETWEEN THE FACILITY AND A COMMERCIAL LAUNDRY SERVICE THAT ENSURES COMPLIANCE WITH SECTION 25.1(B).
- D) WITH THE EXCEPTION OF LAUNDRY AMENITIES USED SOLELY FOR RESIDENT'S PERSONAL EFFECTS, LAUNDRY EQUIPMENT AND OPERATIONS SHALL BE LOCATED IN AN AREA SEPARATED FROM RESIDENT CARE UNITS.
- E) THERE SHALL BE PROPER SPACING AND PLACING OF THE EQUIPMENT TO MINIMIZE MATERIAL TRANSPORTATION AND OPERATION; TO AVOID ALL CROSS TRAFFIC BETWEEN CLEAN AND SOILED LINEN; TO PROVIDE BALANCE OF OPERATIONS; AND TO PROVIDE STORAGE BETWEEN OPERATIONS. THE GENERAL AIR MOVEMENT SHALL BE FROM THE CLEANEST AREAS TO THE MOST CONTAMINATED AREAS. SOILED LAUNDRY SHALL BE PROCESSED FREQUENTLY ENOUGH TO PREVENT EXCESSIVE UNSANITARY ACCUMULATIONS.



1     25.2     WASHING TEMPERATURE

2             THE WATER TEMPERATURE AND DURATION OF WASHING CYCLE SHALL BE CONSISTENT WITH THE TEMPERATURE  
3             AND DURATION RECOMMENDED BY THE MANUFACTURERS OF THE LAUNDRY CHEMICALS AND EQUIPMENT BEING  
4             USED.

5     25.3     RESIDENT LINEN SUPPLY

6             LINEN SUPPLY (TOP AND BOTTOM SHEETS, PILLOWCASES, WASHCLOTHS, BATH AND FACE TOWELS) SHALL BE AT  
7             LEAST THREE COMPLETE CHANGES TIMES THE NUMBER OF LICENSED BEDS. ALL LINENS SHALL BE MAINTAINED  
8             CLEAN, IN GOOD REPAIR.

9     25.4     SOILED LINEN HANDLING

10            IN REMOVING AND HANDLING SOILED LINEN FROM A BED, THERE SHALL BE MINIMAL SHAKING OF THE LINEN.  
11            SOILED LINEN, INCLUDING BLANKETS, SHALL BE PLACED IN BAGS TIGHTLY CLOSED BEFORE REMOVAL FROM A  
12            BEDROOM. THE BAGS SHALL REMAIN CLOSED AND SHALL BE REMOVED FROM THE RESIDENT CARE UNIT AT LEAST  
13            EVERY 8 HOURS.

14    25.6     INFECTIOUS DISEASE LINEN

15            ALL LINENS AND BLANKETS FROM RESIDENTS WITH INFECTIOUS DISEASE SHALL BE PLACED IN BIO-HAZARDOUS  
16            BAGS AND TRANSPORTED IN THESE CLOSED BAGS. MEASURES SHALL BE TAKEN TO ENSURE THE DISINFECTION  
17            OF CONTAMINATED LAUNDRY AND PROTECTION OF PERSONS DOING LAUNDRY.

18    25.7     SORTING AND PRE-RINSING

19            PRE-RINSING, SORTING AND ALL OTHER LINEN AND LAUNDRY OPERATIONS SHALL BE CONFINED TO THE LAUNDRY  
20            FACILITY AND SHALL NOT BE PERMITTED IN THE RESIDENT'S ROOM, BATHTUB, SHOWER, LAVATORY OR UTILITY  
21            CLOSETS.

22    25.8     LAUNDRY CHUTES

23            IF LAUNDRY CHUTES ARE USED, ALL SOILED LINEN, CLOTHING AND OTHER ITEMS DEPOSITED IN THEM SHALL  
24            FIRST BE ENCLOSED IN BAGS BEFORE PLACING THEN IN CHUTE. LAUNDRY CHUTES SHALL BE REGULARLY  
25            CLEANED.

26    25.9     SOILED LAUNDRY CARTS

27            CARTS AND HAMPERS USED TO TRANSPORT SOILED LAUNDRY SHALL BE COVERED AND CONSTRUCTED OF OR  
28            LINED WITH IMPERVIOUS MATERIALS, CLEANED AND DISINFECTED AFTER USE, AND USED ONLY FOR  
29            TRANSPORTING SOILED LAUNDRY.

30    25.10    SOILED LINEN STORAGE

31            THE FACILITY SHALL PROVIDE A SEPARATE SOILED LINEN STORAGE AND SORTING AREA, MECHANICALLY  
32            VENTILATED TO THE OUTSIDE ATMOSPHERE. NO RE-CIRCULATION OF AIR FROM THIS AREA IS PERMITTED.

33    25.11    RESIDENT CLOTHING

34            RESIDENT CLOTHING AND LAUNDRY SHALL BE PROCESSED AND STORED IN A MANNER SO THAT PERSONAL ITEMS  
35            ARE READILY IDENTIFIABLE.

36    25.12    CLEAN LINEN STORAGE

A CLEAN LINEN FOLDING/STORAGE ROOM SHALL BE PROVIDED AS PART OF THE LAUNDRY AREA, LOCATED ADJACENT TO THE DRYING EQUIPMENT. POSITIVE PRESSURE SHALL BE MAINTAINED IN THIS AREA.

### 25.13 CLEAN LINEN HANDLING

CLEAN LINEN SHALL BE TRANSPORTED IN A MANNER THAT PRESERVES ITS CLEAN CONDITION SO THAT IT IS CLEAN AT THE SITE OF ITS USE.

## SECTION 26 INFECTION CONTROL

### 26.1 INFECTION CONTROL PROGRAM

THE FACILITY SHALL HAVE AN INFECTION CONTROL PROGRAM THAT PROVIDES ANNUAL IN-SERVICE TRAINING ON INFECTION CONTROL AND SHALL HAVE CURRENT INFECTION CONTROL POLICIES AND PROCEDURES AVAILABLE TO ALL STAFF MEMBERS.

### 26.2 POLICIES

THE FACILITY SHALL HAVE AND FOLLOW WRITTEN POLICIES, APPROVED BY THE GOVERNING BODY ADDRESSING THE TRANSMISSION OF COMMUNICABLE DISEASES WITH A SIGNIFICANT RISK OF TRANSMISSION TO OTHER PERSONS AND FOR REPORTING DISEASES TO THE STATE AND/OR LOCAL HEALTH DEPARTMENT, PURSUANT TO 6 CCR 1009-1, RULES AND REGULATIONS PERTAINING TO EPIDEMIC AND COMMUNICABLE DISEASE CONTROL.

26.3 THE FACILITY'S WRITTEN POLICIES AND PROCEDURES REGARDING INFECTION CONTROL SHALL BE CONSISTENT WITH THE CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC): GUIDELINE FOR ISOLATION PRECAUTIONS: PREVENTING TRANSMISSION OF INFECTIOUS AGENTS IN HEALTHCARE SETTINGS, 2007 AND GUIDELINES FOR ENVIRONMENTAL INFECTION CONTROL IN HEALTH-CARE FACILITIES, 2003, WHICH ARE INCORPORATED BY REFERENCE CONSISTENT WITH SECTION 1.3 OF THIS CHAPTER.

A) THOSE POLICIES AND PROCEDURES SHALL INCLUDE AT A MINIMUM, ALL OF THE FOLLOWING CRITERIA:

- 1) STAFF SHALL EXERCISE CAUTION WHEN HANDLING SHARP OBJECTS SUCH AS NEEDLES AROUND RESIDENTS. NEEDLES SHALL NOT BE RECAPPED, BROKEN OFF OR DISPOSED OF IN OTHER THAN PUNCTURE-PROOF CONTAINERS.
- 2) LINEN AND CLOTHING OF RESIDENTS WITH COMMUNICABLE INFECTIONS SHALL BE WASHED IN A MANNER THAT ENSURES DISINFECTION.
- 3) STAFF SHALL WEAR DISPOSABLE GLOVES WHEN HANDLING ITEMS SOILED WITH BLOOD OR BODY FLUIDS.
- 4) RESUSCITATION EQUIPMENT SHALL BE IMMEDIATELY AVAILABLE IN THE EVENT ITS USE BECOMES NECESSARY.
- 5) WEARING DISPOSABLE GLOVES, STAFF SHALL IMMEDIATELY CLEAN UP SPILLS OF BLOOD OR BODILY FLUID FROM RESIDENTS WITH COMMUNICABLE INFECTIONS. STAFF SHALL THEN DISINFECT THE CONTAMINATED AREA USING AN APPROPRIATE CONCENTRATION OF A DISINFECTANT CERTIFIED BY THE MANUFACTURER TO BE EFFECTIVE AS USED.
- 6) ALL DISPOSABLE EQUIPMENT CONTAINING INFECTIVE WASTE SHALL BE DISPOSED OF IN THE ROOM WHERE IT IS USED IN STURDY PLASTIC BAGS AND THEN RE-BAGGED OUTSIDE THE ROOM. IT SHALL EITHER BE AUTOCLAVED OR INCINERATED PRIOR TO DISPOSAL IN A SANITARY LANDFILL.

7) FACILITY ACCESS OF NON-RESIDENT INDIVIDUALS WITH CONTAGIOUS CONDITIONS SHALL BE RESTRICTED UNTIL THOSE INDIVIDUALS ARE NO LONGER CONTAGIOUS, THE INFECTIOUS PERIOD HAS EXPIRED OR PERSONAL PROTECTIVE EQUIPMENT IS PROVIDED.

4      26.4      RESIDENT ISOLATION

5 FACILITIES SHALL PROVIDE FOR THE ISOLATION OF RESIDENTS WITH COMMUNICABLE DISEASES WHERE  
6 APPROPRIATE. INDIVIDUAL RESIDENT FACTORS ARE IMPORTANT DETERMINANTS OF INFECTION TRANSMISSION  
7 RISKS AND THE NEED FOR A SINGLE ROOM AND/OR PRIVATE BATHROOM FOR ANY RESIDENT IS BEST DETERMINED  
8 ON A CASE-BY-CASE BASIS.

9 26.5 SANITATION OF NURSING AND RESIDENT CARE EQUIPMENT

10 NURSING AND RESIDENT CARE EQUIPMENT SHALL BE PROPERLY CLEANED, SANITIZED, DISINFECTED OR  
11 STERILIZED, AND STORED.

12 26.6 DISPOSABLE EQUIPMENT AND SUPPLIES. SINGLE SERVICE DISPOSABLE CARE EQUIPMENT SHALL BE  
13 USED ONLY ONCE AND SHALL BE DISPOSED OF IN AN APPROVED MANNER. REUSABLE DISPOSABLE CARE  
14 EQUIPMENT SHALL BE USED ONLY FOR THE RESIDENT TO WHOM ASSIGNED. DISPOSABLE STERILE EQUIPMENT  
15 SHALL BE CERTIFIED BY THE DISTRIBUTOR AS STERILE AND BE DESTROYED AFTER INITIAL USE.

## 16 26.7 HANDWASHING

PERSONNEL SHALL WASH THEIR HANDS BEFORE AND AFTER CONTACT WITH A RESIDENT, AFTER CONTACT WITH A CONTAMINATED OBJECT OR WASTE AND ADHERE TO THE CDC GUIDELINES FOR HAND HYGIENE IN HEALTH-CARE SETTINGS, 2002, WHICH IS INCORPORATED BY REFERENCE CONSISTENT WITH SECTION 1.3 OF THIS CHAPTER.

## 21 26.8 SANITATION OF AIR

22 DESIGN, INSTALLATION, AND OPERATION OF HEATING/COOLING/VENTILATION SYSTEM SHALL ENSURE ADEQUATE  
23 MICROBIAL CONTROL OF THE AIR.

24      26.9      PETS

25 THE FACILITY SHALL ENSURE THAT PET ANIMALS EITHER RESIDING AT OR VISITING THE FACILITY HAVE BEEN  
26 APPROPRIATELY VACCINATED AND LICENSED.

**27 SECTION 27 PEST CONTROL**

28 27.1 THE FACILITY SHALL HAVE WRITTEN POLICIES AND PROCEDURES THAT PROVIDE FOR EFFECTIVE CONTROL AND  
29 ERADICATION OF INSECTS, RODENTS AND OTHER PESTS.

30 27.2 THE FACILITY SHALL HAVE A PEST CONTROL PROGRAM PROVIDED BY MAINTENANCE PERSONNEL OR BY  
31 CONTRACT WITH A PEST CONTROL COMPANY USING THE LEAST TOXIC AND LEAST FLAMMABLE EFFECTIVE  
32 PESTICIDES. THE PESTICIDES SHALL NOT BE STORED IN PATIENT OR FOOD AREAS AND SHALL BE KEPT UNDER  
33 LOCK AND ONLY PROPERLY TRAINED RESPONSIBLE PERSONNEL SHALL BE ALLOWED TO APPLY THEM.

34 27.3 SCREENS OR OTHER PEST CONTROL MEASURES SHALL BE PROVIDED ON ALL EXTERIOR OPENINGS EXCEPT  
35 WHERE PROHIBITED BY FIRE REGULATIONS. FACILITY DOORS, DOOR SCREENS AND WINDOW SCREENS SHALL FIT  
36 WITH SUFFICIENT TIGHTNESS AT THEIR PERIMETERS TO EXCLUDE PESTS.

## 37 SECTION 28 WASTE DISPOSAL

## 38 28.1 SEWAGE AND SEWER SYSTEMS

ALL SEWAGE SHALL BE DISCHARGED INTO A PUBLIC SEWER SYSTEM, OR IF SUCH IS NOT AVAILABLE, DISPOSED OF IN A MANNER APPROVED BY THE STATE AND LOCAL HEALTH AUTHORITIES AND THE COLORADO WATER QUALITY CONTROL COMMISSION.

A) WHEN PRIVATE SEWAGE DISPOSAL SYSTEMS ARE IN USE, RECORDS OF MAINTENANCE AND THE SYSTEM DESIGN PLANS SHALL BE KEPT ON THE PREMISES.

B) NO UNPROTECTED EXPOSED SEWER LINE SHALL BE LOCATED DIRECTLY ABOVE WORKING, STORAGE OR EATING SURFACES IN KITCHENS, DINING ROOMS, PANTRIES, FOOD STORAGE ROOMS, OR WHERE MEDICAL OR NURSING SUPPLIES ARE PREPARED, PROCESSED OR STORED.

## 28.2 MEDICAL WASTE

MEDICAL WASTE SHALL BE DISPOSED OF IN ACCORDANCE WITH THE DEPARTMENT'S REGULATIONS PERTAINING TO SOLID WASTE DISPOSAL SITES AND FACILITIES AT 6 CCR 1007-2, PART 1, SECTION 13, MEDICAL WASTE.

## 28.3 REFUSE

ALL GARBAGE AND RUBBISH THAT IS NOT DISPOSED OF AS SEWAGE SHALL BE COLLECTED IN IMPERVIOUS CONTAINERS IN SUCH MANNER AS NOT TO BECOME A NUISANCE OR A HEALTH HAZARD AND SHALL BE REMOVED TO AN OUTSIDE APPROVED STORAGE AREA AT LEAST ONCE A DAY.

A) THE REFUSE STORAGE AREA SHALL BE KEPT CLEAN, AND FREE FROM NUISANCE.

B) A SUFFICIENT NUMBER OF IMPERVIOUS CONTAINERS WITH TIGHT FITTING LIDS SHALL BE PROVIDED AND KEPT CLEAN AND IN GOOD REPAIR.

C) CARTS USED TO TRANSPORT REFUSE SHALL BE CONSTRUCTED OF IMPERVIOUS MATERIALS, ENCLOSED, USED SOLELY FOR REFUSE AND MAINTAINED IN A SANITARY MANNER.

## 28.4 INCINERATORS

ANY FACILITY USING AN INCINERATOR SHALL OBTAIN A PERMIT TO OPERATE AN INCINERATOR FROM THE STATE AIR POLLUTION CONTROL DIVISION AND MAINTAIN THE PERMIT ON FILE.

A) THE FACILITY SHALL COMPLY WITH FEDERAL, STATE AND LOCAL AIR POLLUTION REGULATIONS.

B) THE INCINERATOR SHALL BE CONSTRUCTED IN A MANNER THAT PREVENTS INSECT AND RODENT BREEDING AND HARBORAGE.

# SECTION 29 RELIGIOUS TREATMENT EXCLUSIONS

## 29.1 EXCEPTION OF CERTAIN FACILITIES

THIS CHAPTER OF REGULATION DOES NOT APPLY TO ANY NURSING FACILITY CONDUCTED BY OR FOR THE ADHERENTS OF ANY WELL-RECOGNIZED CHURCH OR RELIGIOUS DENOMINATION FOR THE PURPOSE OF PROVIDING FACILITIES FOR THE CARE AND TREATMENT OF THE SICK WHO DEPEND EXCLUSIVELY UPON SPIRITUAL MEANS THROUGH PRAYER FOR HEALING IN THE PRACTICE OF THE RELIGION OF SUCH CHURCH OR DENOMINATION.

## 29.2 EXCEPTION FOR RELIGIOUS BELIEFS

NOTHING IN THIS CHAPTER AUTHORIZES THE DEPARTMENT TO IMPOSE ON A RESIDENT ANY MODE OF TREATMENT INCONSISTENT WITH THE RESIDENT'S RELIGIOUS BELIEF.

## SECTION 30 MEDICAID CERTIFICATION STANDARDS

30.1 FOR THE PURPOSE OF FULFILLING ITS FACILITY CERTIFICATION RESPONSIBILITIES AS THE STATE SURVEY AGENCY PURSUANT TO SECTION 25-1.5-103(1)(A)(I)(C), C.R.S.; TITLE XIX (MEDICAID) OF THE SOCIAL SECURITY ACT (42 U.S.C. SECTION 1396(A), *ET SEQ.*); AND THE COLORADO MEDICAL ASSISTANCE ACT, SECTION 25.5-4-101, *ET SEQ.*, C.R.S.; THE DEPARTMENT SHALL APPLY AND ENFORCE THE SKILLED NURSING FACILITY CERTIFICATION STANDARDS OF THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES LOCATED IN TITLE 42 OF THE U.S. CODE OF FEDERAL REGULATIONS.

## SECTION 31 ENFORCEMENT ACTIVITIES

### FOR NURSING CARE FACILITIES CERTIFIED TO PROVIDE MEDICAID SERVICES:

31.1 THE DEPARTMENT, AS THE STATE AGENCY RESPONSIBLE FOR CERTIFYING NURSING CARE FACILITIES, IS AUTHORIZED UNDER SECTIONS 25-1-107.5 AND 25.5-6-205, C.R.S. TO RECOMMEND TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING (HCPF) THAT REMEDIES BE IMPOSED AGAINST A NURSING CARE FACILITY THAT VIOLATES THE FEDERAL REGULATIONS FOR PARTICIPATION IN THE MEDICAID PROGRAM AS ENUMERATED IN 42 USC §1396R(H). THE REMEDIES RECOMMENDED SHALL INCLUDE ANY REMEDIES REQUIRED UNDER FEDERAL LAW AND THE IMPOSITION OF CIVIL MONEY PENALTIES. ASSESSMENT, ENFORCEMENT AND COLLECTION OF ANY CIVIL MONEY PENALTY RECOMMENDED UNDER THIS SECTION AND THE DENIAL OF MEDICAID PAYMENTS SHALL BE HCPF'S RESPONSIBILITY.

31.2 IN DETERMINING WHETHER TO RECOMMEND IMPOSITION OF A CIVIL MONEY PENALTY, THE DEPARTMENT MAY CONSIDER MITIGATING FACTORS SUCH AS CHANGE OF OWNERSHIP; CIRCUMSTANCES OUTSIDE THE FACILITY'S REASONABLE CONTROL; AND REASONABLE, GOOD FAITH EFFORTS TO RESOLVE THE VIOLATION(S).

31.3 IN DETERMINING THE AMOUNT OF THE PENALTY TO RECOMMEND FOR ASSESSMENT BY HCPF, THE DEPARTMENT SHALL CONSIDER, AT A MINIMUM, THE FOLLOWING ITEMS:

- A) THE PERIOD OF TIME OVER WHICH THE VIOLATION OCCURRED;
- B) THE FREQUENCY OF THE VIOLATION;
- C) THE NURSING CARE FACILITY'S HISTORY CONCERNING THE TYPE OF VIOLATION FOR WHICH THE PENALTY IS ASSESSED;
- D) THE NURSING CARE FACILITY'S INTENT OR REASON FOR THE VIOLATION;
- E) THE EFFECT, IF ANY, OF THE VIOLATION ON RESIDENTS' HEALTH, SAFETY, SECURITY OR WELFARE (I.E., SEVERITY);
- F) THE EXISTENCE OF OTHER VIOLATIONS, IN COMBINATION WITH THE VIOLATION FOR WHICH THE PENALTY IS ASSESSED, WHICH INCREASE THE THREAT TO RESIDENTS' HEALTH, SAFETY, SECURITY OR WELFARE;
- G) THE ACCURACY, THOROUGHNESS AND AVAILABILITY OF RECORDS REGARDING THE VIOLATION WHICH THE NURSING CARE FACILITY IS REQUIRED TO MAINTAIN; AND
- H) THE NUMBER OF ADDITIONAL RELATED VIOLATIONS OCCURRING WITHIN THE SAME TIME SPAN AS THE VIOLATION IN QUESTION.

31.4 IN THE EVENT THE DEPARTMENT DETERMINES THAT A VIOLATION IS LIFE THREATENING TO ONE OR MORE RESIDENTS OR CREATES A DIRECT THREAT OR SERIOUS ADVERSE HARM TO THE HEALTH, SAFETY, SECURITY, RIGHTS OR WELFARE OF ONE OR MORE RESIDENTS, HCPF SHALL IMPOSE A PENALTY FOR EACH DAY THE DEFICIENCIES THAT CONSTITUTE THE VIOLATION ARE FOUND TO EXIST.

1 31.5 IN ACCORDANCE WITH SECTION 25-1-107.5(3), C.R.S., ANY CIVIL MONEY PENALTY RECOMMENDED BY THE  
2 DEPARTMENT SHALL BE NOT LESS THAN \$100 OR MORE THAN \$10,000 FOR EACH DAY THE FACILITY IS FOUND  
3 TO HAVE BEEN IN VIOLATION OF THE FEDERAL REGULATIONS. PENALTIES ASSESSED SHALL INCLUDE INTEREST AT  
4 THE STATUTORY RATE.

5 31.6 IF THE DEPARTMENT RECOMMENDS IMPOSITION OF A CIVIL MONEY PENALTY, IT SHALL NOTIFY THE NURSING  
6 CARE FACILITY NO LATER THAN FIVE DAYS AFTER THE LAST DAY OF THE INSPECTION OR SURVEY DURING WHICH  
7 THE DEFICIENCIES THAT CONSTITUTE THE VIOLATION WERE FOUND. SUCH NOTICE SHALL COMPLY WITH SECTION  
8 25-1-107.5(3)(c)(II), C.R.S.

9 31.7 WRITTEN PLANS OF CORRECTION SHALL COMPLY WITH 6 CCR 1011-1, CHAPTER 2, PART 2.11.4(B).

10 31.8 NOTHING IN THIS SECTION PRECLUDES THE DEPARTMENT FROM IMPOSING ANY OTHER REMEDIES ALLOWED BY  
11 STATE LAW INCLUDING, BUT NOT LIMITED TO, THOSE DESCRIBED IN 6 CCR 1011-1, CHAPTER 2, PART 2.11 AND  
12 2.12.

13 **FOR LICENSED, NON-CERTIFIED NURSING CARE FACILITIES:**

14 31.9 THE DEPARTMENT MAY IMPOSE ANY ENFORCEMENT REMEDY AUTHORIZED BY STATE LAW OR REGULATION.

15 31.10 ENFORCEMENT ACTIVITIES SHALL BE CONDUCTED IN ACCORDANCE WITH 6 CCR 1011-1, CHAPTER 2.

16 **SECTION 32 LICENSING FEES**

17 32.1 ALL LICENSE FEES ARE NON-REFUNDABLE. THE TOTAL FEE SHALL BE SUBMITTED WITH THE APPROPRIATE  
18 LICENSE APPLICATION.

19 32.2 INITIAL LICENSE - \$6,000 PER FACILITY.

20 32.3 RENEWAL LICENSE - THE ANNUAL RENEWAL FEE SHALL BE AS FOLLOWS.

21 MEDICARE AND/OR MEDICAID CERTIFIED FACILITY: \$1,600 BASE FEE PLUS \$8 PER BED.

22 NON-CERTIFIED FACILITY: \$3,480 BASE FEE PLUS \$8 PER BED.

23 32.4 CHANGE OF OWNERSHIP - CHANGE OF OWNERSHIP SHALL BE DETERMINED IN ACCORDANCE WITH THE CRITERIA  
24 SET FORTH IN 6 CCR 1011-1, CHAPTER 2, PART 2. THE FEE SHALL BE \$6,000 PER FACILITY.

25 32.5 OPENING A SECURE UNIT - A FACILITY THAT WISHES TO OPEN A SECURE UNIT SHALL SUBMIT A FEE OF \$1,600 IN  
26 ADDITION TO ANY OTHER APPLICABLE LICENSE FEES.  
27

**DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

**Health Facilities and Emergency Medical Services Division**

**STANDARDS FOR HOSPITALS AND HEALTH FACILITIES: CHAPTER 2 – GENERAL LICENSURE  
STANDARDS**

**6 CCR 1011-1 Chap 02**

\* \* \* \* \*

**Part 4. WAIVER OF REGULATIONS FOR HEALTH CARE ENTITIES**

\* \* \* \* \*

**4.103 Application Procedure**

\* \* \* \* \*

**(4) Notice and Opportunity to Comment on Application**

\* \* \* \* \*

- (b) The notice must also indicate that any person interested in commenting on the waiver application may forward written comments directly to the Department at the following address:

CDPHE - HFD, A2– Waiver Program  
4300 Cherry Creek Drive South C1  
Denver, CO 80246.

\* \* \* \* \*

**PART 7. MEDICATIONS, MEDICAL DEVICES, AND MEDICAL SUPPLIES**

\* \* \* \* \*

**7.200 DONATION OF UNUSED MEDICATIONS, MEDICAL DEVICES AND MEDICAL SUPPLIES**

~~7.201 STATUTORY AUTHORITY AND APPLICABILITY~~

~~(2) APPLICABILITY~~

- ~~(a) This Subpart 7.200 applies to medications, medical devices and medical supplies donated by the patient, resident or his or her next of kin to the following health care entities: acute treatment units, assisted living residences, community mental health centers, community residential homes for persons with developmental disabilities, intermediate care facilities for the developmentally disabled, hospices, hospitals (including general hospitals, psychiatric hospitals, maternity hospitals and rehabilitation centers), hospital units and long term care facilities.~~

- ~~(b) Notwithstanding Section 7.201 (2)(a), this Subpart 7.200 does not apply to items donated:~~

- ~~(i) by the patient, resident, or his or her next of kin directly to a pharmacist employed or contracted by the health care entity subject to 3 CCR 719-1, Section 3.00.80.~~

~~(ii) the Cancer Drug Repository Program established pursuant to Section 25-35-101, et seq. C.R.S and 6 CCR 1015-10.~~

7.2021 DEFINITIONS. For the purposes of this Subpart 7.200, the following definitions apply:

- (1) "Customized patient medication package" means a package prepared and dispensed by a pharmacist that contains two or more different drugs.
- (2) "Donor" means a patient, resident or a patient's or resident's next of kin who donates unused medications, medical devices or medical supplies.
- (3) ~~"Health care entity" means a licensed acute treatment unit, assisted living residence, community mental health center, community residential home for the developmentally disabled, intermediate care facilities for the developmentally disabled, hospice, hospital (including a general hospital, maternity hospital, psychiatric hospital, or rehabilitation center), hospital unit or long term care facility.~~ "LICENSED FACILITY" MEANS A HOSPITAL, HOSPITAL UNIT, COMMUNITY MENTAL HEALTH CENTER, ACUTE TREATMENT UNIT, HOSPICE, NURSING CARE FACILITY, ASSISTED LIVING RESIDENCE, OR ANY OTHER FACILITY THAT IS REQUIRED TO BE LICENSED PURSUANT TO SECTION 25-3-101, C.R.S., OR A LICENSED LONG-TERM CARE FACILITY AS DEFINED IN SECTION 25-1-124 (2.5) (B), C.R.S.
- (4) "Medication" means a PRESCRIPTION THAT IS NOT A CONTROLLED SUBSTANCE. ~~drug dispensed pursuant to an order to a patient or resident of the health care entity.~~

\*\*\*\*\*

#### ~~7.203 ACCEPTING UNUSED ITEMS FROM DONORS~~

- ~~(1) Prior to accepting unused items, the health care entity shall have documented evidence that the patient, resident or his or her next of kin consented to the donation of the items. The health care entity shall maintain such documentation for two years after the unused item was donated.~~
- ~~(2) Items Eligible for Donation. As applicable, a health care entity shall only accept unused items that meet the following criteria:~~
  - ~~(a) items intended for use within the health care entity by the patient or resident.~~
  - ~~(b) medications packaged as follows:~~
    - ~~(i) if liquid, the vial must be sealed and properly stored.~~
    - ~~(ii) individually packaged and the packaging has not been damaged.~~
    - ~~(iii) in the original, unopened, sealed and tamper evident unit dose packaging.~~
    - ~~(iv) with labelling that identifies: name and strength of the medication, and in the case of a single dose package, the total number of individual tablets or capsules per dose; the medication's expiration date; the identity of the manufacturer or distributor; and the manufacturer's or distributor's lot number.~~
  - ~~(c) single use disposable devices packaged in the manufacturer's original sealed packaging.~~
  - ~~(d) medications with an expiration date at least six months or more from the date of the donation.~~



1       ~~(3) — Items Not Eligible for Donation. A health care entity shall not accept medications that:~~

2               ~~(a) — were dispensed in a traditional brown or amber pill bottles.~~

3               ~~(b) — are controlled substances.~~

4               ~~(c) — require refrigeration, freezing, or special storage.~~

5               ~~(d) — require special registration with the manufacturer.~~

6               ~~(e) — are adulterated or misbranded, as determined by the health care entity.~~

7               ~~(f) — are dispensed in a customized patient medication package.~~

8               ~~(g) — are compounded drugs.~~

9               ~~(h) — are packaged by a pharmacist as split tablets or capsules.~~

10       ~~(4) — Policies and Procedures. Health care entities that accept unused items shall develop and~~  
11       ~~implement policies and procedures regarding:~~

12               ~~(a) — Storage. Unused items shall be stored:~~

13                       ~~(i) — in a manner that retains the items' medical efficacy as provided for by storage~~  
14                       ~~protocols approved by a licensed pharmacist. Such protocols shall be reviewed~~  
15                       ~~and approved by a licensed pharmacist at least every three years.~~

16                       ~~(ii) — separately from non-donated unused items.~~

17               ~~(b) — Inventory control. The health care entity shall:~~

18                       ~~(i) — develop processes for the prevention and detection of diversion of donated~~  
19                       ~~unused items that may be illegally sold. When diversion is detected, prompt~~  
20                       ~~appropriate corrective measures shall be implemented.~~

21                       ~~(ii) — adequately dispose of unused donated items not transferred to a pharmacist or~~  
22                       ~~a relief agency.~~

23               ~~(c) — Transporting unused items. If the health care entity is responsible for transporting~~  
24               ~~unused items, it shall do so in a manner that retains the item's medical efficacy.~~

25    ~~7.204 — TRANSFERRING UNUSED ITEMS FROM THE HEALTH CARE ENTITY~~

26       ~~1) — A health care entity may transfer unused items to pharmacists or nonprofit relief entities as~~  
27       ~~authorized by Section 12-22-133 (2), C.R.S.~~

29       ~~(2) — The health care entity shall maintain a record, to be retained for two years after the unused item~~  
30       ~~was transferred from the health care entity, of the:~~

31               ~~(a) — name of the donor and the date the unused item was donated to the health care entity,~~  
32               ~~as applicable.~~

33               ~~(b) — name or a brief description of the unused item.~~

~~(c) quantity of the unused item.~~

~~(d) date the unused item(s) was transferred from the health care entity, to whom it was transferred, and signed receipt by the recipient.~~

~~(e) manner that it transported the unused item and that such transportation retained the item's medical efficacy, as applicable.~~

~~(3) Upon transfer from the health care entity, unused items shall not include in their labeling any identifying patient or resident information.~~

## 7.202 RETURN AND REDISTRIBUTION OF ITEMS

(A) CONSISTENT WITH SECTION 12-42.5-133, C.R.S., A LICENSED FACILITY MAY RETURN UNUSED MEDICATIONS OR MEDICAL SUPPLIES AND USED OR UNUSED MEDICAL DEVICES TO A PHARMACIST WITHIN THE LICENSED FACILITY OR TO A PRESCRIPTION DRUG OUTLET IN ORDER FOR THE MATERIALS TO BE REDISPENSED TO ANOTHER RESIDENT OR PATIENT, OR DONATED TO A NONPROFIT ENTITY THAT HAS THE LEGAL AUTHORITY TO POSSESS THE MATERIALS OR TO A PRACTITIONER AUTHORIZED BY LAW TO DISPENSE THE MATERIALS WHEN THE FOLLOWING CRITERIA ARE MET:

- (1) THE MEDICATIONS, MEDICAL SUPPLIES AND/OR MEDICAL DEVICES WERE DONATED BY A PATIENT, RESIDENT, HOME CARE CONSUMER OR HIS/HER NEXT OF KIN AND, WHERE POSSIBLE, DOCUMENTED IN WRITING;
- (2) A LICENSED PHARMACIST HAS REVIEWED THE PROCESS OF DONATING UNUSED MEDICATIONS TO A NONPROFIT ENTITY;
- (3) MEDICATION DISPENSED OR DONATED UNDER THIS SECTION SHALL NOT BE EXPIRED. A DONATED MEDICATION SHALL NOT BE DISPENSED TO ANOTHER PATIENT, RESIDENT OR HOME CARE CONSUMER IF IT WILL EXPIRE BEFORE USE BY THE PATIENT, RESIDENT OR HOME CARE CONSUMER BASED ON THE PRESCRIBING PRACTITIONER'S DIRECTIONS FOR USE; AND
- (4) MEDICATIONS, MEDICAL SUPPLIES AND MEDICAL DEVICES DONATED PURSUANT TO THIS SECTION SHALL NOT BE RESOLD FOR PROFIT.

(B) MEDICATIONS ARE ONLY AVAILABLE TO BE DISPENSED TO ANOTHER PERSON OR DONATED TO A NONPROFIT ENTITY UNDER THIS SECTION IF THE MEDICATIONS ARE:

- (1) LIQUID AND THE VIAL IS STILL SEALED AND PROPERLY STORED;
- (2) INDIVIDUALLY PACKAGED AND THE PACKAGING HAS NOT BEEN DAMAGED; OR
- (3) IN THE ORIGINAL, UNOPENED, SEALED AND TAMPER-EVIDENT UNIT DOSE PACKAGING.

(C) THE FOLLOWING MEDICATIONS SHALL NOT BE DONATED:

- (1) MEDICATIONS PACKAGED IN TRADITIONAL BROWN OR AMBER PILL BOTTLES;
- (2) CONTROLLED SUBSTANCES;
- (3) MEDICATIONS THAT REQUIRE REFRIGERATION, FREEZING OR SPECIAL STORAGE;
- (4) MEDICATIONS THAT REQUIRE SPECIAL REGISTRATION WITH THE MANUFACTURER; OR
- (5) MEDIATIONS THAT ARE ADULTERATED OR MISBRANDED, AS DETERMINED BY A PERSON LEGALLY AUTHORIZED TO DISPENSE THE MEDICATIONS ON BEHALF OF THE NONPROFIT ENTITY.

## 7.203 IMMUNITY

A PERSON OR ENTITY IS NOT SUBJECT TO CIVIL OR CRIMINAL LIABILITY OR PROFESSIONAL DISCIPLINARY ACTION FOR DONATING, ACCEPTING, DISPENSING OR FACILITATING THE DONATION OF MATERIAL IN GOOD FAITH, WITHOUT NEGLIGENCE, AND IN COMPLIANCE WITH COLORADO LAW.

\*\*\*\*\*

**Part 8. PROTECTION OF PERSONS FROM INVOLUNTARY RESTRAINT**

\*\*\*\*\*

## 8.102 Definitions

- (1) "Chemical restraint" means giving an individual medication involuntarily for the purpose of restraining that individual; except that "chemical restraint" does not include the involuntary administration of medication pursuant to Section ~~27-10-111 (4.5)~~ 27-65-111(5), C.R.S., or administration of medication for voluntary or life-saving medical procedures.

\*\*\*\*\*

## 8.103 Exemptions

\*\*\*\*\*

- (2) "A facility, as defined in Section ~~27-10-102 (4.5)~~ 27-65-102 (7), C.R.S., that is designated by the Executive Director of the Department of Human Services to provide treatment pursuant to Sections ~~27-10-105, 27-10-106, 27-10-107, or 27-10-109~~ 27-65-105 through 27-65-107, C.R.S., to any ~~mentally ill~~ person WITH A MENTAL ILLNESS, as defined in Section ~~27-10-102 (7)~~, 27-65-102(14), C.R.S., may use seclusion to restrain a ~~mentally ill~~ person WITH A MENTAL ILLNESS when such seclusion is necessary to eliminate a continuous and serious disruption of the treatment environment.

- (3) If the use of restraint in skilled nursing and nursing care facilities licensed under state law is in accordance with the federal statutes and regulations governing the Medicare program set forth in 42 U.S.C. sec. 1395i-3(c) and 42 C.F.R. part 483, subpart B and the Medicaid program set forth in 42 U.S.C. sec. 1396r(c) and 42 C.F.R. part 483, subpart B and with chapter ~~V, Long Term~~ 5, NURSING Care Facilities, there shall be a conclusive presumption that such use of restraint is in accordance with this Part 8.

- (4) If any provision of this Part 8 concerning the use of restraint conflicts with any provision concerning the use of restraint stated in Article ~~40-5~~ 65 of Title 27, C.R.S., or any regulation adopted pursuant thereto, the provision of Article ~~40-5~~ 65 of Title 27, C.R.S., or the regulation adopted pursuant thereto shall prevail.

\*\*\*\*\*

**PART 10 - INFLUENZA IMMUNIZATION OF HEALTHCARE WORKERS**

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## Definitions

## 10.5

\*\*\*\*\*

- (J) "~~Long Term~~ NURSING Care Facility" means a facility that is licensed and regulated pursuant to 6 CCR 1011-1, Chapter ~~V~~ 5, ~~Long Term~~ NURSING Care Facilities.

\*\*\*\*\*



# COLORADO

Board of Health

Department of Public Health & Environment

## Notice of Public Rule-Making Hearing Scheduled for March 16, 2016

NOTICE is hereby given pursuant to the provisions of Section 24-4-103, C.R.S., that the Colorado Board of Health will conduct a public rule-making hearing on March 16, 2016 at 10 a.m. in the Sabin-Cleere Conference Room of the Colorado Department of Public Health and Environment, Bldg. A, First Floor, 4300 Cherry Creek Drive, South, Denver, CO 80246, to consider the promulgation of amendments to 6 CCR 1011-1, Chapter 5 Long Term Care Facilities and Chapter 2, General Licensure Standards. The proposed amendments have been developed by the Health Facilities and Emergency Medical Services Division of the Colorado Department of Public Health and Environment pursuant to Section 25-1.5-103, C.R.S. (2015); Section 25-1-107.5, C.R.S. (2015); Section 25-1-120, C.R.S. (2015); Section 25-3-101, et seq., C.R.S. (2015); and Section 18-6.5-108(1)(b)(V), C.R.S. (2015). Chapter 5 is being renamed to correspond with state statute and the entire chapter has been rewritten to reflect current practice standards, eliminate duplicative and obsolete sections and better align with federal requirements.

The agenda for the meeting and the proposed amendments will also be available on the Board's website, <https://www.colorado.gov/pacific/cdphe/boh> at least seven (7) days prior to the meeting. The proposed rules, together with the proposed statement of basis and purpose, specific statutory authority and regulatory analysis will be available for inspection at the Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South EDO-A5, Denver, Colorado 80246-1530 at least five working days prior to the hearing. Copies of the proposed rules may be obtained by contacting the Colorado Department of Public Health and Environment, Health Facilities and Emergency Medical Services Division, HFEMSD-C1, 4300 Cherry Creek Drive S., Denver, CO 80246, (303) 692-2800.

The Board encourages all interested persons to participate in the hearing by providing written data, views, or comments, or by making oral comments at the hearing. At the discretion of the Chair, oral testimony at the hearing may be limited to three minutes or less depending on the number of persons wishing to comment. Pursuant to 6 CCR 1014-8, §3.02.1, written testimony must be submitted no later than five (5) calendar days prior to the rulemaking hearing. Written testimony is due by 5:00 p.m., Thursday, March 10, 2016. Persons wishing to submit written comments should submit them to: Colorado Board of Health, ATTN: Jamie L. Thornton, Program Assistant, Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South EDO-A5, Denver, Colorado 80246-1530 or by e-mail at: [cdphe.bohrequests@state.co.us](mailto:cdphe.bohrequests@state.co.us)

Dated this 27<sup>th</sup> day of January, 2016.

Deborah Nelson  
Board of Health Administrator

# Notice of Proposed Rulemaking

**Tracking number**

2016-00073

**Department**

1000 - Department of Public Health and Environment

**Agency**

1011 - Health Facilities and Emergency Medical Services Division (1011, 1015 Series)

**CCR number**

6 CCR 1011-1 Chap 05

**Rule title**

CHAPTER 05 - LONG TERM CARE FACILITIES

## Rulemaking Hearing

**Date**

03/16/2016

**Time**

10:00 AM

**Location**

Sabin-Cleere Conference Room, Colorado Department of Public Health and Environment, Bldg. A, 4300 Cherry Creek Drive, South, Denver, CO. 80246

**Subjects and issues involved**

To consider the promulgation of amendments to 6 CCR 1011-1, Chapter 5, Long Term Care Facilities and Chapter 2, General Licensure Standards. Chapter 5 is being renamed to correspond with state statute and the entire chapter has been rewritten to reflect current practice standards, eliminate duplicative and obsolete sections and better align with federal requirements.

**Statutory authority**

Section 25-1.5-103, C.R.S. (2015); Section 25-1-107.5, C.R.S. (2015); Section 25-1-120, C.R.S. (2015);

## Contact information

**Name**

Laurie Schoder

**Title**

Policy Analyst

**Telephone**

303-692-2832

**Email**

[laurie.schoder@state.co.us](mailto:laurie.schoder@state.co.us)



**COLORADO**  
Department of Public  
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

To: Members of the State Board of Health

From: Laurie Schoder, Policy Analyst, Health Facilities and Emergency Medical Services Division

Through: D. Randy Kuykendall, MLS; Director *DRK*

Date: January 20, 2016

Subject: Proposed Amendments to 6 CCR 1011-1, Standards for Hospitals and Health Facilities, Chapter 5, Long Term Care Facilities and Conforming and Technical Amendments to Chapter 2, General Licensure, with a Request for the Rulemaking Hearing to occur on March 16, 2016.

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In 2014, the Division conducted a regulatory review of Chapter 5 and determined that many of those rules were outdated, confusing and/or inconsistent with state or federal law. Therefore, the Division pledged to initiate a community stakeholder process to thoroughly review the entire rule.

The Division has been meeting with stakeholders every month for over a year to revise the Chapter 5 regulations. All stakeholder meetings were open to the public and routinely included the state long-term care ombudsman, a nursing care facility resident, members of the Colorado Medical Directors Association and other licensed medical professionals, owners and administrators of licensed nursing care facilities, and representatives of the Colorado Health Care Association, Leading Age Colorado, the Legal Center and the Colorado Hospital Association.

Due to the extensive nature of the revisions, the Division proposal is that the current chapter be stricken in its entirety and replaced with a new version that has also been reorganized and renumbered. The Division also proposes changing the title of Chapter 5 from Long Term Care Facilities to Nursing Care Facilities to align with the Department's statutory authority.

One proposed revision to the pharmacy section of Chapter 5, along with conforming changes to Chapter 2, is being made to align with statutory changes brought about by House Bill 15-1039 which addressed the donation of prescription medications by licensed health care facilities. In addition, language throughout the entire chapter has been revised to reflect technological advances; make it more person-centered; and reflect that a nursing care facility is not merely a health care institution but also a resident's home.



**STATEMENT OF BASIS AND PURPOSE  
AND SPECIFIC STATUTORY AUTHORITY**

For Amendments to 6 CCR 1011-1, Standards for Hospitals and Health Facilities,  
Chapter 5, Long Term Care Facilities and Conforming and Technical  
Amendments to Chapter 2, General Licensure  
January 20, 2016

**Basis and Purpose:**

In 2014, pursuant to Section 24-4-103.3, C.R.S., the Division conducted a regulatory review of Chapter 5 and determined that many of those standards were outdated, confusing and/or inconsistent with state statute. Since then the Division has conducted monthly meetings with stakeholders to completely overhaul the regulations regarding nursing care facilities. Due to the extensive nature of the revisions, the Division is proposing that the current regulation set be stricken in its entirety and replaced with a new version that has also been renamed, reorganized and renumbered.

The major highlights of the changes include adding language to require at-risk elder abuse reporting; revising the medical services section to allow for expanded use of non-physician practitioners consistent with federal and state law; updating therapist and other staff qualifications to align with state law and/or reflect current professional standards; updating the subsection on disposition of medication to align with changes made by House Bill 15-1039; requiring a security officer or other designated staff person to oversee health information security; and requiring a facility to petition the court for appointment of a guardian for any resident placed in secure unit if that resident lacks decisional capacity and has no designated representative.

The following is a brief summary of the changes to Chapter 5 by section:

**Section 1** - Updated to include reference to medical waste disposal regulations.

**Section 2** - Several new definitions added.

**Section 3** - Clarification of governing body role and reworded quality assurance subsection.

**Section 4** - Reworded for clarity and addition of language regarding at-risk elder abuse reporting.

**Section 5** - Primarily reworded.

**Section 6** - Primarily reworded.

**Section 7** - Reorganized and time frames revised to align with federal requirements. Individual responsible for nursing care planning changed to registered nurse to align with federal requirement.

**Section 8** - Revised to allow for expanded use of non-physician practitioners consistent with federal and state law; added requirement that medical director personally visit facility at least every three months; added requirements regarding the contents of practitioner's notes and time frame for inclusion in health information record; expanded medical director's responsibilities to be consistent with remainder of rule and allowed for practitioner use of telehealth within certain parameters.

**Section 9** - Reworded and clarified the subsection on restraints to align with statute. Reworded and clarified the subsections on medication administration and safety devices.

**Section 10** - Time for social services staff to review and update assessment and care plan shortened to quarterly. Updated and clarified staff qualifications.

**Section 11** - Primarily reworded.

**Section 12** - Added requirements that each resident must be informed about the consequences of undiagnosed oral health issues and about the availability of public benefits for dental services.

**Section 13** - Revised to reflect proposed federal language regarding meal times; expanded qualifications for individual overseeing dietary services; updated menu reference requirements;

clarified requirements for refrigerator safety and feeding of residents in isolation; and deleted subsection on milk because that is covered in the retail food regulations with which facilities are also required to comply.

**Section 14** - Reorganized and reworded to eliminate duplicative and obsolete subsections and better align with federal requirements.

**Section 15** - Reworded for clarity and to better align with state law.

**Section 16** - Revised to require that facilities complete a risk assessment for emergencies using an all hazards approach. Addition of items to be addressed in facility policies and procedures regarding various emergencies and addition of items to be addressed in facility disaster plans.

**Section 17** - Revised language to reflect current technology; reworded section on health information staff responsibilities; added requirement for security officer or other designated staff person to oversee health information security and updated staff qualifications to reflect current professional standards.

**Section 18** - Updated therapist qualifications to align with state law and consolidated sections to eliminate duplication.

**Section 19** - Reworded duties of consulting pharmacist to better align with federal law; added subsection on the use of investigational medications and updated subsection on disposition of medication to align with state law.

**Section 20** - Current time frame for inclusion of diagnostic reports in health information record shortened from thirty days to two days and requirement relocated to Section 17.1(A).

**Section 21** - The only change is correction of the hyperlink.

**Section 22** - Removal of footnotes and obsolete language along with clarification of resident communication system requirements.

**Section 23** - Reorganized and reworded for clarity; updated statutory references and added requirement that if resident lacks decisional capacity and has no representative, facility must petition court for appointment of guardian within 30 days of resident's placement in secure unit.

**Section 24** - Primarily reworded.

**Section 25** - Reworded and reorganized.

**Section 26** - Reworded, reorganized and references updated to include various CDC guidelines.

**Section 27** - Primarily reworded.

**Section 28** - Updated reference for disposal of medical waste.

**Section 29** - Substantially unchanged.

**Section 30** - Statutory reference added and slightly reworded.

**Section 31** - Reorganized and reworded for clarity and to better align with state law.

**Section 32** - No change.

The proposed changes to Chapter 2 update the address for submitting a waiver application and the donation of prescription medications by licensed health care facilities as authorized by House Bill 15-1039. These changes ensure alignment with Chapter 5, Sections 4.6 and 19.8 respectively. In addition, Chapter 2, Sections 8.103 and 10.5 references to Chapter 5 were updated to reflect the proposed Chapter 5 title. The statutory references and terminology in Chapter 2, Section 8.102 and 8.103 were also updated for overall alignment with Chapter 5.

**These rules are promulgated pursuant to the following statutes:**

Section 25-1.5-103, C.R.S. (2015)

Section 25-1-107.5, C.R.S. (2015)

Section 25-1-120, C.R.S. (2015)

Section 25-3-101, et seq., C.R.S. (2015)

Section 18-6.5-108(1)(b)(V), C.R.S. (2015)



## SUPPLEMENTAL QUESTIONS

Is this rulemaking due to a change in state statute?

☒ Yes, partially. Revisions to Chapter 5, Section 19 with conforming changes to Chapter 2 were necessitated by House Bill 15-1039.  
☐ No

Is this rulemaking due to a federal statutory or regulatory change?

☐ Yes  
☒ No

Does this rule incorporate materials by reference?

☒ Yes  
☐ No

Does this rule create or modify fines or fees

☐ Yes  
☒ No

**REGULATORY ANALYSIS**

For Amendments to 6 CCR 1011-1, Standards for Hospitals and Health Facilities,  
Chapter 5, Long Term Care Facilities and Conforming and Technical  
Amendments to Chapter 2, General Licensure  
January 20, 2016

1. **A description of the classes of persons who will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule.**

The proposed rule changes will affect many classes of persons. They will affect the owners, operators, staff and residents of nursing care facilities as well as other licensed professionals that serve the residents of nursing care facilities. The costs of the proposed rule will be borne primarily by the licensees and the Department. The affected nursing care facilities, their residents and the public will all benefit from amending this regulation to reflect current industry standards, align with state and federal law and clarify Department expectations.

2. **To the extent practicable, a description of the probable quantitative and qualitative impact of the proposed rule, economic or otherwise, upon affected classes of persons.**

The short-term quantitative impact of the proposed revisions will be most apparent in the time required by facility owners and staff to familiarize themselves with the revised standards and the reorganization of the entire regulation set. The expectation is that this will be offset by the anticipated long-term quantitative impact of greater staff efficiency due to the changes allowing greater use of non physician practitioners, telehealth and other electronic methods for care delivery.

The major qualitative impacts of the revisions for residents will be achieved through the use of more person centered language and higher standards of care in certain areas such as dental services, medical record entries, resident rights, and admission into a secured unit.

3. **The probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues.**

The Department will incur some costs primarily associated with administrative tasks such as rewriting the feeding assistant program protocols to align with the revised regulations and revising the software program that allows for electronic entry of survey and plan of correction data. The Department does not anticipate that these amendments will result in any costs to other agencies.

4. **A comparison of the probable costs and benefits of the proposed rule to the probable costs and benefits of inaction.**

The probable costs and benefits of the proposed amendments far outweigh the probable costs and benefits of inaction since inaction would result in continued conflict between the regulations and various state and federal laws, along with the continuation of many now antiquated requirements and obsolete language. The proposed amendments will benefit the

industry and public alike because everyone will have a better understanding of the nursing care facility licensing requirements.

**5. A determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule.**

The Department has determined that there are no less costly or intrusive methods for achieving the purpose of the revised rule. Neither Departmental policies nor guidance would have accomplished the goal of updating the regulations to reflect current industry standards, align with state and federal law and eliminate obsolete requirements.

**6. Alternative rules or alternatives to rulemaking considered and why rejected.**

Initially the Department considered revising only one section of the regulation chapter, but it became evident after consultation with stakeholders that the entire chapter needed to be rewritten. Although the complete rewrite required a larger time commitment from both stakeholders and Department personnel, it was determined to be the preferable method to avoid any unintended consequences that might result from a patchwork approach.

**7. To the extent practicable, a quantification of the data used in the analysis; the analysis must take into account both short-term and long-term consequences.**

The Department analyzed the type and number of health care entities affected by these amendments, as well as the number of resident beds involved. There are approximately 219 currently licensed nursing care facilities with a total of 20,316 beds. The majority of facilities are dually certified to serve both Medicare and Medicaid residents, so they are also subject to federal standards. Five facilities, however, serve only private pay residents. Therefore the proposed amendments had to be drafted so that they would apply to all types of nursing care facilities regardless of payment source.

In the short-term, both Department and facility personnel will need to spend extra time familiarizing themselves with the changes. However, in the long term, regulations that reflect current industry standards, align with state and federal law and are easier to navigate will benefit everyone that interacts with a nursing care facility from staff to residents and their family members.

## STAKEHOLDER COMMENTS

For Amendments to 6 CCR 1011-1, Standards for Hospitals and Health Facilities, Chapter 5, Long Term Care Facilities with conforming amendments to Chapter 2, General Licensure

**The following individuals and/or entities were included in the development of these proposed rules:**

Anne Meier, Colorado Long-Term Care Ombudsman; Shannon Gimbel, Denver Regional Council of Governments; Vinni Ferrara, Older Americans Program Assistant for Disability Law Colorado; a nursing care facility resident; Gregory Gahm, M.D., Leslie Eber, M.D., and other members of the Colorado Medical Directors Association; Joshua Zucker, N.P., Alan Miller, R.Ph., Candace Johnson, R.D., and other licensed medical professionals; various owners, administrators, staff and consultants of licensed nursing care facilities; Ann Kokish, Arlene Miles and Doug Farmer for the Colorado Health Care Association; Janice Brenner for Leading Age Colorado; Gail Finley and Joshua Ewing for the Colorado Hospital Association; Dr. Katya Mauritson, Oral Health Unit Manager, Prevention Services Division; Dan Goetz, Hazardous Waste Compliance Assurance Officer, Hazardous Materials and Waste Management Division; and various representatives of the Colorado Department of Health Care Policy and Financing.

**The following individuals and/or entities were notified that this rule-making was proposed for consideration by the Board of Health:**

The individuals and entities listed above along with all licensed health care entities and subscribers to the Health Facilities and Emergency Medical Services information blog.

**Summarize Major Factual and Policy Issues Encountered and the Stakeholder Feedback Received. If there is a lack of consensus regarding the proposed rule, please also identify the Department's efforts to address stakeholder feedback or why the Department was unable to accommodate the request.**

The stakeholder group and Division representatives tackled many factual and policy issues and were able to come to consensus on all. Examples include expanding the role of non-practitioners to align with the Colorado Nurse Practice Act but not violate certain federal requirements for facilities providing Medicare services, allowing for the use of telehealth in certain circumstances, shortening the time frame for practitioner visit details to be entered into the health information record, and requiring facilities to inform residents about public dental benefits and to provide assistance in accessing such benefits and services. At the final stakeholder meeting, the Ombudsman voiced concerns that the resident grievance process, which conforms to Colorado law, might be in conflict with federal law. The Department has referred this issue to its legal counsel and expects to have the issue resolved by the rule-making hearing.

**Please identify health equity and environmental justice (HEEJ) impacts. Does this proposal impact Coloradans equally or equitably? Does this proposal provide an opportunity to advance HEEJ? Are there other factors that influenced these rules?**

The Division believes that the proposed rule amendments will advance HEEJ in a number of ways. Because physicians in Colorado's rural and frontier areas are often in short supply, nursing care facilities in those communities will benefit from the amendments that allow for expanded use of non-physician practitioners and telehealth. Low income residents will have enhanced access to dental care because of a new requirement that nursing care facilities provide information about the

availability of publicly funded dental services and assist residents in accessing such services. Additionally, the resident rights section contains new requirements for facilities to make accommodation residents with limited English proficiency or sensory impairments that inhibit daily communications.

**DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

**Health Facilities and Emergency Medical Services Division**

**STANDARDS FOR HOSPITALS AND HEALTH FACILITIES: CHAPTER V—LONG TERM CARE FACILITIES**

**6 CCR 1011-1 Chap 05**

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Copies of these regulations may be obtained at cost by contacting:

Division Director

Colorado Department of Public Health and Environment

Health Facilities Division

4300 Cherry Creek Drive South

Denver, Colorado 80222-1530

Main switchboard: (303) 692-2800

These chapters of regulation incorporate by reference (as indicated within) material originally published elsewhere. Such incorporation, however, excludes later amendments to or editions of the referenced material. Pursuant to 24-4-103 (12.5), C.R.S., the Health Facilities Division of the Colorado Department of Public Health And Environment maintains copies of the incorporated texts in their entirety which shall be available for public inspection during regular business hours at:

Division Director

Colorado Department of Public Health and Environment

Health Facilities Division

4300 Cherry Creek Drive South

Denver, Colorado 80222-1530

Main switchboard: (303) 692-2800

Certified copies of material shall be provided by the division, at cost, upon request. Additionally, any material that has been incorporated by reference after July 1, 1994 may be examined in any state publications depository library. Copies of the incorporated materials have been sent to the state publications depository and distribution center, and are available for interlibrary loan.

**Part 01. STATUTORY AUTHORITY AND APPLICABILITY**

01.1 The statutory authority for the promulgation of these rules is set forth in sections 25-1-107.5, 25-1.5-103 and 25-3-101, et. seq., C.R.S.

01.2 A long term care facility shall comply with all applicable federal and state statutes and regulations, including but not limited to, the following:

~~(a) This Chapter V;~~

~~(b) 6 CCR 1011-1, Chapter II, General Licensure Standards; and~~

~~(c) 6 CCR 1010-2, Colorado Retail Food Establishment Rules and Regulations.~~

#### **Part 1. GOVERNING BODY**

##### Definitions

~~Department—The Department of Public Health and Environment.~~

~~LONG-TERM CARE FACILITY. A long-term care facility is a health facility that holds itself out as a nursing home, nursing facility, nursing care facility or intermediate care facility or a health facility that is planned, organized, operated, and maintained to provide supportive, restorative, and preventive services to persons who, due to physical and/or mental disability, require continuous or regular inpatient care.~~

~~(a) a long-term care facility is a nursing care facility, or a nursing facility serving residents who require continuous medical and nursing care and supervision.~~

~~(b) a long-term care facility is an intermediate care facility serving residents who require regular, but not continuous nursing care and supervision.~~

~~1.1 GOVERNING BODY. The governing body is the individual, group of individuals, or corporate entity that has ultimate authority and legal responsibility for the operation of the long-term care facility.~~

~~1.1.1 The governing body shall provide the necessary facilities, qualified personnel, and services to meet the total needs of the facility's residents.~~

~~1.1.2 The governing body shall appoint for the facility a full-time administrator, qualified as provided in Section 2.1, and delegate to that officer the executive authority and full responsibility for day-to-day administration of the facility.~~

~~1.1.3 The governing body is responsible for the performance of all persons providing services within the facility.~~

~~1.2 STRUCTURE. If the governing body includes more than one individual, the group shall be formally organized with written constitution or articles of incorporation and by-laws; hold regular, periodic meetings; and maintain meeting records.~~

~~1.2.1 The facility shall disclose its ownership as required in Part 2, chapter II of these regulations.~~

~~1.2.2 The governing body shall provide a formal means of obtaining local community involvement and opportunity to communicate with the administrator on issues of residents' rights. The means of community input shall provide opportunity for regular input and such input shall be documented.~~

~~(a) The input may come through a formally organized community advisory committee that is given the opportunity to comment and advise the governing body on matters of facility policy; is composed of members, a majority of whom reside in the facility's service area, and none of whom are owners or employees of or consultants to the facility.~~

~~(b) The input may come through membership of at least 25% of the governing body representing citizens in the facility's service area, none of whom are owners or employees of or consultant? to the facility.~~

~~(c) The facility may request Department approval of an alternative means of obtaining community input on residents' rights.~~

~~1.3 QUALITY ASSURANCE. The governing body shall assure that there is an effective quality assurance program to evaluate the availability, appropriateness, effectiveness, and efficiency of resident care, including without limitation, a continuous program of evaluating medical, nursing care, social services, activities, dietary, housekeeping, maintenance, infection control, and pharmacy services.~~

~~1.3.1 The quality assurance plan shall be in writing and shall include objectives; personnel involved; responsibility for reviewing critical incidents; methods for monitoring and evaluating care; and methods for monitoring effectiveness of actions taken to improve quality of resident care.~~

~~1.3.2 The facility shall maintain evidence of actions taken in response to quality assurance activity and their effectiveness and shall report annually to the governing body.~~

~~1.4 EXCEPTIONS TO RULES. The requirements of these regulations do not prohibit the use of alternate concepts, methods, procedures, techniques, equipment, or personnel qualifications or conducting pilot projects. A facility may request waivers or exceptions to these regulations pursuant to 6 CCR 1011-1, Chapter II, General Licensure Standards, Part 4, waiver of regulations for health care entities.~~

~~1.5 POSTING DEFICIENCIES. The facility shall post conspicuously in public view either the statement of deficiencies following its most recent survey or a notice stating the location and times at which the statement can be reviewed.~~

## **~~Part 2. ADMINISTRATION~~**

~~2.1 ADMINISTRATOR. The administrator is responsible to the governing body for planning, organizing, developing, and controlling the operations of the facility.~~

~~2.1.1 The administrator shall be licensed in the State of Colorado.~~

~~2.1.2 The administrator's responsibilities: 1) liaison among the governing body, medical staff, and physicians whose patients reside in the facility; 2) financial and personnel management; 3) providing for appropriate resident care; and 4) maintaining relationships with the community and with other health care facilities, organizations, and services; 5) assuring facility and staff compliance with all regulations; and 6) any responsibilities prescribed by facility policy.~~

~~2.2 ORGANIZATION. The facility shall be organized formally to carry out its responsibilities with a plan of organization clearly defining the authority, responsibilities, and functions of each category of personnel.~~

~~2.3 POLICIES. In consultation with the Medical Advisor and one or more registered nurses and other related health care professionals, the administrator shall develop and at least annually review written resident care policies and procedures that govern resident care in the following areas: nursing, housekeeping, maintenance sanitation, medical, dental, dietary, diagnostic, emergency, and pharmaceutical care; social services; activities; rehabilitation; physical, occupational, and speech therapy; resident admission, transfer, and discharge; notification of physician and family or other responsible party of resident's incidents, accidents and changes of status; disasters; and health records and any other policies the department determines the facility needs based on its characteristics of its resident population.~~

~~2.4 FACILITY STAFFING PLAN. The facility shall have a master staffing plan for providing staffing in compliance with these regulations, distribution of personnel, replacement of personnel, and forecasting future personnel needs.~~

~~2.5 OCCURRENCE REPORTING.~~



Notwithstanding any other reporting required by state regulation, each facility shall report the following to the department within 24 hours of discovery by the facility.

(1) Any occurrence involving neglect of a resident by failure to provide goods and services necessary to avoid the resident's physical harm or mental anguish.

(2) Any occurrence involving abuse of a resident by the willful infliction of injury, unreasonable confinement, intimidation, or punishment with resulting physical harm, pain or mental anguish.

(3) Any occurrence involving an injury of unknown source where the source of the injury could not be explained and the injury is suspicious because of the extent or location of the injury.

(4) Any occurrence involving misappropriation of a resident's property including the deliberate misplacement, exploitation, or wrongful use of a resident's belongings or money without the resident's consent.

### **Part 3 – ADMISSIONS**

**3.1 RESTRICTIONS.** The facility shall admit only those persons whose needs it can meet within the accommodations and services it provides.

3.1.1 No resident shall be admitted for inpatient care to any room or area other than one regularly designated and equipped as a resident bedroom.

3.1.2 There shall be no more than four residents admitted to a bedroom.

**3.2 BED HOLD POLICIES.** The facility shall develop policies for holding beds available for residents who are temporarily absent therefrom, provide a copy of the policy upon admission, and explain these policies to residents upon admission and before each temporary absence.

**3.3 RESIDENT IDENTIFICATION.** Upon admission, each resident shall have a visible means of identification place and maintained on his or her person and property.

### **Part 4. PERSONNEL**

**4.1 POLICIES.** The facility shall maintain written approved personnel policies, job descriptions, and rules prescribing the conditions of employment, management of employees, and quality and quantity of resident care to be provided.

4.1.1 The facility shall provide job-specific orientation to all new employees within 90 days of employment.

4.1.2 All personnel shall be informed of the purpose and objectives of the facility.

4.1.3 All personnel shall be provided access to the facility's personnel policies and the facility shall provide evidence that each employee has reviewed them.

**4.2 DEPARTMENTS.** Each department of the facility shall be under the direction of a person qualified by training, experience, and ability to direct effective services.

4.2.1 The facility shall provide a sufficient number of qualified personnel in each department to operate the department.

4.2.2 All persons assigned to direct resident care shall be prepared through formal education or on-the-job training in the principles, policies, procedures, and appropriate techniques of resident care.

~~The facility shall provide educational programs for employees to be informed of new methods and techniques.~~

~~4.3 STAFF DEVELOPMENT COORDINATOR. The long term care facility shall employ a staff development coordinator who shall be responsible for coordinating orientation, inservice, on-the-job training, and continuing education programs and for determining that staff have been properly trained and are implementing results of their training. The objective of this standard is that staff be appropriately trained in necessary aspects of resident care to carry out their job responsibilities.~~

~~4.3.1 The coordinator shall have experience in and ability to prepare and coordinate inservice education and training programs for adult learners in the area of geriatrics.~~

~~4.3.2 The facility shall employ a staff development coordinator for a sufficient amount of time to meet inservice, orientation, training, and supervision needs of staff. The facility shall provide for appropriate staff follow-up.~~

~~4.3.3 The facility shall provide annual inservice education for staff in at least the following areas: infection control, fire prevention and safety, accident prevention, confidentiality of resident information, rehabilitative nursing, resident rights, dietary, pharmacy, dental, behavior management, disaster preparedness, and, if it has developmentally disabled residents, developmental disabilities, residents with Alzheimer's conditions, those conditions, or mentally ill residents, mental illness.~~

~~4.3.4 The facility shall maintain attendance records with original signatures on inservice programs and course materials or outlines that staff who are unable to attend the program may review.~~

~~4.4 RECORDS. The facility shall maintain personnel records on each employee, including an employment application, that includes training and past experience, verification of credentials, references of past work experience, orientation, and evidence that health status is appropriate to perform duties in the employee's job description.~~

~~4.5 REFERENCE MATERIALS. The facility shall provide current reference material related to the care that is provided in the facility for use by all personnel.~~

~~4.6 STAFF IDENTIFICATION. All facility staff shall wear name and title badges while on duty, except where they may pose a danger to staff or residents due to the nature of resident conditions.~~

## **~~Part 5. RESIDENT CARE~~**

~~5.1 RESIDENT CARE. Residents shall receive the care necessary to meet individual physical, psycho-social, and rehabilitative needs and assistance to achieve and maintain their highest possible level of independence, self care, and self worth and well being. Provision of care shall be documented in the health record.~~

~~5.1.1 QUALITY OF LIFE. Residents shall be provided: a safe, supportive, comfortable, homelike environment; freedom and encouragement to exercise choice over their surroundings, schedules, health care, and life activities; the opportunity to be involved with the members of their community inside and outside the nursing home; and treatment with dignity and respect.~~

~~5.1.2 PRESSURE ULCER PREVENTION AND CARE. (See also 7.7)~~

~~(1) For residents whose pressure ulcers developed while the resident was in the facility, the facility shall have:~~

~~(a) assessed the potential for skin breakdown, and~~

~~(b) provided preventive measures before the ulcer developed to residents identified in the assessment required in section 5.2 as at risk of pressure ulcers (i.e., a resident exhibiting three or more of the following symptoms: underweight, incontinence, dehydration, disorientation or unconsciousness, or limited mobility).~~

~~(2) For all residents with pressure ulcers, the facility shall:~~

~~(a) have developed an individualized treatment plan (as prescribed by section 5.7) designed to alleviate the condition;~~

~~(b) be providing active treatment to improve the condition in accordance with the treatment plan;~~

~~(c) be evaluating the resident's progress and treatment at least weekly and revising the treatment plan as needed and required by section 5.7;~~

~~(d) be providing proper nutrition and hydration to promote healing and prevent further breakdown.~~

#### ~~5.1.3 ACCIDENT PREVENTION AND ATTENTION.~~

~~(1) The facility shall:~~

~~(a) investigate causes of accidents;~~

~~(b) monitor the resident's response to the accident, and obtain physician's or mental health evaluation, if needed;~~

~~(c) have developed and implemented an individualized plan as part of the care plan prescribed by Section 5.7 for prevention of future accidents;~~

~~(d) evaluate and revise the plan as needed.~~

~~(2) For residents at high risk for accidents, the facility shall have identified the risk in the care plan and taken reasonable precautions to prevent common accidents before the accident occurred. Residents at high risk of accidents include the blind, the deaf, those with seizure disorders, those with accidents in the last 6 months, the totally confused but ambulatory, new amputees, and residents on psychoactive drugs.~~

#### ~~5.1.4 BEHAVIOR PROBLEM CARE.~~

~~(1) For residents with behavior problems the facility shall:~~

~~(a) have noted the behavioral problem and evaluated it in the initial assessment required by Section 5.2;~~

~~(b) develop and implement an individualized treatment plan as part of the care plan prescribed by Section 5.7;~~

~~(c) develop and implement a behavior management plan as part of the care plan prescribed by Section 5.7;~~

~~(d) obtain a mental health evaluation in appropriate cases;~~

~~(e) evaluate the resident's progress and revise the plan, as needed and required by Section 5.7;~~

~~(2) For residents receiving behavior modification drugs, the facility shall indicate in nurses' notes both positive and/or negative effects of the drug and that alternatives or adjuncts to the drugs in care planning were considered. These evaluations shall meet requirements of Section 7.10.8.~~

#### ~~5.1.5 CONTRACTURE CARE. (See also 7.7)~~

~~(1) For residents with contractures upon admission, the facility shall have noted the problem, evaluated it, and undertaken restorative nursing intervention.~~

~~(2) For residents with contractures that occurred while in the facility, the facility shall have documented that range of motion and/or repositioning was performed before the contracture developed; if the resident refused treatment or preventive measures, the facility shall have documented that such measures and the consequences of the refusal were explained to the resident.~~

~~(3) For all other residents with the potential for contracture, the facility shall have developed and be implementing an individualized treatment plan as part of the care plan prescribed in Section 5.7 to prevent or manage contractures and be periodically evaluating the progress. The plan shall be reviewed and revised at least annually as needed.~~

#### ~~5.1.6 PROMOTION OF MOBILITY. (See also 7.7)~~

~~(1) For all residents, the facility shall have assessed each resident's ambulation potential and capability at least monthly, designed a plan of care as part of the care plan prescribed in section 5.7 to encourage mobility, be implementing the plan, regularly evaluate progress and revise the plan as needed.~~

~~(2) For residents requiring devices and/or personal assistance to ambulate, the facility shall provide and maintain devices in good repair, assist the resident to obtain appropriate footwear, and provide assistance to residents to move and transfer.~~

#### ~~5.1.7 INDWELLING CATHETER CARE.~~

~~(1) For residents with any indwelling catheter, the facility shall have:~~

~~(a) evaluated appropriateness of continued use at least monthly;~~

~~(b) assessed the reason for the incontinence;~~

~~(c) evaluated the potential of bladder retraining, implementing it, if indicated, or documenting reasons if retraining was not indicated;~~

~~(d) implemented any physician order for irrigation or catheter replacement.~~

~~(2) For residents exhibiting signs or symptoms of urinary tract infection, the facility shall have notified the physician, obtained orders for treatment and implemented such treatment plan.~~

#### ~~5.1.8 WEIGHT CHANGES. The facility shall:~~

- ~~(1) evaluate the resident to determine the cause of the weight change;~~
- ~~(2) develop and implement an individualized plan of care as part of the care plan prescribed by Section 5.7 (including appropriate intervention by other appropriate disciplines);  
evaluate resident progress as required by Section 5.7, and revise the plan, as needed;~~
- ~~(3) observe food and fluid intake and provide encouragement to residents with eating problems;~~
- ~~(4) provide reasonable choices of foods to meet personal preferences and religious needs;~~
- ~~(5) if nourishments are provided as part of the care plan, between meals and at bedtime,  
document the nourishments provided and whether they are consumed;~~
- ~~(6) provide assistance in eating or adaptive eating devices and assist residents in obtaining  
dentures, or dental care, as appropriate to the individual resident;~~
- ~~(7) for residents with mouth or gum problems, meet the requirements of part 10.~~

#### ~~5.1.9 GROOMING.~~

- ~~(1) The facility shall assist the resident to obtain appropriate materials for personal care for the  
resident, provide personal care in a manner that preserves resident dignity and privacy,  
and provide social services intervention, if needed.~~
- ~~(2) For residents with inappropriate, unclean, or poorly maintained clothing and/or assistive  
devices, the facility shall assist the residents to obtain clothing, shoes and devices.  
Such clothing, shoes and devices shall fit properly, be clean, and be in good repair.~~
- ~~(3) For residents with poor oral hygiene, the facility shall meet the requirements of Part 10.~~

#### ~~5.1.10 EXCORIATION PREVENTION AND CARE. (See also 7.7)~~

- ~~(1) For all residents who are incontinent or immobile, have impaired sensation, compromised  
nutritional or fluid status, or inadequate hygiene, the facility shall:~~
  - ~~(a) have completed an initial skin evaluation upon admission and re-evaluated the  
condition at least weekly;~~
  - ~~(b) be providing measures to prevent the excoriation, including:~~
    - ~~(1) maintenance of clean, dry well-lubricated skin;~~
    - ~~(2) taking incontinent residents to the bathroom on a regular individualized  
schedule;~~
    - ~~(3) evaluating the need for daily baths;~~
    - ~~(4) determining potential trouble spots where microbial growth may occur  
(breasts, gluteal folds, skin folds).~~
- ~~(2) For residents with excoriations, the facility shall:~~
  - ~~(a) develop and be implementing an individualized treatment plan as part of the care  
plan prescribed by Section 5.7 for the excoriation;~~

~~(b) evaluate the resident's progress at least daily and review and revise the treatment plan as needed;~~

~~(c) enter a progress note at least weekly in the health record.~~

~~5.1.11 FLUID MANAGEMENT. The facility shall provide fluid in quantities needed to maintain hydration and body weight and shall:~~

~~(1) assess each resident's hydration needs;~~

~~(2) observe and evaluate food and fluid intake daily and record and report deviations from sufficient food and fluid intake;~~

~~(3) provide assistance and encouragement to residents requiring assistance to meet their food and fluid requirements;~~

~~(4) provide self help adaptive devices and encourage their use.~~

~~5.1.12 PERSONAL ENVIRONMENT. The facility shall allow for personalization of rooms through the use of residents' personal furniture, appliances, decorations, plants, and memorabilia. The facility may limit the number of furniture items in resident rooms if to do so is necessary to accommodate roommate preferences, fire codes, housekeeping, or safe movement in the room.~~

~~5.1.13 PERSONAL CHOICE. The facility shall:~~

~~(1) make reasonable efforts to accommodate preferences of roommate, including the right of each resident so requesting to be assigned to a room with non-smokers;~~

~~(2) allow residents flexibility in times to eat main meals, consistent with requirements of Section 41.2 and with its own reasonable staffing and scheduling requirements;~~

~~(3) allow residents flexibility in times to bathe, rise and retire, consistent with its own reasonable staffing and scheduling requirements;~~

~~(4) provide at least one alternative menu choice for each meal of similar nutritive value. The same alternative shall not be used for two consecutive meals.~~

~~5.1.14 PROBLEM RESOLUTION. The facility shall inform residents of the resident council and grievance procedures, the name, address, and phone number of the Long-Term Care Ombudsman, and the phone number and address of the Departments of Health and Social Services and the Colorado Foundation for Medical Care. Staff shall assist residents in raising problems to the facility's administration or appropriate outside agencies.~~

~~5.2 RESIDENT ASSESSMENT. Within twenty-four hours of admission to the long-term care facility, a licensed nurse shall assess each resident's physical, mental, and functional status, including strengths, impairments, rehabilitative needs, special treatments, capability for self administration of medications, and dependence and independence in activities of daily living. The initial assessment shall form the basis of the preliminary care plan. Within seven days of admission, the nurse shall also collaborate with social services staff in assessing discharge potential and shall coordinate assessments with social services, dietetic, and activity staff. These assessments shall form the basis of the interdisciplinary care plan prescribed by Section 5.7.~~

~~5.2.1 The continuing assessment shall at all times reflect resident status.~~

~~5.2.2 The assessment shall be updated at least at three month intervals, but in any event whenever a significant change of resident condition occurs.~~

~~5.2.3 The current resident assessment shall be a part of the resident's health record and available for all direct care staff to use.~~

~~5.3 NURSING CARE PLANNING. A licensed nurse shall prepare an individualized nursing care plan for each resident based on the resident assessment prescribed by Section 5.2 and applicable physician treatment orders. The purpose of the care plan is to create an individualized tool for carrying out preventive, therapeutic, and rehabilitative nursing care.~~

~~5.3.1 Within 24 hours of admission, nursing staff shall prepare and implement a preliminary nursing care plan to meet each resident's immediate needs.~~

~~5.3.2 Within one week of admission, nursing staff shall prepare and implement a comprehensive nursing care plan for each resident.~~

~~5.3.3 The plan shall meet each resident's unique needs, problems, and strengths by identifying resident strengths, needs, and problems; specifying care interventions to capitalize on the strengths and meet those needs or problems; and defining the frequency of each intervention.~~

~~5.3.4 The nursing care plan shall be current and evaluated and revised following each assessment and whenever the resident's condition changes.~~

~~5.4 SOCIAL SERVICES CARE PLANNING. Social services staff shall assess social services needs within one week of admission and develop a social services care plan to meet each resident's needs.~~

~~5.5 ACTIVITIES CARE PLANNING. Activities staff shall assess activities needs within one week of admission and shall develop an activities care plan to meet each resident's needs.~~

~~5.6 NUTRITIONAL CARE PLANNING.~~

~~(a) The Dietary supervisor or consultant shall prepare an initial nutritional history and assessment for each resident within two weeks of admission that includes special needs, likes and dislikes, nutritional status, and need for adaptive cutlery and dishes and develop a plan of care to meet these needs.~~

~~(b) In the event the facility elects to utilize paid feeding assistants or feeding assistant volunteers pursuant to Part 11.001 of this Chapter V, as part of the history and assessment conducted pursuant to paragraph (a) of this 5.6, the interdisciplinary team shall evaluate each resident regarding the suitability of the resident to be fed and hydrated by a feeding assistant. Such evaluation shall include, but need not be limited to each resident's level of care, functional status concerning feeding and hydration, and, the resident's ability to cooperate and communicate with staff.~~

~~5.7 INTERDISCIPLINARY CARE PLANNING. Within two weeks of admission, an interdisciplinary long term care facility staff team shall develop a personalized overall care plan for each resident based on the resident assessments and applicable physician orders.~~

~~5.7.1 The overall care plan shall contain a list of resident problems and the discipline that will address each problem in its own more detailed plan of care.~~

~~5.7.2 The overall care plan shall be evaluated according to the goals set out in the plan, following each assessment and whenever the resident's condition changes.~~

~~5.7.3 The interdisciplinary team shall consist of representatives of resident services inside and outside the facility, as appropriate, including at least nursing, social services, activities, and dietetic staff. Other persons, such as medical, pharmacy, and special therapies, shall be included as appropriate. Residents and their representatives shall be invited to participate in care planning. Refusal to participate shall be documented.~~

## **Part 6. MEDICAL CARE SERVICES**

~~6.1 PHYSICIAN CARE. Each facility resident shall be admitted to the facility by a physician and have the benefit of continuing health care under supervision of a physician. The facility shall have written policies developed by the medical advisor to coordinate and designate responsibility when more than one physician is treating a resident. [See Part 26 exceptions]~~

~~6.1.1 The facility shall take all necessary steps to assure that upon admission, the physician provides to the facility sufficient information to validate the admission and identify the resident and a medical plan of therapy to include diet, medications, treatments, special procedures, activities, specialized rehabilitative services, if applicable, and potential for discharge.~~

~~6.1.2 The facility shall take all necessary steps to assure that the admitting physician provides to the facility on admission the anticipated schedule of visits to meet resident needs, which shall be no less often than every 6 months. Acknowledgement of the visit schedule by the resident or authorized representative shall be documented in the health record.~~

~~6.1.3 The facility shall take all necessary steps to assure that telephone orders are received by a physician, licensed nurse or other appropriate disciplines as authorized by their professional licensure and are countersigned by the attending physician or dentist and entered in the record within 2 weeks.~~

~~6.1.4 The facility shall take all necessary steps to assure that the attending physician authenticates medical histories and physical examinations completed by other authorized personnel.~~

~~6.1.5 The facility shall take all necessary steps to assure that a licensed dentist authenticates dental examinations and dental histories completed by other authorized personnel and signs dental treatment records.~~

~~6.1.6 The facility shall take all necessary steps to assure that the attending physician writes a progress note following each visit, and at least once per year provides a written evaluation of the resident's current medical status compared to the previous year's status.~~

~~6.1.7 The facility shall take all necessary steps to assure that all drugs and therapies ordered by the physician are supported by diagnoses indicating the use of those drugs and therapies.~~

~~6.2 MEDICAL DIRECTOR. The facility shall retain by written agreement a physician to serve as medical director to the facility.~~

~~6.2.1 The medical director is responsible for overall coordination of medical care in the facility and for systematic review of the quality of the health care provided by the facility and the medical services provided by the physicians in the facility. The medical director shall develop policies and procedures for medical care and for the physicians admitting residents to the facility.~~

~~6.2.2 The medical director is responsible to:~~

- ~~(1) be a liaison between the facility and admitting physicians on matters related to attendance on residents, prompt writing of orders, and responding to requests by facility staff;~~



- ~~(2) advise in developing and reviewing resident care policies;~~
- ~~(3) establish rules governing conduct of physicians admitting residents to the facility;~~
- ~~(4) develop a procedure to provide care in emergencies when a resident's physician is unavailable;~~
- ~~(5) review accidents and hazards; and~~
- ~~(6) participate in pharmacy advisory committee deliberations.~~

## **~~Part 7. NURSING SERVICES~~**

~~7.1 ORGANIZATION. The facility shall have a department of nursing services that is formally organized to provide complete, effective care to each resident. The facility shall clearly define qualifications, authority, and responsibility of nursing personnel in written job descriptions.~~

~~7.2 DIRECTOR OF NURSING. Except as provided in Section 7.6, a nursing care facility shall employ a full-time (40 hours/week) Director of Nursing, who is a registered nurse, qualified by education and experience to direct facility nursing care.~~

~~7.3 24 HOUR NURSING COVERAGE. The facility shall be staffed with qualified nursing personnel, awake and on duty, who are familiar with the residents and their needs in a number sufficient to meet resident functional dependency, medical, and nursing needs.~~

~~7.3.1 Staff shall be sufficient in number to provide prompt assistance to persons needing or potentially needing assistance, considering individual needs such as the risk of accidents, hazards, or other untoward events. Staff shall provide such assistance.~~

~~7.3.2 Except as provided in Section 7.6, a nursing care facility shall be staffed at all times with at least one registered nurse who is on duty on the premises. Each resident care unit shall be staffed with at least a licensed nurse.~~

~~7.3.3 Except as provided in Section 7.6, an intermediate care facility shall be staffed with at least one full time licensed registered nurse or licensed practical nurse who is on duty on the premises on the day shift seven days per week. A facility using a licensed practical nurse as a director of nursing shall provide at least 4 hours per week of consultation by a licensed registered nurse.~~

~~7.3.4 A nursing care facility shall provide nurse staffing sufficient in number to provide at least 2.0 hours of nursing time per resident per day. In facilities of 60 residents or more, the time of the Director of Nursing, Staff Development Coordinator, and other supervisory personnel who are not providing direct resident care shall not be used in computing this ratio.~~

~~7.3.5 Nursing personnel shall be trained in nursing procedures and responsibilities and shall be familiar with any equipment necessary for care on the unit.~~

~~7.3.6 All nursing assistants and other nursing personnel shall function under the direction of a registered nurse.~~

~~7.3.7 If a long term care facility operates out of more than one building, it shall have staff on duty 24 hours per day in each building in a number sufficient to meet resident care needs.~~

~~7.4 WRITTEN PROCEDURES. The facility shall have written nursing procedures establishing the standards of performance for safe, effective nursing care of residents and shall assure that they are followed by all nursing staff.~~

~~7.4.1 Procedures shall include the requirement that medications be administered in compliance with applicable Colorado law.~~

~~7.4.2 The nursing procedures shall be evaluated and revised as necessary, but no less often than annually.~~

~~7.5 NURSE STAFF RESPONSIBILITIES. Nursing staff shall participate in resident assessment, resident care planning, and resident nursing care, as prescribed by this Part and Part 5.~~

~~7.6 EXCEPTIONS. Nothing contained in this Part shall require any rural long term care facility certified as a Skilled Nursing Facility or an Intermediate Care Facility under Medicaid to employ nursing staff beyond current federal certification requirements. Since federal standards require that nurse staffing be sufficient to meet the total nursing needs of all residents, resident conditions will in all events determine the specific numbers and qualifications of staff that each facility must provide.~~

~~7.6.1 A rural facility is one that is located in:~~

~~(1) a county of fewer than fifteen thousand population; or~~

~~(2) a municipality of fewer than fifteen thousand population that is located ten miles or more from a municipality of fifteen thousand population or over; or~~

~~(3) the unincorporated part of a county ten miles or more from a municipality of fifteen thousand population or more.~~

~~7.6.2 To the extent that these regulations require any facility to employ a registered nurse more than 40 hours per week, the Department may waive such requirements for such periods as it deems appropriate if, based on findings consistent with Part 4 of chapter II of these regulations it determines that:~~

~~(1) The facility is located in a rural area as defined in Subsection 7.6.1;~~

~~(2) The facility has at least one full time registered nurse who is regularly on duty 40 hours per week;~~

~~(3) The facility has only residents whose attending physicians have indicated in orders or admission notes that each resident does not require the services of a registered nurse for a 48 hour period or the facility has made arrangements for a professional nurse or physician to spend such time at the facility as is determined necessary by the resident's attending physician to provide needed services on days when the regular full-time registered nurse is not on duty; and~~

~~(4) The facility has made and continues to make a good faith effort to comply with the more than 40 hour registered nurse requirement, but registered nurses are unavailable in the area.~~

~~7.7 SUPPLIES AND EQUIPMENT. The facility shall provide the supplies and equipment necessary to conduct the preventive, therapeutic, and rehabilitative nursing program. Equipment includes devices to assist residents to perform activities of daily living.~~

~~7.7.1 Equipment shall be maintained in clean and proper functioning condition.~~

~~7.7.2 The facility shall provide or assist residents to obtain walkers, crutches, canes, and wheelchairs (with appropriate padding), all of which shall fit residents properly.~~

~~7.7.3 Nursing staff shall be trained in rehabilitative nursing procedures, including preventive nursing care measures, and in the proper use of prosthetic devices and equipment.~~

~~7.8 CARE POLICIES. The facility shall have written resident care policies approved by the governing body, which staff shall follow.~~

~~7.9 RESIDENT SOCIALIZATION. Except where contraindicated by physician order or resident preference, residents shall be dressed, encouraged to be active, be out of bed for reasonable periods of time each day, and encouraged to eat in a dining room.~~

~~7.10 MEDICATION ADMINISTRATION. Medications shall be identified as provided in Subsection 16.3.2. Staff shall verify identification of the medication when the medication is prepared as well as when it is administered.~~

~~7.10.1 Medications and treatments shall be given only as ordered by a physician.~~

~~7.10.2 Medication shall be administered in a form that can be most easily tolerated by the resident. Staff shall not mask the medication or alter its form, through crushing or dissolving or other means, if to do so would be hazardous and not without first informing the resident or responsible party.~~

~~7.10.3 Medications that are prepared but unused shall be disposed of in accordance with state law and the facility's written procedures.~~

~~7.10.4 All administered medications shall be recorded in the resident's health record, indicating the name, strength, dosage, and mode of administration of the medication, the date and time of administration, and the signature of the person administering the medication.~~

~~7.10.5 To encourage independence and prepare residents for discharge, the facility shall permit self-administration of medications in appropriate cases upon the order of the attending physician and under the guidance of a registered or a licensed practical nurse.~~

~~7.10.6 If facility policy permits medications to be kept at the bedside, the pharmaceutical advisory committee shall approve such types of medications. The facility shall assure that each such medication is ordered by the physician to be kept at the bedside, it is used properly, use is documented, and it is stored in a secure manner that protects all residents.~~

~~7.10.7 Drug reactions and significant medication errors shall be reported within thirty minutes to the resident's physician. A call to the office or answering service does not meet the facility's responsibility to provide emergency care. The resident's condition shall be monitored for 72 hours and observations documented in the health record.~~

~~7.10.8 If a resident is administered psychoactive medications, he or she shall be evaluated for symptoms of tardive dyskinesia at least every three months.~~

~~7.11 RESTRAINTS.~~

~~(A) A PHYSICAL RESTRAINT is any manual method or physical or mechanical device, material or equipment attached or adjacent to the resident's body that the individual cannot remove easily which restricts freedom of movement or normal access to one's body.~~

~~(B) A CHEMICAL RESTRAINT is anything that is used for discipline or convenience and not required to treat medical symptoms. Any medication that can be used both to treat a medical condition and to alter or control behavior shall be evaluated to determine its~~

1 use for the resident. If a medication is used solely or primarily to treat a medical  
2 condition, it is not a chemical restraint.

3 ~~7.11.1 Linen shall not be used as restraints.~~

4 ~~7.11.2 The facility shall establish written policies and procedures governing the use of physical and~~  
5 ~~chemical restraints and shall assure that they are followed by all staff members.~~

6 ~~7.11.3 Physical and chemical restraints shall only be used upon the order of a physician and only when~~  
7 ~~necessary to prevent injury to the resident or others, based on a physical, functional, emotional~~  
8 ~~and medication assessment.~~

9 ~~7.11.4 Restraints shall not be used for disciplinary purposes, for staff convenience or to reduce the~~  
10 ~~need for care of residents during periods of understaffing.~~

11 ~~7.11.5 Whenever restraints are used, a call signal switch or similar device within reach or other~~  
12 ~~appropriate method of communication shall be provided to the resident.~~

13 ~~7.11.6 If the resident needs emergency care, restraints may be used for brief periods to permit medical~~  
14 ~~treatment to proceed, unless the resident or legal representative has previously made a valid~~  
15 ~~refusal of the treatment in question. A resident whose unanticipated violent or aggressive~~  
16 ~~behavior places the resident or others in imminent danger does not have the right to refuse the~~  
17 ~~use of restraints as long as those restraints are used as a last resort to protect the safety of the~~  
18 ~~resident or others and use is limited to the immediate episode.~~

19 ~~7.11.7 Residents in physical restraints shall be monitored at least every 15 minutes to assure that the~~  
20 ~~resident is properly positioned, blood circulation is not restricted, and other resident needs are~~  
21 ~~met.~~

22 ~~7.11.8 At least every two hours during waking hours, residents shall have the physical restraint~~  
23 ~~removed and shall have the opportunity to: drink fluids, be toileted, and be exercised, moved, or~~  
24 ~~repositioned, which activity shall be documented in the health record.~~

25 ~~7.12 SAFETY DEVICES. A safety device such as an alarm, helmet or pillow is used to protect the resident from~~  
26 ~~injury to self, maintain body alignment, or facilitate comfort. Prior to using any safety device, the facility~~  
27 ~~shall assess the resident to properly identify the resident's needs and medical symptom/s that the safety~~  
28 ~~device is being employed to address. The facility shall also evaluate whether any safety device being~~  
29 ~~used meets the definition of a physical restraint as defined at section 7.11(A).~~

30 ~~7.12.1 Linen shall not be used as safety devices.~~

31 ~~7.12.2 Safety devices shall not be used for disciplinary purposes, for the convenience of staff, or to~~  
32 ~~reduce the need for care of residents during periods of understaffing.~~

33 ~~7.12.3 The facility shall establish written policies and procedures governing the use of safety devices~~  
34 ~~and shall assure that they are followed by all staff members.~~

35 ~~7.12.4 If a safety device meets the definition of a restraint, then all regulations under section 7.11 apply.~~  
36 ~~A registered nurse may order a safety device after assessing and determining the need exists.~~  
37 ~~Through the nursing assessment, if the need is ongoing, a comprehensive, documented~~  
38 ~~physical and functional assessment shall be completed no less often than after the first 24~~  
39 ~~hours, at the end of the week, and monthly thereafter.~~

40 ~~7.12.5 At least every two hours residents with safety devices shall be monitored and such monitoring~~  
41 ~~shall be documented.~~

~~7.12.6 Residents with safety devices shall have either a call signal switch or similar device within reach or some other appropriate means of communication provided.~~

~~7.13 PHYSICIAN NOTIFICATION. Facility staff shall notify the attending physician promptly in cases of significant change in resident status and any incident or accident involving the resident.~~

## ~~Part 8. SOCIAL SERVICES~~

~~8.1 SOCIAL SERVICES. The facility shall identify, plan care for, and meet the identified emotional and social needs of each resident to enhance resident psycho-social health and well-being.~~

~~8.1.1 Social services staff shall be involved in the pre-admission process, providing input as to appropriateness of placement from a psycho-social perspective, except in emergency admissions. Such involvement may include contact with the prospective resident or family member, or interdisciplinary conferences that consider psycho-social issues as well as medical/nursing criteria.~~

~~8.1.2 Social services staff shall provide for addressing needs of individuals or groups, either directly by staff or by referral to community agencies.~~

~~8.1.3 Social services staff shall assist residents and families in coping with the medical and psycho-social aspects of the resident's illness and disability and the stay in the facility.~~

~~8.1.4 Social services staff shall assist residents in planning, for discharge by coordinating service delivery with the nursing staff and by assessing availability and facilitating use of financial and social support services in the community.~~

~~8.1.5 When services, such as community mental health services, are available in the community to meet special residents' social and emotional needs, social services staff shall provide appropriate referrals to community services.~~

~~8.1.6 Social services staff shall coordinate transfers (other than medical transfers) within and out of the facility and assist residents in adjusting to intra-facility transfers.~~

~~8.1.7 Social services staff shall participate in resident assessment and care planning as prescribed by 5.2, 5.4, and 5.7, and shall provide social services to residents. Staff shall review and update the assessment and care plan at least every six months.~~

~~8.1.8 Social services staff shall record information on social history in the health record and review it at least annually.~~

~~8.1.9 Social services staff shall record progress notes in the resident's health record at least quarterly for the first six months that a resident is in a long-term care facility and at least semi-annually thereafter.~~

~~8.1.10 Social services staff shall participate in developing policies and procedures pertaining to social services in the facility.~~

~~8.1.11 Social services staff shall provide orientation to new residents and their families (including explanation of residents' rights) and assistance to residents and families in raising concerns about resident care.~~

~~8.2 STAFFING. The facility shall employ social services staff qualified as provided in Subsections 8.2.1 and 8.2.2 and sufficient in number to meet the social and emotional needs of the residents.~~

~~8.2.1 A qualified social work staff member of a public or private non-profit facility\* is a person who is either:~~

~~(1) A social worker licensed or authorized expressly by state law to practice under supervision of a licensed social worker; or~~

~~(2) a person with a Master's or Bachelor's Degree in social work; or~~

~~(3) a person with a Master's or Bachelor's Degree in a related human services field who has monthly consultation from a person meeting the qualifications in subsections 1, or 2. The consultation shall be sufficient in amount to assist the social work staff to meet resident needs.~~

~~8.2.2 A qualified social work staff member of a for-profit facility\* is a person who is either a social worker licensed or authorized expressly by state law to practice under supervision of a licensed social worker or a person with a Master's or Bachelor's Degree in social work or other human services field who has monthly consultation from a person so licensed or authorized; the consultation shall be sufficient in amount to assist the social work staff to meet resident needs.~~

~~8.2.3 Any facility that on the effective date of these regulations employed a person with a high school degree or GED as social services staff may continue to employ that individual with prescribed consultation.~~

~~8.2.4 Any facility located in a rural area as defined by subsection 7.6.1 may apply for a waiver under Part 4 of chapter II of the qualifications for a social services staff member under this section if it demonstrates that it has made a good faith effort to hire staff with the required qualifications, but that qualified social services staff are unavailable in the area.~~

~~8.3 FACILITIES AND EQUIPMENT. The facility shall provide for social services staff suitable space, equipped with a telephone, for confidential interviews with residents and families. The space shall provide visual and auditory privacy and locked storage for confidential records and be accessible to non-ambulatory persons.~~

## **Part 9. RESIDENT ACTIVITIES**

~~9.1 ACTIVITIES PROGRAM. The facility shall offer a program of organized activities that promotes residents' physical, social, mental, and intellectual well-being, encourages resident independence and pursuit of interests, maintains an optimal level of psycho-social functioning, and retains in residents a sense of continuing usefulness to themselves and the community.~~

~~9.1.1 Activities shall be broad enough in scope to stimulate participation of all residents, including residents with mental and emotional impairments, but no resident shall be compelled to participate in any activity. Each month, activities shall include at least one from each of the following categories: social/recreational, intellectual, physical, spiritual, and creative.~~

~~9.1.2 The facility shall provide individual and group activities designed to meet each resident's individual needs.~~

~~9.1.3 Activities staff shall participate in resident assessment and care planning as prescribed by 5.2, 5.5, and 5.7, and shall implement activity programs.~~

~~9.1.4 The facility shall develop programs to encourage community contact, including use of community volunteers inside the facility and activities for residents outside the facility. The facility shall make reasonable arrangements for transportation for residents to such activities.~~

~~9.1.5 The facility shall provide activities daily, including at least one evening per week. Activities in addition to religious services shall be provided on weekends each week.~~

~~9.1.6 The facility shall post a monthly activities schedule where it is visible to all residents and families indicating date and time of each activity that is open to all residents.~~

~~9.1.7 The facility shall retain activity attendance records, maintained in a location other than the health record.~~

~~9.2 STAFFING. The facility shall employ activities staff sufficient in number to meet resident needs and qualified as either:~~

~~(1) an activity professional certified by the National Certification Council for Activity Professionals as an Activity Director Certified or Activity Consultant Certified;~~

~~(2) an occupational therapist or occupational therapy assistant meeting the requirements for certification by the American Occupational Therapy Association and having at least one year of experience in providing activity programming in a long term care facility;~~

~~(3) a therapeutic recreation specialist (registered by the National Therapeutic Recreation Society) having at least one year of experience in providing activity programming in a long term care facility;~~

~~(4) a person with a Master's or Bachelor's degree in the social or behavioral sciences who has at least one year of experience in providing activity programming in a long term care facility;~~

~~(5) a person who has completed, within a year of employment, a training course for activity professionals in an accredited state facility [if available] and who has at least two years experience in social or recreational program work, at least one year of which was full-time in an activities program in a health care setting; or~~

~~(6) a person with monthly consultation from a person meeting the qualifications set forth in subsections (1) through (5). The consultation shall be sufficient in amount to assist the activity staff members to meet resident needs.~~

~~9.3 RELIGIOUS SERVICES. The facility shall assist residents who are able and wish to do so to attend religious services of their choice. The facility shall honor resident requests to see their clergy and provide private space for such visits.~~

~~9.4 SPACE AND EQUIPMENT. The facility shall make available the supplies, space, and equipment to provide an activities program that meets each resident's individual needs. The facility shall provide an activities and recreation area and provide at least: books, current newspapers, games, stationery, radio, and television.~~

## **~~Part 10. DENTAL SERVICES~~**

~~10.1 DENTAL EXAMINATION. Upon admission, each resident of a facility upon his/her consent or upon the consent of a responsible person, shall have an oral examination by a licensed dentist or an initial oral inspection by a licensed dental hygienist designated by a dentist.~~

~~10.1.1 The facility shall take all necessary steps to assure that the dental examination is conducted according to current dental practice.~~

~~10.1.2 The facility is not responsible to pay for such services.~~



~~10.1.3 If the local dental society provides a list of dentists who are willing to participate, the facility shall make the list available to the residents.~~

~~10.1.4 In lieu of the admission examination, the resident may present written results, for entry into his/her medical record, of an oral examination administered during a period not to exceed six months prior to admission.~~

~~10.2 DENTAL RECORDS. The dentist or the designated dental hygienist is responsible for the dental record. For residents agreeing to participate in the program, the facility shall take all necessary steps to assure that there are complete, accurate dental records that include the following:~~

~~10.2.1 Results of all current dental examinations and plans for treatment.~~

~~10.2.2 One of the following to document provision of planned treatment:~~

~~(1) Record of treatment provided pursuant to a plan for treatment.~~

~~(2) A document signed by each resident of a nursing care facility or responsible party that states that the resident or responsible party is aware of any and all specific oral pathology identified during an oral examination of the resident, but elects not to obtain treatment because of cost or other reasons.~~

~~(3) In the event that the resident or responsible party elects not to obtain the initial oral examination, a signed statement to that effect in the resident's permanent medical record, which substitutes for the dental record requirement.~~

~~10.3 ORAL APPLIANCES. Upon consent, all residents' removable oral appliance and personal hygiene appliances (including without limitation, full dentures, partial dentures, and toothbrushes) shall be clearly identified and marked in a permanent manner with the user's name, as recommended by the dentist designated as advisory dentist to the facility.~~

~~10.4 DENTAL HYGIENE. Each facility shall implement policies for an oral hygiene for its residents, in consultation with the advisory dentist or the designated dental hygienist.~~

~~10.4.1 Direct care staff from each facility shall have at least annual inservice training course in preventive dentistry and oral hygiene, conducted by a dentist, dental hygienist, or preventive dental aide.~~

## **~~Part 11. DIETARY SERVICES~~**

~~11.1 DIETARY SERVICES. The facility shall provide meals that are nutritious, attractive, well balanced, in conformity with physician orders, and served at the appropriate temperature in order to enhance residents' health and well being. It shall also offer nourishing snacks.~~

~~11.2 ORGANIZATION. The facility shall have an organized food service, appropriately planned, equipped, and staffed to prepare and serve the number of meals created in the kitchen. The facility shall offer at least three meals or their equivalent per day, at regular times, with not more than 14 hour between the beginning of the evening meal and breakfast. Routine seatings shall be no later than 8 A.M. for breakfast and no earlier than 5 P.M. for the evening meal. Timing of meals shall generally comport with cultural practices in the community, unless inconsistent with these regulations.~~

~~11.3 PERSONNEL. The administrator shall designate a dietician or person qualified by training and experience to be responsible for the dietary services.~~



~~11.3.1 If not a professional dietician, the designee shall obtain frequent regularly scheduled consultation from a registered dietician or a person eligible for registration who meets the American Dietetic Association's qualifications standards or a graduate from a baccalaureate degree program with major studies in food and nutrition.~~

~~11.3.2 The number of trained food service personnel shall be sufficient to provide food service to the residents in the facility over a period of 12 hours or more per day.~~

~~11.4 POLICIES. The facility shall have written policies and procedures approved by the governing body for dietary practices and shall assure that they are followed by staff members.~~

~~11.5 ORDERS. All diets and nourishments shall be provided and served as by the attending physician.~~

~~11.6 NUTRITIONAL ASSESSMENT AND PROGRESS NOTES. The dietary supervisor consultant shall participate, in resident, assessment and care planning as prescribed by 5.2, 5.6, and 5.7.~~

~~11.6.1 The supervisor or consultant shall write progress notes on each resident at least at six month intervals.~~

~~11.6.2 The facility shall reasonably accommodate individual resident references in meals by offering appropriate and nutritionally adequate substitutes. (See Section 5.1.13(4).)~~

~~11.7 DIET MANUAL. The facility shall maintain a current diet manual conveniently available to the dietary and nursing staffs. For purposes of this section, current means initially published or revised within five years.~~

~~11.8 MENUS. Menus shall meet the requirements of the Dietary Guidelines for Americans, 2005, U.S. Department of Health and Human Services and U.S. Department of Agriculture, 6th Edition. Menus shall be written, approved by a dietitian and planned at least one week in advance, with consideration given to residents' personal tastes, desires, and cultural patterns. Menus shall be posted in the kitchen area and retained by the facility for at least four weeks after the menu is used. If menus are changed, all changes shall be posted as served. A standard meal planning guide shall be used primarily for menu planning and food purchasing. It is not intended to meet the nutritional needs of all residents. This guide shall be adjusted to consider individual differences since residents may have different nutritional needs based upon age, size, gender, physical activity, and state of health. There are many meal planning guides from reputable sources; i.e., American Diabetes Association, American Dietetic Association, American Medical Association, or U.S. Department of Agriculture, that are available and appropriate for use when adjusted to meet each resident's needs. Recipes appropriate to the menus and needs of the facility shall be available to the cooks.~~

~~11.9 SPACE. The facility shall provide adequate space to accommodate fixed and movable equipment and employee functions; receive, store, refrigerate, and prepare food; assemble trays; store carts; and clean dishes, pots, and pans.~~

~~11.10 REFRIGERATOR SAFETY. Walk-in refrigerators and freezers shall have inside lighting and inside lock releases. In facilities constructed after the effective date of these regulations, there shall be an alarm system that is clearly audible throughout the food preparation and storage areas of the facility and that may be readily activated by staff members from within walk-in refrigerators or freezers.~~

~~11.11 EQUIPMENT. The facility shall provide equipment sufficient in amount, adequate in type for efficient and timely preparation of meals.~~

~~11.12 STORAGE OF DISHES AND GLASSES. Clean glasses, cups, and other dishes shall not be stored in such a manner as to entrap moisture.~~

~~11.13 ISOLATION. Dishes and utensils with which food is served to residents in isolation because of infectious diseases shall be sanitized if they are contaminated with infectious material such as blood drainage or secretions or shall be disposable.~~

~~11.14 MILK. Milk for drinking shall be provided to consumers in an unopened, commercially filled container not exceeding a one pint capacity, or drawn from a commercially filled container stored in a mechanically refrigerated bulk milk dispenser, or poured directly into the drinking vessel from a commercially filled half-gallon or gallon container that has been refrigerated until served to maintain a temperature of 45 degrees FAHRENHEIT or less.~~

~~11.15 NAIL POLISH AND FALSE NAILS. Staff involved in preparing and serving food shall not wear nail polish or false nails.~~

~~11.16 DINING AND RECREATIONAL FACILITIES. Dining and recreation areas shall be readily accessible to all residents, and shall not be in a hallway or lane of traffic in or out of the facility. Such space shall be sufficient to accommodate activities conducted there, consistent with resident comfort and safety. The dining and recreation areas may be separate or combined.~~

#### **Part 11.001. FEEDING ASSISTANTS**

11.001.1 Definitions.

~~Unless otherwise indicated, as used in Part 11.001:~~

~~(4)~~

~~(a) "Feeding assistant" means an individual who assists residents by performing feeding assistant tasks, meets the requirements of Section 11.001.2 and 11.001.3; and, is paid as an employee of a facility; used by a facility under arrangement with another agency or organization; or, who is an unpaid volunteer.~~

~~(b) The following individuals may provide feeding assistance to residents without meeting the requirements of section 11.001.2 and 11.001.3:~~

~~(i) Registered or licensed nurses;~~

~~(ii) Certified nurse aides;~~

~~(iii) Registered dietitians;~~

~~(iv) Licensed health care practitioners with appropriate experience in feeding and hydrating residents;~~

~~(v) Private duty aides and students in nursing education programs and other allied health programs~~

~~who utilize facilities as clinical practice sites; or,~~

~~(vi) Resident family members.~~

~~(2) "Employing facility" means a facility that employs paid feeding assistants or utilizes the services of volunteer feeding assistants.~~

~~(3) "Feeding assistant tasks" include and are limited to the provision of feeding and hydration services provided in accordance with this Section 11.001. A feeding assistant may not perform or be assigned to perform any task that constitutes: the practice of professional nursing as defined in §12-38-103 (10), C.R.S.; the practice of practical nursing as defined in §12-38-103 (9), C.R.S.; or the practice of a nurse aide as defined in §12-38-102 (5), C.R.S.~~

~~(4) "Training program provider" means, an employing facility or other training entity approved by the department pursuant to 11.001.6 to administer a feeding assistant training program.~~

#### 11.001.2 Authorization; Qualifications

~~(1) A facility may employ or use an individual as a volunteer feeding assistant if: the individual meets all applicable requirements of this Chapter V; and, the facility first verifies that the individual:~~

~~(a) Has successfully completed a feeding assistant training program in accordance with 11.001.5; and,~~

~~(b) Is at least sixteen 16 years of age.~~

~~(2)~~

~~(a) An employing facility must screen prospective feeding assistants to ensure individuals have no history that would preclude their interaction with residents.~~

~~(b) In addition to applicable facility pre-employment screening procedures, an employing facility shall obtain from each prospective paid and volunteer feeding assistant a copy of the recognition of completion document evidencing successful completion of the feeding assistant training program issued in accordance with 11.001.5 (1)(b)(II). Additionally, an employing facility shall verify the following:~~

~~(I) In the case of an individual who has not previously been employed or volunteered as a feeding assistant and who has received feeding assistant training administered by an entity other than the employing facility, successful completion of the feeding assistant training program with the training entity that provided such training;~~

~~(II) In the case of an individual who has been previously employed as a feeding assistant, feeding assistant employment history with the prospective employee's previous long-term care facility employer;~~

~~(III) In the case of an individual who has previously volunteered as a feeding assistant, feeding assistant volunteer history with the long-term care facility that previously utilized the services of that individual.~~

~~(3) Feeding assistants may not be counted toward meeting or complying with any requirement for nursing care staff and functions of a facility, including minimum nurse staffing requirements.~~

#### 11.001.3 Supervision; emergencies

~~(1) A feeding assistant shall work under the supervision of and shall report to a registered or licensed practical nurse. Each feeding assistant shall be given instruction by a registered nurse, licensed practical nurse or registered dietitian concerning the specific feeding and hydration needs of each resident the feeding assistant will be assigned to assist.~~

~~(2)~~

~~(a) Feeding assistants may perform feeding assistant tasks in congregate dining areas. A nurse shall be immediately available in case of an emergency during meals.~~

~~(b) Upon a determination by the charge nurse pursuant to 11.001.4 that it is safe to do so, based on assessments conducted pursuant to 11.001.4(1), a feeding assistant may perform feeding assistant tasks in a resident room for a resident who is unable or unwilling to dine in a congregate dining area.~~

~~(3) In an emergency, a feeding assistant must immediately secure the assistance of a supervisory nurse or physician. Feeding assistants shall know how to use resident call systems. This includes use of call light systems and other methods of immediately securing the assistance of supervisory nurses and physicians.~~

#### 11.001.4 Resident Selection

~~(1) The facility must base resident selection on the charge nurse's assessment of the resident's present condition and the following provisions of this Chapter V:~~

~~(a) Most recent resident assessment performed pursuant to Section 5.2;~~

~~(b) Nutritional care plan developed pursuant to Section 5.6; and,~~

~~(c) Plan of care developed pursuant to Section 5.7.~~

~~(2) A feeding assistant may perform feeding assistant tasks for those residents who require assistance or encouragement with feeding and hydration. Consistent with the assessments and care plans specified in (1) of this section 11.001.4, a facility must ensure that a feeding assistant feeds only residents who do not have a complicated feeding problem. Such problems include, but are not limited to, difficulty with swallowing, recurrent lung aspirations, and tube or parenteral/ intravenous feedings.~~

#### 11.001.5 Feeding Assistant Training Program

~~(1)~~

~~(a) The feeding assistant training program shall be administered by a training program provider approved in accordance with 11.001.6 and shall consist of not less than twelve (12) actual clock hours of classroom instruction. Class size shall be limited to twenty (20) enrollees. Classroom instruction shall be conducted in accordance with current standards of practice and shall conform to the "Feeding Assistant Curriculum Specifications and Program Requirements" available from the department. Curriculum subjects shall include, but need not be limited to, the following:~~

~~(I) Feeding techniques;~~

~~(II) Assistance with feeding and hydration;~~

~~(III) Communication and interpersonal skills;~~

~~(IV) Appropriate responses to resident behavior;~~

~~(V) Safety and emergency procedures, including the Heimlich maneuver;~~

~~(VI) Infection control;~~

~~(VII) Resident rights; and,~~

~~(VIII) Recognizing changes in residents that are inconsistent with their normal behavior and the importance of reporting those changes to the supervisory nurse.~~

~~(b)~~

~~(I) Successful completion of the feeding assistant training program requires each individual enrolled to obtain a score of eighty (80) percent or greater in a written examination provided at the conclusion of classroom instruction. Written examination questions shall be of an appropriate level of difficulty to reflect proficiency in each module of the "Feeding Assistant Curriculum Specifications and Program Requirements" and, at the discretion of the training program provider, may include ancillary feeding assistant-related curriculum subjects. Written examination questions shall not be disclosed to candidates in advance and shall be varied in format and content from test to test.~~

~~(II) Within ten (10) calendar days from successful completion of a feeding assistant training program, a training program provider approved in accordance with 11.001.6 shall furnish each individual who successfully completes the program with a uniform recognition of completion document. Said document shall be in the format designated by and available from the department to be used by the individual to whom it is issued for the purpose of establishing successful completion of the training program. The document shall bear the notarized signature of an authorized representative of the training program provider.~~

~~(III) An individual who successfully completes a feeding assistant training program is not required to repeat the program upon employment or upon providing volunteer feeding assistant services at another facility unless the individual has not worked or volunteered in a long term care facility as a feeding assistant for a period of twenty four (24) consecutive months. In such case, the individual shall not be employed or used as a volunteer feeding assistant by a facility as a paid feeding assistant until the person successfully repeats the feeding assistant training program.~~

~~(c) An individual who fails to score eighty (80) percent or greater in the written knowledge test may be retested one time by a training program provider. An individual who fails to pass on the second attempt shall not be retested without the individual first repeating the twelve (12) actual clock hours of classroom instruction specified in subparagraph (1) (a) of this section.~~

#### 11.001.6 Feeding Assistant Training Program Provider Approval

~~(1) A feeding assistant training program may be administered by an employing facility or other training entity approved pursuant to this 11.001.6. As used in this 11.001.6, "other training entity" includes: an accredited college, university or vocational school; or, a program, seminar or in-service training sponsored by an organization, association, corporation, group or agency with specific expertise concerning the provision of feeding and hydration services.~~

~~(2) Feeding assistant training programs shall use as instructors only individuals who have appropriate experience in feeding and hydrating residents and who hold: a valid Colorado license to practice as a registered or practical nurse; a certificate of registered dietitian through the commission on dietetic registration; a certificate of speech language pathologist through the American speech language-hearing association; or, a certificate of registered occupational therapist through the national board for certification in occupational therapy.~~

~~(3)~~

~~(a) An employing facility or other training entity seeking approval to administer a feeding assistant training program shall complete and submit to the department an initial attestation in the format~~

designated by the department certifying that the feeding assistant training program conforms to the "Feeding Assistant Curriculum Specifications and Program Requirements." Program approval may be granted, for a period not to exceed one year to those programs that meet minimum requirements. Department approval is required prior to initiating feeding assistant training.

(b) A training program provider approved to administer a feeding assistant training program pursuant to this section shall submit annual renewal attestation forms in the format designated by the department in the following manner:

(I) For employing facilities, annually with the facility's annual license renewal application.

(II) For other training entities, not less than sixty (60) days in advance of the date department approval expires.

(4) Training program providers approved to administer a feeding assistant training program shall maintain the training record of each individual who attends the feeding assistant training program for a period of not less than three (3) years. Based on such records, training program providers shall verify successful completion of the feeding assistant training program pursuant to a request by an employing facility in accordance with 11.001.2 (2)(b) (I).

(5) The department may deny, suspend, or withdraw approval granted under this 11.001.6 upon a determination by the department that good cause exists to do so. Good cause may include, but is not limited to, a determination that a feeding assistant training program is not operated in compliance with applicable regulations.

#### 11.001.7 Policies and Procedures

An employing facility shall develop and implement policies and procedures concerning the use of paid feeding assistants developed in accordance with this section.

#### 11.001.8 Records Maintenance

(4)

(a) An employing facility shall maintain a record of all individuals employed as feeding assistants and all individuals who serve as volunteer feeding assistants, including but not limited to records evidencing successful training program completion. Such records shall be maintained for not less than three (3) years from the date of separation or completion of volunteer service.

(b) Based on such records, a facility shall verify previous feeding assistant employment and volunteer history pursuant to a request by an employing facility in accordance with 11.001.2 (2)(b) (II).

#### 11.001.9 Reporting Requirements

(1) Periodically, facilities and training program providers may be required to submit information regarding their feeding assistant program and feeding assistant training program. Such reports may include, but not be limited to:

(a) The number of feeding assistants routinely utilized by the facility to assist residents;

(b) The number of residents identified as benefiting from the feeding assistant program; and,

(c) Information concerning the feeding assistant training program administered by the training program provider.

**Part 12. RESIDENTS' RIGHTS**

~~12.1 RESIDENTS' RIGHTS. The facility shall adopt a statement of the rights and responsibilities of their residents, post it conspicuously in a public place, and provide a copy to each resident or guardian before admission. The facility and staff shall observe these rights in the care, treatment, and supervision of the residents. Rights shall include at least:~~

~~12.1.1 The right to receive adequate and appropriate health care consistent with established and recognized practice standards within the community and with long-term care facility rules issued by the Department;~~

~~12.1.2 The right to civil and religious liberties, including:~~

~~(1) Knowledge of available choices and the right to independent personal decisions, which will not be infringed upon;~~

~~(2) The right to encouragement and assistance from the staff of the facility in the fullest possible exercise of these rights;~~

~~(3) The right to vote;~~

~~(4) The right to participate in activities of the community both inside and outside the facility;~~

~~12.1.3 The right to present grievances on behalf of him/herself or others to the facility's staff or administrator, to governmental officials, or to any other person, without fear of reprisal, and to join with other patients or individuals within or outside of the facility to work for improvements in resident care, including:~~

~~(1) The right to participate in the resident council;~~

~~(2) The right to be informed of the address and telephone number for the Department and the state and local Nursing Home Ombudsman; the facility shall post these numbers conspicuously;~~

~~12.1.4 The right to manage his or her own financial affairs or to have a quarterly accounting of any financial transactions made in his or her behalf, should the resident delegate such responsibility to the facility for any period of time;~~

~~12.1.5 The right to be fully informed, in writing, prior to or at the time of admission and during his or her stay, of services available in the facility and of related charges, including charges for services not covered under Medicare or Medicaid or not covered by the basic per diem rate;~~

~~12.1.6 The right to be adequately informed of his or her medical condition and proposed treatment unless otherwise indicated by his or her physician, and to participate in the planning of all medical treatment, including:~~

~~(1) The right to refuse medication and treatment, unless otherwise indicated by his or her physician, and to know the consequences of such actions;~~

~~(2) The right to participate in discharge planning; and~~

~~(3) The right to review and obtain copies of his or her medical records in accordance with Part 5 of chapter II of these regulations.~~



~~(4) For residents whose primary language is other than English, the facility shall arrange for persons speaking the resident's language to facilitate daily communications and to attend assessment and care planning conferences in order to allow the resident to participate in those activities. This section does not require a translator to be present daily as long as the resident is enabled to engage in necessary daily communication within the facility.~~

~~(5) For residents with sensory impairments that inhibit daily communication, the facility shall provide assistance so that they may participate in care and activities of daily living.~~

~~12.1.7 The right to have private and unrestricted communications with any person of his or her choice; including~~

~~(1) The right to privacy for telephone calls.~~

~~(2) The right to receive mail unopened;~~

~~(3) The right to private consensual sexual activity;~~

~~12.1.8 The right to be free from mental and physical abuse and from physical and chemical restraints, except those restraints initiated through the judgment of professional staff for a specified and limited period of time or on the written authorization of a physician;~~

~~12.1.9 The right to freedom of choice in selecting a health care facility;~~

~~12.1.10 The right of copies of the facility's rules and regulations, including a copy of these rights, and an explanation of his or her rights and responsibility to obey all reasonable rules and regulations of the facility and to respect the personal rights and private property of the other patients;~~

~~(1) If the resident does not speak English, the right to an explanation of rights and responsibilities in a language the resident can understand; and~~

~~(2) The right to see facility policies, upon request, and state survey reports on the facility;~~

~~12.1.11 The right to be transferred or discharged only for medical reasons or his or her welfare, or that of other residents, or for nonpayment for his or her stay, not for raising concerns or complaints, and the right to be given reasonable advance notice of any transfer or discharge, except in the case of an emergency as determined by professional staff, in accordance with the transfer procedures prescribed by Section 12.6;~~

~~12.1.12 The right to have privacy in treatment and in caring for personal needs, confidentiality in the treatment of personal and medical records, and security in storing and using personal possessions;~~

~~12.1.13 The right to be treated courteously, fairly, and with the fullest measure of dignity and to receive a written statement of the services provided by the facility, including those required to be offered on an as-needed basis;~~

~~12.1.14 The right of any person eligible to receive Medicaid to select any long-term care facility certified for participation in Medicaid where space is available.~~

~~12.2 DEVOLUTION OF RIGHTS. The rights of a Long-term care resident who is adjudicated incompetent under state Law devolve to the resident's legal guardian or sponsoring agency, who are responsible to assure that the resident is provided with adequate, appropriate, and respectful health care and that his~~



1 or her rights are observed. In the case of devolution, the facility shall observe these rights with respect  
2 to the guardian or sponsoring agency.

3 ~~12.3 STAFF TRAINING IN RESIDENTS' RIGHTS.~~ The facility shall provide a copy of the facility's statement of  
4 residents' rights at new employee orientation. Current employees shall be provided a copy of the rights  
5 no later than the first pay period after receipt of these rules. The facility shall train all staff in the  
6 observation and protection of residents' rights. Social services staff shall assist in residents' rights  
7 orientation for new employees.

8 ~~12.4 GRIEVANCE PROCEDURE.~~ The facility shall develop a grievance procedure, which it shall post  
9 conspicuously in a public place, for presentation of grievances by residents, the resident council, or  
10 members of the resident's family regarding any conditions, treatment, or violations of rights of any  
11 resident by the facility or staff (regardless of the consent of the victim of the alleged improper conduct).

12 ~~12.4.1~~ The facility shall designate a full time staff member ("staff designee") to receive all grievances.

13 ~~12.4.2~~ The facility shall establish a grievance committee consisting of the chief administrator or his or  
14 her designee, a resident selected by the facility's residents, and a third person agreed upon by  
15 the administrator and the resident representative.

16 ~~12.4.3~~ Any resident or legal representative, or member of a resident's family or the resident council may  
17 present a grievance to the facility staff designee orally or in writing within 14 days of the incident  
18 giving rise to the grievance.

19 ~~12.4.4~~ The staff designee shall confer with persons involved in the incident and other relevant persons  
20 and within 3 days of receiving the grievance shall provide a written explanation of findings and  
21 proposed remedies to the complainant and the aggrieved party, if other than the complainant,  
22 and legal representative, if any. Where appropriate due to the mental or physical condition of  
23 the complainant or aggrieved party, an oral explanation shall accompany the written one.

24  
25 ~~12.4.5~~ If the complainant or aggrieved party is dissatisfied with the findings and remedies of the staff  
26 designee or their implementation, within 10 days of receiving the designee's explanation, the  
27 complainant or aggrieved party may file the grievance orally or in writing along with any  
28 additional information it wishes to the grievance committee.

29 ~~12.4.6~~ The committee shall confer with persons involved in the incident and other relevant persons,  
30 including the complainant, and within 10 days of the date of the appeal shall provide a written  
31 explanation of its findings and proposed remedies to the complainant and the aggrieved party, if  
32 other than the complainant, and to the legal representative, if any. Where appropriate due to the  
33 mental or physical condition of the complainant, or aggrieved party, an oral explanation shall  
34 accompany the written one.

35 ~~12.4.7~~ If the complainant or aggrieved party is dissatisfied with the findings and remedies of the  
36 grievance committee or their implementation (except for grievances regarding physician or  
37 physician-prescribed treatment), the person may file the grievance in writing with the Executive  
38 Director of the Department within 10 days of receipt of the written findings of the grievance  
39 committee. The Department shall then investigate the facts and circumstances of the grievance  
40 and make written findings of fact, conclusions, and recommendations and provide them to the  
41 complainant, aggrieved party, legal representative, if any and the facility administrator.

42 ~~12.4.8~~ If the complainant or facility administrator is aggrieved by the Department's findings and  
43 recommendations, he or she may request, within 30 days of receipt of the findings and  
44 recommendations, a hearing to be conducted by the Department pursuant to C.R.S. 24-4-105.

~~12.5 RESIDENT ADVISORY COUNCIL. Each facility shall establish a resident advisory council consisting of no less than five members selected from the facility's residents.~~

~~12.5.1 The council shall be conducted by residents. It shall have the opportunity to meet without staff present and shall meet at least monthly with the administrator and a staff representative to make recommendations concerning facility policies. Staff shall respond to these suggestions in writing by the next meeting. Minutes of council meetings shall be maintained and posted or otherwise available to residents.~~

~~12.5.2 The council may present grievances to the grievance committee on behalf of residents.~~

~~12.5.3 The council shall elect its officers and establish a process for obtaining views of all facility residents.~~

#### ~~12.6 TRANSFER, DISCHARGE, AND ROOM CHANGE PROCEDURES AND APPEALS.~~

##### ~~12.6.1 Definitions:~~

~~(1) "Discharge" means movement of a resident from a nursing facility to a noninstitutional setting when the discharging facility ceases to be legally responsible for the care of the resident.~~

~~(2) "Transfer" means movement of a resident from a nursing facility to another institutional setting when the legal responsibility for the care of the resident changes from the transferring facility to the receiving facility.~~

~~(3) "Room change" refers to the movement of a resident from one room to another.~~

##### ~~12.6.2 A resident shall not be transferred or discharged unless:~~

~~(1) The transfer or discharge is necessary for the resident's welfare. Facilities that are certified to participate in the Medicaid and/or Medicare reimbursement program must also demonstrate that the resident's needs cannot be met in the facility;~~

~~(2) the transfer or discharge is only for medical reasons. Facilities that are certified to participate in the Medicaid and/or Medicare reimbursement program must also demonstrate that the resident's needs cannot be met in the facility;~~

~~(3) the transfer or discharge is necessary to preserve the welfare of other residents; or~~

~~(4) the resident has failed to pay for (or to have paid under Medicaid or Medicare) a stay at the facility. Facilities that are certified to participate in the Medicaid and/or Medicare reimbursement program must also provide reasonable and appropriate notice of non-payment and its consequences to the resident prior to initiating a transfer or discharge of a resident for reasons of non-payment.~~

##### ~~12.6.3 When the facility transfers or discharges a resident under any of the circumstances specified in 12.6.2, the resident's clinical record must be documented. The documentation must be made by:~~

~~(1) the resident's physician when the transfer or discharge is necessary under 12.6.2 (1) and (2); and~~

~~(2) a physician when transfer or discharge is necessary under 12.6.2 (3).~~

~~12.6.4 Whenever a resident is transferred or discharged for the reasons in 12.6.2 (1), 12.6.2 (2) or 12.6.2 (3), the facility must provide assessment and reasonable intervention prior to determining the need for the transfer or discharge. The assessment, attempted intervention and reason for the discharge or transfer shall be documented in the clinical record.~~

~~12.6.5 The facility shall provide reasonable advance notice to the resident and the family member or legal representative of the resident of its intent to transfer or discharge a resident. Reasonable advance notice means notice in writing at least thirty (30) days before the transfer or discharge except in the following circumstances in which the professional staff determines there is an emergency, in which case the notice must be made as soon as practicable before the transfer or discharge:~~

~~(1) the safety of residents in the facility is endangered;~~

~~(2) the health of residents in the facility is endangered; or~~

~~(3) an immediate transfer or discharge is required by the resident's urgent medical needs.~~

~~12.6.6 The written notice shall be in a language and manner understandable to the resident and the resident's legal representative, if applicable, and shall include:~~

~~(1) The reason for the transfer or discharge;~~

~~(2) The effective date of the transfer or discharge;~~

~~(3) The location to which the resident is transferred or discharged;~~

~~(4) The grievance procedure; and~~

~~(5) the following text:~~

~~"You have a right to appeal the nursing care facility's decision to transfer or discharge you. If you think you should not be transferred or discharged, you may appeal to \_\_\_\_\_ (staff designee). If you do not wish to handle the appeal yourself, you may use an attorney, relative, or friend. If your appeal is not resolved to your satisfaction by the staff designee, you can continue your appeal to the nursing care facility's grievance committee and, if necessary, the Colorado Department of Public Health and Environment. You may direct questions regarding this notice to the Department of Public Health and Environment at \_\_\_\_\_ (division name, address and phone number)."~~

~~(a) Nursing care facilities that are certified for Medicaid and/or Medicare reimbursement, must also add the following statement:~~

~~"In addition, if you have questions or complaints about the transfer or discharge or would like help to appeal, call or write the State or Local Long Term Care Ombudsman at \_\_\_\_\_ (phone numbers/addresses)."~~

~~(b) If the resident who is being involuntarily transferred is a person with a developmental disability for whom an agency has been authorized by law as the agency responsible for advocacy and protection of the rights of persons with developmental disabilities, the nursing care facility must also furnish to resident and the resident's family member or legal representative, the following statement:~~

~~"In addition, if you have questions or complaints about the transfer or discharge or would like help to appeal, call or write the \_\_\_\_\_, (name, phone number and address of the agency)."~~

(c) If the resident who is being transferred is a person with mental illness for whom an agency has been authorized by law as the agency responsible for the advocacy and protection of persons with mental illness, the nursing care facility must also furnish to the resident and the resident's family member or legal representative the following statement:

"In addition, if you have questions or complaints about the transfer or discharge or would like help to appeal, call or write the \_\_\_\_\_, (name, phone number and address of the agency.)"

12.6.7 In cases where a resident is being involuntarily transferred or discharged from a nursing care facility that is certified to participate in the Medicaid and/or Medicare reimbursement program, a copy of the written notice (including the grievance and appeal rights, and the name, address and telephone number of the State and Local Long Term Care Ombudsman) shall also be sent the State or Local Long Term Care Ombudsman at the same time it is sent to the resident or as soon as the determination is made that the transfer or discharge is involuntary.

12.6.8 A facility must provide sufficient preparation and orientation to residents to ensure safe and orderly transfer and discharge from the facility.

12.6.9 When the facility intends to move a resident to another room in the facility without the resident's consent, the facility shall provide the resident and a family member or legal representative with written notice of such intent to be received at least 5 days before such move, including an explanation on their right to appeal.

12.6.10 A resident shall not be involuntarily transferred, discharged, or moved to another room within the facility until:

(1) The expiration of the notice period, or

(2) The time for any further administrative appeals has expired, or

(3) The grievance or appeal has been resolved.

12.7 RESIDENT RELOCATION. If a facility intends to close or change bed classification, it shall notify the Department of Public Health and Environment and the Colorado Department of Health Care Policy And Financing, if it has Medicaid residents, at least 60 days before it expects to cease or change operations and at least 7 days before it notifies residents and families.

12.7.1 The facility shall appoint one staff person to coordinate resident relocation activities.

12.7.2 If the facility has Medicaid residents, it shall review its relocation plan with the Department of Health Care Policy And Financing.

12.7.3 Any facility certified for participation in Medicaid shall follow the relocation procedures prescribed by regulations of the Department of Social Services. Other facilities shall provide for an orderly relocation of residents, designed to minimize risks and ensure optimal placement of all residents, in coordination with the Department of Health, the Nursing Home Ombudsman, and local public and private social services agencies.

### Part 13. EMERGENCY SERVICES

13.1 EMERGENCY CARE POLICIES. The facility shall have and follow written policies for the care of residents in an emergency available for staff use, including: 1) arrangements for necessary medical care when a resident's physician is unavailable (developed by persons described in Section 6.2); 2)

procedures and training programs that cover immediate care of residents; and 3) persons to be notified in an emergency.

~~13.2 FIRE AND INTERNAL DISASTER PLAN. With the assistance of qualified fire and safety experts, the facility shall develop written policies and procedures for protection of persons within the building in case of fire, explosion, flood, staff shortage, food shortage, termination of vital services, or other emergency in the building. Policies shall include: 1) brief, written instructions, posted at each nurses' station, that include persons to be notified and other immediate steps to be taken before the fire department or other assistance arrives; 2) a schematic plan of the building or portions thereof posted at each nurses' station, showing evacuation routes, smoke stop and fire doors, exit doors, and the location of fire extinguishers and fire alarm boxes; 3) procedures for evacuating helpless residents; 4) assignment of specific tasks and responsibilities to the personnel on each shift; 5) provision for at least annual training and instruction to keep employees informed of their duties; and 6) provisions for conducting simulated fire drills at least three times per year.~~

~~13.3 MASS CASUALTY PLAN. Each facility shall develop a written mass casualty plan for managing residents and treating casualties in an external or community disaster. The program shall be developed in cooperation with other health facilities in the area and with official and other community agencies.~~

#### **Part 14. FACILITY RECORDS**

~~14.1 HEALTH RECORDS. The facility shall maintain on its premises a health record for each resident. The record and the resident for which it is maintained shall be identified by a separate, unique number. The record shall contain sufficient information to identify the resident; provide and support resident diagnoses; include orders for medications, treatments, restorative services, diet, special procedures, and activities. It shall include a care plan and discharge plan and indicate in progress notes the resident's progress at appropriate intervals. The components of the record may be kept separately as long as they are readily retrievable.~~

~~14.1.1 Only physicians, dentists or persons operating under their supervision shall write or dictate medical histories and physical examinations in the medical record, and only dentists shall write dental histories.~~

~~14.1.2 Telephone orders shall be taken by licensed nurses or members of other appropriate disciplines as authorized by their professional licensure and as approved in facility policy. They shall be countersigned by the physician or dentist and entered into the record within two weeks.~~

~~14.1.3 All orders for diagnostic procedures, treatments, and medications shall be entered into the health record and authenticated and signed by the physician, except that orders for dental procedures shall be authenticated and signed by a dentist. All reports of x-ray, laboratory, EKG, and other diagnostic tests shall be authenticated by the person submitting them and incorporated into the health record within two weeks after receipt by the facility.~~

~~14.1.4 All entries in the health record shall be the original ink or typed copy of valid copies, kept current, dated, and signed or authenticated. The responsibility for completing the health record rests with the attending physician and the facility administrator. A physician may authenticate the health record by written signature, identifiable initials, computer key, or, under the following conditions, facsimile stamp:~~

~~(1) The physician whose signature the facsimile stamp represents is the only one who has possession of the stamp and is the only one who uses it; and~~

~~(2) The physician places in the medical record office a signed statement to the effect that the physician is the only one who has the stamp and the only one who will use it.~~

~~14.1.5 A completed health record shall be maintained on every resident from the time of admission through the time of discharge. All health records shall contain:~~

~~(1) Identification and summary sheet that includes:~~

~~(a) resident's name, health record number, social security number, marital status, age, race, home address, date of birth, place of birth, religion, occupation, name of informant and other available identifying sociological data (country of citizenship, father's name, mother's maiden name, military service, if any, and dates);~~

~~(b) name, address, and telephone number of referral source,~~

~~(c) name, address, and telephone number of attending physician and dentist,~~

~~(d) name of next of kin or other responsible person,~~

~~(e) date and time of admission and discharge,~~

~~(f) admitting diagnosis, final diagnosis(es), condition on discharge, and disposition, and~~

~~(g) attending physician's signature.~~

~~(2) Medical data that includes:~~

~~(a) medical history,~~

~~(b) medical evaluation reports on admission and thereafter as needed and at least annually,~~

~~(c) reports of any special examinations, including laboratory and x-ray reports,~~

~~(d) reports of consultations by consulting physicians, if any,~~

~~(e) reports from all consulting persons and agencies, if any,~~

~~(f) reports of special treatments, such as physical or occupational therapy,~~

~~(g) dental reports, if any,~~

~~(h) treatment and progress notes written and signed by the attending physician at the time of each visit,~~

~~(i) authentication of hospital diagnosis(es) in a hospital summary sheet or transfer form when applicable, and a summary of the course of treatment followed in the hospital if the resident is hospitalized,~~

~~(j) physician orders for all medications, treatments, diet, and restorative and special procedures,~~

~~(k) autopsy protocol, if any, and authorization for autopsy, and~~

~~(3) plans and notes of the social service and activities service, including social history, social services assessment/plan, progress notes, activities assessment/plan and activities progress notes;~~

~~(4) nutritional assessments and progress notes of the dietary service; and~~

~~(5) reports or accidents or incidents experienced by the resident,~~

~~(6) Nursing records, dated and signed by nursing personnel, which include the resident assessment required by Section 5.2, all medications and treatments administered, special procedures performed, notes of observations, and the time and circumstances of death.~~

~~14.2 FACILITIES. The facility shall provide a health record room or other health record accommodation and supplies and equipment adequate for health record functions. Health records shall be maintained and stored safely for confidentiality and protection from loss, damage, and unauthorized use.~~

~~14.3 PRESERVATION. All health records shall be completed promptly, not later than 30 days following resident discharge, filed, and retained for a period of time consistent with the applicable statute of limitations and the facility's written policies.~~

~~14.4 STAFFING. A Registered Record Administrator (RRA), Accredited Record Technician (ART), or other employee who is trained in medical records and who has consultation from a registered record administrator or accredited record technician shall be responsible for the custody, supervision, filing, and indexing of completed health records of all residents and for allied health records services.~~

~~14.5 LONG TERM CARE FACILITY RECORDS. The facility shall maintain current the following records: 1) daily census including current resident problems and room numbers, 2) admission and discharge analysis records, 3) master resident file, 4) resident number index, and 5) disease index and (6) file of all accident and incident reports, including without limitation, those required by Part 3 of Chapter II.~~

## **~~Part 15. OCCUPATIONAL, AND PHYSICAL AND SPEECH THERAPY~~**

~~15.1 OCCUPATIONAL THERAPY. The facility shall provide or make arrangements for referral to occupational therapy services for all residents whom a physician refers to such therapy. If the facility provides occupational therapy services directly, it shall comply with the following requirements:~~

~~15.1.1 The facility shall have written policies approved by the governing body identifying the organization, administration, performance standards, direction, and supervision of resident care.~~

~~15.1.2 Only a qualified occupational therapist, who is a graduate of an occupational therapy curriculum accredited jointly by the Council on Medical Education of the American Medical Association and the American Occupational Therapy Association or is eligible for certification by the AOTA, shall provide occupational therapy. All personnel assisting residents with occupational therapy shall be under supervision of a qualified occupational therapist.~~

~~15.1.3 Records of occupational therapy shall include the physician's referral for treatment, resident progress notes, and results of special tests and measurements.~~

~~15.1.4 The facility shall take all necessary steps to assure that therapist communicates to the facility the resident's condition and response to treatment within two weeks of initiation of treatment and every thirty days thereafter while treatment continues.~~

~~15.1.5 The facility shall provide space, appropriate equipment, and storage areas adequate for occupational therapy on all referred residents. Services shall be provided in an area readily accessible to residents. Equipment shall be properly maintained to ensure safety of residents and staff.~~



~~15.2 PHYSICAL THERAPY. The facility shall provide or make arrangements for referral to physical therapy services for all residents whom a physician refers to such therapy. If the facility provides physical therapy services directly or holds itself out through advertisement or door sign to provide such care, it shall comply with the following requirements:~~

~~15.2.1 The facility shall have written policies approved by the governing body identifying the organization, administration, performance standards, direction, and supervision of resident care.~~

~~15.2.2 Only a physical therapist who is registered by Physical Therapy Registration (Department of Regulatory Agencies) shall provide physical therapy. All personnel assisting residents with physical therapy shall be under supervision of a qualified physical therapist.~~

~~15.2.3 Records of physical therapy shall include the physician's order for treatment, resident progress notes, and results of special tests and measurements.~~

~~15.2.4 The facility shall take all necessary steps to assure that therapist communicates to the facility the resident's condition and response to treatment within two weeks of initiation of treatment and every thirty days thereafter while treatment continues.~~

~~15.2.5 The facility shall provide space, appropriate equipment, and storage areas adequate for physical therapy on all referred residents. Services shall be provided in an area readily accessible to residents. Equipment shall be properly maintained to ensure safety of residents and staff.~~

~~15.3 SPEECH THERAPY. The facility shall provide or make arrangements for referral to speech therapy services for all residents whom a physician refers to such therapy. If the facility provides speech therapy services directly or holds itself out through advertisement or door sign to provide such care, it shall comply with the following requirements:~~

~~15.3.1 The facility shall have written policies approved by the governing body identifying the organization, administration, performance standards, direction, and supervision of resident care.~~

~~15.3.2 Only a speech pathologist who is eligible for certification by the American Speech and Hearing Association or meets educational requirements thereof and is obtaining the supervised experience required for certification shall provide speech therapy. All personnel assisting residents with speech therapy shall be under supervision of a qualified speech pathologist.~~

~~15.3.3 Records of speech therapy shall include the physician's order for treatment, resident progress notes, and results of special tests and measurements.~~

~~15.3.4 The facility shall take all necessary steps to assure that the therapist communicates to the facility the resident's condition and response to treatment within two weeks of initiation of treatment and every thirty days thereafter while treatment continues.~~

~~15.3.5 The facility shall provide space, appropriate equipment, and storage areas adequate for speech therapy on all referred residents. Services shall be provided in an area readily accessible to residents. Equipment shall be properly maintained to ensure safety of residents and staff.~~

## **~~Part 16. PHARMACEUTICAL SERVICES~~**

~~16.1 ORGANIZATION. The pharmaceutical services of the facility shall be organized and maintained exclusively for the benefit of the facility's residents.~~

~~16.1.1 The pharmaceutical service shall be supervised by a consultant pharmacist licensed to practice pharmacy in the State of Colorado.~~



~~16.1.2 All compounding and dispensing shall be from a pharmacy licensed by the Colorado Board of Pharmacy in accordance with all pharmacy laws and regulations.~~

~~16.2 ADVISORY COMMITTEE. The facility shall establish a pharmaceutical advisory committee, including a registered nurse, the consulting pharmacist and the medical advisor, to assist in the formulation of broad professional policies and procedures relating to pharmaceutical service in the facility.~~

~~16.3 DRUG REQUISITION AND STORAGE POLICIES. The facility shall designate in written policies approved by the governing body the person authorized to requisition, receive, control, and manage drugs.~~

~~16.3.1 Resident drugs shall be obtained from a licensed pharmacy on an individual prescription basis for each resident.~~

~~16.3.2 Unless the facility uses a unit dose system, each resident drug shall be stored in individual, originally received containers or "blister" or "bubble" cards that are clearly and legibly labeled with the name, strength, dosage, frequency and mode of administration, date of issue and expiration of the drug; physician's name; name, address, and telephone number of the dispensing pharmacy; and the full name of the resident for whom the drug is prescribed.~~

~~16.3.3 The facility shall protect each resident's drugs from use by other residents, visitors, and staff.~~

~~16.4 CONSULTING PHARMACIST. The facility shall contract in writing with a licensed pharmacist to be responsible for all pharmaceutical matters in the facility. The contract shall set forth the fees to be paid for services and the pharmacist's responsibilities, including at least the following:~~

~~(1) Legal compounding;~~

~~(2) Prompt dispensing of properly labeled individual resident prescriptions;~~

~~(3) Inventory control; establishment of necessary records;~~

~~(4) Periodic inspection of all pharmaceutical supplies and drugs on all resident care units;~~

~~(5) Provision of an emergency medical kit, which remains the property of a licensed pharmacy approved by the pharmaceutical advisory committee and the Colorado State Board of Pharmacy;~~

~~(6) Regularly scheduled visits and consultations and at least annual in-service training to staff;~~

~~(7) Inspection of prescriptions all drugs for proper labeling, proper storage, and drug deterioration or expiration of shelf life;~~

~~(8) Determination of proper procurement and maintenance of all prescriptions and other drugs;~~

~~(9) Development of proper accounting procedures for controlled substances and legend drugs;~~

~~(10) Evaluation of the rule 01 policies of the pharmaceutical advisory committee; and~~

~~(11) Quarterly reports to the Pharmacy Advisory Committee on the status of pharmacy services.~~

~~16.5 CONTROLLED SUBSTANCES. Only practitioners authorized under the laws of the State of Colorado and properly registered with the federal government shall prescribe controlled substances, The facility shall~~

1 comply with all federal and state laws and regulations relating to procurement, storage, administration,  
2 and disposal of scheduled drugs. Unless the facility uses a unit dose system, it shall maintain a record  
3 on a separate sheet for each resident receiving a scheduled drug, which contains the name of the drug,  
4 strength, date, time administered, resident name, dose, physician's name, signature of person  
5 administering, and the quantity of the drug remaining.

#### 6 ~~16.6 DISPOSITION OF MEDICATIONS~~

7 ~~16.6.1 If controlled substances (Schedules 2 through 5) are being held by a facility on behalf of a~~  
8 ~~resident and the controlled substances are no longer needed, the facility shall conduct on-site~~  
9 ~~destruction of the controlled substances as follows:~~

10 ~~(1) The facility shall properly inventory the destruction and keep the inventory copy on file for at~~  
11 ~~least two years.~~

12 ~~(2) At least the administrator or designee, the supervisory nurse, and the consulting pharmacist~~  
13 ~~shall witness each destruction and sign the destruction inventory.~~

14 ~~(3) The destruction shall be performed in a manner that renders the controlled substances~~  
15 ~~totally irretrievable.~~

16 ~~16.6.2 Except for medications returned to a pharmacist or transferred to a relief agency as provided~~  
17 ~~under 6 CCR 1011-1, Chapter II, Subpart 7.200 Donation of Unused Medications, Medical~~  
18 ~~Devices, and Medical Supplies, all prescriptions and other drugs (except controlled substances)~~  
19 ~~remaining upon death or discharge shall be destroyed by the administrator, a registered nurse,~~  
20 ~~and a pharmacist who shall record the quantity of the drugs destroyed.~~

21 ~~16.7 MEDICATION RELEASE. The facility staff shall release medications to a resident only upon written~~  
22 ~~physician authorization.~~

23 ~~16.8 RESIDENT DRUG PROFILE RECORD. The dispensing pharmacist shall maintain drug profile records on~~  
24 ~~each resident for whom he or she dispenses medications.~~

#### 25 **Part 17. DIAGNOSTIC SERVICES**

26 ~~17.1 POLICIES. The facility shall establish and follow policies for obtaining clinical laboratory, x-ray, and other~~  
27 ~~diagnostic services.~~

28 ~~17.2 PHYSICIAN ORDERS. Diagnostic services shall be provided only on the order of the attending physician~~  
29 ~~or dentist.~~

30 ~~17.3 TRANSPORTATION. The facility shall assist residents to make arrangements for transportation of~~  
31 ~~residents and/or laboratory specimens to and from the source of diagnostic services.~~

32 ~~17.4 REPORTS. All diagnostic reports shall be included in the resident's health record within thirty days of the~~  
33 ~~time the facility receives them.~~

#### 34 **Part 18. RESIDENT CARE UNIT**

35  
36 ~~18.1 RESIDENT CARE UNIT. A resident care unit means a designated area of a long-term care facility~~  
37 ~~consisting of a bedroom or a grouping of bedrooms with supporting facilities and services that are~~  
38 ~~planned, organized, operated, and maintained to provide adequate nursing and supportive care of not~~  
39 ~~more than sixty residents.~~

~~18.2 PRIVATE AND MULTIPLE BEDROOMS. The long-term care facility shall provide private and multiple bedrooms to meet resident needs. There shall be no more than four beds per room.~~

~~18.2.1 \* Minimum room area, exclusive of closets, lockers, wardrobes of any type, vestibules and toilet rooms, shall be 100 sq. ft. for one-bed rooms and 80 sq. ft. per bed in multi-bed rooms.~~

~~18.2.2 \* Privacy shall be provided for each resident in a multiple bedroom by the installation of opaque flame retardant cubicle curtains or movable screening.~~

~~18.2.3 \* Each bedroom shall have an exterior window. One-half of the required window area shall be openable without the use of tools. If a mechanical ventilation system is provided, a portion of the required window shall be openable without the use of tools. Privacy for the resident and control of light shall be provided at each window.~~

~~18.2.4 \* Each bedroom shall have direct entry from a corridor.~~

~~18.2.5 \* Artificial light shall be provided and include: 1) General illumination; 2) Other sources of illumination for reading, observation, examinations, and treatments; 3) Night light controlled at the door of the bedroom; 4) Quiet operating switches.~~

~~18.2.6 \* A lavatory complete with mixing faucet, blade controls, soap and sanitary hand-drying accommodations shall be provided in each bedroom.~~

~~The lavatory may be installed within the toilet room in private bedrooms. Mirrors should be arranged for convenient use by residents in wheelchairs as well as by residents in a standing position.~~

~~18.2.7 \* A toilet room, directly accessible from each bedroom, without going through a general corridor, shall be provided. One toilet may serve two resident rooms but not more than four beds. The minimum dimensions for any room containing only one water closet shall be 3'0" x 6'0". The door to the toilet room must be at least 2'10" in width and shall not swing into the toilet room unless provided with rescue hardware permitting the door to swing outward. The toilet room shall be provided with the following: 1) Toilet preferably with bedpan flushing equipment; 2) Grab bars convenient for the safety of residents; 3) Waste paper receptacle with a removable impervious liner.~~

~~18.2.8 Comfortable bedrooms shall be equipped with movable furniture and equipment with the following for each resident: 1) Adjustable, washable bed (roll-away type beds, cots and folding beds shall not be used) mattress protected by water-proof material, mattress pad, and a comfortable pillow; 2) Cabinet or bedside table; 3) Over bed table as applicable; 4) Waste paper receptacle with impervious, disposable liner or disposable waste receptacle; 5) Complete personal care equipment including water carafe, mouth wash cup, emesis basin, wash basin, bedpan and, when necessary, a urinal; 6) Comfortable chair; 7) Storage facilities adequate for residents' personal articles and grooming.~~

~~18.2.9 \* Each bedroom shall be provided with a separate closet or locker for each resident. The minimum size of closet or locker in a nursing care facility shall be 1'8" wide by 1'10" deep with full length hanging space, clothes rod and shelf.~~

~~18.2.10 \* Each resident shall be furnished with a nurse call signal system that registers a visual signal from the resident at the corridor bedroom door and at the clean and soiled holding areas and a visual and audible signal at the Nurse's Station. Calling stations shall be located at the resident's bed, toilet room and at each tub and shower. The nurses call in toilet, tub or shower shall be an emergency call.~~

~~\* Other approved facilities for resident services may be substituted to meet the requirements specified in 18.2.1 through 18.2.7, 18.2.9 through 18.2.10, 18.3.1 through 18.3.10 and 18.4.~~

~~18.3 SERVICE FACILITIES. The following service areas shall be provided on each floor housing residents and located conveniently for patient care.~~

~~18.3.1 \* The Nurses Station shall be designed and equipped for medical record recording, communications, and storage for supplies and nurses' personal effects.~~

~~18.3.2 \* The medication preparation area shall be equipped with: 1) Cabinets with suitable locking devices to protect drugs stored therein; 2) Refrigerator equipped with thermometer and used exclusively for pharmaceutical storage; 3) Counter work space; 4) sink with approved handwashing facilities; 5) Antidote, incompatibility, and metriapothecary conversion charts. Only medications, equipment, and supplies for their preparation and administration shall be stored in the medication preparation area. Test reagents, general disinfectants, cleaning agents, and other similar products shall not be stored in the medication area.~~

~~18.3.3 \* The clean supply holding room shall be equipped with: 1) Counter, sink with mixing faucet, blade controls, soap, and sanitary hand drying facility; 2) Waste container with cover (foot controlled recommended) and impervious, disposable liner; 3) Cupboards or carts for supplies.~~

~~18.3.4 \* There shall be a separate closed area in the clean supply holding room, on a cart, or in a separate closet for clean linen supplies.~~

~~18.3.5 \* The soiled holding room shall be equipped with: 1) Suitable counter, double sink with mixing faucet, blade controls, soap, and sanitary hand drying facility; 2) Waste container with cover (foot controlled recommended) and impervious, disposable liner; 3) Soiled linen cart or hamper with impervious liner; 4) Accommodations and provisions for enclosed soiled articles; 5) Space for short time holding of specimens awaiting delivery to laboratory; 6) Adequate shelf and counter space; and in nursing care facilities 7) Clinical flushing sink.~~

~~18.3.6 \* The janitor's closet shall be equipped with: 1) Sink, preferably depressed or floor mounted, with mixing faucets; 2) Hook strip for mop handles from which soiled mopheads have been removed; 3) Shelving for cleaning materials; 4) Approved handwashing facilities; 5) Waste receptacles with impervious liner. The floor area should be adequate to store mop buckets on a roller carriage, wet and dry vacuum machine, and floor scrubbing machine.~~

~~18.3.7 \* A storage room should be provided on the Resident Care Unit. Storage space for stretchers and wheelchairs should be recessed off the corridor.~~

~~18.3.8 \* BATHING FACILITIES. Resident bathing facilities shall be provided in the ratio of one tub or one shower for each fifteen residents. Approved grab bars shall be installed at each tub or shower and tubs shall be of non-slip surface. The room shall provide privacy and be sufficiently large to provide space for wheelchair movement. The entry door shall be at least 36" in width. Curbs should be omitted from showers. There shall be toilet and lavatory facilities in the bathroom with mixing faucet, blade controls, soap, and sanitary hand drying accommodations.~~

~~18.3.9 \* Nourishment stations shall be provided with storage space and sink for serving between meal nourishments.~~

~~18.3.10 \* An examination and treatment room shall be provided on at least one Resident Care Unit and shall be equipped with a treatment table, storage cabinet for supplies and instruments; and a lavatory complete with blade controls.~~

~~\* Other approved facilities for resident services may be substituted to meet the requirements specified in 18.2.1 through 18.2.7, 18.2.9 through 18.2.10, 18.3.1 through 18.3.10 and 18.4.~~

~~18.4 \* PERSONNEL TOILET FACILITIES. Toilet facilities shall be provided for personnel on each Resident Care Unit.~~

~~\* Other approved facilities for resident services may be substituted to meet the requirements specified in 18.2.1 through 18.2.7, 18.2.9 through 18.2.10, 18.3.1 through 18.3.10 and 18.4.~~

~~18.5 EMERGENCY EQUIPMENT AND SUPPLIES. The following shall be readily available at all times: 1) Oxygen; 2) Suction; 3) Portable emergency equipment, supplies and medications; and in nursing care facilities 4) Compatible supplies and equipment for immediate intravenous therapy to be administered only in accordance with applicable Colorado laws.~~

~~18.6 THERMOMETER. A disinfected thermometer shall be used each time a resident's temperature is taken.~~

~~18.7 DRESSINGS. There shall be individual resident equipment and supplies for changing dressings.~~

## **Part 19. SECURE UNITS**

~~19.1 COMPLIANCE. Any facility that has one or more units that are secured to prohibit free egress of residents shall comply with the standards in this Part in addition to all other applicable requirements of this chapter.~~

~~19.2 MENTAL HEALTH FACILITIES. Any facility that is a "designated" or "placement" facility under 27-10-101 C.R.S., et seq, shall comply with the regulations of the Department of Human Services. In the case of conflicting regulations, the stricter shall apply.~~

~~19.3 ADMISSIONS.~~

~~19.3.1 Residents on a secure unit shall be placed so as to insure that those placed in the unit because they are dangerous to self or wander out of the building and are unable to return on their own are protected from harm by residents who are a danger to others or whose behavior seriously disrupts the rights of other residents.~~

~~19.3.2 Placement on a secure unit shall not be used for the punishment of a resident or the convenience of the staff and shall be the least restrictive alternative available.~~

~~19.3.3 A facility shall have written programs to treat residents whom it admits, as required by 19.7.~~

~~19.3.4 Residents of a secure unit shall be allowed to have visitors on the unit. Residents of the facility may participate in organized activities on the unit.~~

~~19.4 PRE-ADMISSION SCREENING AND PLACEMENT. The facility shall not place a resident into a secure unit unless the requirements of this section are met:~~

~~19.4.1 An evaluation team finds, based on available evidence, that:~~

~~(1) the resident is a serious danger to self or others; or~~

~~(2) the resident habitually wanders or would wander out of buildings and is unable to find the way back; or~~

~~(3) the resident has a significant behavior problem that seriously disrupts the rights of other residents; and in all cases~~

~~(4) less restrictive alternatives have been unsuccessful in preventing harm to self or others; and~~

~~(5) legal authority for such restrictive authority has been established.~~

~~19.4.2 The evaluation team shall consist of at least the Director of Nursing, Social Services staff member, member of the facility's utilization control committee, if any, and a person with mental health or social work training (as appropriate to the needs of the unit's residents) who is not a facility staff member. Such non-staff member need not participate in prior review of admissions. A facility that is a mental health "placement facility" under 27-10-101, C.R.S., et seq. shall have a person from its contracting "designated facility" on the evaluation team for evaluations of clients referred by the designated facility.~~

~~19.4.3 Written findings and their factual basis shall be documented in the health record.~~

~~19.4.4 The resident or his/her legally responsible and authorized representative gives informed, written consent, and~~

~~19.4.5 A physician has authenticated the placement.~~

~~19.5 PLACEMENT EVALUATION. A resident's placement in or restriction to a secure unit shall terminate when the condition or behavior justifying the placement have diminished to the extent that the criteria in 19.4.1 are no longer met or when consent is terminated or withdrawn or if the facility and physician determine that such continued placement would adversely affect resident health or safety.~~

~~19.5.1 The facility shall provide the same notice and appeal rights required by Section 12.6 before moving a resident out of a secure unit.~~

~~19.5.2 The evaluation team described in Subsection 19.4.2 shall re-evaluate the placement of each resident 30 days after initial placement and no less often than every 180 days thereafter. Persons under involuntary mental health placement under 27-10-101, C.R.S., et seq., shall be evaluated as prescribed in rules of the Department of Human Services.~~

~~19.5.3 For residents with Alzheimer's disease whose conditions have stabilized, the evaluation team may recommend continued placement on the unit if it finds that placement is necessary to avoid a likely recurrence of the condition that was the purpose of the initial placement on the unit.~~

~~19.6 STAFFING. The facility shall provide a sufficient number of qualified staff to meet fully the needs of residents in the secure unit, which may require a higher staffing ratio than in other units in the facility, particularly on the night shift.~~

~~19.6.1 Staff in the special secure unit shall be experienced and trained in the particular needs and care of the types of residents in the unit.~~

~~19.6.2 For residents in the secure unit, the facility shall provide additional social work and activities staff to meet the social, emotional, and recreational needs of the residents and the social and emotional needs of their families in coping with the resident's illness.~~

~~19.6.3 For residents with mental illness, the facility shall provide staff who have demonstrated knowledge and skill in caring for residents with mental illness.~~

~~19.7 PROGRAMS. In addition to meeting the special medical and nursing needs of each resident in the secure unit, the facility shall provide social services and activity programs especially designed for the residents of the secure unit to avoid programmatic isolation.~~

~~19.7.1 Activities and social services programs shall include the opportunity for regular interaction with non-confused residents of the facility and regular interaction with the community outside the facility.~~

~~19.7.2 Residents of the secure unit may not be locked into or out of their rooms, except that facilities that are "designated" or "placement" facilities under 27-10-101, C.R.S. et seq, may use seclusion under procedures prescribed by Department of Human Services' regulations.~~

~~19.8 PHYSICAL FACILITIES. In addition to the physical plant requirements of these regulations, the facility shall provide at least 10 square feet per resident (excluding hallways) of common areas within the secure unit.~~

~~19.8.1 The facility shall identify its method for securing the unit and establish and implement procedures for monitoring the effectiveness of the security system.~~

~~19.8.2 Any facility that has an outside area or yard that residents in the non-secure areas of the facility may use shall establish a secure outside area for residents of the secure unit.~~

~~19.8.3 In accordance with 6 CCR 1011-1, Chapter II, Part 4, a facility may seek a waiver from the standards required in Part 18 of this Chapter that may be detrimental to resident needs, safety, or health.~~

## **~~Part 20. HOUSEKEEPING SERVICES~~**

~~20.1 ORGANIZATION. Each facility shall establish an organized housekeeping service that keeps the facility clean and orderly and free from odor resulting from poor housekeeping practices.~~

~~20.1.1 The facility shall provide a sufficient number of housekeeping personnel and adequate equipment.~~

~~20.1.2 Deodorizers shall not be used to cover up odors caused by unsanitary conditions, poor nursing care, or housekeeping practices.~~

~~20.2 EQUIPMENT AND SUPPLIES. Suitable equipment and supplies shall be provided for cleaning of all surfaces. Such equipment shall be maintained in a safe, sanitary condition.~~

~~20.3 DISINFECTANTS. Disinfectants shall be only those registered by the manufacturer with the United States Environmental Protection Agency and shall be stored in a manner approved by the Department.~~

~~20.4 STORAGE. Storage areas, attics, and cellars shall be kept safe and free from accumulations of extraneous materials such as refuse, discarded furniture, and old newspapers.~~

~~20.4.1 Combustibles such as cleaning rags and compounds shall be kept in closed metal containers.~~

~~20.4.2 Cleaning compounds and other hazardous substances (including products labeled "Keep out of reach of children" on their original containers) shall be clearly labeled to indicate contents and (except when a staff member is present) shall be stored in a location sufficiently secure to deny access to confused residents. Janitors' rooms used for storing disinfectants and detergent concentrates, caustic bowl and tile cleaners, and insecticides shall be locked.~~

~~20.4.3 Paper towels, tissues, and other absorbent paper goods shall be stored in a manner that prevents their contamination prior to use.~~

~~20.5 CLEANING METHODS. Cleaning shall be performed in a manner to minimize the spread of pathogenic organisms. Floors shall be cleaned regularly.~~

~~20.6 FLOOR SURFACES. Uncarpeted floors and adjacent base coving shall be maintained to provide a smooth, continuous, washable surface that is free of discoloration or staining. Polishes applied to~~



uncarpeted floors shall provide a nonslip surface; throw or scatter rugs shall not be used except for nonslip entrance mats.

20.7 HANDWASHING. All personnel shall wash their hands thoroughly after handling waste products.

20.8 TRAINING AND SUPERVISION. Housekeeping personnel shall receive adequate supervision. Frequent in-service training programs shall be provided for housekeeping personnel.

20.9 POISON CONTROL. The facility shall maintain at each nurses' station a current list of potentially hazardous substances in regular use by housekeeping and other staff and the name, manufacturer, EPA registration number, notation of where used and by whom, where stored, cautionary information, antidote if any, and phone number of the poison control center.

## **Part 21. LINEN AND LAUNDRY**

21.1 LAUNDRY FACILITIES. Laundry facilities and/or contract with commercial laundry shall be provided with the necessary washing, drying, and ironing equipment having sufficient capacity to process a continuous seven-day supply based on ten pounds of dry laundry per bed per day. Laundry equipment shall meet all safety and sanitary requirements. The equipment shall be designed and installed to comply with all state and local laws. Laundry equipment, processing, and procedures shall render soiled linen and patient clothing clean and free from detergent, soap, and other chemical residues.

21.1.1 Laundry facilities and operations shall be located in an area separated from Resident Care Units.

21.1.2 In facilities constructed after the effective date of these regulations, there shall be proper spacing and placing of the equipment to minimize material transportation and operation, to avoid all cross traffic between clean and soiled linen, to provide balance of operations, and to provide storage between operations. The general air movement shall be from the cleanest areas to the most contaminated areas. Soiled laundry shall be processed frequently enough to prevent excessive unsanitary accumulations.

21.2 WASHING TEMPERATURE. The temperature of water during the washing and hot rinsing process shall be a minimum of 130 degrees F and for a combined period of time of at least 25 minutes, and the detergent shall be compatible with the wash cycle and temperature (as evidenced by purveyor statement or literature kept for inspection). Washers shall not be overloaded so as to limit adequate movement of contents and flow of water through the fabrics.

21.3 COMMERCIAL LAUNDRY SERVICES. If laundry facilities are not provided entirely within the facility there shall be a written contract between the facility and a commercial laundry service that provides for compliance with Section 21.2.

21.4 RESIDENT LINEN SUPPLY. Linen supply (top and bottom sheets, pillowcases, washcloths, bath and face towels) shall be at least three complete changes times the number of licensed beds. All linens shall be maintained clean, in good repair.

21.5 SOILED LINEN HANDLING. In removing and handling soiled linen from a bed, there shall be minimal shaking of the linen. Soiled linen, including blankets, shall be placed in bags tightly closed before removal from a bedroom. The bags shall remain closed, shall be removed from the Resident Care Unit at least every eight hours.

21.6 INFECTIOUS DISEASE LINEN. All linens and blankets from residents with infectious disease shall be placed in special bags identified "contaminated" and transported in these closed bags. Special



measures shall be taken to insure the disinfection of contaminated laundry and protection of persons doing laundry.

~~21.7 SORTING AND PRE RINSING. Pre-rinsing shall be permitted only in a designated room where approved facilities are provided. Sorting and all other linen and laundry operations shall be confined to the laundry facility and shall not be permitted in the resident's room, bathtub, shower, lavatory or janitor's closets.~~

~~21.8 LINEN CHUTES. If linen chutes are used, all soiled linen, clothing, and other items deposited in them shall first be enclosed in bags before placing them in chute. Linen chutes shall be cleaned regularly by methods approved by the Department.~~

~~21.9 SOILED LINEN CARTS. Carts and hampers used to transport soiled linen shall be constructed of or lined with impervious materials, cleaned and disinfected after use, and used only for transporting soiled linen.~~

~~21.10 SOILED LINEN STORAGE. The facility shall provide a separate soiled linen storage and sorting area, mechanically ventilated to the outside atmosphere. No re-circulation of air from this area is permitted.~~

~~21.11 HANDWASHING EQUIPMENT. Handwashing facilities shall be provided in the laundry facility.~~

~~21.12 HANDWASHING. All personnel shall wash their hands thoroughly after handling any soiled linen.~~

~~21.13 RESIDENT CLOTHING. Resident clothing and other laundry shall be processed and stored in a manner approved by the Department.~~

~~21.14 CLEAN LINEN STORAGE. A clean linen folding/storage room shall be provided as part of the laundry area, located adjacent to the drying equipment. Positive pressure shall be maintained in this area. Storage for clean linen for current use shall be provided on each Resident Care Unit.~~

~~21.15 CLEAN LINEN HANDLING. Clean linen shall be transported in a manner that preserves its clean condition so that it is clean at the site of its use.~~

## **~~Part 22. INFECTION CONTROL~~**

~~22.1 INFECTION CONTROL PROGRAM. The facility shall have an infection control program that provides in-service training on infection control and shall have current infection control policies and procedures available to all staff members.~~

~~22.2 POLICIES. The facility shall have and follow the following written policies approved by the governing body 1) a policy prohibiting admission of residents who have a communicable disease with a significant risk of transmission to other persons, as determined by the Department; 2) a policy for preventing transmission of disease in the facility that is applicable to any resident who is discovered to have a communicable disease after admission or to any employee with a communicable disease; and 3) a policy of reporting diseases to the state or local health department, pursuant to regulations promulgated by the Board of Health pertaining to control of communicable diseases.~~

~~22.2.1 By itself the fact that a resident or employee has a communicable infection that is primarily transmitted either sexually or by blood products shall not prevent admission to or employment by the facility. Decisions concerning the admission or employment of such individuals should be made by the individual's personal physician in conjunction with the professional staff of the facility. Upon order of a physician, residents with such infectious diseases may be admitted to facilities. The facility shall observe the following precautions for residents with such conditions:~~

~~(1) Staff shall wash hands before and after working with such residents.~~

~~(2) Staff shall exercise caution when handling sharp objects such as needles around such residents. Needles shall not be recapped, broken off, or disposed of in other than puncture-proof containers.~~

~~(3) Linen and clothing of such residents shall be washed in water of at least 140-degree temperature.~~

~~(5) Staff shall wear disposable gloves when handling items soiled with blood or body fluids, but gowns and masks are not necessary except where staff performs a procedure requiring extensive contact with blood or body fluids.~~

~~(6) If resuscitation appears necessary, equipment shall be immediately at hand to minimize the need for mouth-to-mouth resuscitation.~~

~~(7) Wearing disposable gloves, staff shall immediately clean up spills of blood or bodily fluid from such residents. Staff shall then disinfect the contaminated area using an appropriate concentration of a disinfectant certified by the manufacturer to be effective as used. Appropriate concentrations of phenol disinfectant or chlorine bleach may be used.~~

~~(8) All disposable equipment containing infective waste shall be disposed of in the room where it is used in sturdy plastic bags and then rebagged outside the room. It shall either be autoclaved or incinerated prior to disposal in a sanitary landfill.~~

~~(9) A private room is indicated if resident hygiene is poor (e.g., the resident does not wash hands after touching infective material, contaminates the environment with infective material, or shares contaminated material with other residents). In general, residents infected with the same organism may share a room. The resident shall be permitted to eat with other residents and be encouraged to participate in activities inside and outside the facility.~~

~~(10) Health care workers with colds or other communicable diseases shall not be assigned to care for such residents, since the residents are highly vulnerable to infection. Health care workers with HIV infection or other immunosuppressive disorders should not be required to work with residents with communicable diseases.~~

~~22.3 RESIDENT ISOLATION. Facilities shall provide for the isolation of residents with communicable diseases, as determined by the Department. Facilities shall provide well-ventilated single-bed rooms and separate toilet facilities for residents, when indicated.~~

~~22.4 SANITATION OF NURSING AND RESIDENT CARE EQUIPMENT. Nursing and resident care equipment shall be properly cleaned, sanitized, disinfected or sterilized, and stored. Nursing care equipment that is to be used internally shall be properly cleaned, sterilized and stored after each use; thermometers shall be properly disinfected.~~

~~22.5 DISPOSABLE EQUIPMENT AND SUPPLIES. Single-service disposable nursing care equipment shall be used only once and shall be disposed of in an approved manner. Other disposable nursing care equipment shall be used only for the resident to which assigned. Disposable sterile equipment shall be certified by the distributor as sterile and be destroyed after initial use.~~

~~22.6 PRESSURIZED STEAM. When pressurized steam sterilizers or equivalents are used, they shall be of approved type and necessary capacity for adequate sterilization and all sterilization equipment shall be maintained in good operating condition. Bacteriological methods shall be used to evaluate the effectiveness of pressurized steam sterilization, by at least monthly testing with records maintained.~~

~~22.7 STERILE SOLUTIONS. Water used for sterile solutions shall be distilled and sterilized in flasks that are resistant to heat, chemical and electrical action and are properly sealed, labeled, and stored.~~

~~22.8 HANDWASHING. Personnel shall wash their hands after contact with a resident or with a contaminated object and observe the following techniques: 1) Remove watches and rings, and roll sleeves of clothing above elbows; 2) Wash hands and forearms with soap or detergent with friction, not a brush, and rinse under running water; 3) Repeat the washing procedure two or three times; 4) Dry hands with a disposable towel.~~

~~22.9 SANITATION OF AIR. Design, installation, and operation of heating/cooling/ventilation system shall insure adequate microbial control of the air.~~

~~22.10 PETS. If the facility allows pets, it shall be responsible for their proper care and feeding and shall have them vaccinated and licensed, as appropriate.~~

## **Part 23. PEST CONTROL**

~~23.1 INSECT, PEST AND RODENT CONTROL. The facility shall be maintained free of infestations of insects, arachnids, rodents, and other vermin.~~

~~23.1.1 The facility shall have a pest control program provided by maintenance personnel or by contract with a pest control company using the least toxic and least flammable effective pesticides. The pesticides shall not be stored in patient or food areas and shall be kept under lock and only properly trained responsible personnel shall be allowed to apply them. The application of pesticides shall conform to applicable State of Colorado Pesticide Applicators' Act, Section 35-40 101, et seq., C.R.S.~~

~~23.1.2 Screens or screen doors shall be provided on all exterior openings except where prohibited by fire regulations. Facility doors, door screens, and window screens shall fit with sufficient tightness at their perimeters to exclude vermin.~~

## **Part 24. WASTE DISPOSAL**

~~24.1 SEWAGE AND SEWER SYSTEMS. All sewage shall be discharged into a public sewer system, or if such is not available, disposed of in a manner approved by the State and local health authorities and the Colorado Water Quality Control Commission.~~

~~24.1.1 When private sewage disposal systems are in use, records of maintenance and the system design plans shall be kept on the premises.~~

~~24.1.2 No unprotected exposed sewer line shall be located directly above working, storage or eating surfaces in kitchens, dining rooms, pantries, or food storage rooms, or where medical or nursing supplies are prepared, processed, or stored.~~

~~24.2 REFUSE. All garbage and rubbish that is not disposed of as sewage shall be collected in impervious containers in such manner as not to become a nuisance or a health hazard and shall be removed to an outside approved storage area at least once a day.~~

~~24.2.1 The refuse storage area shall be kept clean, and free from nuisance.~~

~~24.2.2 A sufficient number of impervious containers with tight fitting lids shall be provided and kept clean and in good repair.~~

~~24.3 REFUSE CART. Carts used to transport refuse shall be constructed of impervious materials, enclosed, used solely for refuse, and maintained in a sanitary manner.~~

~~24.4 INCINERATORS. Incinerators shall comply with state and local air pollution regulations and be so constructed as to prevent insect and rodent breeding and harborage. The facility shall obtain a permit to operate an incinerator from the State Air Pollution Control Division and maintain the permit on file. [Eff. 04/30/2009]~~

## **Part 25. PHYSICAL PLANT STANDARDS**

~~25.1 COMPLIANCE WITH FGI GUIDELINES. Effective July 1, 2013, all long term care nursing facilities shall be constructed in conformity with the standards adopted by the Director of the Division of Fire Prevention and Control (DFPC) at the Colorado Department of Public Safety. For construction initiated or systems installed on or after July 1, 2013, that affect patient health and safety and for which DFPC has no applicable standards, each facility shall conform to the relevant section(s) of the Guidelines for Design and Construction of Health Care Facilities, (2010 Edition), Facilities Guidelines Institute. The Guidelines for Design and Construction of Health Care Facilities, (2010 Edition), Facilities Guidelines Institute (FGI), is hereby incorporated by reference and excludes any later amendments to or editions of the Guidelines. The 2010 FGI Guidelines are available at no cost in a read only version at: [http://openpub.realread.com/rrserver/browser?title=/FGI/2010\\_Guidelines](http://openpub.realread.com/rrserver/browser?title=/FGI/2010_Guidelines)~~

## **Part 26. RELIGIOUS TREATMENT EXCLUSIONS**

~~26.1 EXCEPTION OF CERTAIN FACILITIES. Nothing in this Part applies to any nursing facility conducted by or for the adherents of any well recognized church or religious denomination for the purpose of providing facilities for the care and treatment of the sick who depend exclusively upon spiritual means through prayer for healing in the practice of the religion of such church or denomination~~

~~26.2 EXCEPTION FOR RELIGIOUS BELIEFS. Nothing in this chapter authorizes the Department to impose on a resident any mode of treatment inconsistent with the resident's religious belief.~~

## **Part 27. MEDICAID CERTIFICATION STANDARDS**

~~27.1 For the purpose of fulfilling its facility certification responsibilities as the State Survey Agency pursuant to the requirements of Title XIX (Medicaid) of the Social Security Act (42 U.S.C. Section 1396(a), et seq.) and the Colorado Medical Assistance Act, Section 25.5-4-104, et seq., C.R.S., the Department shall apply and enforce the Skilled Nursing Facility and Intermediate Care Facility certification standards of the U.S. Department of Health and Human Services as those standards presently exist pursuant to Title XIX. (These standards are presently contained in Title 42 of the Code of Federal Regulations (C.F.R.)).~~

## **Part 28. ENFORCEMENT REMEDIES**

~~28.1 Sections 25-2-107.5 and 25.5-6-205, C.R.S. provide the authority for the Department to recommend to the Department of Health Care Policy and Financing that a civil money penalty imposed against a nursing facility that violates federal regulations for participation in the Medicaid program as enumerated in 42 USC 1396r(h) (2006).~~

~~28.2 Collection, enforcement, and assessment of a civil money penalty pursuant to this chapter and the denial of Medicaid payments, shall be the responsibility of the Department of the Health Care Policy and Financing and shall be made upon recommendation of the Department of Public Health and Environment pursuant to section 25.5-6-205, C.R.S.~~

~~28.3 Definitions. For purposes of this part, the following definitions shall apply:~~

(a) ~~“Deficiency” or “violation” means any failure to comply with a requirement of participation for which the facility is required to take some form of corrective action.~~

(b) ~~“Enforcement remedy or remedies” means any remedy or combination of remedies, in accordance with 42 USC 1396r(h) and sections 25-1-107.5 and 25.5-6-205, C.R.S., which may be imposed by the Department or recommended by the Department for imposition by the Department of Health Care Policy and Financing against any nursing facility which fails to meet any one of the enumerated requirements for participation in the Medicaid program. Remedies include, but are not limited to:~~

~~(1) a plan of correction,~~

~~(2) a directed plan of correction,~~

~~(3) monitoring of a facility by the state survey agency,~~

~~(4) full or partial bans on admissions,~~

~~(5) denial of payment under the state Medicaid plan with respect to any individual admitted to the nursing facility involved after such notice to the public and the facility as may be provided for by law,~~

~~(6) civil money penalties,~~

~~(7) temporary management,~~

~~(8) termination of the facility's participation under the state plan, and~~

~~(9) receivership as provided by section 25-3-108, C.R.S.~~

(c) ~~“HCPF” means the Colorado Department of Health Care Policy and Financing.~~

(d) ~~“Nursing facility” means any skilled or intermediate nursing care facility which receives federal and state funds under the Title XIX of the federal Social Security Act.~~

(e) ~~“Nursing Home Penalty Cash Fund” means the fund created pursuant to section 25.5-6-205, C.R.S.~~

(f) ~~“Plan of correction” means a written plan prepared by the facility and approved by the department that describes the actions the facility will take to correct noted deficiencies and specifically sets the date the corrective action will be accomplished.~~

(g) ~~“Requirements of participation” means those requirements of participation in the medicaid program as enumerated in 42 USC 1396r (h) of the federal Omnibus Budget Reconciliation Act of 1987, 1989, and 1990, regulations promulgated pursuant to those acts, and section 25-1-107.5, C.R.S.~~

(h) ~~“Secretary” means the secretary of the federal department of Health and Human Services.~~

(i) ~~“Scope” means the frequency of the occurrence of the deficiency in one of the following levels:~~

~~(1) Level 1. The deficiency exists in only one or a limited number of cases.~~

~~(2) Level 2. The deficiency exists in more than a limited number of cases, but no pattern can be identified.~~

~~(3) Level 3. The deficiency exists in more than a limited number of cases and indicates a pattern.~~

~~(4) Level 4. The deficiency occurs in sufficient number among residents or staff or with sufficient regularity that it can be considered systemic/pervasive.~~

~~(j) "Severity" means the seriousness of the deficiency in one of the following levels:~~

~~(1) Level 1. Any deficiency not meeting the criteria for Levels 2, 3, or 4.~~

~~(2) Level 2. Any deficiency which may result in a negative outcome to the resident or residents.~~

~~(3) Level 3. Any deficiency which has resulted in a negative outcome to the resident or residents.~~

~~(4) Level 4. Any deficiency which has a high probability that serious harm or serious injury to residents could occur at any time, or already has occurred and may well occur again if residents are not protected effectively from the harm, or the threat is not removed.~~

~~(k) "Temporary management" means the temporary utilization of a substitute manager pursuant to either an agreement between the licensee and the department or pursuant to section 25-3-108, et seq., C.R.S.~~

~~(l) "Negative outcome" means that the impact of the facility's deficient practice on the resident or residents is:~~

~~(1) The physical, mental or psychosocial deterioration of the resident or residents, or~~

~~(2) The ability of the resident or residents to achieve the highest practicable physical, mental, or psychosocial well being has been compromised.~~

~~(m) "Repeat deficiency" means a subsequent deficiency with comparable circumstances or the same tag number, unless the department determines that the circumstances of the previous deficiency are so dissimilar that it would not be proper to consider the deficiency to be a repeat.~~

~~28.4 If the Department, as a result of a standard survey, extended survey, or verified complaint or other investigation by the Department at any time upon reasonable cause, determines that a facility fails to meet the requirements of participation as defined herein and further determines that such failure places the health or safety of the facility's residents in serious and immediate jeopardy, the Department shall take immediate action to remove such jeopardy and correct the deficiency, by either:~~

~~(a) temporary management, or~~

~~(b) termination of the facility's participation in the state plan.~~

~~28.4.1 In addition to the action taken pursuant to 28.4, the Department may apply any other remedy as provided by law or regulation.~~

28.4.2 If the Department, as a result of a standard survey, extended survey, or verified complaint or other investigation by the Department at any time upon reasonable cause, determines that a facility fails to meet the requirements of participation and further determines that such failure does not place the health or safety of the facility's residents in serious and immediate jeopardy, the Department may take action to correct the deficiency including the application of any remedy designed to minimize the length of time between the identification of a deficiency indicating failure to meet a requirement of participation and the correction of that deficiency. Such a remedy shall not be limited to those remedies enumerated in 28.3(b).

28.5 In determining which remedies to apply, the Department shall consider the severity of the deficiency and shall, in addition to any other remedies provided by law or regulation, impose the remedies provided by 28.3(b) as follows:

(a) For a deficiency of severity Level 1, the Department shall impose the remedy specified in 28.3(b)(1) and may impose the remedies specified in 28.3(b)(2). For a repeat deficiency within a fifteen (15) month period, the Department shall impose the remedy specified in 28.3(b)(1), or (2), and may impose the remedy specified in 28.3(b)(6).

(b) For a deficiency of severity Level 2, the Department shall impose the remedies specified in 28.3(b)(1), or (2), and may impose the remedies specified in 28.3(b)(3) and/or (6). For a repeat deficiency within a fifteen (15) month period, the Department shall impose the remedies specified in 28.3(b)(1) or (2) and may impose the remedies specified in 28.3(b)(3) and/or (6).

(c) For a deficiency of severity Level 3, the Department shall impose the remedies specified in 28.3(b)(1) or (2), and if the scope of the deficiency is Level 4, shall impose the remedies specified in 28.3(b)(3) or (4) or (5) or (6), and may impose any available remedies. For a repeat deficiency within a fifteen (15) month period, the Department shall impose the remedies specified in 28.3(b)(1) or (2), and (3), or (4), or (5), or (6) and may impose any available remedy.

(d) For a deficiency of severity Level 4, the Department shall impose the remedies specified in 28.3(b)(1) or (2), and (6) and (7) or (8). In addition, the Department may impose any other available remedy. For a repeat deficiency within a fifteen (15) month period, the Department shall impose the remedies specified in 28.3(b)(2) and (6) and (7) or (8). In addition, the Department may impose any available remedy.

28.6 The Department shall make a recommendation in a timely manner to HCPF that a civil money penalty be assessed against a facility for failure to comply with a requirement of participation if the Department determines that a civil money penalty is an appropriate remedy.

(a) The Department shall consider all mitigating factors, including but not limited to, a change of ownership of the facility subject to the approval of the Department as provided in 6 CCR 1011-1, Chapter II.

(b) A civil money penalty shall not be recommended under circumstances where the relevant deficiency occurred for reasons outside the nursing facility's reasonable control or despite reasonable, good faith efforts to avoid the deficiency.

28.7 Pursuant to 25-1-107.5, C.R.S., if the Department determines that recommendation of a civil money penalty is appropriate, the Department shall adopt criteria for determining the amount of the penalty to be recommended for assessment by HCPF. Such criteria shall include, but need not be limited to, consideration of the following factors:

(a) The period of time over which the violation occurred;



~~(b) The frequency of the violation;~~

~~(c) The nursing facility's history concerning the type of violation for which the penalty is assessed;~~

~~(d) The nursing facility's intent or reason for the violation;~~

~~(e) The effect, if any, of the violation on residents' health, safety, security, or welfare; i.e., severity;~~

~~(f) The existence of other violations, in combination with the violation for which the penalty is assessed, which increase the threat to residents' health, safety, security, or welfare;~~

~~(g) The accuracy, thoroughness and availability of records regarding the violation which the nursing facility is required to maintain; and~~

~~(h) The number of additional related violations occurring within the same time span as the violation in question.~~

~~28.7.1 In determining the amount of a civil money penalty, multiple violations of different requirements of participation resulting from a single act shall be considered as one violation. However, this shall not preclude their consideration under 28.7(f) or (h) above.~~

~~28.7.2 Any civil money penalty which is recommended to HCPF for imposition by that Department shall be not less than \$100 nor more than \$10,000 for each day the facility is found to have been in violation of the federal regulations. Penalties assessed shall include interest at the statutory rate.~~

~~28.7.3 Any such civil money penalty shall accrue from the date the facility receives written notice from the Department regarding its recommendation of a civil money penalty. In the event the Department determines that a violation is life threatening to one or more residents or creates a direct threat or serious adverse harm to the health, safety, security, rights or welfare of one or more residents, a penalty shall be imposed for each day the deficiencies which constitute the violation are found to exist. The period of time during which the civil money penalty accrues shall be as follows:~~

~~(a) No longer than six (6) months in the case of non-serious or non-immediate threat.~~

~~(b) Until the Department verifies the deficiency is corrected or the facility notifies the Department that the deficiency is corrected, whichever is earlier.~~

~~(1) If the facility acts in a timely and diligent manner to correct the violation in accordance with a plan of correction as agreed to by the Department, the Department shall recommend to HCPF that the penalty be suspended or reduced for the period of the plan of correction.~~

~~(2) In the event the facility has not corrected the violation, pursuant to the notice provided by the facility, the penalty shall be reinstated at an increased amount retroactive to the date the penalty was tolled.~~

~~(3) For the purposes of this provision, the plan of correction must contain a reasonable and appropriate plan of action and timetable to completely correct the deficiency. This provision (plan of correction) shall not apply in cases of repeat deficiencies or those with a severity level of 4.~~



~~28.8 The Department shall notify the facility, by personal service, first class mail, or electronic transmission ("fax"), of its recommendation of the imposition of a civil money penalty and the amount of any such penalty not later than the fifth day following the last day of the inspection or survey on which the deficiencies which constitute the violation were found. The notice shall explain the deficiencies that are the basis for the recommendation and shall provide instructions for responding to the notice, including that the facility submit a written plan of correction.~~

~~28.8.1 After notice pursuant to 28.8 above, a facility may notify the Department of the correction of the deficiency for which the civil money penalty is being recommended. Such initial notice to the Department may be given by telephone, electronic transmission ("fax"), or in person, but shall be documented by a writing postmarked within five (5) business days of the initial notification to the Department.~~

~~28.8.2 It shall be the responsibility of HCPF pursuant to section 25.5-6-205, C.R.S., to provide for an appeal process for any facility which has a civil money penalty assessed against it for failure to meet a requirement of participation.~~

~~28.9 If a facility fails to correct a deficiency or deficiencies within three (3) months after the date the facility is found by HCPF to be out of compliance with a requirement of participation pursuant to 25-1-107.5, C.R.S., the Department shall recommend to HCPF denial of payment under the state plan with respect to any individual admitted to the facility involved after such notice to the public and the facility as is provided for by the state.~~

~~28.10 If a facility has provided a substandard quality of care to the residents as evidenced by three consecutive standard surveys, the Department shall take the actions set forth in (a) and (b) below and may take any such additional action allowed by statute or regulation, including recommending that a civil money penalty be imposed by HCPF.~~

~~(a) Recommend to HCPF that payment be denied under the state plan with regard to any individual admitted to the facility involved after such notice to the public and to the facility as may be provided for by the state; and~~

~~(b) Monitor the facility until such time as it has demonstrated to the satisfaction of the Department that it is in compliance with the requirements and that it has the management capacity to remain in compliance.~~

~~28.11 Nothing in this Part shall preclude the Department from recommending alternative remedies as provided by law so long as such remedy or remedies are deemed to be at least as effective in correcting the violation and deterring future violations as those remedies enumerated in the federal Omnibus Budget Reconciliation Act of 1987, 1989, and 1990, 42 USC 1396r(h).~~

~~28.11.1 Nothing in this Part shall be construed as limiting, negating, or superseding any other remedy available for use by the Department to correct a deficiency or deficiencies. In recommending or selecting a particular remedy, the primary consideration shall be the selection of the remedy or remedies most likely to achieve correction of the relevant deficiency and long term compliance.~~

~~28.12 The Department shall, in conjunction with HCPF, establish circumstances under which the funds of the Nursing Home Penalty Cash Fund may be disbursed in order to protect the health or property of residents. Those circumstances shall include, but not be limited to, the following:~~

~~(a) relocating residents to other facilities if necessary;~~

~~(b) maintaining the operation of a facility pending completion of a plan of correction or directed plan of correction;~~

1                   (c) ~~maintaining the operation of a facility pending closure; and~~

2                   (d) ~~reimbursing residents for personal funds lost.~~

3           28.12.1 ~~Neither the Department nor HCPF may use money from the Nursing Home Penalty Cash Fund~~  
4           ~~to pay the costs of administration of those departments.~~

5           28.12.2 ~~At the end of the fiscal year, all unexpended and unencumbered moneys remaining in the~~  
6           ~~Nursing Home Penalty Cash Fund must remain in the fund and may not be transferred or~~  
7           ~~credited to the general fund.~~

8   **Part 29. LICENSING FEES**

9   29.1 ~~All license fees are non-refundable. The total fee shall be submitted with the appropriate license~~  
10   ~~application.~~

11   29.2 ~~Initial license—\$6,000 per facility.~~

12   29.3 ~~Renewal license—Effective April 1, 2011, the annual renewal fee shall be as follows.~~

13   ~~Medicare and/or Medicaid certified facility: \$1,600 base fee plus \$8 per bed.~~

14   ~~Non-certified facility: \$3,480 base fee plus \$8 per bed.~~

15   29.4 ~~Change of ownership—Change of ownership shall be determined in accordance with the criteria set forth~~  
16   ~~in 6 CCR 1011-1, Chapter II, Part 2. The fee shall be \$6,000 per facility.~~

17   29.5 ~~Opening a secure unit—A facility that wishes to open a secure unit shall submit a fee of \$1,600 in addition~~  
18   ~~to any other applicable license fees.~~

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**DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT****Health Facilities and Emergency Medical Services Division****STANDARDS FOR HOSPITALS AND HEALTH FACILITIES: CHAPTER 5 - NURSING CARE FACILITIES****6 CCR 1011-1 Chap 05**

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## SECTION 1 - STATUTORY AUTHORITY AND APPLICABILITY

1.1 THE STATUTORY AUTHORITY FOR THE PROMULGATION OF THESE RULES IS SET FORTH IN SECTIONS 25-1-107.5, 25-1.5-103 AND 25-3-101, ET SEQ., C.R.S.

1.2 A NURSING CARE FACILITY SHALL COMPLY WITH ALL APPLICABLE FEDERAL AND STATE STATUTES AND REGULATIONS INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

A) THIS CHAPTER 5;

B) 6 CCR 1011-1, CHAPTER 2, GENERAL LICENSURE STANDARDS;

C) 6 CCR 1010-2, COLORADO RETAIL FOOD ESTABLISHMENTS; AND

D) 6 CCR 1007-2, PART 1, REGULATIONS PERTAINING TO SOLID WASTE SITES AND FACILITIES, SECTION 13, MEDICAL WASTE.

1.3 THIS REGULATION INCORPORATES BY REFERENCE (AS INDICATED WITHIN) MATERIAL ORIGINALLY PUBLISHED ELSEWHERE. SUCH INCORPORATION, HOWEVER, EXCLUDES LATER AMENDMENTS TO OR EDITIONS OF THE REFERENCED MATERIAL. PURSUANT TO SECTION 24-4-103 (12.5), C.R.S., THE HEALTH FACILITIES AND EMERGENCY MEDICAL SERVICES DIVISION OF THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT MAINTAINS COPIES OF THE INCORPORATED TEXTS IN THEIR ENTIRETY WHICH SHALL BE AVAILABLE FOR PUBLIC INSPECTION DURING REGULAR BUSINESS HOURS AT:

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
HEALTH FACILITIES AND EMERGENCY MEDICAL SERVICES DIVISION  
4300 CHERRY CREEK DRIVE SOUTH  
DENVER, COLORADO 80246-1530  
PHONE: 303-692-2800

CERTIFIED COPIES OF MATERIAL WILL BE PROVIDED BY THE DIVISION, AT COST, UPON REQUEST. ADDITIONALLY, ANY MATERIAL THAT HAS BEEN INCORPORATED BY REFERENCE MAY BE EXAMINED IN ANY STATE PUBLICATIONS DEPOSITORY LIBRARY. COPIES OF THE INCORPORATED MATERIALS HAVE BEEN SENT TO THE STATE PUBLICATIONS DEPOSITORY AND DISTRIBUTION CENTER, AND ARE AVAILABLE FOR INTERLIBRARY LOAN.

## SECTION 2 - DEFINITIONS

AT-RISK ELDER MEANS A PERSON AGE 70 AND OLDER.

DEPARTMENT MEANS THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

DESIGNATED FACILITY MEANS AN AGENCY THAT HAS APPLIED AND BEEN APPROVED BY THE DEPARTMENT OF HUMAN SERVICES TO PROVIDE MENTAL HEALTH SERVICES.

ENFORCEMENT ACTIVITY MEANS THE IMPOSITION OF REMEDIES SUCH AS CIVIL MONEY PENALTIES; APPOINTMENT OF A RECEIVER OR TEMPORARY MANAGER; CONDITIONAL LICENSURE; SUSPENSION OR REVOCATION OF A LICENSE; A DIRECTED PLAN OF CORRECTION; INTERMEDIATE RESTRICTIONS OR CONDITIONS, INCLUDING RETAINING A CONSULTANT, DEPARTMENT MONITORING OR PROVIDING ADDITIONAL TRAINING TO EMPLOYEES, OWNERS OR OPERATORS; OR ANY OTHER REMEDY PROVIDED BY STATE OR FEDERAL LAW OR AS AUTHORIZED BY FEDERAL SURVEY, CERTIFICATION, AND ENFORCEMENT REGULATIONS AND AGREEMENTS FOR VIOLATIONS OF FEDERAL OR STATE LAW.

GOVERNING BODY MEANS THE INDIVIDUAL, GROUP OF INDIVIDUALS OR CORPORATE ENTITY THAT HAS ULTIMATE AUTHORITY AND LEGAL RESPONSIBILITY FOR THE OPERATION OF THE FACILITY.

- 1 MEDICAL DIRECTOR MEANS A PHYSICIAN WHO OVERSEES THE MEDICAL CARE AND OTHER DESIGNATED CARE AND  
2 SERVICES IN THE FACILITY.
- 3 NON-PHYSICIAN PRACTITIONER MEANS A PHYSICIAN ASSISTANT OR ADVANCE PRACTICE NURSE (I.E., NURSE  
4 PRACTITIONER OR CLINICAL NURSE SPECIALIST).
- 5 NURSING CARE FACILITY MEANS A LICENSED HEALTH CARE ENTITY THAT IS PLANNED, ORGANIZED, OPERATED AND  
6 MAINTAINED TO PROVIDE SUPPORTIVE, RESTORATIVE AND PREVENTATIVE SERVICES TO PERSONS WHO, DUE TO PHYSICAL  
7 AND/OR MENTAL DISABILITY, REQUIRE CONTINUOUS OR REGULAR INPATIENT NURSING CARE.
- 8 PLACEMENT FACILITY MEANS A PUBLIC OR PRIVATE NURSING CARE FACILITY THAT HAS A WRITTEN AGREEMENT WITH A  
9 DESIGNATED FACILITY TO PROVIDE CARE AND TREATMENT TO ANY INDIVIDUAL UNDERGOING MENTAL HEALTH EVALUATION  
10 OR TREATMENT BY THE DESIGNATED FACILITY.
- 11 PRACTITIONER MEANS PHYSICIAN AND NON-PHYSICIAN PRACTITIONER.
- 12 RESIDENT REPRESENTATIVE MEANS AN INDIVIDUAL OF THE RESIDENT'S CHOICE WHO HAS ACCESS TO INFORMATION AND  
13 PARTICIPATES IN HEALTH CARE DISCUSSIONS OR A PERSONAL REPRESENTATIVE WITH LEGAL STANDING INCLUDING, BUT  
14 NOT LIMITED TO, POWER OF ATTORNEY; MEDICAL POWER OF ATTORNEY; LEGAL GUARDIAN OR HEALTH CARE SURROGATE  
15 APPOINTED OR DESIGNATED IN ACCORDANCE WITH STATE LAW.
- 16 SKILLED NURSING CARE FACILITY MEANS A NURSING CARE FACILITY THAT IS FEDERALLY CERTIFIED BY THE CENTERS FOR  
17 MEDICARE AND MEDICAID SERVICES.
- 18 TELEHEALTH MEANS A MODE OF DELIVERY OF HEALTH CARE SERVICES THROUGH TELECOMMUNICATION SYSTEMS,  
19 INCLUDING INFORMATION, ELECTRONIC, AND COMMUNICATION TECHNOLOGIES, TO FACILITATE THE ASSESSMENT,  
20 DIAGNOSIS, CONSULTATION, TREATMENT, EDUCATION AND CARE MANAGEMENT OF A RESIDENT'S HEALTH CARE WHEN THE  
21 RESIDENT AND PRACTITIONER ARE LOCATED AT DIFFERENT SITES. TELEHEALTH INCLUDES "TELEMEDICINE" AS DEFINED IN  
22 SECTION 12-36-102.5, C.R.S.

### 23 **SECTION 3 - GOVERNING BODY**

#### 24 **3.1 DUTIES**

- 25 A) THE GOVERNING BODY SHALL PROVIDE THE NECESSARY FACILITIES, QUALIFIED PERSONNEL, AND  
26 SERVICES TO MEET THE TOTAL NEEDS OF THE FACILITY'S RESIDENTS.
- 27 B) THE GOVERNING BODY SHALL APPOINT FOR THE FACILITY A FULL-TIME ADMINISTRATOR WITH AN ACTIVE  
28 COLORADO NURSING HOME ADMINISTRATOR LICENSE AND DELEGATE TO THAT ADMINISTRATOR THE  
29 EXECUTIVE AUTHORITY AND FULL RESPONSIBILITY FOR DAY-TO-DAY ADMINISTRATION OF THE FACILITY.
- 30 C) THE GOVERNING BODY SHALL BE RESPONSIBLE FOR THE PERFORMANCE OF ALL PERSONS PROVIDING  
31 SERVICES WITHIN THE FACILITY.

#### 32 **3.2 STRUCTURE**

- 33 IF THE GOVERNING BODY INCLUDES MORE THAN ONE INDIVIDUAL, THE GROUP SHALL BE FORMALLY ORGANIZED  
34 WITH A WRITTEN CONSTITUTION OR ARTICLES OF INCORPORATION AND BY-LAWS; HOLD REGULAR, PERIODIC  
35 MEETINGS; AND MAINTAIN MEETING RECORDS.

#### 36 **3.3 QUALITY ASSURANCE**

- 37 THE GOVERNING BODY SHALL ENSURE THAT THE FACILITY HAS A QUALITY MANAGEMENT PROGRAM THAT  
38 EVALUATES THE QUALITY OF RESIDENT CARE AND SAFETY AND MEETS ALL THE REQUIREMENTS SET FORTH IN 6

CCR 1011-2, CHAPTER 2, GENERAL LICENSURE STANDARDS, PART 3.1. THE FACILITY SHALL HAVE A COMMITTEE THAT MEETS MONTHLY TO ADDRESS THE REQUIRED QUALITY MANAGEMENT ACTIVITIES.

#### **SECTION 4 - FACILITY ADMINISTRATION**

##### **4.1 ADMINISTRATOR**

THE FACILITY SHALL EMPLOY AN ADMINISTRATOR WHO IS RESPONSIBLE TO THE GOVERNING BODY FOR PLANNING, ORGANIZING, DEVELOPING AND CONTROLLING THE OPERATIONS OF THE FACILITY.

A) THE ADMINISTRATOR SHALL HAVE AN ACTIVE COLORADO NURSING HOME ADMINISTRATOR LICENSE.

B) THE ADMINISTRATOR SHALL BE RESPONSIBLE FOR, AT A MINIMUM, THE FOLLOWING DUTIES:

1) ACTING AS A LIAISON AMONG THE GOVERNING BODY, MEDICAL STAFF AND PRACTITIONERS WHOSE PATIENTS RESIDE IN THE FACILITY;

2) MANAGING FACILITY PERSONNEL AND FINANCES;

3) PROVIDING FOR APPROPRIATE RESIDENT CARE;

4) MAINTAINING RELATIONSHIPS WITH THE COMMUNITY AND WITH OTHER HEALTH CARE FACILITIES, ORGANIZATIONS AND SERVICES;

5) ENSURING FACILITY AND STAFF COMPLIANCE WITH ALL REGULATIONS; AND

6) ANY OTHER RESPONSIBILITIES REQUIRED BY FACILITY POLICY OR THE GOVERNING BODY.

##### **4.2 ORGANIZATION**

THE FACILITY SHALL HAVE A WRITTEN PLAN OF ORGANIZATION CLEARLY DEFINING THE AUTHORITY, RESPONSIBILITIES AND FUNCTIONS OF EACH CATEGORY OF PERSONNEL.

##### **4.3 POLICIES**

IN CONSULTATION WITH THE MEDICAL DIRECTOR, ONE OR MORE REGISTERED NURSES AND OTHER RELATED HEALTH CARE PROFESSIONALS, THE ADMINISTRATOR SHALL DEVELOP AND AT LEAST ANNUALLY REVIEW WRITTEN RESIDENT CARE POLICIES AND PROCEDURES THAT GOVERN RESIDENT CARE IN THE FOLLOWING AREAS: NURSING; HOUSEKEEPING; MAINTENANCE; SANITATION; INFECTION CONTROL; MEDICAL, DENTAL, DIETARY, DIAGNOSTIC, EMERGENCY AND PHARMACEUTICAL CARE; SOCIAL SERVICES; ACTIVITIES; REHABILITATION; PHYSICAL, OCCUPATIONAL, AND SPEECH THERAPY; RESIDENT ADMISSION, TRANSFER, AND DISCHARGE; NOTIFYING PRACTITIONER AND RESIDENT REPRESENTATIVE OF RESIDENT'S INCIDENTS, ACCIDENTS AND CHANGES OF STATUS; DISASTERS; AND HEALTH INFORMATION RECORDS; ALONG WITH ANY OTHER POLICIES THE DEPARTMENT DETERMINES THE FACILITY NEEDS BASED ON ITS CHARACTERISTICS OF ITS RESIDENT POPULATION.

##### **4.4 FACILITY STAFFING PLAN**

THE FACILITY SHALL HAVE A MASTER STAFFING PLAN FOR PROVIDING STAFFING IN COMPLIANCE WITH THESE REGULATIONS; DISTRIBUTION OF PERSONNEL; REPLACEMENT OF PERSONNEL AND FORECASTING FUTURE PERSONNEL NEEDS.

##### **4.5 POSTING DEFICIENCIES**

1 THE FACILITY SHALL POST CONSPICUOUSLY IN PUBLIC VIEW EITHER THE STATEMENT OF DEFICIENCIES  
2 FOLLOWING ITS MOST RECENT SURVEY OR A NOTICE STATING THE LOCATION AND TIMES AT WHICH THE  
3 STATEMENT CAN BE REVIEWED.

#### 4 4.6 WAIVERS

5 A FACILITY MAY REQUEST WAIVERS TO THESE REGULATIONS PURSUANT TO 6 CCR 1011-1, CHAPTER 2,  
6 GENERAL LICENSURE STANDARDS, PART 4, WAIVER OF REGULATIONS FOR HEALTH CARE ENTITIES.

#### 7 4.7 MANDATORY REPORTING

8  
9 A) FACILITY PERSONNEL ENGAGED IN THE ADMISSION, CARE OR TREATMENT OF AT-RISK ELDERS SHALL  
10 REPORT SUSPECTED PHYSICAL OR SEXUAL ABUSE, EXPLOITATION AND CARETAKER NEGLECT TO LAW  
11 ENFORCEMENT WITHIN 24 HOURS OF OBSERVATION OR DISCOVERY PURSUANT TO SECTION 18-6.5-  
12 108, C.R.S.

13 B) FACILITIES SHALL COMPLY WITH ALL OCCURRENCE AND MANDATORY REPORTING REQUIRED BY STATE  
14 AND FEDERAL LAW INCLUDING, BUT NOT LIMITED TO, NOTIFYING THE DEPARTMENT OF THE FOLLOWING  
15 ITEMS WITHIN 24 HOURS OF DISCOVERY BY THE FACILITY.

16 1) ANY OCCURRENCE INVOLVING NEGLECT OF A RESIDENT BY FAILURE TO PROVIDE GOODS AND  
17 SERVICES NECESSARY TO AVOID THE RESIDENT'S PHYSICAL HARM OR MENTAL ANGUISH;

18 2) ANY OCCURRENCE INVOLVING ABUSE OF A RESIDENT BY THE WILLFUL INFLICTION OF INJURY,  
19 UNREASONABLE CONFINEMENT, INTIMIDATION OR PUNISHMENT WITH RESULTING PHYSICAL  
20 HARM, PAIN OR MENTAL ANGUISH;

21 3) ANY OCCURRENCE INVOLVING AN INJURY OF UNKNOWN SOURCE WHERE THE SOURCE OF THE  
22 INJURY COULD NOT BE EXPLAINED AND THE INJURY IS SUSPICIOUS BECAUSE OF THE EXTENT OR  
23 LOCATION OF THE INJURY; AND

24 4) ANY OCCURRENCE INVOLVING MISAPPROPRIATION OF A RESIDENT'S PROPERTY INCLUDING THE  
25 DELIBERATE MISPLACEMENT, EXPLOITATION OR WRONGFUL USE OF A RESIDENT'S BELONGINGS  
26 OR MONEY WITHOUT THE RESIDENT'S CONSENT.

### 27 SECTION 5 - ADMISSIONS

#### 28 5.1 RESTRICTIONS

29 THE FACILITY SHALL ADMIT ONLY THOSE PERSONS WHOSE NEEDS IT CAN MEET WITHIN THE ACCOMMODATIONS  
30 AND SERVICES IT PROVIDES.

31 A) NO RESIDENT SHALL BE ADMITTED FOR INPATIENT CARE TO ANY ROOM OR AREA OTHER THAN ONE  
32 REGULARLY DESIGNATED AND EQUIPPED AS A RESIDENT BEDROOM.

33 B) THERE SHALL BE NO MORE THAN FOUR RESIDENTS ADMITTED TO A BEDROOM.

#### 34 5.2 BED HOLD POLICIES

35 THE FACILITY SHALL DEVELOP POLICIES FOR HOLDING BEDS AVAILABLE FOR RESIDENTS WHO ARE TEMPORARILY  
36 ABSENT FROM THE FACILITY, PROVIDE A COPY OF THE POLICY UPON ADMISSION AND EXPLAIN THESE POLICIES TO  
37 RESIDENTS UPON ADMISSION AND BEFORE EACH TEMPORARY ABSENCE.

#### 38 5.3 RESIDENT IDENTIFICATION

THE FACILITY SHALL HAVE A MECHANISM FOR IDENTIFICATION OF RESIDENTS.

## SECTION 6 - PERSONNEL

### 6.1 POLICIES

THE FACILITY SHALL MAINTAIN WRITTEN APPROVED PERSONNEL POLICIES, JOB DESCRIPTIONS AND RULES PRESCRIBING THE CONDITIONS OF EMPLOYMENT, MANAGEMENT OF EMPLOYEES AND QUALITY AND QUANTITY OF RESIDENT CARE TO BE PROVIDED.

A) THE FACILITY SHALL COMPLETE A JOB-SPECIFIC ORIENTATION FOR ALL NEW EMPLOYEES WITHIN 90 DAYS OF EMPLOYMENT.

B) ALL PERSONNEL SHALL BE INFORMED OF THE PURPOSE AND OBJECTIVES OF THE FACILITY.

C) ALL PERSONNEL SHALL BE PROVIDED ACCESS TO THE FACILITY'S PERSONNEL POLICIES AND THE FACILITY SHALL PROVIDE EVIDENCE THAT EACH EMPLOYEE HAS REVIEWED THEM.

### 6.2 DEPARTMENTS

EACH DEPARTMENT OF THE FACILITY SHALL BE UNDER THE DIRECTION OF A PERSON QUALIFIED BY TRAINING, EXPERIENCE, AND ABILITY TO DIRECT EFFECTIVE SERVICES.

A) THE FACILITY SHALL PROVIDE A SUFFICIENT NUMBER OF QUALIFIED PERSONNEL IN EACH DEPARTMENT TO EFFECTIVELY OPERATE THE DEPARTMENT AND COMPLY WITH STATE AND FEDERAL REQUIREMENTS.

B) ALL PERSONS ASSIGNED TO DIRECT RESIDENT CARE SHALL BE PREPARED THROUGH FORMAL EDUCATION OR ON-THE-JOB TRAINING IN THE PRINCIPLES, POLICIES, PROCEDURES, AND APPROPRIATE TECHNIQUES OF RESIDENT CARE. THE FACILITY SHALL PROVIDE EDUCATIONAL PROGRAMS FOR EMPLOYEES TO BE INFORMED OF NEW METHODS AND TECHNIQUES.

### 6.3 STAFF DEVELOPMENT

THE NURSING CARE FACILITY SHALL EMPLOY STAFF WHO SHALL BE RESPONSIBLE FOR COORDINATING ORIENTATION, IN-SERVICE, ON-THE-JOB TRAINING AND CONTINUING EDUCATION PROGRAMS, AND FOR DETERMINING THAT FACILITY PERSONNEL HAVE BEEN PROPERLY TRAINED AND ARE IMPLEMENTING THE RESULTS OF THEIR TRAINING. THE OBJECTIVE OF THIS STANDARD IS THAT STAFF BE APPROPRIATELY TRAINED IN NECESSARY ASPECTS OF RESIDENT CARE TO CARRY OUT THEIR JOB RESPONSIBILITIES.

A) THE IDENTIFIED STAFF SHALL HAVE EXPERIENCE IN AND ABILITY TO PREPARE AND COORDINATE IN-SERVICE EDUCATION AND TRAINING PROGRAMS FOR ADULT LEARNERS IN THE AREA OF GERIATRICS.

B) THE FACILITY SHALL IDENTIFY STAFF TO MEET IN-SERVICE, ORIENTATION, TRAINING AND SUPERVISION NEEDS. THE FACILITY SHALL PROVIDE FOR APPROPRIATE FOLLOW-UP.

C) THE FACILITY SHALL PROVIDE ANNUAL IN-SERVICE EDUCATION FOR STAFF IN, AT A MINIMUM, THE FOLLOWING TOPICS:

1) INFECTION CONTROL,

2) FIRE PREVENTION AND SAFETY,

3) ACCIDENT PREVENTION,

4) CONFIDENTIALITY OF RESIDENT INFORMATION,



- 5) REHABILITATIVE NURSING,
- 6) RESIDENT RIGHTS,
- 7) DIETARY,
- 8) PHARMACY,
- 9) DENTAL,
- 10) BEHAVIOR MANAGEMENT,
- 11) PERSON CENTERED CARE, AND
- 12) DISASTER PREPAREDNESS.

D) IF A FACILITY HAS RESIDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, DEMENTIA OR BEHAVIORAL HEALTH ISSUES, IT SHALL ALSO PROVIDE ANNUAL IN-SERVICE EDUCATION FOR STAFF IN THOSE TOPICS.

E) THE FACILITY SHALL MAINTAIN ATTENDANCE RECORDS WITH ORIGINAL SIGNATURES ON IN-SERVICE PROGRAMS AND COURSE MATERIALS OR OUTLINES THAT STAFF WHO ARE UNABLE TO ATTEND THE PROGRAM MAY REVIEW.

#### 6.4 RECORDS

THE FACILITY SHALL MAINTAIN PERSONNEL RECORDS ON EACH EMPLOYEE, INCLUDING AN EMPLOYMENT APPLICATION THAT INCLUDES TRAINING AND PAST EXPERIENCE, VERIFICATION OF CREDENTIALS, REFERENCES OF PAST WORK EXPERIENCE, ORIENTATION AND EVIDENCE THAT HEALTH STATUS IS APPROPRIATE TO PERFORM DUTIES IN THE EMPLOYEE'S JOB DESCRIPTION.

#### 6.5 REFERENCE MATERIALS

THE FACILITY SHALL PROVIDE CURRENT REFERENCE MATERIAL RELATED TO THE CARE THAT IS PROVIDED IN THE FACILITY FOR USE BY ALL PERSONNEL.

#### 6.6 STAFF IDENTIFICATION

ALL FACILITY STAFF SHALL WEAR NAME AND TITLE BADGES WHILE ON DUTY, EXCEPT WHERE THEY MAY POSE A DANGER TO STAFF OR RESIDENTS DUE TO THE NATURE OF RESIDENT CONDITIONS.

### SECTION 7 - RESIDENT CARE

#### 7.1 OVERALL CARE

RESIDENTS SHALL RECEIVE THE CARE NECESSARY TO MEET INDIVIDUAL PHYSICAL, PSYCHO-SOCIAL AND REHABILITATIVE NEEDS AND ASSISTANCE TO ACHIEVE AND MAINTAIN THEIR HIGHEST POSSIBLE LEVEL OF INDEPENDENCE, SELF-CARE, SELF-WORTH AND WELL-BEING. PROVISION OF CARE SHALL BE DOCUMENTED IN THE HEALTH INFORMATION RECORD.

#### 7.2 QUALITY OF LIFE

RESIDENTS SHALL BE PROVIDED A SAFE, SUPPORTIVE, COMFORTABLE, HOMELIKE ENVIRONMENT; FREEDOM AND ENCOURAGEMENT TO EXERCISE CHOICE OVER THEIR SURROUNDINGS, SCHEDULES, HEALTH CARE AND LIFE

ACTIVITIES; THE OPPORTUNITY TO BE INVOLVED WITH THE MEMBERS OF THEIR COMMUNITY INSIDE AND OUTSIDE THE NURSING CARE FACILITY; AND TREATMENT WITH DIGNITY AND RESPECT.

### 7.3 PRESSURE ULCER PREVENTION AND CARE

A) UPON ADMISSION, THE FACILITY SHALL:

- 1) ASSESS THE POTENTIAL FOR SKIN BREAKDOWN DURING THE INITIAL RESIDENT ASSESSMENT, AND
- 2) PROVIDE MEASURES TO PREVENT PRESSURE ULCERS TO RESIDENTS IDENTIFIED AS BEING AT RISK OF DEVELOPING THEM (I.E., A RESIDENT EXHIBITING THREE OR MORE OF THE FOLLOWING SYMPTOMS: UNDERWEIGHT, INCONTINENCE, DEHYDRATION, DISORIENTATION OR UNCONSCIOUSNESS, OR LIMITED MOBILITY).

B) FOR ALL RESIDENTS WHO ARE ADMITTED WITH OR DEVELOP PRESSURE ULCERS, THE FACILITY SHALL:

- 1) DEVELOP AN INDIVIDUALIZED TREATMENT PLAN AS PART OF THE REQUISITE CARE PLAN THAT IS DESIGNED TO ALLEVIATE THE CONDITION;
- 2) PROVIDE ACTIVE TREATMENT TO IMPROVE THE CONDITION IN ACCORDANCE WITH THE TREATMENT PLAN;
- 3) EVALUATE THE RESIDENT'S PROGRESS AND TREATMENT AT LEAST WEEKLY AND REVISE THE TREATMENT PLAN AS NEEDED; AND
- 4) PROVIDE PROPER NUTRITION AND HYDRATION TO PROMOTE HEALING AND PREVENT FURTHER BREAKDOWN.

### 7.4 ACCIDENT PREVENTION AND ATTENTION

THE FACILITY SHALL:

- A) INVESTIGATE ALL CAUSES OF ACCIDENTS;
- B) MONITOR THE RESIDENT'S RESPONSE TO THE ACCIDENT AND OBTAIN PRACTITIONER'S OR MENTAL HEALTH EVALUATION, IF NEEDED;
- C) IDENTIFY ALL RESIDENTS AT HIGH RISK FOR ACCIDENTS AND DEVELOP AN INDIVIDUALIZED CARE PLAN FOR THEM TO PREVENT FUTURE ACCIDENTS; AND
- D) EVALUATE AND REVISE THE PLAN AS NEEDED.

### 7.5 BEHAVIORAL HEALTH CARE

A) FOR RESIDENTS WITH BEHAVIORAL HEALTH ISSUES, THE FACILITY SHALL:

- 1) NOTE THE BEHAVIORAL ISSUE AND EVALUATE IT IN THE RESIDENT'S ASSESSMENT;
- 2) DEVELOP AND IMPLEMENT AN INDIVIDUALIZED TREATMENT PLAN DESIGNED TO ADDRESS THE BEHAVIORAL HEALTH ISSUE;
- 3) OBTAIN A MENTAL HEALTH EVALUATION IN APPROPRIATE CASES; AND

- 1 4) EVALUATE THE RESIDENT'S PROGRESS AND REVISE THE PLAN, BOTH AS NEEDED AND  
2 WHENEVER THERE IS A CHANGE IN THE RESIDENT'S BEHAVIORAL CONDITION.

- 3 B) FOR RESIDENTS RECEIVING MEDICATION FOR BEHAVIOR MODIFICATION, THE FACILITY SHALL INDICATE IN  
4 THE HEALTH INFORMATION RECORD POSITIVE AND/OR NEGATIVE EFFECTS OF THE MEDICATION AND  
5 WHAT ALTERNATIVES TO THE MEDICATION WERE CONSIDERED.

#### 6 7.6 CONTRACTURE CARE

- 7 A) UPON ADMISSION, THE FACILITY SHALL:

- 8 1) ASSESS THE POTENTIAL FOR CONTRACTURE DURING THE INITIAL RESIDENT ASSESSMENT, AND  
9 2) DEVELOP, IMPLEMENT AND PERIODICALLY EVALUATE AN INDIVIDUALIZED TREATMENT PLAN TO  
10 PREVENT CONTRACTURES FOR RESIDENTS IDENTIFIED AS BEING AT RISK OF DEVELOPING  
11 THEM.  
12 a) SUCH PLANS SHALL BE REVIEWED AND REVISED AS NEEDED AND ANNUALLY.

- 13 B) FOR RESIDENTS WHO ARE ADMITTED WITH CONTRACTURES, THE FACILITY SHALL:

- 14 1) DOCUMENT THE CONTRACTURE, EVALUATE IT AND UNDERTAKE RESTORATIVE NURSING  
15 INTERVENTION, IF APPROPRIATE.

- 16 C) FOR RESIDENTS WHO DEVELOP CONTRACTURES DURING THEIR RESIDENCY, THE FACILITY SHALL:

- 17 1) DOCUMENT THAT APPROPRIATE INTERVENTION WAS PERFORMED TO TREAT THE CONDITION  
18 BEFORE THE CONTRACTURE DEVELOPED.  
19 a) IF THE RESIDENT REFUSED TREATMENT OR PREVENTIVE MEASURES, THE FACILITY  
20 SHALL DOCUMENT THE REFUSAL AND THAT THE CONSEQUENCES OF THE REFUSAL  
21 WERE EXPLAINED TO THE RESIDENT.

#### 22 7.7 PROMOTION OF MOBILITY

23 THE FACILITY SHALL ASSESS EACH RESIDENT'S AMBULATION POTENTIAL AND CAPABILITY UPON ADMISSION,  
24 QUARTERLY AND UPON A CHANGE IN CONDITION. EACH RESIDENT'S CARE PLAN SHALL BE DESIGNED TO  
25 ENCOURAGE MOBILITY AND REVISED AS NEEDED.

- 26 A) FOR RESIDENTS REQUIRING ADAPTIVE DEVICES AND/OR PERSONAL ASSISTANCE TO AMBULATE, THE  
27 FACILITY SHALL PROVIDE AND MAINTAIN SUCH DEVICES ACCORDING TO THE MANUFACTURER'S  
28 RECOMMENDATIONS. THE FACILITY SHALL ALSO ASSIST RESIDENTS IN OBTAINING APPROPRIATE  
29 FOOTWEAR AND PROVIDE RESIDENTS WITH ASSISTANCE TO MOVE AND TRANSFER.

#### 30 7.8 INDWELLING URINARY CATHETER CARE

- 31 A) FOR RESIDENTS WITH AN INDWELLING URINARY CATHETER, THE FACILITY SHALL:

- 32 1) EVALUATE APPROPRIATENESS OF CONTINUED USE AT LEAST MONTHLY;  
33 2) ASSESS THE REASON FOR THE INCONTINENCE;  
34 3) EVALUATE THE POTENTIAL OF BLADDER RETRAINING AND IMPLEMENT RETRAINING, IF  
35 INDICATED, OR DOCUMENT THE REASONS IF RETRAINING WAS NOT INDICATED; AND

4) IMPLEMENT ANY PRACTITIONER ORDER FOR IRRIGATION OR CATHETER REPLACEMENT.

B) FOR RESIDENTS EXHIBITING SIGNS OR SYMPTOMS OF URINARY TRACT INFECTION, THE FACILITY SHALL NOTIFY THE PRACTITIONER, OBTAIN ORDERS FOR TREATMENT AND IMPLEMENT SUCH TREATMENT PLAN.

#### 7.9 WEIGHT CHANGES

FOR RESIDENTS WITH WEIGHT CHANGES THE FACILITY SHALL:

A) EVALUATE THE RESIDENT TO DETERMINE THE CAUSE OF THE WEIGHT CHANGE;

B) DEVELOP AND IMPLEMENT AN INDIVIDUALIZED PLAN OF CARE AS PART OF THE REQUISITE CARE PLAN THAT INCLUDES INTERVENTION BY OTHER DISCIPLINES, IF APPROPRIATE; EVALUATE RESIDENT PROGRESS AND REVISE THE PLAN AS NEEDED;

C) OBSERVE FOOD AND FLUID INTAKE AND PROVIDE ENCOURAGEMENT TO RESIDENTS WITH EATING ISSUES;

D) PROVIDE REASONABLE CHOICES OF FOODS TO MEET PERSONAL PREFERENCES AND RELIGIOUS NEEDS;

E) IF NOURISHMENTS ARE PROVIDED BETWEEN MEALS AND AT BEDTIME AS PART OF THE CARE PLAN, DOCUMENT THE NOURISHMENTS PROVIDED AND WHETHER THEY ARE CONSUMED;

F) PROVIDE ASSISTANCE IN EATING OR ADAPTIVE EATING DEVICES AND ASSIST RESIDENTS IN OBTAINING DENTURES OR DENTAL CARE, AS APPROPRIATE TO THE INDIVIDUAL RESIDENT; AND

G) FOR RESIDENTS WITH MOUTH OR GUM ISSUES, MEET THE REQUIREMENTS OF SECTION 12 ON DENTAL SERVICES.

#### 7.10 GROOMING

A) THE FACILITY SHALL ASSIST THE RESIDENT TO OBTAIN APPROPRIATE PERSONAL CARE MATERIALS AND ASSIST WITH PERSONAL CARE IN A MANNER THAT PRESERVES RESIDENT DIGNITY AND PRIVACY.

B) FOR RESIDENTS WITH INAPPROPRIATE, UNCLEAN, OR POORLY MAINTAINED CLOTHING AND/OR ASSISTIVE DEVICES, THE FACILITY SHALL ASSIST THE RESIDENTS TO OBTAIN CLOTHING, SHOES AND DEVICES. SUCH CLOTHING, SHOES AND DEVICES SHALL FIT PROPERLY, BE CLEAN AND IN GOOD REPAIR.

#### 7.11 EXCORIATION PREVENTION AND CARE

A) FOR ALL RESIDENTS WHO ARE INCONTINENT OR IMMOBILE, HAVE IMPAIRED SENSATION, COMPROMISED NUTRITIONAL OR FLUID STATUS, OR INADEQUATE HYGIENE, THE FACILITY SHALL:

1) COMPLETE AN INITIAL SKIN EVALUATION UPON ADMISSION AND RE-EVALUATE THE CONDITION AS NEEDED, BUT AT LEAST WEEKLY.

2) PROVIDE MEASURES TO PREVENT THE EXCORIATION THAT INCLUDE:

a) MAINTAINING CLEAN, DRY, WELL LUBRICATED SKIN;

b) TAKING INCONTINENT RESIDENTS TO THE BATHROOM ON A REGULAR INDIVIDUALIZED SCHEDULE;

c) EVALUATING THE NEED FOR DAILY BATHS; AND

- 1 d) DETERMINING POTENTIAL TROUBLE SPOTS WHERE MICROBIAL GROWTH MAY OCCUR  
2 (BREASTS, GLUTEAL FOLDS, SKIN FOLDS).

3 B) FOR RESIDENTS WITH EXCORIATIONS, THE FACILITY SHALL:

- 4 1) DEVELOP AND IMPLEMENT AN INDIVIDUALIZED TREATMENT PLAN AS PART OF THE CARE PLAN  
5 FOR THE EXCORIATION;  
6 2) EVALUATE THE RESIDENT'S PROGRESS AND REVIEW AND REVISE THE TREATMENT PLAN AS  
7 NEEDED; AND  
8 3) ENTER A PROGRESS NOTE AT LEAST WEEKLY IN THE HEALTH INFORMATION RECORD.

9 7.12 FLUID MANAGEMENT

10 THE FACILITY SHALL PROVIDE FLUID IN SUFFICIENT QUANTITIES TO MAINTAIN HYDRATION AND BODY WEIGHT. IN  
11 ADDITION, THE FACILITY SHALL:

- 12 A) ASSESS EACH RESIDENT'S HYDRATION NEEDS;  
13 B) OBSERVE AND EVALUATE FOOD AND FLUID INTAKE DAILY AND RECORD AND REPORT DEVIATIONS FROM  
14 SUFFICIENT FOOD AND FLUID INTAKE;  
15 C) PROVIDE ASSISTANCE AND ENCOURAGEMENT TO RESIDENTS REQUIRING ASSISTANCE TO MEET THEIR  
16 FOOD AND FLUID REQUIREMENTS; AND  
17 D) PROVIDE SELF-HELP ADAPTIVE DEVICES AND ENCOURAGE USE.

18 7.13 PERSONAL ENVIRONMENT

19 THE FACILITY SHALL ALLOW FOR PERSONALIZATION OF ROOMS THROUGH THE USE OF RESIDENTS' PERSONAL  
20 FURNITURE, APPLIANCES, DECORATIONS, PLANTS AND MEMORABILIA. THE FACILITY MAY LIMIT THE NUMBER OF  
21 FURNITURE ITEMS IN RESIDENT ROOMS IF TO DO SO IS NECESSARY TO ACCOMMODATE ROOMMATE  
22 PREFERENCES, FIRE CODES, HOUSEKEEPING OR SAFE MOVEMENT IN THE ROOM.

23 7.14 PERSONAL CHOICE

24 THE FACILITY SHALL:

- 25 A) MAKE REASONABLE EFFORTS TO ACCOMMODATE PREFERENCES OF ROOMMATE, INCLUDING THE RIGHT  
26 OF EACH RESIDENT SO REQUESTING TO BE ASSIGNED TO A ROOM WITH NON-SMOKERS;  
27 B) ALLOW RESIDENTS FLEXIBILITY IN TIMES TO EAT MAIN MEALS, CONSISTENT WITH REQUIREMENTS OF  
28 SECTION 13.2 ON DIETARY SERVICES AND WITH ITS OWN REASONABLE STAFFING AND SCHEDULING  
29 REQUIREMENTS;  
30 C) ALLOW RESIDENTS FLEXIBILITY IN TIMES TO BATHE, RISE AND RETIRE, CONSISTENT WITH ITS OWN  
31 REASONABLE STAFFING AND SCHEDULING REQUIREMENTS; AND  
32 D) PROVIDE AT LEAST ONE ALTERNATIVE MENU CHOICE FOR EACH MEAL OF SIMILAR NUTRITIVE VALUE.  
33 THE SAME ALTERNATIVE SHALL NOT BE USED FOR TWO CONSECUTIVE MEALS.

34 7.15 PROBLEM RESOLUTION

THE FACILITY SHALL INFORM RESIDENTS OF THE RESIDENT COUNCIL AND GRIEVANCE PROCEDURES; THE NAME, ADDRESS AND PHONE NUMBER OF THE STATE AND LOCAL LONG-TERM CARE OMBUDSMAN; AND THE ADDRESS AND PHONE NUMBER OF THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, HEALTH FACILITIES AND EMERGENCY MEDICAL SERVICES DIVISION. STAFF SHALL ASSIST RESIDENTS IN RAISING ISSUES TO THE FACILITY'S ADMINISTRATION OR APPROPRIATE OUTSIDE AGENCIES.

#### 7.16 RESIDENT ASSESSMENT

A) WITHIN 24 HOURS OF ADMISSION TO THE NURSING CARE FACILITY, A REGISTERED NURSE SHALL ASSESS EACH RESIDENT'S PHYSICAL, MENTAL AND FUNCTIONAL STATUS INCLUDING STRENGTHS; IMPAIRMENTS; REHABILITATIVE NEEDS; SPECIAL TREATMENTS; CAPABILITY FOR SELF-ADMINISTRATION OF MEDICATIONS; DEPENDENCE AND INDEPENDENCE IN ACTIVITIES OF DAILY LIVING. THE INITIAL ASSESSMENT SHALL FORM THE BASIS OF THE PRELIMINARY CARE PLAN.

B) WITHIN 14 DAYS OF ADMISSION, THE NURSE SHALL ALSO COLLABORATE WITH SOCIAL SERVICES STAFF IN ASSESSING DISCHARGE POTENTIAL AND SHALL COORDINATE ASSESSMENTS WITH SOCIAL SERVICES, DIETETIC AND ACTIVITY STAFF. THESE ASSESSMENTS SHALL FORM THE BASIS OF THE INTERDISCIPLINARY CARE PLAN REQUIRED BY SECTION 7.21.

1) THE CONTINUING ASSESSMENT SHALL REFLECT RESIDENT STATUS.

2) THE ASSESSMENT SHALL BE UPDATED AT LEAST EVERY THREE MONTHS, AS WELL AS WHENEVER A SIGNIFICANT CHANGE OF RESIDENT CONDITION OCCURS.

3) THE CURRENT RESIDENT ASSESSMENT SHALL BE A PART OF THE RESIDENT'S HEALTH INFORMATION RECORD AND AVAILABLE FOR DIRECT CARE STAFF AND OTHERS AS IDENTIFIED BY FACILITY POLICY.

#### 7.17 NURSING CARE PLANNING

A REGISTERED NURSE SHALL PREPARE AN INDIVIDUALIZED NURSING CARE PLAN FOR EACH RESIDENT BASED ON THE RESIDENT ASSESSMENT AND APPLICABLE PRACTITIONER TREATMENT ORDERS. THE PURPOSE OF THE CARE PLAN IS TO CREATE AN INDIVIDUALIZED TOOL FOR CARRYING OUT PREVENTIVE, THERAPEUTIC, AND REHABILITATIVE NURSING CARE.

A) WITHIN 24 HOURS OF ADMISSION, NURSING STAFF SHALL PREPARE AND IMPLEMENT A PRELIMINARY NURSING CARE PLAN TO MEET EACH RESIDENT'S IMMEDIATE NEEDS.

B) WITHIN 21 DAYS OF ADMISSION, NURSING STAFF SHALL PREPARE AND IMPLEMENT A COMPREHENSIVE NURSING CARE PLAN FOR EACH RESIDENT.

C) THE NURSING CARE PLAN SHALL MEET EACH RESIDENT'S UNIQUE NEEDS, PROBLEMS AND STRENGTHS BY IDENTIFYING RESIDENT STRENGTHS, NEEDS AND PROBLEMS; SPECIFYING CARE INTERVENTIONS TO CAPITALIZE ON THE STRENGTHS AND MEET THOSE NEEDS OR PROBLEMS; AND DEFINING THE FREQUENCY OF EACH INTERVENTION.

D) THE NURSING CARE PLAN SHALL BE CURRENT AND EVALUATED AND REVISED FOLLOWING EACH ASSESSMENT AND WHENEVER THE RESIDENT'S CONDITION CHANGES.

#### 7.18 SOCIAL SERVICES CARE PLANNING

SOCIAL SERVICES STAFF SHALL ASSESS THE SOCIAL SERVICES NEEDS OF EACH RESIDENT WITHIN 14 DAYS OF ADMISSION. WITHIN 21 DAYS OF ADMISSION, STAFF SHALL DEVELOP A SOCIAL SERVICES CARE PLAN TO MEET EACH RESIDENT'S NEEDS.

1    7.19    **ACTIVITIES CARE PLANNING**

2            EACH RESIDENT SHALL BE ASSESSED FOR ACTIVITY INVOLVEMENT WITHIN 14 DAYS OF ADMISSION. WITHIN 21  
3            DAYS OF ADMISSION, THE FACILITY SHALL DEVELOP AN ACTIVITIES CARE PLAN TO MEET EACH RESIDENT'S NEEDS.

4    7.20    **NUTRITIONAL CARE PLANNING**

5            A)        THE DIETARY SUPERVISOR OR CONSULTANT SHALL PREPARE AN INITIAL NUTRITIONAL HISTORY AND  
6            ASSESSMENT FOR EACH RESIDENT WITHIN 14 DAYS OF ADMISSION THAT INCLUDES SPECIAL NEEDS,  
7            LIKES AND DISLIKES, NUTRITIONAL STATUS AND NEED FOR ADAPTIVE CUTLERY AND DISHES.

8            B)        WITHIN 21 DAYS OF ADMISSION, THE DIETARY SUPERVISOR OR CONSULTANT SHALL DEVELOP A  
9            NUTRITIONAL PLAN OF CARE TO MEET EACH RESIDENT'S IDENTIFIED NEEDS.

10          C)        IN THE EVENT THE FACILITY ELECTS TO UTILIZE FEEDING ASSISTANTS PURSUANT TO SECTION 14 OF THIS  
11          CHAPTER, THE INTERDISCIPLINARY TEAM SHALL, AS PART OF THE HISTORY AND ASSESSMENT REQUIRED  
12          IN SECTION 7.16(A), EVALUATE EACH RESIDENT FOR HIS/HER NEED FOR ASSISTANCE WITH EATING AND  
13          DRINKING. SUCH EVALUATION SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE RESIDENT'S LEVEL OF  
14          CARE, FUNCTIONAL STATUS CONCERNING FEEDING AND HYDRATION, AND ABILITY TO COOPERATE AND  
15          COMMUNICATE WITH STAFF.

16    7.21    **INTERDISCIPLINARY CARE PLANNING**

17            WITHIN 21 DAYS OF ADMISSION, A NURSING CARE FACILITY INTERDISCIPLINARY TEAM SHALL DEVELOP A  
18            PERSONALIZED OVERALL CARE PLAN FOR EACH RESIDENT BASED ON THE RESIDENT ASSESSMENTS AND  
19            APPLICABLE PRACTITIONER ORDERS.

20          A)        THE OVERALL CARE PLAN SHALL CONTAIN A LIST OF RESIDENT PROBLEMS AND THE DISCIPLINE THAT  
21          WILL ADDRESS EACH PROBLEM IN ITS OWN MORE DETAILED PLAN OF CARE.

22          B)        THE OVERALL CARE PLAN SHALL BE EVALUATED ACCORDING TO THE GOALS SET OUT IN THE PLAN,  
23          FOLLOWING EACH ASSESSMENT AND WHENEVER THE RESIDENT'S CONDITION CHANGES.

24          C)        THE INTERDISCIPLINARY TEAM SHALL CONSIST OF REPRESENTATIVES OF RESIDENT SERVICES INSIDE  
25          AND OUTSIDE THE FACILITY, AS APPROPRIATE, INCLUDING AT LEAST NURSING, SOCIAL SERVICES,  
26          ACTIVITIES AND DIETETIC STAFF. REPRESENTATIVES FROM OTHER AREAS SUCH AS MEDICAL,  
27          PHARMACY AND SPECIAL THERAPIES, SHALL BE INCLUDED AS APPROPRIATE. RESIDENTS AND RESIDENT  
28          REPRESENTATIVES SHALL BE INVITED TO PARTICIPATE IN CARE PLANNING. REFUSAL TO PARTICIPATE  
29          SHALL BE DOCUMENTED.

30    **SECTION 8        MEDICAL CARE SERVICES**

31    8.1       **PRACTITIONER CARE**

32            EACH FACILITY RESIDENT SHALL BE ADMITTED TO THE FACILITY UNDER THE CARE OF A PHYSICIAN. THE FACILITY  
33            SHALL DEVELOP WRITTEN POLICIES THAT ARE APPROVED BY THE MEDICAL DIRECTOR TO COORDINATE AND  
34            DESIGNATE RESPONSIBILITY WHEN MORE THAN ONE PRACTITIONER IS TREATING A RESIDENT. THE FACILITY MAY,  
35            AT ITS DISCRETION, ALLOW PRACTITIONERS TO UTILIZE TELEHEALTH FOR THE PERFORMANCE OF ANY TASK  
36            REQUIRED BY THESE REGULATIONS EXCEPT THOSE TASKS WHICH SPECIFICALLY REQUIRE A FACE TO FACE  
37            EVALUATION.

38          A)        THE FACILITY SHALL ENSURE THAT ALL RESIDENTS, WITHIN SEVEN DAYS OF ADMISSION, RECEIVE A FACE  
39          TO FACE EVALUATION BY A PRACTITIONER WHO PROVIDES THE FACILITY WITH SUFFICIENT INFORMATION  
40          TO VALIDATE THE ADMISSION.

1) IF THE RESIDENT WAS THOROUGHLY ASSESSED IN THE 24 HOURS IMMEDIATELY PRIOR TO THE RESIDENT'S ADMISSION TO THE FACILITY BY A PRACTITIONER (OR HIS/HER ASSOCIATE) WHO WILL BE INVOLVED IN THE RESIDENT'S CONTINUING CARE, AND DOCUMENTATION OF THAT EVALUATION ACCOMPANIES THE RESIDENT UPON ADMISSION, THAT EVALUATION SATISFIES THE CRITERIA REQUIRED IN SECTION 8.1(A).

B) THE FACILITY SHALL ENSURE THAT ALL RESIDENTS RECEIVE A FACE TO FACE COMPREHENSIVE MEDICAL EVALUATION BY A PRACTITIONER, AS SPECIFIED BELOW, WITHIN 30 DAYS OF ADMISSION AND ON A YEARLY BASIS THEREAFTER. SUCH EVALUATION SHALL INCLUDE OBTAINING A THOROUGH MEDICAL HISTORY; CONDUCTING A PHYSICAL EXAMINATION; CONDUCTING A REVIEW OF ROUTINE, PRN AND OTHER MEDICATIONS AND SUPPLEMENTS ALONG WITH INDICATIONS OF CONTINUED NECESSARY USE; AND DEVELOPING OR UPDATING A DETAILED MEDICAL PLAN OF CARE.

1) IN A SKILLED NURSING CARE FACILITY THAT IS CERTIFIED TO PROVIDE MEDICARE SERVICES, THE INITIAL COMPREHENSIVE MEDICAL EVALUATION SHALL ONLY BE PERFORMED BY A PHYSICIAN, AS REQUIRED BY FEDERAL LAW.

2) IN A NURSING CARE FACILITY THAT IS NOT CERTIFIED TO PROVIDE MEDICARE SERVICES, THE COMPREHENSIVE MEDICAL EVALUATION MAY BE PERFORMED BY EITHER A PHYSICIAN OR A NON-PHYSICIAN PRACTITIONER WHO IS NOT A FACILITY EMPLOYEE.

C) THE FACILITY SHALL ENSURE THAT ALL RESIDENTS ARE SEEN BY A PRACTITIONER EVERY 30 DAYS FOR THE FIRST 90 DAYS AFTER ADMISSION AND AT LEAST ONCE EVERY 60 DAYS THEREAFTER.

D) THE FACILITY SHALL ENSURE THAT THERE IS 24-HOUR PRACTITIONER COVERAGE AVAILABLE TO PROMPTLY ASSESS ANY SIGNIFICANT CHANGES OF CONDITION.

E) THE FACILITY SHALL ENSURE THAT THE ONLY PERSONS ALLOWED TO ACCEPT A VERBAL OR ELECTRONICALLY TRANSMITTED ORDER TO THE FACILITY ARE A PRACTITIONER, LICENSED NURSE OR OTHER APPROPRIATE DISCIPLINE AS AUTHORIZED BY THEIR PROFESSIONAL LICENSURE. ALL SUCH ORDERS SHALL BE SIGNED WITHIN 14 DAYS AND ENTERED IN THE HEALTH INFORMATION RECORD WITHIN 30 DAYS.

F) THE FACILITY SHALL ENSURE THAT AT THE TIME OF VISIT, THE PRACTITIONER DOCUMENTS THE DATE OF THE VISIT ALONG WITH A RELEVANT DISCUSSION OF ANY URGENT ISSUES, PERTINENT FINDINGS AND UPDATED PLANS. THE COMPLETE NOTE, ALONG WITH SIGNATURE AND CREDENTIALS, SHALL BE AVAILABLE IN THE HEALTH INFORMATION RECORD WITHIN SEVEN DAYS.

G) THE FACILITY SHALL ENSURE THAT ALL MEDICATIONS AND THERAPIES ORDERED BY THE PRACTITIONER ARE SUPPORTED BY DIAGNOSES AND THAT THERE IS DOCUMENTATION OF ATTEMPTS TO DISCUSS WITH THE RESIDENT OR RESIDENT REPRESENTATIVE THE INTENDED BENEFITS AND RISKS OF THOSE MEDICATIONS AND THERAPIES.

## 8.2 MEDICAL DIRECTOR

THE FACILITY SHALL RETAIN BY WRITTEN AGREEMENT A PHYSICIAN TO SERVE AS MEDICAL DIRECTOR TO THE FACILITY AND REQUIRE THAT THE MEDICAL DIRECTOR VISIT THE FACILITY IN PERSON AT LEAST ONCE EVERY THREE MONTHS.

A) THE MEDICAL DIRECTOR IS RESPONSIBLE FOR OVERALL COORDINATION OF MEDICAL CARE IN THE FACILITY AND FOR SYSTEMATIC REVIEW OF THE QUALITY OF THE HEALTH CARE PROVIDED BY THE FACILITY AND THE MEDICAL SERVICES PROVIDED BY THE PRACTITIONERS IN THE FACILITY. THE MEDICAL DIRECTOR SHALL COLLABORATE WITH THE ADMINISTRATOR, STAFF AND OTHER PRACTITIONERS AND CONSULTANTS TO HELP DEVELOP POLICIES AND PROCEDURES FOR MEDICAL CARE AND FOR THE PHYSICIANS ADMITTING RESIDENTS TO THE FACILITY.



B) THE MEDICAL DIRECTOR IS RESPONSIBLE FOR:

- 1) ACTING AS A LIAISON BETWEEN THE FACILITY AND ADMITTING PHYSICIANS ON MATTERS RELATED TO PHYSICIAN SERVICES, PROMPT WRITING OF ORDERS AND RESPONDING TO REQUESTS BY FACILITY STAFF;
- 2) CONSULTING ON THE DEVELOPMENT AND IMPLEMENTATION OF RESIDENT CARE POLICIES;
- 3) ESTABLISHING STANDARDS GOVERNING THE CONDUCT OF PHYSICIANS ADMITTING RESIDENTS TO THE FACILITY;
- 4) CONSULTING ON THE DEVELOPMENT AND IMPLEMENTATION OF A PROCEDURE TO PROVIDE CARE IN EMERGENCIES WHEN A RESIDENT'S PRACTITIONER IS UNAVAILABLE;
- 5) REVIEWING ACCIDENTS AND HAZARDS;
- 6) PARTICIPATING IN PHARMACEUTICAL ADVISORY COMMITTEE DELIBERATIONS;
- 7) PARTICIPATING IN THE PSYCHOTROPIC MEDICATION REVIEW COMMITTEE; AND
- 8) CHAIRING OR CO-CHAIRING THE QUALITY MANAGEMENT COMMITTEE REQUIRED BY SECTION 3.3 OF THIS CHAPTER.

C) THE MEDICAL DIRECTOR MAY UTILIZE TELEHEALTH FOR THE PERFORMANCE OF ANY TASK REQUIRED BY THESE REGULATIONS EXCEPT THOSE TASKS WHERE THE REGULATIONS SPECIFICALLY REQUIRE A FACE TO FACE EVALUATION OR PERSONAL VISIT.

## SECTION 9 NURSING SERVICES

### 9.1 ORGANIZATION

THE FACILITY SHALL HAVE A DEPARTMENT OF NURSING SERVICES THAT IS FORMALLY ORGANIZED TO PROVIDE COMPLETE, EFFECTIVE CARE TO EACH RESIDENT. THE FACILITY SHALL CLEARLY DEFINE QUALIFICATIONS, AUTHORITY AND RESPONSIBILITY OF NURSING PERSONNEL IN WRITTEN JOB DESCRIPTIONS.

### 9.2 DIRECTOR OF NURSING

EXCEPT AS PROVIDED IN SECTION 9.5, THE NURSING CARE FACILITY SHALL EMPLOY A FULL-TIME (40 HOURS/WEEK) DIRECTOR OF NURSING WHO IS A REGISTERED NURSE, QUALIFIED BY EDUCATION AND EXPERIENCE TO DIRECT FACILITY NURSING CARE.

### 9.3 24-HOUR NURSING COVERAGE

THE FACILITY SHALL BE STAFFED WITH QUALIFIED NURSING PERSONNEL, AWAKE AND ON DUTY, WHO ARE FAMILIAR WITH THE RESIDENTS AND THEIR NEEDS IN A NUMBER SUFFICIENT TO MEET RESIDENT FUNCTIONAL DEPENDENCY, MEDICAL AND NURSING NEEDS.

A) STAFF SHALL BE SUFFICIENT IN NUMBER TO PROVIDE PROMPT ASSISTANCE TO PERSONS NEEDING OR POTENTIALLY NEEDING ASSISTANCE, CONSIDERING INDIVIDUAL NEEDS SUCH AS THE RISK OF ACCIDENTS, HAZARDS OR OTHER UNTOWARD EVENTS.

B) EXCEPT AS PROVIDED IN SECTION 9.5, A NURSING CARE FACILITY SHALL BE STAFFED AT ALL TIMES WITH AT LEAST ONE REGISTERED NURSE WHO IS ON DUTY ON THE PREMISES. EACH RESIDENT CARE UNIT SHALL BE STAFFED WITH AT LEAST ONE LICENSED NURSE.

C) A NURSING CARE FACILITY SHALL PROVIDE NURSE STAFFING SUFFICIENT TO MEET THE NEEDS OF RESIDENTS, BUT NO LESS THAN TWO HOURS OF NURSING TIME PER RESIDENT PER DAY. IN FACILITIES OF 60 RESIDENTS OR MORE, THE TIME OF THE DIRECTOR OF NURSING AND OTHER SUPERVISORY PERSONNEL WHO ARE NOT PROVIDING DIRECT RESIDENT CARE SHALL NOT BE USED IN COMPUTING THIS RATIO.

D) NURSING PERSONNEL SHALL BE TRAINED IN NURSING PROCEDURES AND RESPONSIBILITIES AND SHALL BE FAMILIAR WITH ANY EQUIPMENT NECESSARY FOR CARE ON THE UNIT.

E) ALL CERTIFIED NURSING ASSISTANTS SHALL FUNCTION UNDER THE DIRECTION OF A LICENSED NURSE.

F) IF A NURSING CARE FACILITY OPERATES OUT OF MORE THAN ONE BUILDING, IT SHALL HAVE STAFF ON DUTY 24 HOURS PER DAY IN EACH BUILDING IN A NUMBER SUFFICIENT TO MEET RESIDENT CARE NEEDS.

#### 9.4 WRITTEN PROCEDURES

THE FACILITY SHALL HAVE WRITTEN NURSING PROCEDURES ESTABLISHING THE STANDARDS OF PERFORMANCE FOR SAFE, EFFECTIVE NURSING CARE OF RESIDENTS AND SHALL ASSURE THAT THEY ARE FOLLOWED BY ALL NURSING STAFF.

A) PROCEDURES SHALL INCLUDE THE REQUIREMENT THAT MEDICATIONS BE ADMINISTERED IN COMPLIANCE WITH APPLICABLE COLORADO LAW.

B) THE NURSING PROCEDURES SHALL BE EVALUATED AND REVISED AS NECESSARY, BUT NO LESS OFTEN THAN ANNUALLY.

#### 9.5 EXCEPTIONS

NOTHING CONTAINED IN THIS SECTION 9 SHALL REQUIRE ANY RURAL NURSING CARE FACILITY THAT IS A SKILLED NURSING CARE FACILITY TO EMPLOY NURSING STAFF BEYOND CURRENT FEDERAL CERTIFICATION REQUIREMENTS. SINCE FEDERAL STANDARDS REQUIRE THAT NURSE STAFFING BE SUFFICIENT TO MEET THE TOTAL NURSING NEEDS OF ALL RESIDENTS, RESIDENT CONDITIONS WILL DETERMINE THE SPECIFIC NUMBERS AND QUALIFICATIONS OF STAFF THAT EACH FACILITY MUST PROVIDE.

A) A RURAL FACILITY IS ONE THAT IS LOCATED IN:

1) A COUNTY WITH A POPULATION OF FEWER THAN 15,000; OR

2) A MUNICIPALITY WITH A POPULATION OF FEWER THAN 15,000 THAT IS LOCATED TEN MILES OR MORE FROM A MUNICIPALITY WITH A POPULATION OF 15,000 OR MORE; OR

3) THE UNINCORPORATED PART OF A COUNTY TEN MILES OR MORE FROM A MUNICIPALITY WITH A POPULATION OF 15,000 OR MORE.

B) TO THE EXTENT THAT THESE REGULATIONS REQUIRE ANY FACILITY TO EMPLOY A REGISTERED NURSE MORE THAN 40 HOURS PER WEEK, THE DEPARTMENT MAY WAIVE SUCH REQUIREMENTS FOR SUCH PERIODS AS IT DEEMS APPROPRIATE IF, BASED ON FINDINGS CONSISTENT WITH 6 CCR 1011-1, CHAPTER 2, PART 4, IT DETERMINES THAT:

1) THE FACILITY IS LOCATED IN A RURAL AREA AS DEFINED IN SECTION 9.5(A);

2) THE FACILITY HAS AT LEAST ONE FULL-TIME REGISTERED NURSE WHO IS REGULARLY ON DUTY 40 HOURS PER WEEK;

3) THE FACILITY HAS ONLY RESIDENTS WHOSE ATTENDING PHYSICIANS HAVE INDICATED IN ORDERS OR ADMISSION NOTES THAT EACH RESIDENT DOES NOT REQUIRE THE SERVICES OF A REGISTERED NURSE FOR A 48-HOUR PERIOD OR THE FACILITY HAS MADE ARRANGEMENTS FOR A REGISTERED NURSE, CONSULTING REGISTERED NURSE OR PHYSICIAN TO SPEND SUCH TIME AT THE FACILITY AS IS DETERMINED NECESSARY BY THE RESIDENT'S ATTENDING PHYSICIAN TO PROVIDE NECESSARY SKILLED NURSING SERVICES ON DAYS WHEN THE REGULAR FULL-TIME REGISTERED NURSE IS NOT ON DUTY; AND

(4) THE FACILITY HAS MADE AND CONTINUES TO MAKE A GOOD FAITH EFFORT TO COMPLY WITH THE MORE THAN 40-HOUR REGISTERED NURSE REQUIREMENT, BUT REGISTERED NURSES ARE UNAVAILABLE IN THE AREA.

#### 9.6 SUPPLIES AND EQUIPMENT

THE FACILITY SHALL PROVIDE THE SUPPLIES AND EQUIPMENT NECESSARY TO CONDUCT A PREVENTIVE, THERAPEUTIC AND REHABILITATIVE NURSING PROGRAM. EQUIPMENT INCLUDES DEVICES TO ASSIST RESIDENTS TO PERFORM ACTIVITIES OF DAILY LIVING.

A) EQUIPMENT SHALL BE MAINTAINED IN CLEAN AND PROPER FUNCTIONING CONDITION.

B) THE FACILITY SHALL PROVIDE OR ASSIST RESIDENTS TO OBTAIN WALKERS, CRUTCHES, CANES AND WHEELCHAIRS WITH APPROPRIATE PADDING, ALL OF WHICH SHALL FIT RESIDENTS PROPERLY.

C) NURSING STAFF SHALL BE TRAINED IN REHABILITATIVE NURSING PROCEDURES, INCLUDING PREVENTIVE NURSING CARE MEASURES, AND IN THE PROPER USE OF PROSTHETIC DEVICES AND EQUIPMENT.

#### 9.7 CARE POLICIES

THE FACILITY SHALL HAVE WRITTEN RESIDENT CARE POLICIES APPROVED BY THE GOVERNING BODY, WHICH STAFF SHALL FOLLOW.

#### 9.8 MEDICATION ADMINISTRATION

MEDICATIONS SHALL BE IDENTIFIED AS SPECIFIED IN SECTIONS 19.3(B) AND (C). STAFF SHALL VERIFY IDENTIFICATION OF THE MEDICATION WHEN THE MEDICATION IS PREPARED AS WELL AS WHEN IT IS ADMINISTERED.

A) MEDICATIONS AND TREATMENTS SHALL BE GIVEN ONLY AS ORDERED BY A PRACTITIONER. MEDICATIONS SHALL BE ADMINISTERED BY MEDICATION CERTIFIED OR LICENSED NURSING PERSONNEL AS ALLOWED WITHIN THE INDIVIDUAL'S LICENSE OR CERTIFICATION SCOPE OF PRACTICE.

B) MEDICATION SHALL BE ADMINISTERED IN A FORM THAT CAN BE MOST EASILY TOLERATED BY THE RESIDENT. STAFF SHALL NOT MASK THE MEDICATION OR ALTER ITS FORM THROUGH CRUSHING, DISSOLVING OR OTHER MEANS, IF TO DO SO WOULD BE HAZARDOUS AND NOT WITHOUT FIRST INFORMING THE RESIDENT OR RESIDENT REPRESENTATIVE.

C) MEDICATIONS THAT ARE PREPARED BUT UNUSED SHALL BE DISPOSED OF IN ACCORDANCE WITH STATE LAW AND THE FACILITY'S WRITTEN PROCEDURES.

D) ALL ADMINISTERED MEDICATIONS SHALL BE RECORDED IN THE RESIDENT'S HEALTH INFORMATION RECORD, INDICATING THE NAME, REASON, STRENGTH, DOSAGE AND MODE OF ADMINISTRATION; THE DATE AND TIME OF ADMINISTRATION; THE SIGNATURE OF THE PERSON ADMINISTERING THE MEDICATION AND EFFECTIVENESS OF "AS NEEDED" MEDICATIONS.

- 1 E) TO ENCOURAGE INDEPENDENCE AND PREPARE RESIDENTS FOR DISCHARGE, THE FACILITY SHALL  
2 PERMIT SELF-ADMINISTRATION OF MEDICATIONS IN APPROPRIATE CASES UPON THE ORDER OF THE  
3 ATTENDING PRACTITIONER AND UNDER THE GUIDANCE OF A LICENSED NURSE.
- 4 F) IF FACILITY POLICY PERMITS MEDICATIONS TO BE KEPT AT THE BEDSIDE, THE INTERDISCIPLINARY TEAM  
5 SHALL APPROVE SUCH TYPES OF MEDICATIONS. THE FACILITY SHALL ENSURE THAT EACH SUCH  
6 MEDICATION ORDERED BY A PRACTITIONER TO BE KEPT AT THE BEDSIDE IS USED PROPERLY, ITS USE IS  
7 DOCUMENTED AND IT IS STORED IN A SECURE MANNER THAT PROTECTS ALL RESIDENTS.
- 8 G) DRUG REACTIONS AND SIGNIFICANT MEDICATION ERRORS SHALL BE REPORTED WITHIN 30 MINUTES TO  
9 THE RESIDENT'S PRACTITIONER. A CALL TO THE PRACTITIONER'S OFFICE OR ANSWERING SERVICE DOES  
10 NOT MEET THE FACILITY'S RESPONSIBILITY TO PROVIDE EMERGENCY CARE. THE RESIDENT'S CONDITION  
11 SHALL BE MONITORED FOR 72 HOURS AND OBSERVATIONS DOCUMENTED IN THE HEALTH INFORMATION  
12 RECORD.
- 13 H) IF A RESIDENT IS ADMINISTERED PSYCHOACTIVE MEDICATIONS, HE OR SHE SHALL BE EVALUATED FOR  
14 MEDICATION EFFECTIVENESS AT LEAST EVERY THREE MONTHS. THE RESIDENT SHALL BE ASSESSED  
15 EVERY SIX MONTHS FOR ADVERSE EFFECTS INCLUDING, BUT NOT LIMITED TO, EXTRAPYRAMIDAL  
16 SYNDROME AND NEUROLEPTIC MALIGNANT SYNDROME.

17  
18 9.9 RESTRAINTS  
19

20 FACILITIES SHALL COMPLY WITH THE PROTECTION OF PERSONS FROM RESTRAINT ACT AT SECTION 26-20-101,  
21 *ET SEQ.*, C.R.S., IN ADDITION TO THE REQUIREMENTS OF THIS SECTION 9.9.  
22

- 23 A) RESTRAINT MEANS ANY METHOD OR DEVICE USED TO INVOLUNTARILY LIMIT FREEDOM OF MOVEMENT,  
24 INCLUDING BUT NOT LIMITED TO BODILY PHYSICAL FORCE, MECHANICAL DEVICES OR CHEMICALS.  
25
- 26 1) CHEMICAL RESTRAINT INVOLVES GIVING AN INDIVIDUAL MEDICATION INVOLUNTARILY FOR THE  
27 PURPOSE OF RESTRAINING THAT INDIVIDUAL, BUT DOES NOT INCLUDE MEDICATION  
28 ADMINISTERED FOR VOLUNTARY OR LIFE-SAVING MEDICAL PROCEDURES.  
29
- 30 2) PHYSICAL RESTRAINT INVOLVES THE USE OF BODILY, PHYSICAL FORCE TO INVOLUNTARILY  
31 LIMIT AN INDIVIDUAL'S FREEDOM OF MOVEMENT.  
32
- 33 3) MECHANICAL RESTRAINT INVOLVES THE USE OF A PHYSICAL DEVICE TO INVOLUNTARILY  
34 RESTRICT THE MOVEMENT OF AN INDIVIDUAL OR THE MOVEMENT OR NORMAL FUNCTION OF A  
35 PORTION OF THE INDIVIDUAL'S BODY.  
36
- 37 B) RESTRAINT DOES NOT INCLUDE:  
38 1) THE USE OF PROTECTIVE DEVICES OR ADAPTIVE DEVICES FOR PROVIDING PHYSICAL  
39 SUPPORT, PREVENTION OF INJURY, VOLUNTARY OR LIFE-SAVING MEDICAL PROCEDURES;  
40
- 41 2) THE HOLDING OF A RESIDENT FOR LESS THAN FIVE MINUTES BY A STAFF PERSON FOR THE  
42 PROTECTION OF THE RESIDENT OR OTHER PERSONS;  
43
- 44 3) PLACEMENT OF A RESIDENT IN HIS OR HER ROOM FOR THE NIGHT; OR  
45
- 46 4) THE USE OF A TIME-OUT AS DEFINED IN WRITING BY THE FACILITY.  
47
- 48 C) THE FACILITY SHALL ESTABLISH WRITTEN POLICIES AND PROCEDURES GOVERNING THE USE OF  
49 RESTRAINTS. THE FACILITY SHALL ENSURE AND DOCUMENT THAT REASONABLE EFFORTS ARE  
50 ATTEMPTED TO OBTAIN CONSENT FROM THE RESIDENT AND/OR RESIDENT REPRESENTATIVE FOR THE  
51 USE OF RESTRAINTS. THE FACILITY SHALL INFORM THE RESIDENT AND/OR RESIDENT REPRESENTATIVE  
52 REGARDING THE POTENTIAL RISKS AND BENEFITS OF RESTRAINTS PRIOR TO THEIR USE.  
53

- D) MEDICAL CONDITIONS THAT WARRANT THE USE OF RESTRAINT SHALL BE DOCUMENTED IN THE RESIDENT'S HEALTH INFORMATION RECORD AND INCLUDE AN ORDER FROM A PHYSICIAN OR ADVANCED PRACTICE NURSE, ONGOING ASSESSMENTS AND CARE PLANS. AN ORDER ALONE IS NOT SUFFICIENT TO WARRANT THE USE OF THE RESTRAINT.
- E) THE FACILITY SHALL DOCUMENT OVERSIGHT, ASSESSMENT OF THE RESTRAINT DURING USE, SUBSTANTIATION OF THE MEDICAL CONDITION REQUIRING THE RESTRAINT AND THE EXPECTED LENGTH OF TIME FOR THE RESTRAINT TO BE USED. THE FACILITY SHALL ALSO DOCUMENT THE FREQUENCY AND DURATION OF SAFETY CHECKS DURING RESTRAINT USE.
- F) RESIDENTS IN MECHANICAL RESTRAINTS SHALL BE OBSERVED AT LEAST EVERY 15 MINUTES TO ENSURE THAT THE RESIDENT IS PROPERLY POSITIONED AND THE RESIDENT'S PHYSICAL NEEDS ARE BEING MET. EACH OBSERVATION SHALL BE DOCUMENTED IN WRITING.
- G) AT LEAST EVERY TWO HOURS DURING WAKING HOURS, RESIDENTS SHALL HAVE THE PHYSICAL RESTRAINT REMOVED AND SHALL HAVE THE OPPORTUNITY TO DRINK FLUIDS; BE TOILETED; AND BE EXERCISED, MOVED OR REPOSITIONED; WHICH ACTIVITY SHALL BE DOCUMENTED IN THE RESIDENT'S HEALTH INFORMATION RECORD.

#### 9.10 SAFETY DEVICES

A SAFETY DEVICE SUCH AS AN ALARM, HELMET OR PILLOW IS USED TO PROTECT THE RESIDENT FROM INJURY TO SELF, MAINTAIN BODY ALIGNMENT OR FACILITATE COMFORT. PRIOR TO USING ANY SAFETY DEVICE, THE FACILITY SHALL ASSESS THE RESIDENT TO PROPERLY IDENTIFY THE RESIDENT'S NEEDS AND MEDICAL SYMPTOMS THAT THE SAFETY DEVICE IS BEING EMPLOYED TO ADDRESS. THE FACILITY SHALL ALSO ENSURE THAT ANY SAFETY DEVICE BEING USED IS NOT A MECHANICAL RESTRAINT.

- A) SAFETY DEVICES SHALL ONLY BE USED FOR APPROPRIATE CLINICAL CONDITIONS.
- B) THE FACILITY SHALL ESTABLISH WRITTEN POLICIES AND PROCEDURES GOVERNING THE USE OF SAFETY DEVICES.
- C) IF A SAFETY DEVICE MEETS THE DEFINITION OF A RESTRAINT, THEN ALL REQUIREMENTS IN SECTION 9.9 APPLY. A REGISTERED NURSE MAY ORDER A SAFETY DEVICE AFTER ASSESSING AND DETERMINING THE NEED EXISTS. THROUGH THE NURSING ASSESSMENT, IF THE NEED IS ONGOING, A COMPREHENSIVE, DOCUMENTED PHYSICAL AND FUNCTIONAL ASSESSMENT SHALL BE COMPLETED NO LESS OFTEN THAN AFTER THE FIRST 24 HOURS AND QUARTERLY THEREAFTER.
- D) AT LEAST EVERY TWO HOURS RESIDENTS WITH SAFETY DEVICES SHALL BE OBSERVED AND SUCH OBSERVATION SHALL BE DOCUMENTED.
- E) RESIDENTS WITH SAFETY DEVICES SHALL HAVE EITHER A CALL SIGNAL SWITCH OR SIMILAR DEVICE WITHIN REACH OR SOME OTHER APPROPRIATE MEANS OF COMMUNICATION PROVIDED.

#### 9.11 PRACTITIONER NOTIFICATION

FACILITY STAFF SHALL NOTIFY THE ATTENDING PRACTITIONER PROMPTLY IN CASES OF SIGNIFICANT CHANGE IN RESIDENT STATUS AND ANY INCIDENT OR ACCIDENT INVOLVING THE RESIDENT.

### SECTION 10 SOCIAL SERVICES

#### 10.1 GENERAL STANDARDS

THE FACILITY SHALL IDENTIFY, PLAN CARE FOR AND MEET THE IDENTIFIED EMOTIONAL AND SOCIAL NEEDS OF EACH RESIDENT TO ENHANCE RESIDENT PSYCHO-SOCIAL HEALTH AND WELL-BEING.

- 1 A) SOCIAL SERVICES STAFF SHALL BE INVOLVED IN THE PRE-ADMISSION PROCESS, PROVIDING INPUT AS TO  
2 APPROPRIATENESS OF PLACEMENT FROM A PSYCHO-SOCIAL PERSPECTIVE, EXCEPT IN EMERGENCY  
3 ADMISSIONS. SUCH INVOLVEMENT MAY INCLUDE CONTACT WITH THE PROSPECTIVE RESIDENT OR  
4 RESIDENT REPRESENTATIVE, OR INTERDISCIPLINARY CONFERENCES THAT CONSIDER PSYCHO-SOCIAL  
5 ISSUES AS WELL AS MEDICAL/NURSING CRITERIA.
- 6 B) SOCIAL SERVICES STAFF SHALL PROVIDE FOR INDIVIDUAL AND GROUP NEEDS, EITHER DIRECTLY OR BY  
7 REFERRAL TO COMMUNITY AGENCIES.
- 8 C) SOCIAL SERVICES STAFF SHALL ASSIST RESIDENTS AND FAMILIES IN COPING WITH THE MEDICAL AND  
9 PSYCHO-SOCIAL ASPECTS OF THE RESIDENT'S ILLNESS AND DISABILITY AND THE STAY IN THE FACILITY.
- 10 D) SOCIAL SERVICES STAFF SHALL ASSIST RESIDENTS IN PLANNING FOR DISCHARGE BY COORDINATING  
11 SERVICE DELIVERY WITH THE NURSING STAFF AND BY ASSESSING AVAILABILITY AND FACILITATING USE  
12 OF FINANCIAL AND SOCIAL SUPPORT SERVICES IN THE COMMUNITY.
- 13 E) WHEN SERVICES, SUCH AS COMMUNITY MENTAL HEALTH SERVICES, ARE AVAILABLE IN THE COMMUNITY  
14 TO MEET SPECIAL RESIDENTS' SOCIAL AND EMOTIONAL NEEDS, SOCIAL SERVICES STAFF SHALL PROVIDE  
15 APPROPRIATE REFERRALS TO COMMUNITY SERVICES.
- 16 F) SOCIAL SERVICES STAFF SHALL COORDINATE TRANSFERS (OTHER THAN MEDICAL TRANSFERS) WITHIN  
17 AND OUT OF THE FACILITY AND ASSIST RESIDENTS IN ADJUSTING TO INTRA-FACILITY TRANSFERS.
- 18 G) SOCIAL SERVICES STAFF SHALL PARTICIPATE IN RESIDENT ASSESSMENT AND CARE PLANNING AND  
19 SHALL PROVIDE SOCIAL SERVICES TO RESIDENTS. STAFF SHALL REVIEW AND UPDATE THE ASSESSMENT  
20 AND CARE PLAN AT LEAST QUARTERLY.
- 21 H) SOCIAL SERVICES STAFF SHALL RECORD INFORMATION ON SOCIAL HISTORY IN THE HEALTH  
22 INFORMATION RECORD AND REVIEW IT AT LEAST ANNUALLY.
- 23 I) SOCIAL SERVICES STAFF SHALL RECORD PROGRESS NOTES IN THE RESIDENT'S HEALTH INFORMATION  
24 RECORD QUARTERLY.
- 25 J) SOCIAL SERVICES STAFF SHALL PARTICIPATE IN DEVELOPING POLICIES AND PROCEDURES PERTAINING  
26 TO SOCIAL SERVICES IN THE FACILITY.
- 27 K) SOCIAL SERVICES STAFF SHALL PROVIDE ORIENTATION TO NEW RESIDENTS AND THEIR RESIDENT  
28 REPRESENTATIVES (INCLUDING EXPLANATION OF RESIDENTS' RIGHTS) AND ASSISTANCE TO RESIDENTS  
29 AND RESIDENT REPRESENTATIVES IN RAISING CONCERNS ABOUT RESIDENT CARE.

## 30 10.2 STAFFING

31 THE FACILITY SHALL EMPLOY SOCIAL SERVICES STAFF THAT IS QUALIFIED ACCORDING TO THE CRITERIA BELOW  
32 AND SUFFICIENT IN NUMBER TO MEET THE SOCIAL AND EMOTIONAL NEEDS OF THE RESIDENTS.

- 33 A) A QUALIFIED SOCIAL WORK STAFF MEMBER IS A PERSON WHO IS EITHER:

- 34 1) A SOCIAL WORKER WITH A BACHELOR'S DEGREE IN SOCIAL WORK REGISTERED OR  
35 AUTHORIZED EXPRESSLY BY COLORADO LAW TO PRACTICE AS A SOCIAL WORKER WHO HAS  
36 ONE YEAR OF SOCIAL WORK EXPERIENCE UNDER THE SUPERVISION OF A LICENSED SOCIAL  
37 WORKER IN A HEALTH CARE SETTING WORKING DIRECTLY WITH RESIDENTS; OR
- 38 2) A SOCIAL WORKER WITH A MASTER'S DEGREE IN SOCIAL WORK WHO IS LICENSED AS A  
39 LICENSED SOCIAL WORKER OR LICENSED CLINICAL SOCIAL WORKER UNDER COLORADO LAW;  
40 OR

3) A PERSON WITH A MASTER'S OR BACHELOR'S DEGREE IN A RELATED HUMAN SERVICES FIELD WHO HAS MONTHLY CONSULTATION WITH A PERSON MEETING THE QUALIFICATIONS IN SUBSECTION 2 ABOVE. THE CONSULTATION SHALL BE SUFFICIENT IN AMOUNT TO ASSIST THE SOCIAL WORK STAFF TO MEET RESIDENT NEEDS.

B) EFFECTIVE MAY 15, 2016, ANY FACILITY THAT HAS EMPLOYED A PERSON WITH A HIGH SCHOOL DEGREE OR GED AS SOCIAL SERVICES STAFF MAY CONTINUE TO EMPLOY THAT INDIVIDUAL AS LONG AS THE FACILITY CAN DOCUMENT PRESCRIBED CONSULTATION.

### 10.3 FACILITIES AND EQUIPMENT

THE FACILITY SHALL PROVIDE FOR SOCIAL SERVICES STAFF SUITABLE SPACE, EQUIPPED WITH A TELEPHONE, FOR CONFIDENTIAL INTERVIEWS WITH RESIDENTS AND THEIR RESIDENT REPRESENTATIVES. THE SPACE SHALL PROVIDE VISUAL AND AUDITORY PRIVACY AND LOCKED STORAGE FOR CONFIDENTIAL RECORDS AND BE ACCESSIBLE TO NON-AMBULATORY PERSONS.

## SECTION 11 RESIDENT ENGAGEMENT

### 11.1 ACTIVITIES PROGRAM

THE FACILITY SHALL OFFER A PROGRAM OF ORGANIZED ENGAGEMENT ACTIVITIES THAT PROMOTE RESIDENTS' PHYSICAL, SOCIAL, MENTAL AND INTELLECTUAL WELL-BEING; ENCOURAGES RESIDENT INDEPENDENCE AND PURSUIT OF INTERESTS; MAINTAINS AN OPTIMAL LEVEL OF PSYCHO-SOCIAL FUNCTIONING; AND RETAINS IN RESIDENTS A SENSE OF CONTINUING USEFULNESS TO THEMSELVES AND THE COMMUNITY.

A) THE ACTIVITIES PROGRAM SHALL BE BROAD ENOUGH IN SCOPE TO STIMULATE PARTICIPATION OF ALL RESIDENTS, BUT NO RESIDENT SHALL BE COMPELLED TO PARTICIPATE IN ANY ACTIVITY. EACH MONTH, ACTIVITIES SHALL INCLUDE AT LEAST ONE FROM EACH OF THE FOLLOWING CATEGORIES: SOCIAL/RECREATIONAL, INTELLECTUAL, PHYSICAL, SPIRITUAL AND CREATIVE.

B) THE FACILITY SHALL PROVIDE INDIVIDUAL AND GROUP ENGAGEMENT ACTIVITIES DESIGNED TO MEET EACH RESIDENT'S INDIVIDUAL NEEDS.

C) ACTIVITIES STAFF SHALL PARTICIPATE IN RESIDENT ASSESSMENT AND CARE PLANNING AND SHALL IMPLEMENT ENGAGEMENT PROGRAMS.

D) THE FACILITY SHALL DEVELOP PROGRAMS TO ENCOURAGE COMMUNITY CONTACT, INCLUDING USE OF COMMUNITY VOLUNTEERS INSIDE THE FACILITY AND ENGAGEMENT ACTIVITIES FOR RESIDENTS OUTSIDE THE FACILITY. THE FACILITY SHALL MAKE REASONABLE TRANSPORTATION ARRANGEMENTS FOR RESIDENTS TO PARTICIPATE IN SUCH ACTIVITIES.

E) THE FACILITY SHALL PROVIDE ENGAGEMENT ACTIVITIES DAILY, INCLUDING AT LEAST ONE EVENING PER WEEK. ENGAGEMENT ACTIVITIES IN ADDITION TO RELIGIOUS SERVICES SHALL BE PROVIDED ON WEEKENDS EACH WEEK.

F) THE FACILITY SHALL HAVE A MEANS OF COMMUNICATING SCHEDULED AND SPONTANEOUS DAILY ENGAGEMENT ACTIVITIES TO ALL RESIDENTS.

G) THE FACILITY SHALL RETAIN ACTIVITY ATTENDANCE RECORDS.

### 11.2 STAFFING

A) THE FACILITY SHALL EMPLOY STAFF SUFFICIENT IN NUMBER TO MEET RESIDENT NEEDS.

B) THE FACILITY SHALL EMPLOY AN ACTIVITIES DIRECTOR WHO MEETS AT LEAST ONE OF THE FOLLOWING CRITERIA:

- 1) AN ACTIVITY PROFESSIONAL CERTIFIED BY THE NATIONAL CERTIFICATION COUNCIL FOR ACTIVITY PROFESSIONALS AS AN ACTIVITY DIRECTOR CERTIFIED (ADC) OR ACTIVITY CONSULTANT CERTIFIED (ACC);
- 2) AN OCCUPATIONAL THERAPIST OR OCCUPATIONAL THERAPY ASSISTANT MEETING THE REQUIREMENTS FOR CERTIFICATION BY THE AMERICAN OCCUPATIONAL THERAPY ASSOCIATION AND HAVING AT LEAST ONE YEAR OF EXPERIENCE IN PROVIDING ACTIVITY PROGRAMMING IN A NURSING CARE FACILITY;
- 3) A THERAPEUTIC RECREATION SPECIALIST, REGISTERED BY THE NATIONAL COUNCIL FOR THERAPEUTIC RECREATION CERTIFICATION, HAVING AT LEAST ONE YEAR OF EXPERIENCE IN PROVIDING ACTIVITY PROGRAMMING IN A NURSING CARE FACILITY;
- 4) A PERSON WITH A MASTER'S OR BACHELOR'S DEGREE IN THE SOCIAL OR BEHAVIORAL SCIENCES WHO HAS AT LEAST ONE YEAR OF EXPERIENCE IN PROVIDING ACTIVITY PROGRAMMING IN A NURSING CARE FACILITY;
- 5) A PERSON WHO HAS COMPLETED, WITHIN A YEAR OF EMPLOYMENT, A TRAINING COURSE FOR ACTIVITY PROFESSIONALS IN AN ACCREDITED STATE FACILITY AND WHO HAS AT LEAST TWO YEARS EXPERIENCE IN SOCIAL OR RECREATIONAL PROGRAM WORK, AT LEAST ONE YEAR OF WHICH WAS FULL-TIME IN AN ACTIVITIES PROGRAM IN A HEALTH CARE SETTING; OR
- 6) A PERSON WHO HAS MONTHLY CONSULTATION WITH A PERSON MEETING THE QUALIFICATIONS SET FORTH IN SUBSECTIONS (1) THROUGH (5) ABOVE. THE CONSULTATION SHALL BE SUFFICIENT IN AMOUNT TO ASSIST THE ACTIVITY STAFF MEMBERS TO MEET RESIDENT NEEDS.

### 11.3 RELIGIOUS SERVICES

THE FACILITY SHALL ASSIST RESIDENTS WHO ARE ABLE AND WISH TO DO SO TO ATTEND RELIGIOUS SERVICES OF THEIR CHOICE. THE FACILITY SHALL HONOR RESIDENT REQUESTS TO SEE THEIR CLERGY AND PROVIDE PRIVATE SPACE FOR SUCH VISITS.

### 11.4 SPACE AND EQUIPMENT

THE FACILITY SHALL MAKE AVAILABLE THE SUPPLIES, SPACE AND EQUIPMENT TO PROVIDE AN ACTIVITIES PROGRAM THAT MEETS EACH RESIDENT'S INDIVIDUAL NEEDS. THE FACILITY SHALL PROVIDE AN ACTIVITIES AND RECREATION AREA WITH ITEMS SUCH AS BOOKS, CURRENT NEWSPAPERS, GAMES, STATIONERY, RADIO AND TELEVISION.

## SECTION 12 DENTAL SERVICES

### 12.1 DENTAL EXAMINATION

UPON ADMISSION, THE FACILITY SHALL PROVIDE EACH RESIDENT WHO CONSENTS WITH AN ORAL EXAMINATION BY A LICENSED DENTIST OR LICENSED DENTAL HYGIENIST. REFUSAL TO CONSENT TO SUCH EXAMINATION SHALL BE DOCUMENTED IN THE RESIDENT'S HEALTH INFORMATION RECORD. EACH RESIDENT OR RESIDENT REPRESENTATIVE SHALL BE INFORMED THAT UNDIAGNOSED ORAL HEALTH ISSUES MAY LEAD TO FUTURE HEALTH ISSUES.

- A) THE FACILITY SHALL ENSURE THAT THE DENTAL EXAMINATION IS CONDUCTED ACCORDING TO CURRENT DENTAL PRACTICE.



B) WHILE THE FACILITY IS NOT RESPONSIBLE TO PAY FOR SUCH SERVICES, THE FACILITY SHALL INFORM ALL RESIDENTS ABOUT PUBLIC BENEFITS FOR DENTAL SERVICES AND ASSIST RESIDENTS IN ACCESSING SUCH BENEFITS AND SERVICES.

C) IN LIEU OF THE ADMISSION EXAMINATION, THE FACILITY MAY ACCEPT WRITTEN RESULTS OF A RESIDENT'S ORAL EXAMINATION ADMINISTERED DURING A PERIOD NOT TO EXCEED SIX MONTHS PRIOR TO ADMISSION. DOCUMENTATION OF SUCH EXAMINATION SHALL BE ENTERED INTO THE RESIDENT'S HEALTH INFORMATION RECORD.

## 12.2 DENTAL RECORDS

THE DENTIST OR THE DENTAL HYGIENIST IS RESPONSIBLE FOR THE DENTAL RECORD. FOR RESIDENTS WHO AGREE TO HAVE DENTAL SERVICES, THE FACILITY SHALL TAKE ALL NECESSARY STEPS TO ASSURE THAT THERE ARE COMPLETE, ACCURATE DENTAL RECORDS THAT INCLUDE THE FOLLOWING:

A) RESULTS OF ALL CURRENT DENTAL EXAMINATIONS AND PLANS FOR TREATMENT.

B) ONE OF THE FOLLOWING TO DOCUMENT PROVISION OF PLANNED TREATMENT:

1) RECORD OF TREATMENT PROVIDED PURSUANT TO A PLAN FOR TREATMENT, OR

2) DOCUMENTATION THAT A RESIDENT OF A NURSING CARE FACILITY OR RESIDENT REPRESENTATIVE IS AWARE OF ANY AND ALL SPECIFIC ORAL PATHOLOGY IDENTIFIED DURING AN ORAL EXAMINATION OF THE RESIDENT, BUT ELECTS NOT TO OBTAIN TREATMENT BECAUSE OF COST OR OTHER REASONS.

## 12.3 ORAL APPLIANCES

UPON CONSENT, ALL RESIDENTS' REMOVABLE ORAL APPLIANCES OR THEIR CONTAINERS AND PERSONAL HYGIENE APPLIANCES (INCLUDING WITHOUT LIMITATION, FULL DENTURES, PARTIAL DENTURES, AND TOOTHBRUSHES) SHALL BE CLEARLY IDENTIFIED AND MARKED WITH THE USER'S NAME, AS RECOMMENDED BY A DENTIST.

## 12.4 DENTAL HYGIENE

THE FACILITY SHALL IMPLEMENT POLICIES FOR DAILY ORAL HYGIENE FOR ITS RESIDENTS, IN CONSULTATION WITH A DENTIST OR A DENTAL HYGIENIST. THIS SHALL INCLUDE DAILY REMOVAL AND CLEANING OF REMOVABLE PROSTHODONTICS.

A) DIRECT CARE STAFF FROM EACH FACILITY SHALL HAVE AT LEAST AN ANNUAL IN-SERVICE TRAINING COURSE IN PREVENTIVE DENTISTRY AND ORAL HYGIENE, CONDUCTED BY A DENTIST OR DENTAL HYGIENIST.

# SECTION 13 DIETARY SERVICES

## 13.1 GENERAL STANDARDS

THE FACILITY SHALL PROVIDE MEALS THAT ARE NUTRITIOUS; ATTRACTIVE; WELL BALANCED; IN CONFORMITY WITH PRACTITIONER ORDERS AND RESIDENT CHOICE AND SERVED AT THE APPROPRIATE TEMPERATURE IN ORDER TO ENHANCE RESIDENTS' HEALTH AND WELL BEING. IT SHALL ALSO OFFER NOURISHING SNACKS.

## 13.2 ORGANIZATION

THE FACILITY SHALL HAVE AN ORGANIZED FOOD SERVICE THAT IS APPROPRIATELY PLANNED, EQUIPPED AND STAFFED TO PREPARE AND SERVE MEALS. THE FACILITY SHALL OFFER AT LEAST THREE MEALS DAILY AT

REGULAR TIMES COMPARABLE TO NORMAL MEALTIMES IN THE COMMUNITY OR IN ACCORDANCE WITH RESIDENT NEEDS, PREFERENCES, REQUESTS AND PLAN OF CARE. THE FACILITY SHALL MAKE AVAILABLE SUITABLE, NOURISHING ALTERNATIVE MEALS AND SNACKS FOR RESIDENTS WHO WANT TO EAT AT NON-TRADITIONAL TIMES OR OUTSIDE OF SCHEDULED MEAL SERVICE TIMES AND IN ACCORDANCE WITH THE RESIDENT PLAN OF CARE.

### 13.3 PERSONNEL

THE ADMINISTRATOR SHALL DESIGNATE A REGISTERED DIETITIAN WHO MEETS STANDARDS ESTABLISHED BY THE COMMISSION ON DIETETIC REGISTRATION TO BE RESPONSIBLE FOR THE DIETARY SERVICES.

A) IF NOT A REGISTERED DIETITIAN, THE DESIGNEE SHALL RECEIVE REGULARLY SCHEDULED CONSULTATION FOR DIETARY SERVICES OVERSIGHT FROM A REGISTERED DIETITIAN AND HAVE APPLICABLE QUALIFICATIONS THAT MEET AT LEAST ONE OF THE CRITERIA LISTED BELOW.

1) A BACHELOR'S DEGREE WITH A MAJOR STUDY IN FOOD, NUTRITION, DIETETICS, OR HOTEL AND/OR RESTAURANT MANAGEMENT;

2) AN ASSOCIATE'S DEGREE WITH A MAJOR IN DIETETIC TECHNOLOGY, FOOD MANAGEMENT, CULINARY ARTS OR HOTEL AND/OR RESTAURANT MANAGEMENT;

3) ELIGIBLE TO TAKE THE EXAM FOR CERTIFYING DIETARY MANAGERS OR CULINARY CERTIFICATION FROM A NATIONAL CREDENTIALLED ORGANIZATION;

4) A GRADUATE OF A STATE APPROVED COURSE OF 90 HOURS FOR FOOD SERVICE MANAGEMENT AND TWO YEARS FOOD SERVICE MANAGEMENT EXPERIENCE;

5) MILITARY EDUCATION AND TRAINING EQUIVALENT TO SUBSECTION (2) OR (4); OR

6) A COMBINATION OF TRAINING AND EXPERIENCE DEEMED APPROPRIATE BY THE NURSING HOME ADMINISTRATOR TO MEET THE EXPECTATIONS FOR PROVIDING COMPREHENSIVE DIETARY SERVICES OVERSIGHT.

B) THE NUMBER OF TRAINED FOOD SERVICE PERSONNEL SHALL BE SUFFICIENT TO PROVIDE FOOD SERVICE TO THE RESIDENTS IN THE FACILITY OVER A PERIOD OF 12 HOURS OR MORE PER DAY.

### 13.4 POLICIES

THE FACILITY SHALL HAVE WRITTEN POLICIES AND PROCEDURES APPROVED BY THE GOVERNING BODY FOR DIETARY PRACTICES.

### 13.5 ORDERS

ALL DIETS AND NOURISHMENTS SHALL BE PROVIDED AND SERVED AS ORDERED BY THE ATTENDING PRACTITIONER.

### 13.6 NUTRITIONAL ASSESSMENT AND PROGRESS NOTES

THE DIETARY SUPERVISOR OR CONSULTANT SHALL PARTICIPATE IN RESIDENT ASSESSMENT AND CARE PLANNING REQUIRED IN SECTIONS 7.16, 7.20, AND 7.21 OF THIS CHAPTER.

A) THE SUPERVISOR OR CONSULTANT SHALL WRITE PROGRESS NOTES ON EACH RESIDENT AT LEAST AT SIX MONTH INTERVALS.

B) THE FACILITY SHALL REASONABLY ACCOMMODATE INDIVIDUAL RESIDENT PREFERENCES IN MEALS BY OFFERING APPROPRIATE AND NUTRITIONALLY ADEQUATE SUBSTITUTES.

### 13.7 DIET MANUAL

THE FACILITY SHALL MAINTAIN A CURRENT DIET MANUAL CONVENIENTLY AVAILABLE TO THE DIETARY AND NURSING STAFFS. FOR PURPOSES OF THIS SECTION, CURRENT MEANS INITIALLY PUBLISHED OR REVISED WITHIN FIVE YEARS.

### 13.8 MENUS

A) MENUS SHALL MEET THE NUTRITIONAL NEEDS OF RESIDENTS IN ACCORDANCE WITH THE RECOMMENDED DIETARY ALLOWANCES OF THE FOOD AND NUTRITION BOARD OF THE NATIONAL RESEARCH COUNCIL, THE NATIONAL ACADEMY OF SCIENCES.

B) MENUS SHALL BE WRITTEN, APPROVED BY A DIETITIAN AND PLANNED AT LEAST ONE WEEK IN ADVANCE, WITH CONSIDERATION GIVEN TO RESIDENTS' PERSONAL TASTES, DESIRES AND CULTURAL PATTERNS. MENUS SHALL BE POSTED IN THE KITCHEN AREA AND RETAINED BY THE FACILITY FOR AT LEAST FOUR WEEKS AFTER THE MENU IS USED. IF MENUS ARE CHANGED, ALL CHANGES SHALL BE POSTED AS SERVED.

C) A STANDARD MEAL PLANNING GUIDE SHALL BE USED PRIMARILY FOR MENU PLANNING AND FOOD PURCHASING. IT IS NOT INTENDED TO MEET THE NUTRITIONAL NEEDS OF ALL RESIDENTS. THIS GUIDE SHALL BE ADJUSTED TO CONSIDER INDIVIDUAL DIFFERENCES SINCE RESIDENTS MAY HAVE DIFFERENT NUTRITIONAL NEEDS BASED UPON AGE, SIZE, GENDER, PHYSICAL ACTIVITY AND STATE OF HEALTH.

1) THERE ARE MANY MEAL PLANNING GUIDES FROM REPUTABLE SOURCES SUCH AS THE AMERICAN DIABETES ASSOCIATION, ACADEMY OF NUTRITION AND DIETETICS OR U.S. DEPARTMENT OF AGRICULTURE THAT ARE AVAILABLE AND APPROPRIATE FOR USE WHEN ADJUSTED TO MEET EACH RESIDENT'S NEEDS. RECIPES APPROPRIATE TO THE MENUS AND NEEDS OF THE FACILITY SHALL BE AVAILABLE TO THE COOKS.

### 13.9 SPACE

THE FACILITY SHALL PROVIDE ADEQUATE SPACE TO ACCOMMODATE FIXED AND MOVABLE EQUIPMENT AND EMPLOYEE FUNCTIONS; RECEIVE, STORE, REFRIGERATE AND PREPARE FOOD; ASSEMBLE TRAYS; STORE CARTS AND CLEAN DISHES, POTS, AND PANS.

### 13.10 REFRIGERATOR SAFETY

EFFECTIVE MAY 15, 2016, WALK-IN REFRIGERATORS AND FREEZERS SHALL HAVE INSIDE LIGHTING AND INSIDE LOCK RELEASES. IN FACILITIES WHERE THE WALK-IN REFRIGERATORS OR FREEZERS DO NOT HAVE AN INSIDE LOCK RELEASE, THERE SHALL BE AN ALARM SYSTEM THAT IS CLEARLY AUDIBLE THROUGHOUT THE FOOD PREPARATION AND STORAGE AREAS OF THE FACILITY AND THAT MAY BE READILY ACTIVATED BY STAFF MEMBERS FROM WITHIN THE WALK-IN REFRIGERATORS OR FREEZERS.

### 13.11 EQUIPMENT

THE FACILITY SHALL PROVIDE EQUIPMENT OF SUFFICIENT AMOUNT AND ADEQUATE TYPE FOR EFFICIENT AND TIMELY PREPARATION OF MEALS.

### 13.12 STORAGE OF DISHES AND GLASSES

CLEAN GLASSES, CUPS AND OTHER DISHES SHALL NOT BE STORED IN SUCH A MANNER AS TO ENTRAP MOISTURE.

### 13.13 RESIDENTS IN ISOLATION

DISPOSABLE DISHES AND UTENSILS ARE ACCEPTABLE FOR USE WITH RESIDENTS IN ISOLATION.

1 13.14 NAIL POLISH AND FALSE NAILS

2 UNLESS WEARING INTACT GLOVES IN GOOD REPAIR, STAFF INVOLVED IN PREPARING AND SERVING FOOD SHALL  
3 NOT WEAR NAIL POLISH OR FALSE NAILS.

4 13.15 DINING AND RECREATIONAL FACILITIES

5 DINING AND RECREATION AREAS SHALL BE READILY ACCESSIBLE TO ALL RESIDENTS AND SHALL NOT BE IN A  
6 HALLWAY OR LANE OF TRAFFIC IN OR OUT OF THE FACILITY. SUCH SPACE SHALL BE SUFFICIENT TO  
7 ACCOMMODATE ACTIVITIES CONDUCTED THERE, CONSISTENT WITH RESIDENT COMFORT AND SAFETY. THE  
8 DINING AND RECREATION AREAS MAY BE SEPARATE OR COMBINED.

9 **SECTION 14 FEEDING ASSISTANTS**

10 14.1 "FEEDING ASSISTANT" MEANS AN INDIVIDUAL WHO PROVIDES RESIDENTS WITH ASSISTANCE IN EATING AND  
11 DRINKING IN ORDER TO REDUCE THE INCIDENCE OF UNPLANNED WEIGHT LOSS AND DEHYDRATION.

12 14.2 QUALIFICATIONS

13 A) A NURSING CARE FACILITY SHALL ENSURE THAT ITS FEEDING ASSISTANTS ARE QUALIFIED AND TRAINED  
14 TO MEET THE REQUIREMENTS OF THIS SECTION 14, WITH THE EXCEPTION OF THE FOLLOWING  
15 INDIVIDUALS WHO SHALL BE CONSIDERED EXEMPT:

- 16 1) LICENSED PRACTITIONERS;  
17 2) CERTIFIED NURSE AIDES;  
18 3) SUPERVISED NURSING STUDENTS; AND  
19 4) RESIDENT FAMILY MEMBERS OR DESIGNEES.

20 B) THE FACILITY SHALL VERIFY THAT EACH FEEDING ASSISTANT MEETS THE FOLLOWING CRITERIA:

- 21 1) HAS NO HISTORY THAT WOULD PRECLUDE INTERACTION WITH RESIDENTS; AND  
22 2) HAS SUCCESSFULLY COMPLETED THE FEEDING ASSISTANT TRAINING PROGRAM DESCRIBED IN  
23 SECTION 14.9 OF THIS CHAPTER.

24 14.3 SUPERVISION

25 A FEEDING ASSISTANT SHALL WORK UNDER THE SUPERVISION OF AND SHALL REPORT TO A REGISTERED OR  
26 LICENSED PRACTICAL NURSE. EACH FEEDING ASSISTANT SHALL BE GIVEN INSTRUCTION BY A REGISTERED  
27 NURSE, LICENSED PRACTICAL NURSE OR REGISTERED DIETITIAN CONCERNING THE SPECIFIC FEEDING AND  
28 HYDRATION NEEDS OF EACH RESIDENT BEING ASSISTED.

29 14.4 STAFFING

30 FEEDING ASSISTANTS MAY NOT BE COUNTED TOWARD MEETING OR COMPLYING WITH ANY REQUIREMENT FOR  
31 NURSING CARE STAFF AND FUNCTIONS OF A FACILITY, INCLUDING MINIMUM NURSE STAFFING REQUIREMENTS.

32 14.5 LOCATION

33 FEEDING ASSISTANCE MAY BE PERFORMED IN EITHER CONGREGATE DINING AREAS OR RESIDENT ROOMS IF  
34 DETERMINED SAFE BY THE NURSE IN CHARGE. A NURSE SHALL BE IMMEDIATELY AVAILABLE IN CASE OF AN  
35 EMERGENCY DURING MEALS.

14.6 EMERGENCY ASSISTANCE

FEEDING ASSISTANTS SHALL KNOW HOW TO USE RESIDENT CALL SYSTEMS AND SHALL IMMEDIATELY SECURE THE ASSISTANCE OF A NURSE, PRACTITIONER OR OTHER LICENSED PERSONNEL IN AN EMERGENCY.

14.7 RESIDENT SELECTION

A) RESIDENT SELECTION SHALL BE BASED UPON THE CHARGE NURSE'S ASSESSMENT AND THE RESIDENT'S LATEST ASSESSMENT AND PLAN OF CARE.

B) THE FACILITY SHALL ENSURE THAT A FEEDING ASSISTANT ONLY ASSISTS THOSE RESIDENTS WHO HAVE NO COMPLICATED FEEDING ISSUES.

1) COMPLICATED FEEDING ISSUES INCLUDE, BUT ARE NOT LIMITED TO, DIFFICULTY SWALLOWING, RECURRENT LUNG ASPIRATIONS AND TUBE OR PARENTERAL/IV FEEDINGS.

14.8 POLICIES AND PROCEDURES

AN EMPLOYING FACILITY SHALL DEVELOP AND IMPLEMENT POLICIES AND PROCEDURES CONCERNING THE USE OF FEEDING ASSISTANTS DEVELOPED IN ACCORDANCE WITH THIS SECTION.

14.9 FEEDING ASSISTANT TRAINING PROGRAM

FEEDING ASSISTANT CURRICULUM SPECIFICATIONS AND PROGRAM REQUIREMENTS ARE DEFINED BY THE DEPARTMENT. NURSING CARE FACILITIES MAY OFFER A FEEDING ASSISTANT TRAINING PROGRAM ONLY UPON APPROVAL BY THE DEPARTMENT.

A) A FACILITY SEEKING APPROVAL TO ADMINISTER A FEEDING ASSISTANT TRAINING PROGRAM SHALL SUBMIT, IN THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT, WRITTEN CONFIRMATION THAT ITS TRAINING PROGRAM CONFORMS TO THE CURRICULUM SPECIFICATIONS AND PROGRAM REQUIREMENTS ESTABLISHED BY THE DEPARTMENT.

1) PROGRAM APPROVAL MAY BE GRANTED FOR A PERIOD NOT TO EXCEED ONE YEAR TO THOSE PROGRAMS THAT MEET THE MINIMUM REQUIREMENTS.

2) A FACILITY APPROVED TO ADMINISTER A FEEDING ASSISTANT TRAINING PROGRAM PURSUANT TO THIS SECTION SHALL SUBMIT ANNUAL RENEWAL FORMS, IN THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT, IN ORDER TO CONTINUE ITS TRAINING PROGRAM.

3) THE DEPARTMENT MAY DENY, SUSPEND OR WITHDRAW ITS APPROVAL OF A TRAINING PROGRAM IF IT DETERMINES THAT THERE IS GOOD CAUSE TO DO SO. GOOD CAUSE INCLUDES, BUT IS NOT LIMITED TO, A DETERMINATION THAT A FEEDING ASSISTANT TRAINING PROGRAM IS NOT BEING ADMINISTERED IN COMPLIANCE WITH THE APPLICABLE REGULATIONS.

B) FEEDING ASSISTANT TRAINING PROGRAMS SHALL USE AS INSTRUCTORS ONLY INDIVIDUALS WHO HAVE APPROPRIATE EXPERIENCE IN FEEDING AND HYDRATING RESIDENTS AND WHO MEET THE FOLLOWING PROFESSIONAL CRITERIA:

1) LICENSED IN COLORADO AS A REGISTERED OR PRACTICAL NURSE;

2) A REGISTERED DIETICIAN WHO MEETS STANDARDS ESTABLISHED BY THE COMMISSION ON DIETETIC REGISTRATION;

3) A SPEECH-LANGUAGE PATHOLOGIST CERTIFIED BY THE COLORADO DEPARTMENT OF REGULATORY AGENCIES; OR

4) AN OCCUPATIONAL THERAPIST LICENSED OR AUTHORIZED BY THE COLORADO DEPARTMENT OF REGULATORY AGENCIES.

C) CURRICULUM FOR THE FEEDING ASSISTANT TRAINING PROGRAM SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING SUBJECTS:

1) FEEDING TECHNIQUES;

2) ASSISTANCE WITH FEEDING AND HYDRATION;

3) COMMUNICATION AND INTERPERSONAL SKILLS;

4) APPROPRIATE RESPONSES TO RESIDENT BEHAVIOR;

5) SAFETY AND EMERGENCY PROCEDURES, INCLUDING THE HEIMLICH MANEUVER;

6) INFECTION CONTROL;

7) RESIDENT RIGHTS; AND

8) RECOGNIZING CHANGES IN RESIDENTS THAT ARE INCONSISTENT WITH THEIR NORMAL BEHAVIOR AND THE IMPORTANCE OF REPORTING THOSE CHANGES TO THE SUPERVISORY NURSE.

D) SUCCESSFUL COMPLETION OF THE FEEDING ASSISTANT TRAINING PROGRAM REQUIRES EACH INDIVIDUAL ENROLLED TO OBTAIN A SCORE OF 80 PERCENT OR GREATER IN A WRITTEN EXAMINATION PROVIDED AT THE CONCLUSION OF CLASSROOM INSTRUCTION. WRITTEN EXAMINATION QUESTIONS SHALL BE OF AN APPROPRIATE LEVEL OF DIFFICULTY TO REFLECT PROFICIENCY IN EACH MODULE OF THE "FEEDING ASSISTANT CURRICULUM SPECIFICATIONS AND PROGRAM REQUIREMENTS" AND, AT THE DISCRETION OF THE TRAINING PROGRAM PROVIDER, MAY INCLUDE ANCILLARY FEEDING ASSISTANT-RELATED CURRICULUM SUBJECTS. WRITTEN EXAMINATION QUESTIONS SHALL NOT BE DISCLOSED TO CANDIDATES IN ADVANCE AND SHALL BE VARIED IN FORMAT AND CONTENT FROM TEST TO TEST.

E) AN INDIVIDUAL WHO SUCCESSFULLY COMPLETES A FEEDING ASSISTANT TRAINING PROGRAM IS NOT REQUIRED TO REPEAT THE PROGRAM UNLESS THE INDIVIDUAL HAS NOT PROVIDED FEEDING ASSISTANCE FOR A PERIOD OF 24 CONSECUTIVE MONTHS. IN SUCH CASE, THE FACILITY SHALL NOT ALLOW THE INDIVIDUAL TO PROVIDE FEEDING ASSISTANCE UNTIL THE INDIVIDUAL SUCCESSFULLY REPEATS THE FEEDING ASSISTANT TRAINING PROGRAM.

F) FACILITIES SHALL MAINTAIN THE TRAINING RECORD OF EACH INDIVIDUAL WHO ATTENDS THE FEEDING ASSISTANT TRAINING PROGRAM FOR A PERIOD OF NOT LESS THAN THREE YEARS.

## SECTION 15 RESIDENT RIGHTS

### 15.1 STATEMENT OF RIGHTS

THE FACILITY SHALL ADOPT AND MAKE PUBLIC A STATEMENT REGARDING OF THE RIGHTS AND RESPONSIBILITIES OF ITS RESIDENTS AND PROVIDE A COPY TO EACH RESIDENT AND RESIDENT REPRESENTATIVE AT OR BEFORE ADMISSION. THE FACILITY AND STAFF SHALL OBSERVE THESE RIGHTS IN THE CARE, TREATMENT AND SUPERVISION OF THE RESIDENTS. THE STATEMENT OF RIGHTS SHALL INCLUDE AT A MINIMUM, THE FOLLOWING ITEMS:

A) THE RIGHT TO RECEIVE ADEQUATE AND APPROPRIATE HEALTH CARE CONSISTENT WITH ESTABLISHED AND RECOGNIZED PRACTICE STANDARDS WITHIN THE COMMUNITY AND THIS CHAPTER.

- 1) FOR RESIDENTS WITH LIMITED ENGLISH PROFICIENCY, THE FACILITY SHALL ARRANGE FOR PERSONS SPEAKING THE RESIDENT'S LANGUAGE TO FACILITATE DAILY COMMUNICATIONS AND TO ATTEND ASSESSMENT AND CARE PLANNING CONFERENCES IN ORDER TO ALLOW THE RESIDENT TO PARTICIPATE IN THOSE ACTIVITIES. THIS SECTION DOES NOT REQUIRE A TRANSLATOR TO BE PRESENT DAILY AS LONG AS THE RESIDENT IS ABLE TO ENGAGE IN NECESSARY DAILY COMMUNICATION WITHIN THE FACILITY.
  - 2) FOR RESIDENTS WITH SENSORY IMPAIRMENTS THAT INHIBIT DAILY COMMUNICATION, THE FACILITY SHALL PROVIDE ASSISTANCE SO THAT THEY MAY PARTICIPATE IN CARE AND ACTIVITIES OF DAILY LIVING.
- B) THE RIGHT TO CIVIL AND RELIGIOUS LIBERTIES, INCLUDING:
- 1) KNOWLEDGE OF AVAILABLE CHOICES AND THE RIGHT TO INDEPENDENT PERSONAL DECISIONS, WHICH WILL NOT BE INFRINGED UPON;
  - 2) THE RIGHT TO ENCOURAGEMENT AND ASSISTANCE FROM THE STAFF OF THE FACILITY IN THE FULLEST POSSIBLE EXERCISE OF THESE RIGHTS;
  - 3) THE RIGHT TO VOTE; AND
  - 4) THE RIGHT TO PARTICIPATE IN ACTIVITIES OF THE COMMUNITY BOTH INSIDE AND OUTSIDE THE FACILITY.
- C) THE RIGHT TO PRESENT GRIEVANCES ON BEHALF OF HIM/HERSELF OR OTHERS TO THE FACILITY'S STAFF OR ADMINISTRATOR; TO GOVERNMENTAL OFFICIALS OR TO ANY OTHER PERSON WITHOUT FEAR OF REPRISAL AND TO JOIN WITH OTHER PATIENTS OR INDIVIDUALS WITHIN OR OUTSIDE OF THE FACILITY TO WORK FOR IMPROVEMENTS IN RESIDENT CARE, INCLUDING:
- 1) THE RIGHT TO PARTICIPATE IN THE RESIDENT COUNCIL; AND
  - 2) THE RIGHT TO BE INFORMED OF THE ADDRESS AND PHONE NUMBER FOR THE STATE AND LOCAL LONG-TERM CARE OMBUDSMAN AND THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, HEALTH FACILITIES AND EMERGENCY MEDICAL SERVICES DIVISION. THE FACILITY SHALL POST THESE NUMBERS IN A CONSPICUOUS MANNER.
- D) THE RIGHT TO MANAGE HIS OR HER OWN FINANCIAL AFFAIRS OR TO HAVE A QUARTERLY ACCOUNTING OF ANY FINANCIAL TRANSACTIONS MADE IN HIS OR HER BEHALF, SHOULD THE RESIDENT DELEGATE SUCH RESPONSIBILITY TO THE FACILITY FOR ANY PERIOD OF TIME.
- E) THE RIGHT TO BE FULLY INFORMED, IN WRITING, PRIOR TO OR AT THE TIME OF ADMISSION AND DURING HIS OR HER STAY, OF SERVICES AVAILABLE IN THE FACILITY AND OF RELATED CHARGES, INCLUDING CHARGES FOR SERVICES NOT COVERED UNDER MEDICARE OR MEDICAID OR NOT COVERED BY THE BASIC PER DIEM RATE.
- F) THE RIGHT TO BE FULLY INFORMED OF HIS OR HER MEDICAL CONDITION AND PROPOSED TREATMENT UNLESS OTHERWISE INDICATED BY HIS OR HER PRACTITIONER, AND TO PARTICIPATE IN THE PLANNING OF ALL MEDICAL TREATMENT, INCLUDING:
- 1) THE RIGHT TO REFUSE MEDICATION AND TREATMENT, UNLESS OTHERWISE INDICATED BY HIS OR HER PRACTITIONER, AND TO KNOW THE CONSEQUENCES OF SUCH ACTIONS;
  - 2) THE RIGHT TO PARTICIPATE IN DISCHARGE PLANNING; AND

- 1 3) THE RIGHT TO REVIEW AND OBTAIN COPIES OF HIS OR HER MEDICAL RECORDS IN ACCORDANCE  
2 WITH 6 CCR 1011-1, CHAPTER 2, PART 5.
- 3 G) THE RIGHT TO HAVE PRIVATE AND UNRESTRICTED COMMUNICATIONS WITH ANY PERSON OF HIS OR HER  
4 CHOICE; INCLUDING
- 5 1) THE RIGHT TO PRIVACY FOR TELEPHONE CALLS OR USE OF ELECTRONIC COMMUNICATION  
6 DEVICES;
- 7 2) THE RIGHT TO RECEIVE MAIL UNOPENED; AND
- 8 3) THE RIGHT TO PRIVATE CONSENSUAL SEXUAL ACTIVITY.
- 9 H) THE RIGHT TO BE FREE FROM MENTAL AND PHYSICAL ABUSE AND FROM PHYSICAL AND CHEMICAL  
10 RESTRAINTS, EXCEPT THOSE RESTRAINTS INITIATED THROUGH THE JUDGMENT OF PROFESSIONAL STAFF  
11 FOR A SPECIFIED AND LIMITED PERIOD OF TIME OR ON THE WRITTEN AUTHORIZATION OF A  
12 PRACTITIONER.
- 13 I) THE RIGHT TO FREEDOM OF CHOICE IN SELECTING A HEALTH CARE FACILITY.
- 14 J) THE RIGHT TO COPIES OF THE FACILITY'S RULES AND REGULATIONS, INCLUDING A COPY OF THESE  
15 RIGHTS, AND AN EXPLANATION OF HIS OR HER RIGHTS AND RESPONSIBILITY TO OBEY ALL REASONABLE  
16 RULES AND REGULATIONS OF THE FACILITY AND TO RESPECT THE PERSONAL RIGHTS AND PRIVATE  
17 PROPERTY OF THE OTHER PATIENTS.
- 18 1) IF THE RESIDENT HAS LIMITED ENGLISH PROFICIENCY, THE RIGHT TO AN EXPLANATION OF  
19 RIGHTS AND RESPONSIBILITIES IN A LANGUAGE THE RESIDENT CAN UNDERSTAND; AND
- 20 2) THE RIGHT TO SEE FACILITY POLICIES, UPON REQUEST, AND STATE SURVEY REPORTS ON THE  
21 FACILITY.
- 22 K) THE RIGHT TO BE TRANSFERRED OR DISCHARGED ONLY FOR MEDICAL REASONS, HIS OR HER WELFARE  
23 OR THAT OF OTHER RESIDENTS, OR FOR NONPAYMENT FOR HIS OR HER STAY; AND THE RIGHT TO BE  
24 GIVEN REASONABLE ADVANCE NOTICE OF ANY TRANSFER OR DISCHARGE, EXCEPT IN THE CASE OF AN  
25 EMERGENCY AS DETERMINED BY PROFESSIONAL STAFF, CONSISTENT WITH SECTION 15.6.
- 26 L) THE RIGHT NOT TO BE TRANSFERRED OR DISCHARGED FOR RAISING CONCERNS OR COMPLAINTS.
- 27 M) THE RIGHT TO HAVE PRIVACY IN TREATMENT AND IN CARING FOR PERSONAL NEEDS, CONFIDENTIALITY IN  
28 THE TREATMENT OF PERSONAL AND MEDICAL RECORDS, AND SECURITY IN STORING AND USING  
29 PERSONAL POSSESSIONS.
- 30 N) THE RIGHT TO BE TREATED COURTEOUSLY, FAIRLY AND WITH THE FULLEST MEASURE OF DIGNITY AND  
31 TO RECEIVE A WRITTEN STATEMENT OF THE SERVICES PROVIDED BY THE FACILITY, INCLUDING THOSE  
32 REQUIRED TO BE OFFERED ON AN AS-NEEDED BASIS.
- 33 O) THE RIGHT OF ANY PERSON ELIGIBLE TO RECEIVE MEDICAID TO SELECT ANY NURSING CARE FACILITY  
34 CERTIFIED FOR PARTICIPATION IN MEDICAID WHERE A CERTIFIED BED IS AVAILABLE AND THE FACILITY  
35 CAN MEET THE RESIDENT'S NEEDS.

## 15.2 TRANSFER OF RIGHTS

A RESIDENT'S RIGHTS SHALL TRANSFER TO THE RESIDENT REPRESENTATIVE IF THE RESIDENT LACKS DECISIONAL CAPACITY.



1    15.3    STAFF TRAINING IN RESIDENTS' RIGHTS

2            THE FACILITY SHALL TRAIN ALL STAFF IN THE OBSERVATION AND PROTECTION OF RESIDENTS' RIGHTS AND  
3            ENSURE THAT A COPY OF THE FACILITY'S STATEMENT OF RESIDENTS' RIGHTS IS AVAILABLE TO ALL NEW AND  
4            CURRENT EMPLOYEES.

5    15.4    GRIEVANCE PROCEDURE

6            THE FACILITY SHALL DEVELOP A GRIEVANCE PROCEDURE, WHICH IT SHALL POST CONSPICUOUSLY IN A PUBLIC  
7            PLACE, FOR PRESENTATION OF GRIEVANCES BY RESIDENTS, RESIDENT REPRESENTATIVES OR THE RESIDENT  
8            COUNCIL REGARDING ANY CONDITIONS, TREATMENT OR VIOLATIONS OF RIGHTS OF ANY RESIDENT BY THE  
9            FACILITY OR STAFF (REGARDLESS OF THE CONSENT OF THE VICTIM OF THE ALLEGED IMPROPER CONDUCT).

10          A)        THE FACILITY SHALL DESIGNATE A FULL-TIME STAFF MEMBER ("STAFF DESIGNEE") TO RECEIVE ALL  
11          GRIEVANCES.

12          B)        THE FACILITY SHALL ESTABLISH A GRIEVANCE COMMITTEE CONSISTING OF THE ADMINISTRATOR OR HIS  
13          OR HER DESIGNEE, A RESIDENT SELECTED BY THE FACILITY'S RESIDENTS AND A THIRD PERSON AGREED  
14          UPON BY THE ADMINISTRATOR AND THE FACILITY'S RESIDENT REPRESENTATIVE.

15          C)        ANY RESIDENT, RESIDENT REPRESENTATIVE OR THE RESIDENT COUNCIL MAY PRESENT A GRIEVANCE TO  
16          THE FACILITY STAFF DESIGNEE ORALLY OR IN WRITING WITHIN 14 DAYS OF THE INCIDENT GIVING RISE TO  
17          THE GRIEVANCE.

18          D)        THE STAFF DESIGNEE SHALL CONFER WITH PERSONS INVOLVED IN THE INCIDENT AND OTHER RELEVANT  
19          PERSONS AND, WITHIN THREE DAYS OF RECEIVING THE GRIEVANCE, SHALL PROVIDE A WRITTEN  
20          EXPLANATION OF FINDINGS AND PROPOSED REMEDIES TO THE COMPLAINANT AND THE AGGRIEVED  
21          PARTY, IF OTHER THAN THE COMPLAINANT, AND RESIDENT REPRESENTATIVE, IF ANY. WHERE  
22          APPROPRIATE DUE TO THE MENTAL OR PHYSICAL CONDITION OF THE COMPLAINANT OR AGGRIEVED  
23          PARTY, AN ORAL EXPLANATION SHALL ACCOMPANY THE WRITTEN ONE.

24          E)        IF THE COMPLAINANT OR AGGRIEVED PARTY IS DISSATISFIED WITH THE FINDINGS AND REMEDIES OF THE  
25          STAFF DESIGNEE OR THEIR IMPLEMENTATION, WITHIN TEN DAYS OF RECEIVING THE DESIGNEE'S  
26          EXPLANATION, THE COMPLAINANT OR AGGRIEVED PARTY MAY FILE THE GRIEVANCE ORALLY OR IN  
27          WRITING ALONG WITH ANY ADDITIONAL INFORMATION IT WISHES TO THE GRIEVANCE COMMITTEE.

28          F)        THE COMMITTEE SHALL CONFER WITH PERSONS INVOLVED IN THE INCIDENT AND OTHER RELEVANT  
29          PERSONS, INCLUDING THE COMPLAINANT, AND WITHIN TEN DAYS OF THE DATE OF THE APPEAL SHALL  
30          PROVIDE A WRITTEN EXPLANATION OF ITS FINDINGS AND PROPOSED REMEDIES TO THE COMPLAINANT  
31          AND THE AGGRIEVED PARTY, IF OTHER THAN THE COMPLAINANT, AND TO THE RESIDENT  
32          REPRESENTATIVE, IF ANY. WHERE APPROPRIATE DUE TO THE MENTAL OR PHYSICAL CONDITION OF THE  
33          COMPLAINANT OR AGGRIEVED PARTY, AN ORAL EXPLANATION SHALL ACCOMPANY THE WRITTEN ONE.

34          G)        THE COMPLAINANT OR AGGRIEVED PARTY, IF DISSATISFIED WITH THE FINDINGS AND REMEDIES OF THE  
35          GRIEVANCE COMMITTEE OR THEIR IMPLEMENTATION (EXCEPT FOR GRIEVANCES REGARDING  
36          PRACTITIONER OR PRACTITIONER-PRESCRIBED TREATMENT), MAY FILE THE GRIEVANCE IN WRITING  
37          WITH THE EXECUTIVE DIRECTOR OF THE DEPARTMENT WITHIN TEN DAYS OF RECEIPT OF THE WRITTEN  
38          FINDINGS OF THE GRIEVANCE COMMITTEE. THE DEPARTMENT SHALL THEN INVESTIGATE THE FACTS AND  
39          CIRCUMSTANCES OF THE GRIEVANCE AND MAKE WRITTEN FINDINGS OF FACT, CONCLUSIONS, AND  
40          RECOMMENDATIONS AND PROVIDE THEM TO THE COMPLAINANT, AGGRIEVED PARTY, RESIDENT  
41          REPRESENTATIVE, IF ANY, AND THE FACILITY ADMINISTRATOR.

42          H)        IF THE COMPLAINANT OR FACILITY ADMINISTRATOR IS AGGRIEVED BY THE DEPARTMENT'S FINDINGS AND  
43          RECOMMENDATIONS, HE OR SHE MAY REQUEST, WITHIN 30 DAYS OF RECEIPT OF THE FINDINGS AND  
44          RECOMMENDATIONS, THAT THE DEPARTMENT SET THE MATTER FOR HEARING PURSUANT TO SECTION

24-4-105, C.R.S. SUCH HEARING MAY BE CONDUCTED BY THE DEPARTMENT, AN ADMINISTRATIVE LAW JUDGE FROM THE OFFICE OF ADMINISTRATIVE COURTS OR A HEARING OFFICER APPOINTED BY THE DEPARTMENT.

#### 15.5 RESIDENT ADVISORY COUNCIL

EACH FACILITY SHALL ESTABLISH A RESIDENT ADVISORY COUNCIL CONSISTING OF NO LESS THAN FIVE MEMBERS SELECTED FROM THE FACILITY'S RESIDENTS.

A) THE COUNCIL SHALL BE CONDUCTED BY RESIDENTS. IT SHALL HAVE THE OPPORTUNITY TO MEET WITHOUT STAFF PRESENT AND SHALL MEET AT LEAST MONTHLY WITH THE ADMINISTRATOR AND A STAFF REPRESENTATIVE TO MAKE RECOMMENDATIONS CONCERNING FACILITY POLICIES. STAFF SHALL RESPOND TO THESE SUGGESTIONS IN WRITING BY THE NEXT MEETING. MINUTES OF COUNCIL MEETINGS SHALL BE MAINTAINED AND POSTED OR OTHERWISE AVAILABLE TO RESIDENTS.

B) THE COUNCIL MAY PRESENT GRIEVANCES TO THE GRIEVANCE COMMITTEE ON BEHALF OF RESIDENTS.

C) THE COUNCIL SHALL ELECT ITS OFFICERS AND ESTABLISH A PROCESS FOR OBTAINING VIEWS OF ALL FACILITY RESIDENTS.

#### 15.6 RESIDENT TRANSFER, DISCHARGE OR ROOM CHANGE

A) THE FOLLOWING DEFINITIONS APPLY TO THIS SECTION 15.6:

1) "DISCHARGE" MEANS MOVEMENT OF A RESIDENT FROM A NURSING CARE FACILITY TO A NON-INSTITUTIONAL SETTING WHEN THE DISCHARGING FACILITY CEASES TO BE LEGALLY RESPONSIBLE FOR THE CARE OF THE RESIDENT.

2) "TRANSFER" MEANS MOVEMENT OF A RESIDENT FROM A NURSING CARE FACILITY TO ANOTHER INSTITUTIONAL SETTING WHEN THE LEGAL RESPONSIBILITY FOR THE CARE OF THE RESIDENT CHANGES FROM THE TRANSFERRING FACILITY TO THE RECEIVING FACILITY.

3) "ROOM CHANGE" REFERS TO THE MOVEMENT OF A RESIDENT FROM ONE ROOM TO ANOTHER.

B) A RESIDENT SHALL NOT BE TRANSFERRED OR DISCHARGED UNLESS:

1) THE TRANSFER OR DISCHARGE IS NECESSARY FOR THE RESIDENT'S WELFARE. FACILITIES THAT ARE CERTIFIED TO PARTICIPATE IN THE MEDICAID AND/OR MEDICARE REIMBURSEMENT PROGRAM MUST ALSO DEMONSTRATE THAT THE RESIDENT'S NEEDS CANNOT BE MET IN THE FACILITY;

2) THE TRANSFER OR DISCHARGE IS ONLY FOR MEDICAL REASONS. FACILITIES THAT ARE CERTIFIED TO PARTICIPATE IN THE MEDICAID AND/OR MEDICARE REIMBURSEMENT PROGRAM MUST ALSO DEMONSTRATE THAT THE RESIDENT'S NEEDS CANNOT BE MET IN THE FACILITY;

3) THE TRANSFER OR DISCHARGE IS NECESSARY TO PRESERVE THE WELFARE OF OTHER RESIDENTS; OR

4) THE RESIDENT HAS FAILED TO PAY FOR (OR TO HAVE PAID UNDER MEDICAID OR MEDICARE) A STAY AT THE FACILITY. FACILITIES THAT ARE CERTIFIED TO PARTICIPATE IN THE MEDICAID AND/OR MEDICARE REIMBURSEMENT PROGRAM MUST ALSO PROVIDE REASONABLE AND APPROPRIATE NOTICE OF AT LEAST 30 DAYS FOR NON-PAYMENT AND ITS CONSEQUENCES TO THE RESIDENT PRIOR TO INITIATING A TRANSFER OR DISCHARGE OF A RESIDENT FOR REASONS OF NON-PAYMENT.

- 1 C) WHEN A RESIDENT IS TRANSFERRED OR DISCHARGED UNDER ANY OF THE CIRCUMSTANCES SPECIFIED  
2 IN 15.6(B), THE FACILITY SHALL ENSURE THAT THE RESIDENT'S HEALTH INFORMATION RECORD  
3 CONTAINS DOCUMENTATION FROM:
- 4 (1) THE RESIDENT'S PRACTITIONER WHEN THE TRANSFER OR DISCHARGE IS FOR THE REASONS  
5 DESCRIBED IN SECTIONS 15.6(B)(1), (2) OR (3); AND
- 6 (2) THE NURSING HOME ADMINISTRATOR WHEN TRANSFER OR DISCHARGE IS FOR THE REASON  
7 DESCRIBED IN SECTION 15.6(B)(4).
- 8 D) WHENEVER A RESIDENT IS TRANSFERRED OR DISCHARGED FOR THE REASONS DESCRIBED IN SECTIONS  
9 15.6(B)(1), (2) OR (3), THE FACILITY SHALL PROVIDE ASSESSMENT AND REASONABLE INTERVENTION  
10 PRIOR TO DETERMINING THE NEED FOR THE TRANSFER OR DISCHARGE. THE ASSESSMENT, ATTEMPTED  
11 INTERVENTION AND REASON FOR THE DISCHARGE OR TRANSFER SHALL BE DOCUMENTED IN THE  
12 RESIDENT'S HEALTH INFORMATION RECORD.
- 13 E) THE FACILITY SHALL PROVIDE REASONABLE ADVANCE NOTICE TO THE RESIDENT AND RESIDENT  
14 REPRESENTATIVE OF ITS INTENT TO TRANSFER OR DISCHARGE THE RESIDENT. REASONABLE ADVANCE  
15 NOTICE MEANS NOTICE IN WRITING AT LEAST 30 DAYS BEFORE THE TRANSFER OR DISCHARGE EXCEPT  
16 IN THE FOLLOWING CIRCUMSTANCES IN WHICH THE PROFESSIONAL STAFF DETERMINES THERE IS AN  
17 EMERGENCY, IN WHICH CASE THE NOTICE MUST BE MADE AS SOON AS PRACTICABLE BEFORE THE  
18 TRANSFER OR DISCHARGE:
- 19 1) THE SAFETY OF RESIDENTS IN THE FACILITY IS ENDANGERED;
- 20 2) THE HEALTH OF RESIDENTS IN THE FACILITY IS ENDANGERED; AND/OR
- 21 3) AN IMMEDIATE TRANSFER OR DISCHARGE IS REQUIRED BY THE RESIDENT'S URGENT MEDICAL  
22 NEEDS.
- 23 F) THE WRITTEN NOTICE SHALL BE IN A LANGUAGE AND MANNER UNDERSTANDABLE TO THE RESIDENT AND  
24 THE RESIDENT REPRESENTATIVE, IF APPLICABLE, AND SHALL INCLUDE:
- 25 1) THE REASON FOR THE TRANSFER OR DISCHARGE;
- 26 2) THE EFFECTIVE DATE OF THE TRANSFER OR DISCHARGE;
- 27 3) THE LOCATION TO WHICH THE RESIDENT IS TRANSFERRED OR DISCHARGED;
- 28 4) THE GRIEVANCE PROCEDURE; AND
- 29 5) THE FOLLOWING TEXT:
- 30 "YOU HAVE A RIGHT TO APPEAL THE NURSING CARE FACILITY'S DECISION TO TRANSFER OR DISCHARGE YOU. IF YOU THINK  
31 YOU SHOULD NOT BE TRANSFERRED OR DISCHARGED, YOU MAY APPEAL TO \_\_\_\_\_ (STAFF DESIGNEE). IF YOU DO  
32 NOT WISH TO HANDLE THE APPEAL YOURSELF, YOU MAY USE AN ATTORNEY, RELATIVE, OR FRIEND. IF YOUR APPEAL IS  
33 NOT RESOLVED TO YOUR SATISFACTION BY THE STAFF DESIGNEE, YOU CAN CONTINUE YOUR APPEAL TO THE NURSING  
34 CARE FACILITY'S GRIEVANCE COMMITTEE AND, IF NECESSARY, THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND  
35 ENVIRONMENT. YOU MAY DIRECT QUESTIONS REGARDING THIS NOTICE TO THE DEPARTMENT OF PUBLIC HEALTH AND  
36 ENVIRONMENT AT \_\_\_\_\_ (DIVISION NAME, ADDRESS AND PHONE NUMBER)."
- 37 (a) NURSING CARE FACILITIES THAT ARE CERTIFIED FOR MEDICAID AND/OR MEDICARE  
38 REIMBURSEMENT, MUST ALSO ADD THE FOLLOWING STATEMENT:

“IN ADDITION, IF YOU HAVE QUESTIONS OR COMPLAINTS ABOUT THE TRANSFER OR DISCHARGE OR WOULD LIKE HELP TO APPEAL, CALL OR WRITE THE STATE OR LOCAL LONG-TERM CARE OMBUDSMAN AT \_\_\_\_\_(PHONE NUMBERS/ADDRESSES).”

- (b) IF THE RESIDENT WHO IS BEING INVOLUNTARILY TRANSFERRED IS A PERSON WITH A DEVELOPMENTAL DISABILITY FOR WHOM AN AGENCY HAS BEEN AUTHORIZED BY LAW AS THE AGENCY RESPONSIBLE FOR ADVOCACY AND PROTECTION OF THE RIGHTS OF PERSONS WITH DEVELOPMENTAL DISABILITIES, THE NURSING CARE FACILITY MUST ALSO FURNISH TO RESIDENT AND THE RESIDENT REPRESENTATIVE, THE FOLLOWING STATEMENT:

“IN ADDITION, IF YOU HAVE QUESTIONS OR COMPLAINTS ABOUT THE TRANSFER OR DISCHARGE OR WOULD LIKE HELP TO APPEAL, CALL OR WRITE THE \_\_\_\_\_, (NAME, PHONE NUMBER AND ADDRESS OF THE AGENCY.)”

- (c) IF THE RESIDENT WHO IS BEING TRANSFERRED IS A PERSON WITH MENTAL ILLNESS FOR WHOM AN AGENCY HAS BEEN AUTHORIZED BY LAW AS THE AGENCY RESPONSIBLE FOR THE ADVOCACY AND PROTECTION OF PERSONS WITH MENTAL ILLNESS, THE NURSING CARE FACILITY MUST ALSO FURNISH TO THE RESIDENT AND THE RESIDENT REPRESENTATIVE THE FOLLOWING STATEMENT:

“IN ADDITION, IF YOU HAVE QUESTIONS OR COMPLAINTS ABOUT THE TRANSFER OR DISCHARGE OR WOULD LIKE HELP TO APPEAL, CALL OR WRITE THE \_\_\_\_\_, (NAME, PHONE NUMBER AND ADDRESS OF THE AGENCY.)”

- G) IN CASES WHERE A RESIDENT IS BEING INVOLUNTARILY TRANSFERRED OR DISCHARGED FROM A NURSING CARE FACILITY THAT IS CERTIFIED TO PARTICIPATE IN THE MEDICAID AND/OR MEDICARE REIMBURSEMENT PROGRAM, A COPY OF THE WRITTEN NOTICE (INCLUDING THE GRIEVANCE AND APPEAL RIGHTS, AND CURRENT CONTACT INFORMATION FOR THE STATE AND LOCAL LONG-TERM CARE OMBUDSMAN) SHALL ALSO BE SENT TO THE STATE AND LOCAL LONG-TERM CARE OMBUDSMAN AT THE SAME TIME IT IS SENT TO THE RESIDENT OR AS SOON AS THE DETERMINATION IS MADE THAT THE TRANSFER OR DISCHARGE IS INVOLUNTARY.

- H) A FACILITY MUST PROVIDE SUFFICIENT PREPARATION AND ORIENTATION TO RESIDENTS TO ENSURE SAFE AND ORDERLY TRANSFER AND DISCHARGE FROM THE FACILITY.

- I) WHEN THE FACILITY INTENDS TO MOVE A RESIDENT TO ANOTHER ROOM IN THE FACILITY WITHOUT THE RESIDENT'S CONSENT, THE FACILITY SHALL PROVIDE THE RESIDENT AND RESIDENT REPRESENTATIVE WITH WRITTEN NOTICE OF SUCH INTENT TO BE RECEIVED AT LEAST FIVE DAYS BEFORE SUCH MOVE, INCLUDING AN EXPLANATION ON THEIR RIGHT TO APPEAL.

- J) A RESIDENT SHALL NOT BE INVOLUNTARILY TRANSFERRED, DISCHARGED, OR MOVED TO ANOTHER ROOM WITHIN THE FACILITY UNTIL:

- 1) THE EXPIRATION OF THE NOTICE PERIOD, OR
- 2) THE TIME FOR ANY FURTHER ADMINISTRATIVE APPEALS HAS EXPIRED, OR
- 3) THE GRIEVANCE OR APPEAL HAS BEEN RESOLVED.

## 15.7 RESIDENT RELOCATION

IF A FACILITY INTENDS TO CLOSE OR CHANGE BED CLASSIFICATION, IT SHALL NOTIFY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND THE COLORADO DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, IF IT HAS MEDICAID RESIDENTS, AT LEAST 60 DAYS BEFORE IT EXPECTS TO CEASE OR CHANGE OPERATIONS AND AT LEAST SEVEN DAYS BEFORE IT NOTIFIES RESIDENTS AND FAMILIES.

- 1 A) THE FACILITY SHALL APPOINT ONE STAFF PERSON TO COORDINATE RESIDENT RELOCATION ACTIVITIES.
- 2 B) IF THE FACILITY HAS MEDICAID RESIDENTS, IT SHALL REVIEW ITS RELOCATION PLAN WITH THE
- 3 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING.
- 4 C) ANY FACILITY CERTIFIED FOR PARTICIPATION IN MEDICAID SHALL FOLLOW THE RELOCATION
- 5 PROCEDURES REQUIRED BY THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING. OTHER
- 6 FACILITIES SHALL PROVIDE FOR AN ORDERLY RELOCATION OF RESIDENTS, DESIGNED TO MINIMIZE RISKS
- 7 AND ENSURE OPTIMAL PLACEMENT OF ALL RESIDENTS, IN COORDINATION WITH THE DEPARTMENT OF
- 8 PUBLIC HEALTH AND ENVIRONMENT, THE STATE AND/OR LOCAL LONG-TERM CARE OMBUDSMAN AND
- 9 LOCAL PUBLIC AND PRIVATE SOCIAL SERVICES AGENCIES.

## 10 SECTION 16 EMERGENCY SERVICES

### 11 16.1 EMERGENCY CARE POLICIES

12 THE FACILITY SHALL COMPLETE A RISK ASSESSMENT USING AN ALL HAZARDS APPROACH. THE FACILITY SHALL

13 DEVELOP AND FOLLOW DETAILED WRITTEN POLICIES AND PROCEDURES FOR MISSING RESIDENTS AND FOR CARE

14 OF ALL RESIDENTS TO MEET THE RISKS IDENTIFIED BY THE FACILITY. EMERGENCY POLICIES SHALL BE TAILORED

15 TO THE GEOGRAPHIC LOCATION OF THE FACILITY; TYPES OF RESIDENTS SERVED AND UNIQUE RISKS AND

16 CIRCUMSTANCES IDENTIFIED BY THE FACILITY. POLICIES SHALL TAKE AN ALL HAZARDS APPROACH AND SHALL

17 ADDRESS:

- 18 A) ARRANGEMENTS, DEVELOPED IN CONSULTATION WITH THE MEDICAL DIRECTOR, FOR NECESSARY
- 19 MEDICAL CARE WHEN A RESIDENT'S PRACTITIONER IS UNAVAILABLE;
- 20 B) SUBSISTENCE NEEDS OF RESIDENTS, STAFF AND VISITORS;
- 21 C) PROCEDURES AND TRAINING PROGRAMS THAT COVER IMMEDIATE CARE OF RESIDENTS DURING
- 22 NATURAL OR MAN-MADE DISASTERS;
- 23 D) POWER NEEDS WITH EMERGENCY AND STANDBY POWER SYSTEMS;
- 24 E) AVAILABILITY AND TRANSFER OF ALL INFORMATION NECESSARY TO MEET THE NEEDS OF THE RESIDENTS
- 25 IN THE EVENT OF AN EVACUATION WHILE MAINTAINING CONFIDENTIALITY STANDARDS;
- 26 F) EVACUATION PLANS WITH ALTERNATE FACILITY AGREEMENTS; AND
- 27 G) NOTIFICATION OF PERSONS, SUPPLIERS AND AGENCIES IN AN EMERGENCY.

### 28 16.2 DISASTER PLANS

29 WITH THE ASSISTANCE OF QUALIFIED EXPERTS, THE FACILITY SHALL DEVELOP WRITTEN PLANS FOR PROTECTION

30 OF PERSONS WITHIN THE BUILDING DURING AN IMPENDING OR ACTUAL DISASTER. PLANS SHALL INCLUDE:

- 31 A) WRITTEN INSTRUCTIONS FOR EACH IDENTIFIED RISK THAT INCLUDE PERSONS TO BE NOTIFIED AND
- 32 STEPS TO BE TAKEN. THE INSTRUCTIONS SHALL BE READILY AVAILABLE 24 HOURS A DAY IN MORE THAN
- 33 ONE LOCATION WITH ALL STAFF AWARE OF THE LOCATIONS;
- 34 B) A SCHEMATIC PLAN OF THE BUILDING OR PORTIONS THEREOF POSTED AT EACH NURSES' STATION AND
- 35 THROUGHOUT THE BUILDING, AS NEEDED, SHOWING EVACUATION ROUTES, SMOKE STOP AND FIRE
- 36 DOORS, EXIT DOORS, AND THE LOCATION OF FIRE EXTINGUISHERS AND FIRE ALARM BOXES;
- 37 C) PROCEDURES FOR EVACUATING THE PREMISES;

- D) ASSIGNMENT OF SPECIFIC TASKS AND RESPONSIBILITIES TO THE PERSONNEL ON EACH SHIFT;
- E) AN EMERGENCY PREPAREDNESS COMMUNICATION PLAN;
- F) PROTECTION AND TRANSFER OF HEALTH INFORMATION AS NEEDED TO MEET THE CARE NEEDS OF RESIDENTS;
- G) PROVISION FOR CARE OF RESIDENTS WHEN ELECTRONIC AND PAPER HEALTH INFORMATION RECORDS MAY NOT BE ACCESSIBLE;
- H) PROVISION FOR UNANNOUNCED DRILLS AND INSTRUCTION TO KEEP EMPLOYEES INFORMED OF THEIR DUTIES;
- I) PROVISIONS FOR CONDUCTING SIMULATED FIRE DRILLS AT LEAST QUARTERLY ON EACH SHIFT;
- J) PERIODIC TESTING OF POWER SYSTEMS AND ELECTRONIC RECORD BACK-UPS TO ENSURE OPERABILITY; AND
- K) WRITTEN MEMORANDUMS OF UNDERSTANDING WITH ALTERNATE HEALTH FACILITIES AND COORDINATION WITH OTHER COMMUNITY AGENCIES.

#### 16.3 MASS CASUALTY PLAN

EACH FACILITY SHALL DEVELOP A WRITTEN MASS CASUALTY PLAN FOR MANAGING RESIDENTS AND TREATING CASUALTIES IN AN EXTERNAL OR COMMUNITY DISASTER. THE PROGRAM SHALL BE DEVELOPED IN COOPERATION WITH OTHER HEALTH FACILITIES IN THE AREA AND WITH OFFICIAL AND OTHER COMMUNITY AGENCIES.

### SECTION 17 HEALTH INFORMATION RECORDS

#### 17.1 RECORD CONTENT

THE FACILITY SHALL MAINTAIN ON ITS PREMISES A HEALTH INFORMATION RECORD FOR EACH RESIDENT. THE RECORD AND THE RESIDENT FOR WHICH IT IS MAINTAINED SHALL BE IDENTIFIED BY A SEPARATE, UNIQUE NUMBER. THE RECORD SHALL CONTAIN SUFFICIENT INFORMATION TO IDENTIFY THE RESIDENT; PROVIDE AND SUPPORT RESIDENT DIAGNOSES; AND INCLUDE ORDERS FOR MEDICATIONS, TREATMENTS, RESTORATIVE SERVICES, DIET, SPECIAL PROCEDURES AND RESIDENT ENGAGEMENT. IT SHALL INCLUDE A CARE PLAN AND DISCHARGE PLAN AND INDICATE IN PROGRESS NOTES FROM ALL APPLICABLE DISCIPLINES THE RESIDENT'S PROGRESS AT APPROPRIATE INTERVALS. THE COMPONENTS OF THE RECORD MAY BE KEPT SEPARATELY AS LONG AS THEY ARE READILY RETRIEVABLE.

- A) ALL ORDERS FOR DIAGNOSTIC PROCEDURES, TREATMENTS, AND MEDICATIONS SHALL BE ENTERED INTO THE HEALTH INFORMATION RECORD AND AUTHENTICATED AND SIGNED BY THE PRACTITIONER, EXCEPT THAT ORDERS FOR DENTAL PROCEDURES SHALL BE AUTHENTICATED AND SIGNED BY A DENTIST. ALL REPORTS OF X-RAY, LABORATORY TESTS, EKG, AND OTHER DIAGNOSTIC TESTS SHALL BE AUTHENTICATED BY THE PERSON OR ENTITY SUBMITTING THEM AND INCORPORATED INTO THE HEALTH INFORMATION RECORD WITHIN TWO DAYS AFTER RECEIPT BY THE FACILITY.
- B) ALL ENTRIES IN THE HEALTH INFORMATION RECORD SHALL BE CURRENT, DATED, AND SIGNED OR AUTHENTICATED. THE RESPONSIBILITY FOR COMPLETING THE HEALTH INFORMATION RECORD RESTS WITH THE ATTENDING PRACTITIONER AND THE FACILITY ADMINISTRATOR. AUTHENTICATION OF THE HEALTH INFORMATION RECORD SHALL BE ACCOMPLISHED BY HAND WRITTEN SIGNATURE, IDENTIFIABLE INITIALS OR DIGITIZED ELECTRONIC SIGNATURE.

C) A COMPLETED HEALTH INFORMATION RECORD SHALL BE MAINTAINED ON EVERY RESIDENT FROM THE TIME OF ADMISSION THROUGH THE TIME OF DISCHARGE. ALL HEALTH INFORMATION RECORDS SHALL CONTAIN THE FOLLOWING ITEMS.

1) IDENTIFICATION AND SUMMARY SHEET (FACE SHEET) THAT INCLUDES:

- a) RESIDENT'S LEGAL NAME, PREFERRED NAME, HEALTH INFORMATION RECORD NUMBER SOCIAL SECURITY NUMBER, HEALTH INSURANCE INFORMATION, MARITAL STATUS, AGE, RACE, HOME ADDRESS, DATE OF BIRTH, RELIGION, LIFETIME OCCUPATION, GENDER AND LANGUAGE;
- b) NAME, ADDRESS AND PHONE NUMBER OF ATTENDING PRACTITIONER(S);
- c) NAME OF MEDICAL POWER OF ATTORNEY, NEXT OF KIN AND/OR RESIDENT REPRESENTATIVE, IF KNOWN;
- d) DATE AND TIME OF ADMISSION AND DISCHARGE;
- e) PLACE ADMITTED FROM AND DISCHARGED TO; AND
- f) ADMITTING DIAGNOSIS, FINAL DIAGNOSIS(ES), CONDITION ON DISCHARGE AND DISPOSITION

(2) MEDICAL DATA THAT INCLUDES:

- a) PAST MEDICAL HISTORY;
- b) ADVANCE DIRECTIVES AND LEGAL AUTHORITY DOCUMENTATION;
- c) DOCUMENTATION OF AN INITIAL COMPREHENSIVE PHYSICIAN VISIT WITHIN 30 DAYS OF ADMISSION AND RE-ADMISSION BASED ON RESIDENT NEED AND AT LEAST ANNUALLY;
- d) INFORMED CONSENTS, RELEASES AND NOTIFICATIONS;
- e) PRACTITIONER ORDERS OF ALL MEDICATIONS, TREATMENT, DIET, RESTORATIVE AND SPECIAL PROCEDURES;
- f) REPORTS OF ANY SPECIAL EXAMINATIONS, INCLUDING LABORATORY AND X-RAY REPORTS;
- g) REPORTS OF CONSULTATIONS BY CONSULTING PRACTITIONERS, IF ANY;
- h) REPORTS FROM ALL CONSULTING PERSONS AND AGENCIES, IF ANY;
- i) REPORTS OF SPECIAL TREATMENTS, SUCH AS PHYSICAL, OCCUPATIONAL, SPEECH OR RESPIRATORY THERAPY;
- j) HOSPICE, DIALYSIS, ULCER AND/OR WOUND CARE;
- k) DENTAL REPORTS, IF ANY;
- l) TREATMENT AND PROGRESS NOTES WRITTEN AND SIGNED BY THE PRACTITIONER AT THE TIME OF EACH VISIT,

- m) HOSPITAL DISCHARGE SUMMARY SHEET AND TRANSFER FORM WHEN APPLICABLE; HISTORY AND PHYSICAL; SURGICAL REPORT WHEN APPLICABLE; AND PERTINENT MEDICATION AND FLUID ADMINISTRATION (INCLUDING NAMES AND DATES OF INTRAVENOUS MEDICATION);
  - n) CARE PLANS;
  - o) INTERDISCIPLINARY DISCHARGE SUMMARIES;
  - p) PHYSICIAN DISCHARGE SUMMARY INCLUDING FINAL DIAGNOSES AND, WHEN APPLICABLE, CAUSE OF DEATH;
  - q) TRANSFER RECORDS; AND
  - r) WHEN APPLICABLE, MORTICIAN RECEIPT OF BODY AND ANY POSSESSIONS INCLUDED.
- 3) PLANS AND NOTES OF THE SOCIAL SERVICE AND RESIDENT ENGAGEMENT, INCLUDING SOCIAL HISTORY, SOCIAL SERVICES ASSESSMENT/PLAN, PROGRESS NOTES, RESIDENT ATTENDANCE RECORDS, ACTIVITIES ASSESSMENT/PLAN AND ACTIVITIES PROGRESS NOTES;
  - 4) NUTRITIONAL ASSESSMENTS AND PROGRESS NOTES OF THE DIETARY SERVICE;
  - 5) DOCUMENTATION OF ACCIDENTS OR INCIDENTS EXPERIENCED BY THE RESIDENT; AND
  - 6) NURSING RECORDS, DATED AND SIGNED BY NURSING PERSONNEL, THAT INCLUDE THE RESIDENT ASSESSMENT, ALL MEDICATIONS AND TREATMENTS ADMINISTERED, SPECIAL PROCEDURES PERFORMED, NOTES OF OBSERVATIONS, RESTORATIVE SERVICES AND THE TIME AND CIRCUMSTANCES OF DISCHARGE OR DEATH.

## 17.2 RECORD STORAGE

THE FACILITY SHALL PROVIDE A HEALTH INFORMATION RECORD ROOM OR OTHER HEALTH INFORMATION RECORD ACCOMMODATION, SUPPLIES AND EQUIPMENT ADEQUATE FOR HEALTH INFORMATION RECORD FUNCTIONS AND PROTECTION OF RESIDENT PRIVACY AND CONFIDENTIALITY REGARDLESS OF THE FORM OR STORAGE METHOD OF RECORDS.

A) HEALTH INFORMATION RECORDS SHALL BE MAINTAINED AND STORED SAFELY OUT OF DIRECT ACCESS OF WATER, FIRE AND OTHER HAZARDS, FOR PRIVACY AND PROTECTION FROM LOSS, DAMAGE, AND UNAUTHORIZED ACCESS OR USE. ELECTRONICALLY STORED RECORDS SHALL BE BACKED UP DAILY AND SECURED FROM UNAUTHORIZED ACCESS AND LOSS.

1) A PRIVACY OFFICER OR OTHER DESIGNATED STAFF PERSON SHALL BE APPOINTED TO ENSURE THE PRIVACY OF HEALTH INFORMATION RECORDS IN ALL FORMATS; PROTECT ALL FACILITY HELD PERSONAL HEALTH INFORMATION; AND HANDLE AMENDMENTS TO AND ACCOUNTING OF HEALTH INFORMATION RECORDS.

B) CUSTODY OF HEALTH INFORMATION RECORDS SHALL BE THE RESPONSIBILITY OF THE PRIVACY OFFICER OR OTHER DESIGNATED STAFF PERSON APPOINTED TO ASSESS RISKS AND MANAGE THE SECURITY OF HEALTH INFORMATION RECORDS IN ALL FORMATS. CURRENT PURGED AND CLOSED PAPER RECORDS MUST BE SECURED WITH DOUBLE LOCKS. ELECTRONIC EQUIPMENT NEEDED FOR THE CREATION AND MAINTENANCE OF AN ELECTRONIC HEALTH INFORMATION RECORD MUST BE SECURED FROM UNAUTHORIZED ACCESS AND USE AND PROTECTED FROM LOSS. ELECTRONIC EQUIPMENT INCLUDES SERVERS, COMPUTERS, LAPTOPS, TABLETS, PDAS, SMART PHONES AND CAMERAS.

## 17.3 RECORD PRESERVATION



ALL HEALTH INFORMATION RECORDS SHALL BE COMPLETED NO LATER THAN 30 DAYS FOLLOWING RESIDENT DISCHARGE; FILED, ARCHIVED AND REPRODUCIBLE FOR TEN YEARS AFTER THE DATE OF THE LAST DISCHARGE.

#### 17.4 RECORD MAINTENANCE

THE FACILITY SHALL IDENTIFY AND MAKE PROVISIONS FOR THE COMPLETE AND ACCURATE MAINTENANCE OF THE RESIDENT HEALTH INFORMATION RECORD TO ENSURE PRIVACY, CONFIDENTIALITY AND SECURITY STANDARDS.

#### 17.5 STAFFING

THE FACILITY SHALL EMPLOY HEALTH INFORMATION MANAGEMENT STAFF IN SUFFICIENT NUMBER TO MEET THE NEEDS OF THE FACILITY. STAFF MEMBERS SHALL BE CONSIDERED QUALIFIED IF THEY MEET EITHER OF THE CRITERIA BELOW.

1) A REGISTERED HEALTH INFORMATION ADMINISTRATOR (RHIA) OR REGISTERED HEALTH INFORMATION TECHNICIAN (RHIT) WITH EITHER ONE YEAR OF EXPERIENCE IN A NURSING CARE FACILITY OR, IF NO EXPERIENCE IN A NURSING CARE FACILITY, REGULAR CONSULTATIONS FOR ONE YEAR WITH A QUALIFIED RHIA OR RHIT; OR

2) DEDICATED STAFF MEMBER(S) WITH ONE YEAR WORK EXPERIENCE AND/OR TRAINING IN HEALTH INFORMATION MANAGEMENT AND REGULAR CONSULTATIONS FROM A QUALIFIED RHIA OR RHIT.

#### 17.6 STAFF RESPONSIBILITIES

HEALTH INFORMATION STAFF SHALL BE RESPONSIBLE FOR ALL OF THE FOLLOWING ITEMS:

A) THE AUDITING, MAINTENANCE, SUPERVISION, CODING, CLOSING, SCANNING, FILING AND PROVIDING SECURE STORAGE OF ALL RESIDENT HEALTH INFORMATION RECORDS.

B) PROVIDING ACCESS TO AND RELEASE OF HEALTH INFORMATION PER SECTION 25-1-801, C.R.S.

C) REPORTING TO THE NURSING HOME ADMINISTRATOR ANY IRREGULARITIES IDENTIFIED DURING AUDITS, SURVEYS OR OTHER INVESTIGATIONS BY THE DEPARTMENT.

D) OBTAINING, MAINTAINING AND SECURING CURRENT CREDENTIALING DOCUMENTATION FOR ALL NON-EMPLOYEE PRACTITIONERS, CONSULTANTS AND OTHER LICENSED PROFESSIONALS WHO PROVIDE SERVICES IN THE FACILITY INCLUDING, WHEN APPLICABLE, THE FOLLOWING:

1) DEA LICENSE;

2) NPI NUMBER;

3) MEDICAID PROVIDER NUMBER;

4) LIABILITY INSURANCE INFORMATION;

5) PROOF OF MONTHLY OFFICE OF INSPECTOR GENERAL (OIG) EXCLUSION LIST CHECKS AND ANNUAL PECOS ENROLLMENT CHECKS AS REQUIRED BY FEDERAL REGULATION; AND

6) TUBERCULOSIS TEST RESULTS AND ANNUAL INFLUENZA VACCINATION DOCUMENTATION.

E) OBTAINING AUTHENTICATION OF SIGNATURE AND INITIALS FROM EACH PRACTITIONER, CONSULTANT AND OTHER LICENSED PROFESSIONAL WHO PROVIDES SERVICES TO RESIDENTS. FOR ELECTRONIC HEALTH

1 INFORMATION RECORDS, AN ELECTRONIC SIGNATURE AGREEMENT SHALL BE OBTAINED STATING  
2 ELECTRONIC RECORD ACCESS AND PASSWORDS WILL NOT BE SHARED.

- 3 F) IMPLEMENTATION OF HEALTH INFORMATION RECORD DISASTER PLANS TO MEET THE NEEDS OF THE  
4 RESIDENTS DURING EMERGENCIES.

#### 5 17.7 NURSING CARE FACILITY RECORDS

6 THE FACILITY SHALL MAINTAIN, WITH CURRENT INFORMATION, THE FOLLOWING RECORDS:

- 7 A) DAILY CENSUS INCLUDING CURRENT RESIDENT ROOM NUMBERS;  
8 B) ADMISSION AND DISCHARGE REGISTRIES;  
9 C) MASTER RESIDENT INDEX;  
10 D) RESIDENT NUMBER INDEX;  
11 E) DISEASE INDEX BY ICD CODE; AND  
12 F) FILE OF ALL ACCIDENT AND INCIDENT REPORTS INCLUDING, WITHOUT LIMITATION, THOSE REQUIRED BY  
13 6 CCR 1011-1, CHAPTER 2, PART 3.

### 14 SECTION 18 OCCUPATIONAL, PHYSICAL AND SPEECH THERAPY

#### 15 18.1 SERVICES

16 THE FACILITY SHALL PROVIDE OR MAKE ARRANGEMENTS FOR REFERRAL TO OCCUPATIONAL, PHYSICAL AND/OR  
17 SPEECH THERAPY SERVICES FOR ALL RESIDENTS WITH PRACTITIONER ORDERS FOR SUCH THERAPY.

- 18 A) THE FACILITY SHALL HAVE WRITTEN POLICIES APPROVED BY THE GOVERNING BODY IDENTIFYING THE  
19 ORGANIZATION, ADMINISTRATION, PERFORMANCE STANDARDS, DIRECTION AND SUPERVISION OF  
20 THERAPY CARE FOR RESIDENTS.

#### 21 18.2 THERAPIST QUALIFICATIONS

- 22 A) OCCUPATIONAL THERAPY SHALL ONLY BE PROVIDED BY AN OCCUPATIONAL THERAPIST LICENSED OR  
23 AUTHORIZED BY THE COLORADO DEPARTMENT OF REGULATORY AGENCIES. ALL PERSONNEL  
24 ASSISTING RESIDENTS WITH OCCUPATIONAL THERAPY SHALL DO SO ONLY UNDER SUPERVISION OF A  
25 LICENSED OCCUPATIONAL THERAPIST.
- 26 B) PHYSICAL THERAPY SHALL ONLY BE PROVIDED BY A PHYSICAL THERAPIST LICENSED BY THE COLORADO  
27 DEPARTMENT OF REGULATORY AGENCIES. ALL PERSONNEL ASSISTING RESIDENTS WITH PHYSICAL  
28 THERAPY SHALL DO SO ONLY UNDER SUPERVISION OF A LICENSED PHYSICAL THERAPIST.
- 29 C) SPEECH THERAPY SHALL ONLY BE PROVIDED BY A SPEECH-LANGUAGE PATHOLOGIST CERTIFIED BY THE  
30 COLORADO DEPARTMENT OF REGULATORY AGENCIES. ALL PERSONNEL ASSISTING RESIDENTS WITH  
31 SPEECH THERAPY SHALL DO SO ONLY UNDER THE SUPERVISION OF A CERTIFIED SPEECH-LANGUAGE  
32 PATHOLOGIST.

#### 33 18.3 RECORDS

34 THERAPY RECORDS SHALL INCLUDE THE PRACTITIONER'S ORDER FOR TREATMENT, SIGNED PLAN OF CARE,  
35 RESIDENT PROGRESS NOTES, AND RESULTS OF SPECIAL TESTS AND MEASUREMENTS.

1 18.4 COMMUNICATION

2 THE FACILITY SHALL ENSURE THAT THE THERAPIST COMMUNICATES TO THE FACILITY THE RESIDENT'S CONDITION  
3 AND RESPONSE TO TREATMENT WITHIN 14 DAYS OF INITIATION OF TREATMENT AND EVERY 30 DAYS THEREAFTER  
4 WHILE TREATMENT CONTINUES.

5 18.5 SPACE AND EQUIPMENT

6 THE FACILITY SHALL PROVIDE SPACE, APPROPRIATE EQUIPMENT AND STORAGE AREAS ADEQUATE FOR THERAPY  
7 ON ALL REFERRED RESIDENTS. SERVICES SHALL BE PROVIDED IN AN AREA READILY ACCESSIBLE TO RESIDENTS.  
8 EQUIPMENT SHALL BE PROPERLY MAINTAINED TO ENSURE SAFETY OF RESIDENTS AND STAFF.

9 **SECTION 19 PHARMACEUTICAL SERVICES**

10 19.1 ORGANIZATION

11 THE PHARMACEUTICAL SERVICES OF THE FACILITY SHALL BE ORGANIZED AND MAINTAINED EXCLUSIVELY FOR THE  
12 BENEFIT OF THE FACILITY'S RESIDENTS.

13 A) THE PHARMACEUTICAL SERVICE SHALL BE SUPERVISED BY A CONSULTANT PHARMACIST LICENSED TO  
14 PRACTICE PHARMACY IN THE STATE OF COLORADO.

15 1) IN THE EVENT OF A CONFLICT BETWEEN THE RULES IN THIS SECTION REGARDING  
16 PHARMACEUTICAL SERVICES AND THE COLORADO BOARD OF PHARMACY RULES AT 3 CCR  
17 719-1, THE LATER SHALL CONTROL.

18 B) ALL COMPOUNDING AND DISPENSING SHALL BE FROM A PHARMACY LICENSED BY THE COLORADO  
19 BOARD OF PHARMACY IN ACCORDANCE WITH ALL PHARMACY LAWS AND REGULATIONS.

20 19.2 ADVISORY COMMITTEES

21 A) THE FACILITY SHALL ESTABLISH A PHARMACEUTICAL ADVISORY COMMITTEE THAT INCLUDES A  
22 REGISTERED NURSE, THE CONSULTING PHARMACIST AND THE MEDICAL DIRECTOR, TO ASSIST IN THE  
23 FORMULATION OF BROAD PROFESSIONAL POLICIES AND PROCEDURES RELATING TO PHARMACEUTICAL  
24 SERVICE IN THE FACILITY.

25 B) THE FACILITY SHALL ESTABLISH A PSYCHOTROPIC ADVISORY COMMITTEE THAT INCLUDES, AT A  
26 MINIMUM, A REGISTERED NURSE, THE CONSULTING PHARMACIST, THE MEDICAL DIRECTOR AND A SOCIAL  
27 WORKER.

28 19.3 MEDICATION REQUISITION AND STORAGE POLICIES

29 THE FACILITY SHALL DESIGNATE IN WRITTEN POLICIES, APPROVED BY THE GOVERNING BODY, THE PERSON  
30 AUTHORIZED TO REQUISITION, RECEIVE, CONTROL AND MANAGE MEDICATIONS.

31 A) RESIDENT MEDICATIONS SHALL BE OBTAINED FROM A LICENSED PHARMACY ON AN INDIVIDUAL  
32 PRESCRIPTION BASIS FOR EACH RESIDENT.

33 B) MEDICATIONS BROUGHT INTO A FACILITY BY A RESIDENT SHALL BE IN THE ORIGINAL PACKAGING WITH  
34 LEGIBLE DIRECTIONS FOR ADMINISTRATION.

35 C) UNLESS THE FACILITY USES A UNIT DOSE SYSTEM, EACH RESIDENT MEDICATION SHALL BE STORED IN  
36 INDIVIDUAL, ORIGINALLY RECEIVED CONTAINERS OR "BLISTER" OR "BUBBLE" CARDS THAT ARE CLEARLY  
37 AND LEGIBLY LABELED WITH THE MEDICATION NAME, STRENGTH, DOSAGE FREQUENCY AND MODE OF  
38 ADMINISTRATION; DATE OF ISSUE AND EXPIRATION; NAME OF PRESCRIBING PRACTITIONER OR DENTIST;

DISPENSING PHARMACY NAME, ADDRESS AND TELEPHONE NUMBER; AND THE FULL NAME OF THE RESIDENT FOR WHOM THE MEDICATION IS PRESCRIBED.

- D) THE FACILITY SHALL PROTECT EACH RESIDENT'S MEDICATIONS FROM USE BY OTHER RESIDENTS, VISITORS, AND STAFF.

#### 19.4 CONSULTING PHARMACIST

THE FACILITY SHALL CONTRACT IN WRITING WITH A LICENSED PHARMACIST OR PHARMACY TO PROVIDE CONSULTANT PHARMACIST SERVICE TO BE RESPONSIBLE FOR ALL PHARMACEUTICAL MATTERS IN THE FACILITY. THE CONTRACT SHALL SET FORTH THE FEES TO BE PAID FOR SERVICES AND THE PHARMACIST'S RESPONSIBILITIES, INCLUDING AT LEAST THE FOLLOWING:

- A) LEGAL COMPOUNDING;
- B) PROMPT DISPENSING OF PROPERLY LABELED INDIVIDUAL RESIDENT PRESCRIPTIONS;
- C) INVENTORY CONTROL;
- D) ESTABLISHMENT OF NECESSARY RECORDS;
- E) PERIODIC INSPECTION OF ALL PHARMACEUTICAL SUPPLIES, MEDICATIONS AND PROCEDURES ON ALL RESIDENT CARE UNITS INCLUDING INSPECTION OF PRESCRIPTION LABELS, EXPIRATION DATES, STORAGE AND EMERGENCY KIT PROCEDURES;
- F) PROVISION OF AN EMERGENCY MEDICAL KIT, WHICH REMAINS THE PROPERTY OF A LICENSED PHARMACY APPROVED BY THE PHARMACEUTICAL ADVISORY COMMITTEE AND THE COLORADO STATE BOARD OF PHARMACY;
- G) REGULARLY SCHEDULED VISITS AND CONSULTATIONS AND AT LEAST ANNUAL IN-SERVICE TRAINING TO STAFF;
- H) DETERMINATION OF PROPER PROCUREMENT AND MAINTENANCE OF ALL PRESCRIPTIONS AND OTHER MEDICATIONS;
- I) DEVELOPMENT OF PROPER ACCOUNTING PROCEDURES FOR CONTROLLED SUBSTANCES AND LEGEND MEDICATIONS;
- J) EVALUATION OF THE POLICIES OF THE PHARMACEUTICAL ADVISORY COMMITTEE; AND
- K) QUARTERLY REPORTS TO THE PHARMACEUTICAL ADVISORY COMMITTEE ON THE STATUS OF PHARMACY SERVICES.

#### 19.5 TELEHEALTH

THE CONSULTING PHARMACIST MAY UTILIZE TELEHEALTH FOR THE PERFORMANCE OF ANY TASK SET FORTH IN THESE REGULATIONS EXCEPT THOSE TASKS WHERE THE REGULATIONS SPECIFICALLY REQUIRE IN-PERSON INSPECTION OR FACE TO FACE EVALUATION.

#### 19.6 CONTROLLED SUBSTANCES

ONLY PRACTITIONERS AUTHORIZED UNDER THE LAWS OF THE STATE OF COLORADO AND PROPERLY REGISTERED WITH THE FEDERAL GOVERNMENT SHALL PRESCRIBE CONTROLLED SUBSTANCES. THE FACILITY SHALL COMPLY WITH ALL FEDERAL AND STATE LAWS AND REGULATIONS RELATING TO PROCUREMENT, STORAGE, ADMINISTRATION AND DISPOSAL OF CONTROLLED SUBSTANCES. UNLESS THE FACILITY USES A UNIT DOSE

SYSTEM, IT SHALL MAINTAIN A RECORD ON A SEPARATE SHEET FOR EACH RESIDENT RECEIVING A CONTROLLED SUBSTANCE, WHICH CONTAINS THE NAME OF THE CONTROLLED SUBSTANCE; STRENGTH AND DOSAGE; DATE AND TIME ADMINISTERED; RESIDENT NAME; NAME OF PRESCRIBING PHYSICIAN OR ADVANCE PRACTICE NURSE; SIGNATURE OF PERSON ADMINISTERING AND THE QUANTITY OF THE CONTROLLED SUBSTANCE REMAINING.

#### 19.7 INVESTIGATIONAL MEDICATIONS

A) IF INVESTIGATIONAL MEDICATIONS ARE USED, POLICIES AND PROCEDURES SHALL BE DEVELOPED AND IMPLEMENTED FOR SAFE AND PROPER USE.

B) INVESTIGATIONAL MEDICATIONS SHALL BE USED ONLY:

1) WHEN THERE IS WRITTEN APPROVAL OF AN INSTITUTIONAL REVIEW BOARD (IRB), ESTABLISHED IN ACCORDANCE WITH FEDERAL LAW AND REGULATION; AND

2) UNDER THE SUPERVISION OF A MEMBER OF THE MEDICAL STAFF AND ADMINISTERED IN ACCORDANCE WITH AN IRB APPROVED PROTOCOL.

#### 19.8 DISPOSITION OF MEDICATIONS, MEDICAL DEVICES AND MEDICAL SUPPLIES

A) IF CONTROLLED SUBSTANCES (SCHEDULES 2 THROUGH 5) ARE BEING HELD BY A FACILITY ON BEHALF OF A RESIDENT AND THE CONTROLLED SUBSTANCES ARE NO LONGER NEEDED, THE FACILITY SHALL CONDUCT ON-SITE DESTRUCTION OF THE CONTROLLED SUBSTANCES AS FOLLOWS:

1) THE FACILITY SHALL PROPERLY INVENTORY THE DESTRUCTION AND KEEP THE INVENTORY COPY ON FILE FOR AT LEAST TWO YEARS;

2) DESTRUCTION OF CONTROLLED SUBSTANCES SHALL BE WITNESSED AND DOCUMENTED IN WRITING BY THE ADMINISTRATOR OR DESIGNEE AND TWO CLINICALLY LICENSED INDIVIDUALS; AND

3) THE DESTRUCTION SHALL BE PERFORMED IN A MANNER THAT RENDERS THE CONTROLLED SUBSTANCES TOTALLY IRRETRIEVABLE.

B) ONCE A DEA CONTROLLED SUBSTANCE, OR ANY MEDICATION REQUIRING DISPOSAL, HAS BEEN RENDERED TOTALLY IRRETRIEVABLE, THE FACILITY SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS INCLUDING SOLID AND HAZARDOUS WASTE DISPOSAL REGULATIONS.

C) IF A FACILITY MEETS THE CRITERIA IN 6 CCR 1011-1, CHAPTER 2, PART 7.202, IT MAY RETURN UNUSED MEDICATIONS OR MEDICAL SUPPLIES AND USED OR UNUSED MEDICAL DEVICES TO A PHARMACIST WITHIN THE FACILITY OR TO A PRESCRIPTION DRUG OUTLET IN ORDER FOR THE MATERIALS TO BE RE-DISPENSED TO ANOTHER RESIDENT OR PATIENT, OR DONATED TO A NONPROFIT ENTITY THAT HAS THE LEGAL AUTHORITY TO POSSESS THE MATERIALS OR TO A PRACTITIONER AUTHORIZED BY LAW TO DISPENSE THE MATERIALS.

1) A PERSON OR ENTITY IS NOT SUBJECT TO CIVIL OR CRIMINAL LIABILITY OR PROFESSIONAL DISCIPLINARY ACTION FOR DONATING, ACCEPTING, DISPENSING OR FACILITATING THE DONATION OF MATERIAL IN GOOD FAITH, WITHOUT NEGLIGENCE, AND IN COMPLIANCE WITH COLORADO LAW.

#### 19.10 MEDICATION RELEASE

UPON DISCHARGE, THE FACILITY STAFF SHALL RELEASE MEDICATIONS TO A RESIDENT ONLY WITH WRITTEN PRACTITIONER AUTHORIZATION.

1 19.11 RESIDENT MEDICATION PROFILE RECORD

2 THE DISPENSING PHARMACIST SHALL MAINTAIN MEDICATION PROFILE RECORDS ON EACH RESIDENT FOR WHOM  
3 MEDICATIONS ARE DISPENSED.

4 **SECTION 20 DIAGNOSTIC SERVICES**

5 20.1 POLICIES

6 THE FACILITY SHALL ESTABLISH AND FOLLOW POLICIES FOR OBTAINING CLINICAL LABORATORY, IMAGING AND  
7 OTHER DIAGNOSTIC SERVICES.

8 20.2 PRACTITIONER ORDERS

9 DIAGNOSTIC SERVICES SHALL BE PROVIDED ONLY ON THE ORDER OF THE ATTENDING PRACTITIONER.

10 20.3 TRANSPORTATION

11 THE FACILITY SHALL ASSIST RESIDENTS TO MAKE ARRANGEMENTS FOR TRANSPORTATION OF RESIDENTS AND/OR  
12 LABORATORY SPECIMENS TO AND FROM THE SOURCE OF DIAGNOSTIC SERVICES.

13 **SECTION 21 PHYSICAL PLANT STANDARDS**

14 21.1 COMPLIANCE WITH FGI GUIDELINES

15 EFFECTIVE JULY 1, 2013, ALL NURSING CARE FACILITIES SHALL BE CONSTRUCTED IN CONFORMITY WITH THE  
16 STANDARDS ADOPTED BY THE DIRECTOR OF THE DIVISION OF FIRE PREVENTION AND CONTROL (DFPC) AT THE  
17 COLORADO DEPARTMENT OF PUBLIC SAFETY. FOR CONSTRUCTION INITIATED OR SYSTEMS INSTALLED ON OR  
18 AFTER JULY 1, 2013, THAT AFFECT PATIENT HEALTH AND SAFETY AND FOR WHICH DFPC HAS NO APPLICABLE  
19 STANDARDS, EACH FACILITY SHALL CONFORM TO THE RELEVANT SECTION(S) OF THE GUIDELINES FOR DESIGN  
20 AND CONSTRUCTION OF HEALTH CARE FACILITIES, (2010 EDITION), FACILITIES GUIDELINES INSTITUTE. THE  
21 GUIDELINES FOR DESIGN AND CONSTRUCTION OF HEALTH CARE FACILITIES, (2010 EDITION), FACILITIES  
22 GUIDELINES INSTITUTE (FGI), IS HEREBY INCORPORATED BY REFERENCE AND EXCLUDES ANY LATER  
23 AMENDMENTS TO OR EDITIONS OF THE GUIDELINES. THE 2010 FGI GUIDELINES ARE AVAILABLE AT NO COST IN A  
24 READ-ONLY VERSION AT: [HTTP://FGIGUIDELINES.ORG/DIGITALCOPY.PHP](http://fgiguideelines.org/digitalcopy.php)

25 **SECTION 22 RESIDENT CARE UNIT**

26 22.1 A RESIDENT CARE UNIT IS A DESIGNATED AREA OF A NURSING CARE FACILITY CONSISTING OF A BEDROOM OR A  
27 GROUPING OF BEDROOMS WITH SUPPORTING FACILITIES AND SERVICES THAT ARE PLANNED, ORGANIZED,  
28 OPERATED AND MAINTAINED TO PROVIDE ADEQUATE NURSING AND SUPPORTIVE CARE OF NOT MORE THAN 60  
29 RESIDENTS.

30 22.2 PRIVATE AND MULTI-BED ROOMS

31 THE NURSING CARE FACILITY SHALL PROVIDE PRIVATE AND/OR MULTI-BED ROOMS TO MEET RESIDENT NEEDS.  
32 THERE SHALL BE NO MORE THAN FOUR BEDS PER ROOM.

33 A) MINIMUM ROOM AREA, EXCLUSIVE OF CLOSETS, LOCKERS, WARDROBES OF ANY TYPE, VESTIBULES AND  
34 TOILET ROOMS, SHALL BE 100 SQ. FT. FOR ONE-BED ROOMS AND 80 SQ. FT. PER BED IN MULTI-BED  
35 ROOMS.

36 B) PRIVACY SHALL BE PROVIDED FOR EACH RESIDENT IN A MULTI-BED ROOM BY THE INSTALLATION OF  
37 OPAQUE FLAME RETARDANT CUBICLE CURTAINS OR MOVABLE SCREENING.

- 1 C) EACH BEDROOM SHALL HAVE AN EXTERIOR WINDOW. ONE-HALF OF THE REQUIRED WINDOW AREA  
2 SHALL OPEN WITHOUT THE USE OF TOOLS. IF A MECHANICAL VENTILATION SYSTEM IS PROVIDED, A  
3 PORTION OF THE REQUIRED WINDOW SHALL OPEN WITHOUT THE USE OF TOOLS. PRIVACY FOR THE  
4 RESIDENT AND CONTROL OF LIGHT SHALL BE PROVIDED AT EACH WINDOW.
- 5 D) EACH BEDROOM SHALL HAVE DIRECT ENTRY FROM A CORRIDOR.
- 6 E) ARTIFICIAL LIGHT SHALL BE PROVIDED AND INCLUDE:
- 7 1) GENERAL ILLUMINATION;
- 8 2) OTHER SOURCES OF ILLUMINATION FOR READING, OBSERVATION, EXAMINATIONS AND  
9 TREATMENTS; AND
- 10 3) NIGHT LIGHT CONTROLLED AT THE DOOR OF THE BEDROOM.
- 11 F) A SINK COMPLETE WITH MIXING FAUCET, EASY-TO-USE CONTROLS, SANITARY SOAP AND A METHOD FOR  
12 SANITARY HAND-DRYING SHALL BE PROVIDED IN EACH BEDROOM.
- 13 G) A TOILET ROOM, DIRECTLY ACCESSIBLE FROM EACH BEDROOM, WITHOUT GOING THROUGH A GENERAL  
14 CORRIDOR, SHALL BE PROVIDED.
- 15 1) THERE MAY BE ONE TOILET FOR TWO RESIDENT ROOMS BUT NOT MORE THAN FOUR BEDS.
- 16 2) THE MINIMUM DIMENSIONS FOR ANY ROOM CONTAINING ONLY ONE TOILET ROOM SHALL BE 3  
17 FEET BY 6 FEET.
- 18 3) THE DOOR TO THE TOILET ROOM SHALL BE AT LEAST 2 FEET, 10 INCHES IN WIDTH AND SHALL  
19 NOT SWING INTO THE TOILET ROOM UNLESS PROVIDED WITH RESCUE HARDWARE PERMITTING  
20 THE DOOR TO SWING OUTWARD.
- 21 4) THE TOILET ROOM SHALL CONTAIN A TOILET, PREFERABLY WITH BEDPAN FLUSHING  
22 EQUIPMENT, AND GRAB BARS THAT ARE SECURELY INSTALLED AND STRONG ENOUGH TO  
23 SUPPORT A RESIDENT'S WEIGHT SHALL BE CONVENIENTLY LOCATED FOR THE SAFETY OF  
24 RESIDENTS.
- 25 H) BEDROOMS SHALL BE EQUIPPED WITH MOVABLE FURNITURE AND EQUIPMENT WITH THE FOLLOWING FOR  
26 EACH RESIDENT:
- 27 1) ADJUSTABLE, WASHABLE BED (ROLL AWAY TYPE BEDS, COTS AND FOLDING BEDS SHALL NOT BE  
28 USED), MATTRESS PROTECTED BY WATER-PROOF MATERIAL, MATTRESS PAD AND A  
29 COMFORTABLE PILLOW;
- 30 2) CABINET OR BEDSIDE TABLE;
- 31 3) OVER BED TABLE AS APPLICABLE;
- 32 4) WASTE PAPER RECEPTACLE WITH IMPERVIOUS, DISPOSABLE LINER OR DISPOSABLE WASTE  
33 RECEPTACLE;
- 34 5) PERSONAL CARE EQUIPMENT AS NEEDED; AND
- 35 6) STORAGE FACILITIES ADEQUATE FOR RESIDENTS' PERSONAL ARTICLES AND GROOMING.

- I) EACH BEDROOM SHALL BE PROVIDED WITH A SEPARATE CLOSET OR LOCKER FOR EACH RESIDENT. THE MINIMUM SIZE OF CLOSET OR LOCKER IN A NURSING CARE FACILITY SHALL BE 1 FOOT, 8 INCHES WIDE BY 1 FOOT, 10 INCHES DEEP WITH FULL LENGTH HANGING SPACE, CLOTHES ROD AND SHELF.
- J) EACH RESIDENT ROOM SHALL BE EQUIPPED WITH A COMMUNICATION SYSTEM TO ALLOW RESIDENTS TO CALL FOR STAFF ASSISTANCE. THE SYSTEM SHALL BE CAPABLE OF ACTIVATION FROM THE RESIDENT'S BED, WITH EMERGENCY ACTIVATION FROM THE TOILET ROOM, AND EACH TUB AND SHOWER. THE SYSTEM SHALL NOTIFY STAFF OF A REQUEST FOR ASSISTANCE VIA AUDIBLE, VISUAL OR ELECTRONIC MEANS.

### 22.3 SERVICE AREAS

THE FOLLOWING SERVICE AREAS SHALL BE PROVIDED ON EACH FLOOR WHERE RESIDENTS RESIDE AND LOCATED CONVENIENTLY FOR PATIENT CARE.

- A) THERE SHALL BE A STAFF WORK AREA IN EACH RESIDENT CARE UNIT, ALONG WITH ACCESS TO TOILET FACILITIES OTHER THAN THOSE IN RESIDENT ROOMS.
- B) THERE SHALL BE A MEDICATION PREPARATION AREA EQUIPPED WITH:
- 1) CABINETS WITH SUITABLE LOCKING DEVICES TO PROTECT MEDICATIONS STORED THEREIN;
  - 2) REFRIGERATOR EQUIPPED WITH THERMOMETER AND USED EXCLUSIVELY FOR PHARMACEUTICAL STORAGE;
  - 3) COUNTER WORK SPACE;
  - 4) SINK WITH HAND WASHING FACILITIES; AND
  - 5) READY ACCESS TO MEDICATION REFERENCE MANUALS.
- C) ONLY MEDICATIONS, EQUIPMENT, AND SUPPLIES FOR THEIR PREPARATION AND ADMINISTRATION SHALL BE STORED IN THE MEDICATION PREPARATION AREA. TEST REAGENTS, GENERAL DISINFECTANTS, CLEANING AGENTS, AND OTHER SIMILAR PRODUCTS SHALL NOT BE STORED IN THE MEDICATION AREA.
- D) THERE SHALL BE A STORAGE AREA IN EACH RESIDENT CARE UNIT FOR CLEAN LINEN THAT IS USED ON A ROUTINE BASIS. THE ROOM SHALL BE EQUIPPED WITH:
- 1) COUNTER, SINK WITH MIXING FAUCET, EASY TO USE CONTROLS, SANITARY SOAP AND A METHOD FOR SANITARY HAND-DRYING;
  - 2) WASTE CONTAINER WITH COVER (FOOT CONTROLLED RECOMMENDED) AND IMPERVIOUS, DISPOSABLE LINER; AND
  - 3) AREA FOR SUPPLIES.
- E) THERE SHALL BE A SOILED HOLDING ROOM EQUIPPED WITH:
- 1) SUITABLE COUNTER, DOUBLE-SINK WITH MIXING FAUCET, EASY TO USE CONTROLS, SANITARY SOAP AND A METHOD FOR SANITARY HAND-DRYING;
  - 2) WASTE CONTAINER WITH COVER (FOOT CONTROLLED RECOMMENDED) AND IMPERVIOUS, DISPOSABLE LINER;
  - 3) SPACE FOR SHORT-TIME HOLDING OF SPECIMENS AWAITING DELIVERY TO LABORATORY;



4) ADEQUATE SHELF AND COUNTER SPACE; AND

5) CLINICAL FLUSHING SINK.

F) THERE SHALL BE A UTILITY CLOSET EQUIPPED WITH:

1) SINK, PREFERABLY DEPRESSED OR FLOOR MOUNTED, WITH MIXING FAUCETS;

2) HOOK STRIP FOR MOP HANDLES FROM WHICH SOILED MOP HEADS HAVE BEEN REMOVED;

3) SHELVING FOR CLEANING MATERIALS;

4) HAND WASHING FACILITIES; AND

5) WASTE RECEPTACLES WITH IMPERVIOUS LINER.

G) HALLWAYS SHALL BE FREE OF OBSTRUCTIONS SUCH AS FURNITURE, MEDICAL SUPPLIES AND EQUIPMENT.

#### 22.4 BATHING ROOMS

RESIDENT BATHING ROOMS SHALL BE PROVIDED IN THE RATIO OF ONE TUB OR ONE SHOWER FOR EACH 15 RESIDENTS AND MEET THE FOLLOWING CRITERIA:

A) GRAB BARS SHALL BE SECURELY INSTALLED AT EACH TUB OR SHOWER AND BE STRONG ENOUGH TO SUPPORT A RESIDENT'S WEIGHT.

B) TUBS SHALL HAVE A NON-SLIP SURFACE.

C) THE ROOM SHALL PROVIDE PRIVACY AND BE SUFFICIENTLY LARGE TO PROVIDE SPACE FOR WHEELCHAIR MOVEMENT.

1) THE ENTRY DOOR SHALL BE AT LEAST 36 INCHES IN WIDTH.

2) CURBS SHALL BE OMITTED FROM SHOWERS.

D) THE BATHING AREA SHALL ALSO CONTAIN A TOILET AND SINK WITH MIXING FAUCET, EASY TO USE CONTROLS, SANITARY SOAP AND A METHOD FOR SANITARY HAND-DRYING.

#### 22.5 EMERGENCY EQUIPMENT AND SUPPLIES

A) THE FOLLOWING ITEMS SHALL BE READILY AVAILABLE AT ALL TIMES:

1) OXYGEN DELIVERY DEVICES;

2) SUCTION DEVICES;

3) PORTABLE EMERGENCY EQUIPMENT, SUPPLIES AND MEDICATIONS; AND

4) COMPATIBLE SUPPLIES AND EQUIPMENT FOR IMMEDIATE INTRAVENOUS THERAPY.

### SECTION 23 SECURE ENVIRONMENT

#### 23.1 COMPLIANCE

ANY FACILITY THAT HAS ONE OR MORE RESIDENT CARE UNITS THAT ARE SECURED TO PROHIBIT FREE EGRESS OF RESIDENTS SHALL COMPLY WITH THE STANDARDS IN THIS SECTION IN ADDITION TO ALL OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER.

23.2 THERE SHALL BE A DESIGNATED TEAM TO EVALUATE PLACEMENT OF A RESIDENT IN A SECURE ENVIRONMENT. THE TEAM SHALL INCLUDE, AT A MINIMUM, THE DIRECTOR OF NURSING OR DESIGNEE, A SOCIAL SERVICES STAFF MEMBER, THE ADMINISTRATOR OR DESIGNEE AND AN INDIVIDUAL (WITH MENTAL HEALTH OR SOCIAL WORK TRAINING AS APPROPRIATE TO THE NEEDS OF THE RESIDENTS) WHO IS NOT A FACILITY STAFF MEMBER.

A) IN EMERGENT SITUATIONS, INITIAL PLACEMENT MAY PROCEED WITHOUT THE INPUT OF A NON FACILITY STAFF MEMBER PROVIDED A FULL TEAM EVALUATION IS COMPLETED WITHIN SEVEN DAYS OF PLACEMENT.

B) A FACILITY THAT IS A PLACEMENT FACILITY AS DEFINED IN THIS CHAPTER SHALL HAVE AN INDIVIDUAL FROM ITS CONTRACTING DESIGNATED FACILITY ON THE EVALUATION TEAM FOR EVALUATIONS OF CLIENTS REFERRED BY THE DESIGNATED FACILITY.

### 23.3 MENTAL HEALTH PLACEMENT FACILITIES

ANY FACILITY THAT IS A PLACEMENT FACILITY AS DEFINED IN THIS CHAPTER SHALL ALSO COMPLY WITH 2 CCR 502-1, SECTION 21.280, CARE AND TREATMENT OF PERSONS WITH A MENTAL HEALTH DISORDER IN A DESIGNATED FACILITY. IN THE CASE OF CONFLICTING REGULATIONS, THE STRICTER SHALL APPLY.

### 23.4 PRE-ADMISSION SCREENING AND PLACEMENT

A) IN ORDER TO PLACE A RESIDENT INTO A SECURE ENVIRONMENT, THE FACILITY SHALL ENSURE THAT ALL OF THE FOLLOWING REQUIREMENTS ARE MET:

1) AN EVALUATION TEAM FINDS, BASED ON AVAILABLE EVIDENCE, THAT:

a) THE RESIDENT IS A SERIOUS DANGER TO SELF OR OTHERS, OR

b) THE RESIDENT HABITUALLY WANDERS OR WOULD WANDER OUT OF BUILDINGS AND IS UNABLE TO FIND THE WAY BACK, OR

c) THE RESIDENT HAS A SIGNIFICANT BEHAVIORAL HEALTH ISSUE THAT SERIOUSLY DISRUPTS THE RIGHTS OF OTHER RESIDENTS; AND IN ALL CASES

d) LESS RESTRICTIVE ALTERNATIVES HAVE BEEN UNSUCCESSFUL IN PREVENTING HARM TO SELF OR OTHERS.

2) A PRACTITIONER HAS AUTHENTICATED THE PLACEMENT;

3) WRITTEN FINDINGS AND THE FACTUAL BASIS FOR THE PLACEMENT ARE DOCUMENTED IN THE HEALTH INFORMATION RECORD; AND

4) THE RESIDENT OR RESIDENT REPRESENTATIVE HAS GIVEN INFORMED, WRITTEN CONSENT.

a) IF THE RESIDENT LACKS DECISIONAL CAPACITY AND HAS NO RESIDENT REPRESENTATIVE THE FACILITY SHALL, WITHIN 30 DAYS OF PLACEMENT, PETITION THE APPROPRIATE COURT TO HAVE A GUARDIAN APPOINTED FOR THE RESIDENT.

B) PLACEMENT IN A SECURE ENVIRONMENT SHALL BE BASED SOLELY ON THE PHYSICAL AND PSYCHOSOCIAL NEEDS OF THE RESIDENT AND SHALL BE THE LEAST RESTRICTIVE ALTERNATIVE AVAILABLE.

23.5 A FACILITY SHALL HAVE WRITTEN PROGRAMS TO SUPPORT THE RESIDENTS IT ADMITS, AS REQUIRED BY SECTION 23.9.

23.6 RESIDENTS OF A SECURE ENVIRONMENT SHALL BE ALLOWED TO HAVE VISITORS AND PARTICIPATE IN ORGANIZED ACTIVITIES.

#### 23.7 PLACEMENT EVALUATION

A) A RESIDENT'S PLACEMENT IN OR RESTRICTION TO A SECURE ENVIRONMENT SHALL TERMINATE IN A TIMELY MANNER WHEN THE CONDITION OR BEHAVIOR JUSTIFYING THE PLACEMENT HAVE DIMINISHED TO THE EXTENT THAT THE CRITERIA IN SECTION 23.4 ARE NO LONGER MET, OR WHEN CONSENT IS TERMINATED OR WITHDRAWN, OR IF THE FACILITY AND PRACTITIONER DETERMINE THAT SUCH CONTINUED PLACEMENT COULD ADVERSELY AFFECT RESIDENT HEALTH OR SAFETY.

1) THE FACILITY SHALL PROVIDE THE SAME NOTICE AND APPEAL RIGHTS REQUIRED BY SECTION 15.6(E) AND (F) BEFORE MOVING A RESIDENT OUT OF A SECURE ENVIRONMENT.

B) THE EVALUATION TEAM DESCRIBED IN SECTION 23.2 SHALL RE-EVALUATE THE PLACEMENT OF EACH RESIDENT 30 DAYS AFTER INITIAL PLACEMENT AND NO LESS OFTEN THAN EVERY 180 DAYS THEREAFTER.

1) INDIVIDUALS UNDER INVOLUNTARY MENTAL HEALTH PLACEMENT UNDER SECTION 27-65-101, C.R.S., ET SEQ., SHALL BE EVALUATED IN ACCORDANCE WITH 2 CCR 502-1, §21.280 CARE AND TREATMENT OF PERSONS WITH A MENTAL HEALTH DISORDER IN A DESIGNATED FACILITY.

C) FOR RESIDENTS WITH BEHAVIORAL HEALTH ISSUES WHOSE CONDITIONS HAVE STABILIZED, THE FACILITY MAY CONTINUE PLACEMENT IN THE SECURE ENVIRONMENT IF THE EVALUATION TEAM FINDS THAT PLACEMENT IS NECESSARY TO MEET THE RESIDENT'S INDIVIDUAL NEEDS.

#### 23.8 STAFFING

THE FACILITY SHALL PROVIDE A SUFFICIENT NUMBER OF QUALIFIED STAFF TO MEET FULLY THE NEEDS OF RESIDENTS IN THE SECURE ENVIRONMENT, PARTICULARLY ON THE NIGHT SHIFT.

A) STAFF IN THE SECURE ENVIRONMENT SHALL BE EXPERIENCED AND TRAINED IN THE PARTICULAR NEEDS AND CARE OF ITS RESIDENTS.

B) FOR RESIDENTS IN THE SECURE ENVIRONMENT, THE FACILITY SHALL ENSURE THERE IS TIME AND STAFF DEDICATED TO MEET THE SOCIAL, EMOTIONAL AND RECREATIONAL NEEDS OF THE RESIDENTS AND THE SOCIAL AND EMOTIONAL NEEDS OF THEIR FAMILIES IN COPING WITH THE RESIDENT'S ILLNESS.

C) FOR RESIDENTS WITH MENTAL ILLNESS, THE FACILITY SHALL PROVIDE STAFF WHO HAVE DEMONSTRATED KNOWLEDGE AND SKILL IN CARING FOR RESIDENTS WITH MENTAL ILLNESS.

#### 23.9 PROGRAMS

IN ADDITION TO MEETING THE SPECIAL MEDICAL AND NURSING NEEDS OF EACH RESIDENT IN THE SECURE ENVIRONMENT, THE FACILITY SHALL PROVIDE SOCIAL SERVICES AND ACTIVITY PROGRAMS ESPECIALLY DESIGNED FOR THOSE RESIDENTS TO AVOID PROGRAMMATIC ISOLATION.

A) ACTIVITIES AND SOCIAL SERVICES PROGRAMS SHALL INCLUDE THE OPPORTUNITY FOR REGULAR INTERACTION WITH RESIDENTS NOT RESIDING IN THE SECURE ENVIRONMENT AND REGULAR INTERACTION WITH THE COMMUNITY OUTSIDE THE FACILITY.

1     23.10   SECLUSION

2             RESIDENTS OF THE SECURE ENVIRONMENT MAY NOT BE LOCKED INTO THEIR ROOMS. IF A PLACEMENT FACILITY  
3             CONFINES TO A ROOM ANY INDIVIDUAL WHO IS UNDER INVOLUNTARY MENTAL HEALTH PLACEMENT, THE FACILITY  
4             SHALL COMPLY WITH 2 CCR 502-1, SECTION 21.280.42, USE OF SECLUSION.

5     23.11   PHYSICAL SPACE

6             IN ADDITION TO THE PHYSICAL PLANT REQUIREMENTS OF THESE REGULATIONS, THE FACILITY SHALL PROVIDE AT  
7             LEAST 10 SQUARE FEET PER RESIDENT (EXCLUDING HALLWAYS) OF COMMON AREAS WITHIN THE SECURE  
8             ENVIRONMENT.

9             A)       THE FACILITY SHALL IDENTIFY ITS METHOD FOR SECURING THE AREA AND ESTABLISH AND IMPLEMENT  
10            PROCEDURES FOR MONITORING THE EFFECTIVENESS OF THE SECURITY SYSTEM.

11           B)       ANY FACILITY THAT HAS AN OUTSIDE AREA OR YARD THAT RESIDENTS IN THE NON-SECURE AREAS OF  
12            THE FACILITY MAY USE SHALL ESTABLISH A SECURE OUTSIDE AREA FOR RESIDENTS OF THE SECURE  
13            ENVIRONMENT.

14    **SECTION 24   HOUSEKEEPING SERVICES**

15    24.1    ORGANIZATION

16            EACH FACILITY SHALL ESTABLISH AN ORGANIZED HOUSEKEEPING SERVICE THAT KEEPS THE FACILITY CLEAN,  
17            ORDERLY AND FREE FROM ODOR RESULTING FROM POOR HOUSEKEEPING PRACTICES.

18           A)       THE FACILITY SHALL PROVIDE A SUFFICIENT NUMBER OF HOUSEKEEPING PERSONNEL AND ADEQUATE  
19            EQUIPMENT.

20           B)       DEODORIZERS SHALL NOT BE USED TO COVER UP ODORS CAUSED BY UNSANITARY CONDITIONS OR  
21            INADEQUATE HOUSEKEEPING PRACTICES.

22    24.2    EQUIPMENT AND SUPPLIES

23            SUITABLE EQUIPMENT AND SUPPLIES SHALL BE PROVIDED FOR CLEANING OF ALL SURFACES. SUCH EQUIPMENT  
24            SHALL BE MAINTAINED IN A SAFE, SANITARY CONDITION.

25    24.3    DISINFECTANTS

26            DISINFECTANTS SHALL BE ONLY THOSE REGISTERED BY THE MANUFACTURER WITH THE UNITED STATES  
27            ENVIRONMENTAL PROTECTION AGENCY.

28    24.4    STORAGE

29            STORAGE AREAS, ATTICS, AND CELLARS SHALL BE KEPT SAFE AND FREE FROM ACCUMULATIONS OF  
30            EXTRANEOUS MATERIALS SUCH AS REFUSE, DISCARDED FURNITURE AND OLD NEWSPAPERS.

31           A)       COMBUSTIBLES SUCH AS CLEANING RAGS AND COMPOUNDS SHALL BE KEPT IN CLOSED METAL  
32            CONTAINERS.

33           B)       CLEANING COMPOUNDS AND OTHER HAZARDOUS SUBSTANCES (INCLUDING PRODUCTS LABELED "KEEP  
34            OUT OF REACH OF CHILDREN" ON THEIR ORIGINAL CONTAINERS) SHALL BE CLEARLY LABELED TO  
35            INDICATE CONTENTS AND (EXCEPT WHEN A STAFF MEMBER IS PRESENT) SHALL BE STORED IN A  
36            LOCATION SUFFICIENTLY SECURE TO DENY ACCESS TO CONFUSED RESIDENTS.

- 1) THE FACILITY SHALL MAINTAIN A READILY AVAILABLE LIST AND THE MATERIAL SAFETY DATA SHEET OF POTENTIALLY HAZARDOUS SUBSTANCES USED BY HOUSEKEEPING AND OTHER STAFF.
- 2) UTILITY ROOMS USED FOR STORING DISINFECTANTS AND DETERGENT CONCENTRATES, CAUSTIC BOWL AND TILE CLEANERS AND INSECTICIDES SHALL BE LOCKED.
- C) PAPER TOWELS, TISSUES AND OTHER ABSORBENT PAPER GOODS SHALL BE STORED IN A MANNER THAT PREVENTS THEIR CONTAMINATION PRIOR TO USE.

#### 24.5 CLEANING METHODS

CLEANING SHALL BE PERFORMED IN A MANNER TO MINIMIZE THE SPREAD OF PATHOGENIC ORGANISMS. FLOORS SHALL BE CLEANED REGULARLY.

#### 24.6 FLOOR SURFACES

UNCARPETED FLOORS AND ADJACENT BASE COVING SHALL BE MAINTAINED TO PROVIDE A SMOOTH, CONTINUOUS, WASHABLE SURFACE THAT IS FREE OF DISCOLORATION OR STAINING. POLISHES APPLIED TO UNCARPETED FLOORS SHALL PROVIDE A NONSLIP SURFACE. THROW OR SCATTER RUGS SHALL NOT BE USED EXCEPT FOR NONSLIP ENTRANCE MATS.

#### 24.7 TRAINING AND SUPERVISION

HOUSEKEEPING PERSONNEL SHALL RECEIVE ADEQUATE SUPERVISION. INITIAL AND ANNUAL IN-SERVICE TRAINING PROGRAMS SHALL BE PROVIDED FOR HOUSEKEEPING PERSONNEL.

### SECTION 25 LINEN AND LAUNDRY

#### 25.1 LAUNDRY SERVICES

THE FACILITY SHALL PROVIDE LAUNDRY SERVICES, AND/OR CONTRACT WITH A COMMERCIAL LAUNDRY, WITH WASHING, DRYING, AND IRONING EQUIPMENT OF SUFFICIENT CAPACITY TO PROCESS A CONTINUOUS SEVEN-DAY SUPPLY BASED ON TEN POUNDS OF DRY LAUNDRY PER BED PER DAY.

- A) LAUNDRY EQUIPMENT SHALL MEET ALL SAFETY AND SANITARY REQUIREMENTS. THE EQUIPMENT SHALL BE DESIGNED AND INSTALLED TO COMPLY WITH ALL STATE AND LOCAL LAWS.
- B) LAUNDRY EQUIPMENT, PROCESSING, AND PROCEDURES SHALL RENDER SOILED LINEN AND PATIENT CLOTHING CLEAN AND FREE FROM DETERGENT, SOAP, AND OTHER CHEMICAL RESIDUES.
- C) IF LAUNDRY SERVICES ARE NOT PROVIDED ENTIRELY WITHIN THE FACILITY, THERE SHALL BE A WRITTEN CONTRACT BETWEEN THE FACILITY AND A COMMERCIAL LAUNDRY SERVICE THAT ENSURES COMPLIANCE WITH SECTION 25.1(B).
- D) WITH THE EXCEPTION OF LAUNDRY AMENITIES USED SOLELY FOR RESIDENT'S PERSONAL EFFECTS, LAUNDRY EQUIPMENT AND OPERATIONS SHALL BE LOCATED IN AN AREA SEPARATED FROM RESIDENT CARE UNITS.
- E) THERE SHALL BE PROPER SPACING AND PLACING OF THE EQUIPMENT TO MINIMIZE MATERIAL TRANSPORTATION AND OPERATION; TO AVOID ALL CROSS TRAFFIC BETWEEN CLEAN AND SOILED LINEN; TO PROVIDE BALANCE OF OPERATIONS; AND TO PROVIDE STORAGE BETWEEN OPERATIONS. THE GENERAL AIR MOVEMENT SHALL BE FROM THE CLEANEST AREAS TO THE MOST CONTAMINATED AREAS. SOILED LAUNDRY SHALL BE PROCESSED FREQUENTLY ENOUGH TO PREVENT EXCESSIVE UNSANITARY ACCUMULATIONS.

1    25.2    WASHING TEMPERATURE

2            THE WATER TEMPERATURE AND DURATION OF WASHING CYCLE SHALL BE CONSISTENT WITH THE TEMPERATURE  
3            AND DURATION RECOMMENDED BY THE MANUFACTURERS OF THE LAUNDRY CHEMICALS AND EQUIPMENT BEING  
4            USED.

5    25.3    RESIDENT LINEN SUPPLY

6            LINEN SUPPLY (TOP AND BOTTOM SHEETS, PILLOWCASES, WASHCLOTHS, BATH AND FACE TOWELS) SHALL BE AT  
7            LEAST THREE COMPLETE CHANGES TIMES THE NUMBER OF LICENSED BEDS. ALL LINENS SHALL BE MAINTAINED  
8            CLEAN, IN GOOD REPAIR.

9    25.4    SOILED LINEN HANDLING

10           IN REMOVING AND HANDLING SOILED LINEN FROM A BED, THERE SHALL BE MINIMAL SHAKING OF THE LINEN.  
11           SOILED LINEN, INCLUDING BLANKETS, SHALL BE PLACED IN BAGS TIGHTLY CLOSED BEFORE REMOVAL FROM A  
12           BEDROOM. THE BAGS SHALL REMAIN CLOSED AND SHALL BE REMOVED FROM THE RESIDENT CARE UNIT AT LEAST  
13           EVERY 8 HOURS.

14   25.6    INFECTIOUS DISEASE LINEN

15           ALL LINENS AND BLANKETS FROM RESIDENTS WITH INFECTIOUS DISEASE SHALL BE PLACED IN BIO-HAZARDOUS  
16           BAGS AND TRANSPORTED IN THESE CLOSED BAGS. MEASURES SHALL BE TAKEN TO ENSURE THE DISINFECTION  
17           OF CONTAMINATED LAUNDRY AND PROTECTION OF PERSONS DOING LAUNDRY.

18   25.7    SORTING AND PRE-RINSING

19           PRE-RINSING, SORTING AND ALL OTHER LINEN AND LAUNDRY OPERATIONS SHALL BE CONFINED TO THE LAUNDRY  
20           FACILITY AND SHALL NOT BE PERMITTED IN THE RESIDENT'S ROOM, BATHTUB, SHOWER, LAVATORY OR UTILITY  
21           CLOSETS.

22   25.8    LAUNDRY CHUTES

23           IF LAUNDRY CHUTES ARE USED, ALL SOILED LINEN, CLOTHING AND OTHER ITEMS DEPOSITED IN THEM SHALL  
24           FIRST BE ENCLOSED IN BAGS BEFORE PLACING THEN IN CHUTE. LAUNDRY CHUTES SHALL BE REGULARLY  
25           CLEANED.

26   25.9    SOILED LAUNDRY CARTS

27           CARTS AND HAMPERS USED TO TRANSPORT SOILED LAUNDRY SHALL BE COVERED AND CONSTRUCTED OF OR  
28           LINED WITH IMPERVIOUS MATERIALS, CLEANED AND DISINFECTED AFTER USE, AND USED ONLY FOR  
29           TRANSPORTING SOILED LAUNDRY.

30   25.10   SOILED LINEN STORAGE

31           THE FACILITY SHALL PROVIDE A SEPARATE SOILED LINEN STORAGE AND SORTING AREA, MECHANICALLY  
32           VENTILATED TO THE OUTSIDE ATMOSPHERE. NO RE-CIRCULATION OF AIR FROM THIS AREA IS PERMITTED.

33   25.11   RESIDENT CLOTHING

34           RESIDENT CLOTHING AND LAUNDRY SHALL BE PROCESSED AND STORED IN A MANNER SO THAT PERSONAL ITEMS  
35           ARE READILY IDENTIFIABLE.

36   25.12   CLEAN LINEN STORAGE

A CLEAN LINEN FOLDING/STORAGE ROOM SHALL BE PROVIDED AS PART OF THE LAUNDRY AREA, LOCATED ADJACENT TO THE DRYING EQUIPMENT. POSITIVE PRESSURE SHALL BE MAINTAINED IN THIS AREA.

### 25.13 CLEAN LINEN HANDLING

CLEAN LINEN SHALL BE TRANSPORTED IN A MANNER THAT PRESERVES ITS CLEAN CONDITION SO THAT IT IS CLEAN AT THE SITE OF ITS USE.

## SECTION 26 INFECTION CONTROL

### 26.1 INFECTION CONTROL PROGRAM

THE FACILITY SHALL HAVE AN INFECTION CONTROL PROGRAM THAT PROVIDES ANNUAL IN-SERVICE TRAINING ON INFECTION CONTROL AND SHALL HAVE CURRENT INFECTION CONTROL POLICIES AND PROCEDURES AVAILABLE TO ALL STAFF MEMBERS.

### 26.2 POLICIES

THE FACILITY SHALL HAVE AND FOLLOW WRITTEN POLICIES, APPROVED BY THE GOVERNING BODY ADDRESSING THE TRANSMISSION OF COMMUNICABLE DISEASES WITH A SIGNIFICANT RISK OF TRANSMISSION TO OTHER PERSONS AND FOR REPORTING DISEASES TO THE STATE AND/OR LOCAL HEALTH DEPARTMENT, PURSUANT TO 6 CCR 1009-1, RULES AND REGULATIONS PERTAINING TO EPIDEMIC AND COMMUNICABLE DISEASE CONTROL.

26.3 THE FACILITY'S WRITTEN POLICIES AND PROCEDURES REGARDING INFECTION CONTROL SHALL BE CONSISTENT WITH THE CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC): GUIDELINE FOR ISOLATION PRECAUTIONS: PREVENTING TRANSMISSION OF INFECTIOUS AGENTS IN HEALTHCARE SETTINGS, 2007 AND GUIDELINES FOR ENVIRONMENTAL INFECTION CONTROL IN HEALTH-CARE FACILITIES, 2003, WHICH ARE INCORPORATED BY REFERENCE CONSISTENT WITH SECTION 1.3 OF THIS CHAPTER.

A) THOSE POLICIES AND PROCEDURES SHALL INCLUDE AT A MINIMUM, ALL OF THE FOLLOWING CRITERIA:

- 1) STAFF SHALL EXERCISE CAUTION WHEN HANDLING SHARP OBJECTS SUCH AS NEEDLES AROUND RESIDENTS. NEEDLES SHALL NOT BE RECAPPED, BROKEN OFF OR DISPOSED OF IN OTHER THAN PUNCTURE-PROOF CONTAINERS.
- 2) LINEN AND CLOTHING OF RESIDENTS WITH COMMUNICABLE INFECTIONS SHALL BE WASHED IN A MANNER THAT ENSURES DISINFECTION.
- 3) STAFF SHALL WEAR DISPOSABLE GLOVES WHEN HANDLING ITEMS SOILED WITH BLOOD OR BODY FLUIDS.
- 4) RESUSCITATION EQUIPMENT SHALL BE IMMEDIATELY AVAILABLE IN THE EVENT ITS USE BECOMES NECESSARY.
- 5) WEARING DISPOSABLE GLOVES, STAFF SHALL IMMEDIATELY CLEAN UP SPILLS OF BLOOD OR BODILY FLUID FROM RESIDENTS WITH COMMUNICABLE INFECTIONS. STAFF SHALL THEN DISINFECT THE CONTAMINATED AREA USING AN APPROPRIATE CONCENTRATION OF A DISINFECTANT CERTIFIED BY THE MANUFACTURER TO BE EFFECTIVE AS USED.
- 6) ALL DISPOSABLE EQUIPMENT CONTAINING INFECTIVE WASTE SHALL BE DISPOSED OF IN THE ROOM WHERE IT IS USED IN STURDY PLASTIC BAGS AND THEN RE-BAGGED OUTSIDE THE ROOM. IT SHALL EITHER BE AUTOCLAVED OR INCINERATED PRIOR TO DISPOSAL IN A SANITARY LANDFILL.

7) FACILITY ACCESS OF NON-RESIDENT INDIVIDUALS WITH CONTAGIOUS CONDITIONS SHALL BE RESTRICTED UNTIL THOSE INDIVIDUALS ARE NO LONGER CONTAGIOUS, THE INFECTIOUS PERIOD HAS EXPIRED OR PERSONAL PROTECTIVE EQUIPMENT IS PROVIDED.

## 26.4 RESIDENT ISOLATION

FACILITIES SHALL PROVIDE FOR THE ISOLATION OF RESIDENTS WITH COMMUNICABLE DISEASES WHERE APPROPRIATE. INDIVIDUAL RESIDENT FACTORS ARE IMPORTANT DETERMINANTS OF INFECTION TRANSMISSION RISKS AND THE NEED FOR A SINGLE ROOM AND/OR PRIVATE BATHROOM FOR ANY RESIDENT IS BEST DETERMINED ON A CASE-BY-CASE BASIS.

## 26.5 SANITATION OF NURSING AND RESIDENT CARE EQUIPMENT

NURSING AND RESIDENT CARE EQUIPMENT SHALL BE PROPERLY CLEANED, SANITIZED, DISINFECTED OR STERILIZED, AND STORED.

26.6 DISPOSABLE EQUIPMENT AND SUPPLIES. SINGLE SERVICE DISPOSABLE CARE EQUIPMENT SHALL BE USED ONLY ONCE AND SHALL BE DISPOSED OF IN AN APPROVED MANNER. REUSABLE DISPOSABLE CARE EQUIPMENT SHALL BE USED ONLY FOR THE RESIDENT TO WHOM ASSIGNED. DISPOSABLE STERILE EQUIPMENT SHALL BE CERTIFIED BY THE DISTRIBUTOR AS STERILE AND BE DESTROYED AFTER INITIAL USE.

## 26.7 HANDWASHING

PERSONNEL SHALL WASH THEIR HANDS BEFORE AND AFTER CONTACT WITH A RESIDENT, AFTER CONTACT WITH A CONTAMINATED OBJECT OR WASTE AND ADHERE TO THE CDC GUIDELINES FOR HAND HYGIENE IN HEALTH-CARE SETTINGS, 2002, WHICH IS INCORPORATED BY REFERENCE CONSISTENT WITH SECTION 1.3 OF THIS CHAPTER.

## 26.8 SANITATION OF AIR

DESIGN, INSTALLATION, AND OPERATION OF HEATING/COOLING/VENTILATION SYSTEM SHALL ENSURE ADEQUATE MICROBIAL CONTROL OF THE AIR.

## 26.9 PETS

THE FACILITY SHALL ENSURE THAT PET ANIMALS EITHER RESIDING AT OR VISITING THE FACILITY HAVE BEEN APPROPRIATELY VACCINATED AND LICENSED.

## SECTION 27 PEST CONTROL

27.1 THE FACILITY SHALL HAVE WRITTEN POLICIES AND PROCEDURES THAT PROVIDE FOR EFFECTIVE CONTROL AND ERADICATION OF INSECTS, RODENTS AND OTHER PESTS.

27.2 THE FACILITY SHALL HAVE A PEST CONTROL PROGRAM PROVIDED BY MAINTENANCE PERSONNEL OR BY CONTRACT WITH A PEST CONTROL COMPANY USING THE LEAST TOXIC AND LEAST FLAMMABLE EFFECTIVE PESTICIDES. THE PESTICIDES SHALL NOT BE STORED IN PATIENT OR FOOD AREAS AND SHALL BE KEPT UNDER LOCK AND ONLY PROPERLY TRAINED RESPONSIBLE PERSONNEL SHALL BE ALLOWED TO APPLY THEM.

27.3 SCREENS OR OTHER PEST CONTROL MEASURES SHALL BE PROVIDED ON ALL EXTERIOR OPENINGS EXCEPT WHERE PROHIBITED BY FIRE REGULATIONS. FACILITY DOORS, DOOR SCREENS AND WINDOW SCREENS SHALL FIT WITH SUFFICIENT TIGHTNESS AT THEIR PERIMETERS TO EXCLUDE PESTS.

## SECTION 28 WASTE DISPOSAL

## 28.1 SEWAGE AND SEWER SYSTEMS



ALL SEWAGE SHALL BE DISCHARGED INTO A PUBLIC SEWER SYSTEM, OR IF SUCH IS NOT AVAILABLE, DISPOSED OF IN A MANNER APPROVED BY THE STATE AND LOCAL HEALTH AUTHORITIES AND THE COLORADO WATER QUALITY CONTROL COMMISSION.

A) WHEN PRIVATE SEWAGE DISPOSAL SYSTEMS ARE IN USE, RECORDS OF MAINTENANCE AND THE SYSTEM DESIGN PLANS SHALL BE KEPT ON THE PREMISES.

B) NO UNPROTECTED EXPOSED SEWER LINE SHALL BE LOCATED DIRECTLY ABOVE WORKING, STORAGE OR EATING SURFACES IN KITCHENS, DINING ROOMS, PANTRIES, FOOD STORAGE ROOMS, OR WHERE MEDICAL OR NURSING SUPPLIES ARE PREPARED, PROCESSED OR STORED.

## 28.2 MEDICAL WASTE

MEDICAL WASTE SHALL BE DISPOSED OF IN ACCORDANCE WITH THE DEPARTMENT'S REGULATIONS PERTAINING TO SOLID WASTE DISPOSAL SITES AND FACILITIES AT 6 CCR 1007-2, PART 1, SECTION 13, MEDICAL WASTE.

## 28.3 REFUSE

ALL GARBAGE AND RUBBISH THAT IS NOT DISPOSED OF AS SEWAGE SHALL BE COLLECTED IN IMPERVIOUS CONTAINERS IN SUCH MANNER AS NOT TO BECOME A NUISANCE OR A HEALTH HAZARD AND SHALL BE REMOVED TO AN OUTSIDE APPROVED STORAGE AREA AT LEAST ONCE A DAY.

A) THE REFUSE STORAGE AREA SHALL BE KEPT CLEAN, AND FREE FROM NUISANCE.

B) A SUFFICIENT NUMBER OF IMPERVIOUS CONTAINERS WITH TIGHT FITTING LIDS SHALL BE PROVIDED AND KEPT CLEAN AND IN GOOD REPAIR.

C) CARTS USED TO TRANSPORT REFUSE SHALL BE CONSTRUCTED OF IMPERVIOUS MATERIALS, ENCLOSED, USED SOLELY FOR REFUSE AND MAINTAINED IN A SANITARY MANNER.

## 28.4 INCINERATORS

ANY FACILITY USING AN INCINERATOR SHALL OBTAIN A PERMIT TO OPERATE AN INCINERATOR FROM THE STATE AIR POLLUTION CONTROL DIVISION AND MAINTAIN THE PERMIT ON FILE.

A) THE FACILITY SHALL COMPLY WITH FEDERAL, STATE AND LOCAL AIR POLLUTION REGULATIONS.

B) THE INCINERATOR SHALL BE CONSTRUCTED IN A MANNER THAT PREVENTS INSECT AND RODENT BREEDING AND HARBORAGE.

# SECTION 29 RELIGIOUS TREATMENT EXCLUSIONS

## 29.1 EXCEPTION OF CERTAIN FACILITIES

THIS CHAPTER OF REGULATION DOES NOT APPLY TO ANY NURSING FACILITY CONDUCTED BY OR FOR THE ADHERENTS OF ANY WELL-RECOGNIZED CHURCH OR RELIGIOUS DENOMINATION FOR THE PURPOSE OF PROVIDING FACILITIES FOR THE CARE AND TREATMENT OF THE SICK WHO DEPEND EXCLUSIVELY UPON SPIRITUAL MEANS THROUGH PRAYER FOR HEALING IN THE PRACTICE OF THE RELIGION OF SUCH CHURCH OR DENOMINATION.

## 29.2 EXCEPTION FOR RELIGIOUS BELIEFS

NOTHING IN THIS CHAPTER AUTHORIZES THE DEPARTMENT TO IMPOSE ON A RESIDENT ANY MODE OF TREATMENT INCONSISTENT WITH THE RESIDENT'S RELIGIOUS BELIEF.

**SECTION 30 MEDICAID CERTIFICATION STANDARDS**

30.1 FOR THE PURPOSE OF FULFILLING ITS FACILITY CERTIFICATION RESPONSIBILITIES AS THE STATE SURVEY AGENCY PURSUANT TO SECTION 25-1.5-103(1)(A)(I)(C), C.R.S.; TITLE XIX (MEDICAID) OF THE SOCIAL SECURITY ACT (42 U.S.C. SECTION 1396(A), *ET SEQ.*); AND THE COLORADO MEDICAL ASSISTANCE ACT, SECTION 25.5-4-101, *ET SEQ.*, C.R.S.; THE DEPARTMENT SHALL APPLY AND ENFORCE THE SKILLED NURSING FACILITY CERTIFICATION STANDARDS OF THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES LOCATED IN TITLE 42 OF THE U.S. CODE OF FEDERAL REGULATIONS.

**SECTION 31 ENFORCEMENT ACTIVITIES****FOR NURSING CARE FACILITIES CERTIFIED TO PROVIDE MEDICAID SERVICES:**

31.1 THE DEPARTMENT, AS THE STATE AGENCY RESPONSIBLE FOR CERTIFYING NURSING CARE FACILITIES, IS AUTHORIZED UNDER SECTIONS 25-1-107.5 AND 25.5-6-205, C.R.S. TO RECOMMEND TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING (HCPF) THAT REMEDIES BE IMPOSED AGAINST A NURSING CARE FACILITY THAT VIOLATES THE FEDERAL REGULATIONS FOR PARTICIPATION IN THE MEDICAID PROGRAM AS ENUMERATED IN 42 USC §1396R(H). THE REMEDIES RECOMMENDED SHALL INCLUDE ANY REMEDIES REQUIRED UNDER FEDERAL LAW AND THE IMPOSITION OF CIVIL MONEY PENALTIES. ASSESSMENT, ENFORCEMENT AND COLLECTION OF ANY CIVIL MONEY PENALTY RECOMMENDED UNDER THIS SECTION AND THE DENIAL OF MEDICAID PAYMENTS SHALL BE HCPF'S RESPONSIBILITY.

31.2 IN DETERMINING WHETHER TO RECOMMEND IMPOSITION OF A CIVIL MONEY PENALTY, THE DEPARTMENT MAY CONSIDER MITIGATING FACTORS SUCH AS CHANGE OF OWNERSHIP; CIRCUMSTANCES OUTSIDE THE FACILITY'S REASONABLE CONTROL; AND REASONABLE, GOOD FAITH EFFORTS TO RESOLVE THE VIOLATION(S).

31.3 IN DETERMINING THE AMOUNT OF THE PENALTY TO RECOMMEND FOR ASSESSMENT BY HCPF, THE DEPARTMENT SHALL CONSIDER, AT A MINIMUM, THE FOLLOWING ITEMS:

A) THE PERIOD OF TIME OVER WHICH THE VIOLATION OCCURRED;

B) THE FREQUENCY OF THE VIOLATION;

C) THE NURSING CARE FACILITY'S HISTORY CONCERNING THE TYPE OF VIOLATION FOR WHICH THE PENALTY IS ASSESSED;

D) THE NURSING CARE FACILITY'S INTENT OR REASON FOR THE VIOLATION;

E) THE EFFECT, IF ANY, OF THE VIOLATION ON RESIDENTS' HEALTH, SAFETY, SECURITY OR WELFARE (I.E., SEVERITY);

F) THE EXISTENCE OF OTHER VIOLATIONS, IN COMBINATION WITH THE VIOLATION FOR WHICH THE PENALTY IS ASSESSED, WHICH INCREASE THE THREAT TO RESIDENTS' HEALTH, SAFETY, SECURITY OR WELFARE;

G) THE ACCURACY, THOROUGHNESS AND AVAILABILITY OF RECORDS REGARDING THE VIOLATION WHICH THE NURSING CARE FACILITY IS REQUIRED TO MAINTAIN; AND

H) THE NUMBER OF ADDITIONAL RELATED VIOLATIONS OCCURRING WITHIN THE SAME TIME SPAN AS THE VIOLATION IN QUESTION.

31.4 IN THE EVENT THE DEPARTMENT DETERMINES THAT A VIOLATION IS LIFE THREATENING TO ONE OR MORE RESIDENTS OR CREATES A DIRECT THREAT OR SERIOUS ADVERSE HARM TO THE HEALTH, SAFETY, SECURITY, RIGHTS OR WELFARE OF ONE OR MORE RESIDENTS, HCPF SHALL IMPOSE A PENALTY FOR EACH DAY THE DEFICIENCIES THAT CONSTITUTE THE VIOLATION ARE FOUND TO EXIST.

31.5 IN ACCORDANCE WITH SECTION 25-1-107.5(3), C.R.S., ANY CIVIL MONEY PENALTY RECOMMENDED BY THE DEPARTMENT SHALL BE NOT LESS THAN \$100 OR MORE THAN \$10,000 FOR EACH DAY THE FACILITY IS FOUND TO HAVE BEEN IN VIOLATION OF THE FEDERAL REGULATIONS. PENALTIES ASSESSED SHALL INCLUDE INTEREST AT THE STATUTORY RATE.

31.6 IF THE DEPARTMENT RECOMMENDS IMPOSITION OF A CIVIL MONEY PENALTY, IT SHALL NOTIFY THE NURSING CARE FACILITY NO LATER THAN FIVE DAYS AFTER THE LAST DAY OF THE INSPECTION OR SURVEY DURING WHICH THE DEFICIENCIES THAT CONSTITUTE THE VIOLATION WERE FOUND. SUCH NOTICE SHALL COMPLY WITH SECTION 25-1-107.5(3)(c)(II), C.R.S.

31.7 WRITTEN PLANS OF CORRECTION SHALL COMPLY WITH 6 CCR 1011-1, CHAPTER 2, PART 2.11.4(B).

31.8 NOTHING IN THIS SECTION PRECLUDES THE DEPARTMENT FROM IMPOSING ANY OTHER REMEDIES ALLOWED BY STATE LAW INCLUDING, BUT NOT LIMITED TO, THOSE DESCRIBED IN 6 CCR 1011-1, CHAPTER 2, PART 2.11 AND 2.12.

**FOR LICENSED, NON-CERTIFIED NURSING CARE FACILITIES:**

31.9 THE DEPARTMENT MAY IMPOSE ANY ENFORCEMENT REMEDY AUTHORIZED BY STATE LAW OR REGULATION.

31.10 ENFORCEMENT ACTIVITIES SHALL BE CONDUCTED IN ACCORDANCE WITH 6 CCR 1011-1, CHAPTER 2.

**SECTION 32 LICENSING FEES**

32.1 ALL LICENSE FEES ARE NON-REFUNDABLE. THE TOTAL FEE SHALL BE SUBMITTED WITH THE APPROPRIATE LICENSE APPLICATION.

32.2 INITIAL LICENSE - \$6,000 PER FACILITY.

32.3 RENEWAL LICENSE - THE ANNUAL RENEWAL FEE SHALL BE AS FOLLOWS.

MEDICARE AND/OR MEDICAID CERTIFIED FACILITY: \$1,600 BASE FEE PLUS \$8 PER BED.

NON-CERTIFIED FACILITY: \$3,480 BASE FEE PLUS \$8 PER BED.

32.4 CHANGE OF OWNERSHIP - CHANGE OF OWNERSHIP SHALL BE DETERMINED IN ACCORDANCE WITH THE CRITERIA SET FORTH IN 6 CCR 1011-1, CHAPTER 2, PART 2. THE FEE SHALL BE \$6,000 PER FACILITY.

32.5 OPENING A SECURE UNIT - A FACILITY THAT WISHES TO OPEN A SECURE UNIT SHALL SUBMIT A FEE OF \$1,600 IN ADDITION TO ANY OTHER APPLICABLE LICENSE FEES.

**DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

**Health Facilities and Emergency Medical Services Division**

**STANDARDS FOR HOSPITALS AND HEALTH FACILITIES: CHAPTER 2 – GENERAL LICENSURE  
STANDARDS**

**6 CCR 1011-1 Chap 02**

\* \* \* \* \*

**Part 4. WAIVER OF REGULATIONS FOR HEALTH CARE ENTITIES**

\* \* \* \* \*

**4.103 Application Procedure**

\* \* \* \* \*

**(4) Notice and Opportunity to Comment on Application**

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- (b) The notice must also indicate that any person interested in commenting on the waiver application may forward written comments directly to the Department at the following address:

CDPHE - HFD, A2— Waiver Program  
4300 Cherry Creek Drive South C1  
Denver, CO 80246.

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**PART 7. MEDICATIONS, MEDICAL DEVICES, AND MEDICAL SUPPLIES**

\* \* \* \* \*

**7.200 DONATION OF UNUSED MEDICATIONS, MEDICAL DEVICES AND MEDICAL SUPPLIES**

~~7.201 STATUTORY AUTHORITY AND APPLICABILITY~~

~~(2) APPLICABILITY~~

- ~~(a) This Subpart 7.200 applies to medications, medical devices and medical supplies donated by the patient, resident or his or her next of kin to the following health care entities: acute treatment units, assisted living residences, community mental health centers, community residential homes for persons with developmental disabilities, intermediate care facilities for the developmentally disabled, hospices, hospitals (including general hospitals, psychiatric hospitals, maternity hospitals and rehabilitation centers), hospital units and long term care facilities.~~

- ~~(b) Notwithstanding Section 7.201 (2)(a), this Subpart 7.200 does not apply to items donated:~~

- ~~(i) by the patient, resident, or his or her next of kin directly to a pharmacist employed or contracted by the health care entity subject to 3 CCR 719-1, Section 3.00.80.~~

~~(ii) the Cancer Drug Repository Program established pursuant to Section 25-35-101, et seq. C.R.S and 6 CCR 1015-10.~~

7.2021 DEFINITIONS. For the purposes of this Subpart 7.200, the following definitions apply:

- (1) "Customized patient medication package" means a package prepared and dispensed by a pharmacist that contains two or more different drugs.
- (2) "Donor" means a patient, resident or a patient's or resident's next of kin who donates unused medications, medical devices or medical supplies.
- (3) ~~"Health care entity" means a licensed acute treatment unit, assisted living residence, community mental health center, community residential home for the developmentally disabled, intermediate care facilities for the developmentally disabled, hospice, hospital (including a general hospital, maternity hospital, psychiatric hospital, or rehabilitation center), hospital unit or long term care facility. "LICENSED FACILITY" MEANS A HOSPITAL, HOSPITAL UNIT, COMMUNITY MENTAL HEALTH CENTER, ACUTE TREATMENT UNIT, HOSPICE, NURSING CARE FACILITY, ASSISTED LIVING RESIDENCE, OR ANY OTHER FACILITY THAT IS REQUIRED TO BE LICENSED PURSUANT TO SECTION 25-3-101, C.R.S., OR A LICENSED LONG-TERM CARE FACILITY AS DEFINED IN SECTION 25-1-124 (2.5) (B), C.R.S.~~
- (4) "Medication" means a PRESCRIPTION THAT IS NOT A CONTROLLED SUBSTANCE. ~~drug dispensed pursuant to an order to a patient or resident of the health care entity.~~

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#### ~~7.203 ACCEPTING UNUSED ITEMS FROM DONORS~~

- ~~(1) Prior to accepting unused items, the health care entity shall have documented evidence that the patient, resident or his or her next of kin consented to the donation of the items. The health care entity shall maintain such documentation for two years after the unused item was donated.~~
- ~~(2) Items Eligible for Donation. As applicable, a health care entity shall only accept unused items that meet the following criteria:~~
  - ~~(a) items intended for use within the health care entity by the patient or resident.~~
  - ~~(b) medications packaged as follows:~~
    - ~~(i) if liquid, the vial must be sealed and properly stored.~~
    - ~~(ii) individually packaged and the packaging has not been damaged.~~
    - ~~(iii) in the original, unopened, sealed and tamper evident unit dose packaging.~~
    - ~~(iv) with labelling that identifies: name and strength of the medication, and in the case of a single dose package, the total number of individual tablets or capsules per dose; the medication's expiration date; the identity of the manufacturer or distributor; and the manufacturer's or distributor's lot number.~~
  - ~~(c) single use disposable devices packaged in the manufacturer's original sealed packaging.~~
  - ~~(d) medications with an expiration date at least six months or more from the date of the donation.~~

1       ~~(3) — Items Not Eligible for Donation. A health care entity shall not accept medications that:~~

2               ~~(a) — were dispensed in a traditional brown or amber pill bottles.~~

3               ~~(b) — are controlled substances.~~

4               ~~(c) — require refrigeration, freezing, or special storage.~~

5               ~~(d) — require special registration with the manufacturer.~~

6               ~~(e) — are adulterated or misbranded, as determined by the health care entity.~~

7               ~~(f) — are dispensed in a customized patient medication package.~~

8               ~~(g) — are compounded drugs.~~

9               ~~(h) — are packaged by a pharmacist as split tablets or capsules.~~

10       ~~(4) — Policies and Procedures. Health care entities that accept unused items shall develop and~~  
11       ~~implement policies and procedures regarding:~~

12               ~~(a) — Storage. Unused items shall be stored:~~

13                       ~~(i) — in a manner that retains the items' medical efficacy as provided for by storage~~  
14                       ~~protocols approved by a licensed pharmacist. Such protocols shall be reviewed~~  
15                       ~~and approved by a licensed pharmacist at least every three years.~~

16                       ~~(ii) — separately from non-donated unused items.~~

17               ~~(b) — Inventory control. The health care entity shall:~~

18                       ~~(i) — develop processes for the prevention and detection of diversion of donated~~  
19                       ~~unused items that may be illegally sold. When diversion is detected, prompt~~  
20                       ~~appropriate corrective measures shall be implemented.~~

21                       ~~(ii) — adequately dispose of unused donated items not transferred to a pharmacist or~~  
22                       ~~a relief agency.~~

23               ~~(c) — Transporting unused items. If the health care entity is responsible for transporting~~  
24               ~~unused items, it shall do so in a manner that retains the item's medical efficacy.~~

25       ~~7.204 — TRANSFERRING UNUSED ITEMS FROM THE HEALTH CARE ENTITY~~

26       ~~1) — A health care entity may transfer unused items to pharmacists or nonprofit relief entities as~~  
27       ~~authorized by Section 12-22-133 (2), C.R.S.~~  
28

29       ~~(2) — The health care entity shall maintain a record, to be retained for two years after the unused item~~  
30       ~~was transferred from the health care entity, of the:~~

31               ~~(a) — name of the donor and the date the unused item was donated to the health care entity,~~  
32               ~~as applicable.~~

33               ~~(b) — name or a brief description of the unused item.~~

~~(c) quantity of the unused item.~~

~~(d) date the unused item(s) was transferred from the health care entity, to whom it was transferred, and signed receipt by the recipient.~~

~~(e) manner that it transported the unused item and that such transportation retained the item's medical efficacy, as applicable.~~

~~(3) Upon transfer from the health care entity, unused items shall not include in their labeling any identifying patient or resident information.~~

## 7.202 RETURN AND REDISTRIBUTION OF ITEMS

(A) CONSISTENT WITH SECTION 12-42.5-133, C.R.S., A LICENSED FACILITY MAY RETURN UNUSED MEDICATIONS OR MEDICAL SUPPLIES AND USED OR UNUSED MEDICAL DEVICES TO A PHARMACIST WITHIN THE LICENSED FACILITY OR TO A PRESCRIPTION DRUG OUTLET IN ORDER FOR THE MATERIALS TO BE REDISPENSED TO ANOTHER RESIDENT OR PATIENT, OR DONATED TO A NONPROFIT ENTITY THAT HAS THE LEGAL AUTHORITY TO POSSESS THE MATERIALS OR TO A PRACTITIONER AUTHORIZED BY LAW TO DISPENSE THE MATERIALS WHEN THE FOLLOWING CRITERIA ARE MET:

- (1) THE MEDICATIONS, MEDICAL SUPPLIES AND/OR MEDICAL DEVICES WERE DONATED BY A PATIENT, RESIDENT, HOME CARE CONSUMER OR HIS/HER NEXT OF KIN AND, WHERE POSSIBLE, DOCUMENTED IN WRITING;
- (2) A LICENSED PHARMACIST HAS REVIEWED THE PROCESS OF DONATING UNUSED MEDICATIONS TO A NONPROFIT ENTITY;
- (3) MEDICATION DISPENSED OR DONATED UNDER THIS SECTION SHALL NOT BE EXPIRED. A DONATED MEDICATION SHALL NOT BE DISPENSED TO ANOTHER PATIENT, RESIDENT OR HOME CARE CONSUMER IF IT WILL EXPIRE BEFORE USE BY THE PATIENT, RESIDENT OR HOME CARE CONSUMER BASED ON THE PRESCRIBING PRACTITIONER'S DIRECTIONS FOR USE; AND
- (4) MEDICATIONS, MEDICAL SUPPLIES AND MEDICAL DEVICES DONATED PURSUANT TO THIS SECTION SHALL NOT BE RESOLD FOR PROFIT.

(B) MEDICATIONS ARE ONLY AVAILABLE TO BE DISPENSED TO ANOTHER PERSON OR DONATED TO A NONPROFIT ENTITY UNDER THIS SECTION IF THE MEDICATIONS ARE:

- (1) LIQUID AND THE VIAL IS STILL SEALED AND PROPERLY STORED;
- (2) INDIVIDUALLY PACKAGED AND THE PACKAGING HAS NOT BEEN DAMAGED; OR
- (3) IN THE ORIGINAL, UNOPENED, SEALED AND TAMPER-EVIDENT UNIT DOSE PACKAGING.

(C) THE FOLLOWING MEDICATIONS SHALL NOT BE DONATED:

- (1) MEDICATIONS PACKAGED IN TRADITIONAL BROWN OR AMBER PILL BOTTLES;
- (2) CONTROLLED SUBSTANCES;
- (3) MEDICATIONS THAT REQUIRE REFRIGERATION, FREEZING OR SPECIAL STORAGE;
- (4) MEDICATIONS THAT REQUIRE SPECIAL REGISTRATION WITH THE MANUFACTURER; OR
- (5) MEDIATIONS THAT ARE ADULTERATED OR MISBRANDED, AS DETERMINED BY A PERSON LEGALLY AUTHORIZED TO DISPENSE THE MEDICATIONS ON BEHALF OF THE NONPROFIT ENTITY.

## 7.203 IMMUNITY

A PERSON OR ENTITY IS NOT SUBJECT TO CIVIL OR CRIMINAL LIABILITY OR PROFESSIONAL DISCIPLINARY ACTION FOR DONATING, ACCEPTING, DISPENSING OR FACILITATING THE DONATION OF MATERIAL IN GOOD FAITH, WITHOUT NEGLIGENCE, AND IN COMPLIANCE WITH COLORADO LAW.

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**Part 8. PROTECTION OF PERSONS FROM INVOLUNTARY RESTRAINT**

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## 8.102 Definitions

- (1) "Chemical restraint" means giving an individual medication involuntarily for the purpose of restraining that individual; except that "chemical restraint" does not include the involuntary administration of medication pursuant to Section ~~27-10-111 (4.5)~~ 27-65-111(5), C.R.S., or administration of medication for voluntary or life-saving medical procedures.

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## 8.103 Exemptions

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- (2) "A facility, as defined in Section ~~27-10-102 (4.5)~~ 27-65-102 (7), C.R.S., that is designated by the Executive Director of the Department of Human Services to provide treatment pursuant to Sections ~~27-10-105, 27-10-106, 27-10-107, or 27-10-109~~ 27-65-105 through 27-65-107, C.R.S., to any ~~mentally ill~~ person WITH A MENTAL ILLNESS, as defined in Section ~~27-10-102 (7)~~, 27-65-102(14), C.R.S., may use seclusion to restrain a ~~mentally ill~~ person WITH A MENTAL ILLNESS when such seclusion is necessary to eliminate a continuous and serious disruption of the treatment environment.
- (3) If the use of restraint in skilled nursing and nursing care facilities licensed under state law is in accordance with the federal statutes and regulations governing the Medicare program set forth in 42 U.S.C. sec. 1395i-3(c) and 42 C.F.R. part 483, subpart B and the Medicaid program set forth in 42 U.S.C. sec. 1396r(c) and 42 C.F.R. part 483, subpart B and with chapter ~~V, Long Term~~ 5, NURSING Care Facilities, there shall be a conclusive presumption that such use of restraint is in accordance with this Part 8.
- (4) If any provision of this Part 8 concerning the use of restraint conflicts with any provision concerning the use of restraint stated in Article ~~40-5~~ 65 of Title 27, C.R.S., or any regulation adopted pursuant thereto, the provision of Article ~~40-5~~ 65 of Title 27, C.R.S., or the regulation adopted pursuant thereto shall prevail.

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**PART 10 - INFLUENZA IMMUNIZATION OF HEALTHCARE WORKERS**

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## Definitions

## 10.5

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- (J) "~~Long Term~~ NURSING Care Facility" means a facility that is licensed and regulated pursuant to 6 CCR 1011-1, Chapter ~~V~~ 5, ~~Long Term~~ NURSING Care Facilities.

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# COLORADO

Board of Health

Department of Public Health & Environment

## Notice of Public Rule-Making Hearing Scheduled for March 16, 2016

NOTICE is hereby given pursuant to the provisions of Section 24-4-103, C.R.S., that the Colorado Board of Health will conduct a public rule-making hearing on March 16, 2016 at 10 a.m. in the Sabin-Cleere Conference Room of the Colorado Department of Public Health and Environment, Bldg. A, First Floor, 4300 Cherry Creek Drive, South, Denver, CO 80246, to consider the promulgation of amendments to 6 CCR 1011-1, Chapter 5 Long Term Care Facilities and Chapter 2, General Licensure Standards. The proposed amendments have been developed by the Health Facilities and Emergency Medical Services Division of the Colorado Department of Public Health and Environment pursuant to Section 25-1.5-103, C.R.S. (2015); Section 25-1-107.5, C.R.S. (2015); Section 25-1-120, C.R.S. (2015); Section 25-3-101, et seq., C.R.S. (2015); and Section 18-6.5-108(1)(b)(V), C.R.S. (2015). Chapter 5 is being renamed to correspond with state statute and the entire chapter has been rewritten to reflect current practice standards, eliminate duplicative and obsolete sections and better align with federal requirements.

The agenda for the meeting and the proposed amendments will also be available on the Board's website, <https://www.colorado.gov/pacific/cdphe/boh> at least seven (7) days prior to the meeting. The proposed rules, together with the proposed statement of basis and purpose, specific statutory authority and regulatory analysis will be available for inspection at the Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South EDO-A5, Denver, Colorado 80246-1530 at least five working days prior to the hearing. Copies of the proposed rules may be obtained by contacting the Colorado Department of Public Health and Environment, Health Facilities and Emergency Medical Services Division, HFEMSD-C1, 4300 Cherry Creek Drive S., Denver, CO 80246, (303) 692-2800.

The Board encourages all interested persons to participate in the hearing by providing written data, views, or comments, or by making oral comments at the hearing. At the discretion of the Chair, oral testimony at the hearing may be limited to three minutes or less depending on the number of persons wishing to comment. Pursuant to 6 CCR 1014-8, §3.02.1, written testimony must be submitted no later than five (5) calendar days prior to the rulemaking hearing. Written testimony is due by 5:00 p.m., Thursday, March 10, 2016. Persons wishing to submit written comments should submit them to: Colorado Board of Health, ATTN: Jamie L. Thornton, Program Assistant, Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South EDO-A5, Denver, Colorado 80246-1530 or by e-mail at: [cdphe.bohrequests@state.co.us](mailto:cdphe.bohrequests@state.co.us)

Dated this 27<sup>th</sup> day of January, 2016.

Deborah Nelson  
Board of Health Administrator

# Notice of Proposed Rulemaking

**Tracking number**

2016-00069

**Department**

1000 - Department of Public Health and Environment

**Agency**

1011 - Health Facilities and Emergency Medical Services Division (1011, 1015 Series)

**CCR number**

6 CCR 1011-1 Chap 26

**Rule title**

CHAPTER 26 - HOME CARE AGENCIES

## Rulemaking Hearing

**Date**

03/16/2016

**Time**

10:00 AM

**Location**

Sabin-Cleere Conference Room, Colorado Department of Public Health and Environment, Bldg. A, 4300 Cherry Creek Drive, South, Denver, CO. 80246

**Subjects and issues involved**

To consider the promulgation of amendments to 6 CCR 1011-1, Chapter 26 regarding home care agencies. The Departments of Public Health and Environment and Health Care Policy and Financing (HCPF) were directed to identify gaps and conflicts in the requirements imposed by each department with regard to the regulation of home care providers and adopt any rule changes necessary to resolve those gaps and conflicts.

**Statutory authority**

Section 25-27.5-106, C.R.S. (2015); Section 25-1.5-103, C.R.S. (2015); Section 25-3-101, et seq., C.R.S. (2015) and House Bill 14-1360

## Contact information

**Name**

Laurie Schoder

**Title**

Policy Analyst

**Telephone**

303-692-2832

**Email**

[laurie.schoder@state.co.us](mailto:laurie.schoder@state.co.us)



Dedicated to protecting and improving the health and environment of the people of Colorado

To: Members of the State Board of Health

From: Laurie Schoder, Policy Analyst, Health Facilities and Emergency Medical Services Division

Through: D. Randy Kuykendall, MLS; Director *DRK*

Date: January 20, 2016

Subject: Proposed Amendments to 6 CCR 1011-1, Standards for Hospitals and Health Facilities, Chapter 26, Home Care Agencies, with a Request for the Rulemaking Hearing to occur on March 16, 2016.

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The Health Facilities and Emergency Medical Services Division is proposing amendments to Chapter 26, Home Care Agencies, in order to comply with House Bill 14-1360. Section 25-27.5-106(2)(a.5)(II), as amended by H.B. 14-1360, directed the Departments of Public Health and Environment and Health Care Policy and Financing to form a workgroup and develop a plan to identify gaps and conflicts in the requirements imposed by each department with regard to the regulation of home care providers.

The Department assembled a 1360 workgroup comprised of individuals from both skilled and personal care agencies; front range, western slope and rural agencies; consumers and/or family members of consumers; representatives of agencies providing home and community based waiver services such as In Home Support Services, Intellectually and Developmentally Disabled services, Supported Living Services and Children's Extensive Support Services; Representatives from Community Centered Boards and Program Approved Service Agencies; as well as community advocates and a representative from the Department of Health Care Policy and Financing (HCPF).

The 1360 workgroup compared Department and HCPF requirements in the following areas of home care agency services: Client rights, personal care definitions, specific care situations, supervision requirements, training requirements and various policies and procedures. The majority of the gaps and conflicts identified by the workgroup will be resolved through Departmental guidance or HCPF rule changes. The proposed amendments presented here will address the remaining issues that needed clarification.

**STATEMENT OF BASIS AND PURPOSE  
AND SPECIFIC STATUTORY AUTHORITY**

For Amendments to 6 CCR 1011-1, Standards for Hospitals and Health Facilities,  
Chapter 26, Home Care Agencies  
January 20, 2016

**Basis and Purpose:**

Section 25-27.5-106(2)(a.5)(II), as amended by House Bill 14-1360, directed the Departments of Public Health and Environment and Health Care Policy and Financing (HCPF) to form a workgroup and develop a plan to identify gaps and conflicts in the requirements imposed by each department with regard to the regulation of home care providers. Subsection (C) then directed the Board of Health to adopt any rules necessary to resolve the gaps and conflicts that were identified.

The Department assembled a 1360 workgroup that compared Department and HCPF requirements in the following areas of home care agency services: Client rights, personal care definitions, specific care situations, supervision requirements, training requirements and various policies and procedures. The majority of the gaps and conflicts identified by the workgroup will be resolved through Departmental guidance or HCPF rule changes. The remaining issues that were deemed to need clarification are being addressed here through the proposed amendments.

**These rules are promulgated pursuant to the following statutes:**

Section 25-27.5-106, C.R.S. (2015)

Section 25-1.5-103, C.R.S. (2015)

Section 25-3-101, *et seq.*, C.R.S. (2015)

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**SUPPLEMENTAL QUESTIONS**

**Is this rulemaking due to a change in state statute?**

☒ Yes    House Bill 14-1360.  
☐ No

**Is this rulemaking due to a federal statutory or regulatory change?**

☐ Yes  
☒ No

**Does this rule incorporate materials by reference?**

☐ Yes  
☒ No

**Does this rule create or modify fines or fees?**

☐ Yes  
☒ No

**REGULATORY ANALYSIS**

For Amendments to 6 CCR 1011-1, Standards for Hospitals and Health Facilities,  
Chapter 26, Home Care Agencies  
January 20, 2016

1. **A description of the classes of persons who will be affected by the rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the rule.**

The classes of persons affected by the amendments will be home care agencies and the consumers of home care services. The amendments consist of relatively minor clarifications in language and are not anticipated to generate costs for any class of persons.

2. **To the extent practicable, a description of the probable quantitative and qualitative impact of the proposed rule, economic or otherwise, upon affected class of persons.**

The proposed amendments are expected to have a positive qualitative and quantitative impact on all licensed home care agencies by resolving gaps and conflicts in the corresponding regulations of two state agencies - the Department of Health Care Policy and Financing and the Department of Public Health and Environment. These changes will reduce regulatory confusion and clarify regulatory expectations for all home care agencies.

3. **The probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues.**

No significant costs are expected to be incurred by the Department or any other agency.

4. **A comparison of the probable costs and benefits of the proposed rule to the probable costs and benefits of inaction.**

Inaction is not an alternative. Action is required to comply with House Bill 14-1360. Inaction would result in non-compliance with a statutory mandate.

5. **A determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule.**

Many changes are being accomplished through policy and guidance. Additional changes will be made by the Department of Health Care and Financing through a future rule-making before the Medical Service Board. In the interim, the determination is that there is no less costly or less intrusive method for achieving the purpose of these amendments.

6. **A description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule.**

As mentioned above, the Department is also issuing written guidance and policy documents, but those items alone do not achieve the desired result of clarifying certain regulatory requirements. Therefore, no other alternatives are deemed appropriate at this time.

7. **To the extent practicable, a quantification of the data used in the analysis; the analysis must take into account both short-term and long-term consequences.**  
The anticipated short-term consequence will be that all home care agencies must acquaint themselves with these few clarifying amendments and make any necessary changes to their existing policies and procedures. The long-term consequences are updated regulations that do not conflict with those of other agencies and that allow the efficient and effective provision of home care.

**STAKEHOLDER Comment**

For Amendments to 6 CCR 1011-1, Standards for Hospitals and Health Facilities,  
Chapter 26, Home Care Agencies

**The following individuals and/or entities were included in the development of these proposed rules:**

A 1360 Workgroup was assembled to address the issues. That workgroup was comprised of individuals from both skilled and personal care agencies; front range, western slope and rural agencies; consumers and/or family members of consumers; representatives of agencies providing home and community based waiver services such as In Home Support Services, Intellectually and Developmentally Disabled services, Supported Living Services and Children's Extensive Support Services; Representatives from Community Centered Boards and Program Approved Service Agencies; as well as community advocates and a representative from the Department of Health Care Policy and Financing.

**The following individuals and/or entities were notified that this rule-making was proposed for consideration by the Board of Health:**

All currently licensed home care agencies, the 1360 Workgroup members, the home care advisory committee, Aponte & Busam Public Affairs, representing the National Private Duty Association, and the Home Care Association of Colorado.

**Summarize Major Factual and Policy Issues Encountered and the Stakeholder Feedback Received. If there is a lack of consensus regarding the proposed rule, please also identify the Department's efforts to address stakeholder feedback or why the Department was unable to accommodate the request.**

The stakeholders and Department representatives were able to come to consensus on all issues discussed.

**Please identify health equity and environmental justice (HEEJ) impacts. Does this proposal impact Coloradoans equally or equitably? Does this proposal provide an opportunity to advance HEEJ? Are there other factors that influenced these rules?**

Since the proposed amendments are minor, the Department is unaware of any health equity and environmental justice impact.



**DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT****Health Facilities Regulation Division****STANDARDS FOR HOSPITALS AND HEALTH FACILITIES****CHAPTER XXVI - HOME CARE AGENCIES****6 CCR 1011-1 Chap 26**

\* \* \* \* \*

**SECTION 5. DEPARTMENT OVERSIGHT****5.1 License classification**

(A) A home care agency shall be issued a license consistent with the type and extent of services provided. ORGANIZATIONS WITH PERSONAL CARE SERVICE EMPLOYEES DO NOT HAVE TO BE LICENSED AS A HOME CARE AGENCY IF THE ONLY SERVICES THEY PROVIDE TO CONSUMERS ARE HOUSEKEEPING, COMPANIONSHIP AND/OR RESPITE CARE THAT DOES NOT INVOLVE ANY OTHER PERSONAL CARE SERVICES.

(1) Unless otherwise specified, each LICENSED HOME CARE agency shall meet the requirements in section 6 of this chapter as well as sections 7 and/or 8 depending upon the services provided.

Class A – a home care agency that provides any skilled healthcare service. Agencies with a Class A license may also provide personal care services.

Class B – a home care agency that provides only personal care services. An agency with a Class B license shall not provide any skilled healthcare service.

(B) An agency providing home care services that are regulated by the Colorado Department of Health Care Policy and Financing (HCPF), excluding certified agencies defined in section 3.4 of this chapter, shall be licensed as a Class B agency unless otherwise specified below.

(1) Any agency providing services regulated by HCPF or the Department of Human Services that also provides skilled care or services delivered by a licensed professional shall be licensed as a Class A agency.

(a) In reviewing compliance with the requirements of this chapter by the Program of All-Inclusive Care for the Elderly (PACE) established in Section 25.5-5-412, C.R.S., the department shall coordinate with HCPF in regulatory interpretation of both license and certification requirements to ensure the intent of similar regulations is congruently met.

(b) Any agency participating in the In-Home Support Service program (~~IHSS~~), THE SUPPORTED LIVING SERVICES PROGRAM OR THE CHILDREN'S EXTENSIVE SUPPORT SERVICES PROGRAM administered by HCPF, ~~shall~~ MAY be licensed as a Class A OR B agency and shall comply with both HCPF's regulations concerning ~~IHSS~~ THOSE PROGRAMS and the applicable portions of ~~section 8~~ of this chapter. The department shall coordinate with HCPF in regulatory interpretation of both license and certification requirements to ensure the intent of similar regulations is congruently met.

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## SECTION 8. NON-MEDICAL/PERSONAL CARE

\* \* \* \*

### 8.5 Personal care worker

\* \* \* \*

- (D) In order to delineate the types of services that can be provided by a personal care worker, the following are examples of limitations where skilled home health care would be needed to meet higher needs of the consumer.

\* \* \* \*

- (17) Respiratory care is considered skilled care and shall not be performed by a personal care worker. Respiratory care includes postural drainage, cupping, adjusting oxygen flow within established parameters, nasal, endotracheal and tracheal suctioning.

- (a) Personal care workers may temporarily remove and replace a cannula or mask from the consumer's face for the purposes of shaving, washing a consumer's face.

- (b) Personal care workers may set a consumer's oxygen flow according TO written instruction when changing tanks, provided the personal care worker has been specifically trained and demonstrated competency for this task.

\* \* \* \*

- 20) Respite care ~~and companionship~~. A personal care worker may provide respite CARE ~~and companionship~~ in the consumer's home according to the service plan as long as the necessary provision of services during this time does not include skilled home health services as DEFINED IN SECTION 3.29 OF THIS CHAPTER. ~~described in this regulation.~~

\* \* \* \* \*

- (E) In addition to the exclusions prescribed in the preceding section, the agency shall not allow personal care workers to:

- (1) Perform skilled home health services as defined in section ~~3.20~~ 3.29 of this chapter;  
(2) Perform or provide medication set-up for a consumer; or  
(3) Perform other actions specifically prohibited by agency policy, regulations or law.

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## COLORADO

Board of Health

Department of Public Health & Environment

# Notice of Public Rule-Making Hearing Scheduled for March 16, 2016

NOTICE is hereby given pursuant to the provisions of Section 24-4-103, C.R.S., that the Colorado Board of Health will conduct a public rule-making hearing on March 16, 2016 at 10 a.m. in the Sabin-Cleere Conference Room of the Colorado Department of Public Health and Environment, Bldg. A, First Floor, 4300 Cherry Creek Drive, South, Denver, CO 80246, to consider the promulgation of amendments to 6 CCR 1011-1, Chapter 26 regarding home care agencies. The proposed amendments have been developed by the Health Facilities and Emergency Medical Services Division of the Colorado Department of Public Health and Environment pursuant to Section 25-27.5-106, C.R.S. (2015); Section 25-1.5-103, C.R.S. (2015); Section 25-3-101, *et seq.*, C.R.S. (2015) and House Bill 14-1360 which directed the Departments of Public Health and Environment and Health Care Policy and Financing (HCPF) to identify gaps and conflicts in the requirements imposed by each department with regard to the regulation of home care providers and adopt any rule changes necessary to resolve those gaps and conflicts.

The agenda for the meeting and the proposed amendments will also be available on the Board's website, <https://www.colorado.gov/pacific/cdphe/boh> at least seven (7) days prior to the meeting. The proposed rules, together with the proposed statement of basis and purpose, specific statutory authority and regulatory analysis will be available for inspection at the Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South EDO-A5, Denver, Colorado 80246-1530 at least five working days prior to the hearing. Copies of the proposed rules may be obtained by contacting the Colorado Department of Public Health and Environment, Health Facilities and Emergency Medical Services Division, HFEMSD-C1, 4300 Cherry Creek Drive S., Denver, CO 80246, (303) 692-2800.

The Board encourages all interested persons to participate in the hearing by providing written data, views, or comments, or by making oral comments at the hearing. At the discretion of the Chair, oral testimony at the hearing may be limited to three minutes or less depending on the number of persons wishing to comment. Pursuant to 6 CCR 1014-8, §3.02.1, written testimony must be submitted no later than five (5) calendar days prior to the rulemaking hearing. Written testimony is due by 5:00 p.m., Thursday, March 10, 2016. Persons wishing to submit written comments should submit them to: Colorado Board of Health, ATTN: Jamie L. Thornton, Program Assistant, Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South EDO-A5, Denver, Colorado 80246-1530 or by e-mail at: [cdphe.bohrequests@state.co.us](mailto:cdphe.bohrequests@state.co.us)

Dated this 27<sup>th</sup> day of January, 2016.

Deborah Nelson  
Board of Health Administrator

# Notice of Proposed Rulemaking

**Tracking number**

2016-00071

**Department**

1000 - Department of Public Health and Environment

**Agency**

1015 - Prevention Services Division (1015 Series)

**CCR number**

6 CCR 1015-7

**Rule title**

LOAN REPAYMENT PROGRAM FOR DENTAL PROFESSIONALS

**Rulemaking Hearing****Date**

03/16/2016

**Time**

10:00 AM

**Location**

Sabin-Cleere Conference Room, Colorado Department of Public Health and Environment, Bldg. A, 4300 Cherry Creek Drive, South, Denver, CO. 80246

**Subjects and issues involved**

To consider the promulgation of rules pertaining to 6 CCR 1015-7, Loan Repayment Program for Dental Professionals

**Statutory authority**

Section § 25-23-101 C.R.S., et seq

**Contact information****Name**

Stephen Holloway

**Title**

Health Equity & Access Branch Director

**Telephone**

303-692-2582


**Email**


steve.holloway@state.co.us



Dedicated to protecting and improving the health and environment of the people of Colorado

To: Members of the State Board of Health

From:  Stephen Holloway, Branch Chief, Health Equity and Access  
Prevention Services Division

Through:  Elizabeth Whitley, Prevention Services Division Director

Date: December 30, 2015

Subject: **Request for Rulemaking Hearing**

Proposed Amendments to 6 CCR 1015-7, Loan Repayment Program for Dental Professionals, with a request for the rulemaking hearing to occur in March 2016.

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The Dental Loan Repayment Program is authorized under § 25-23-101 C.R.S., *et seq.* The program receives an annual state appropriation of \$200,000, derived from the Tobacco Master Settlement Agreement. The program seeks to improve access to dental care for underserved populations by creating incentives for dental professionals to accept public insurance as payment for dental care. Specifically, the program reduces the student loan debt of licensed dental professionals in exchange for a minimum threshold of care to those who are insured by Medicaid, the Child Health Plan, or who are uninsured for oral health care. State contracts with dental providers are issued for a minimum term of two years. Contracts can be amended for an additional term of service for those providers who have qualified student loan debt at the end of a contract term and continue to provide care to the underserved in their practice. Since the inception of the program in 2001, contracted clinicians have provided 351,381 patient visits to underserved individuals. In the most recent fiscal year, 23,700 patient visits were delivered to underserved individuals.

The department proposes to simplify and clarify language contained in 6 CCR 1015-7, which governs the Dental Loan Repayment Program. The proposed changes will result in a more concise statement of policy regarding the operation of the program, without substantially modifying the primary purpose of the rule or program implementation. The proposed changes to this rule also clarify reporting and prioritization of awards to better align with the Colorado Health Service Corps (§ 25-1.5-501 C.R.S., *et seq.*), which has developed substantially since the last revision of this rule April of 2010.

STATEMENT OF BASIS AND PURPOSE  
AND SPECIFIC STATUTORY AUTHORITY  
for Amendments to  
6 CCR 1015-7 Loan Repayment Program for Dental Professionals

**Basis and Purpose.**

The Dental Loan Repayment Program was authorized by the Colorado General Assembly in the 2001 legislative session by Senate Bill 01-164. The purpose of the legislation was to create a “loan repayment program as an incentive to dental professionals to provide dental services to underserved populations.” The program pays all or a part of the principal, interest and related expenses of the educational loans of dental professionals. Both dentists and dental hygienists are eligible to participate in the program.

The legislative proposal that created the program was one among nine recommendations submitted by the Commission on Children’s Dental Health in December 2000. In recognition of the shortage of dental providers willing to serve low-income populations, the Commission recommended offering educational loan repayments and other incentives to recent dental graduates to encourage more care to children who were insured by Medicaid and the Child Health Plan. The Commission specifically emphasized the need to attract more private practice dental providers into the care of children who are publicly insured.

Along with setting the amount of annual financial assistance available to dental professionals, the board is authorized, pursuant to Section 25-23-103, C.R.S. to promulgate rules necessary to implement the loan repayment program, including determining the amount of financial assistance available, the criteria for loan repayment assistance, the criteria for determining what constitutes a significant level of service to underserved populations for purposes of qualifying for loan repayment assistance and establishing criteria for prioritizing the repayment of loans if there are insufficient moneys in the state dental loan repayment fund.

The proposed changes remove obsolete and unnecessary terms, align the rule with current practice, specify the program’s loan repayment priorities, specify the application and reporting requirements and correct typographical errors. These changes are recommended to improve the clarity of the rule, redact redundancy and unnecessary language from the current rule, and create reporting requirement and periodicity symmetry with the Colorado Health Service Corps. The proposed rule changes are not intended to modify the primary purpose of the rule or the implementation of the program at the department. The proposed changes to the rule are expected to enhance overall program efficiency.

**Specific Statutory Authority.**

These rules are promulgated pursuant to § 25-23-101 to 105 C.R.S.

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**SUPPLEMENTAL QUESTIONS****Is this rulemaking due to a change in state statute?**

\_\_\_\_ Yes, the bill number is \_\_\_\_; rules are \_\_\_\_ authorized \_\_\_\_ required.  
  X   No

**Is this rulemaking due to a federal statutory or regulatory change?**

\_\_\_\_ Yes  
  X   No

**Does this rule incorporate materials by reference?**

\_\_\_\_ Yes  
  X   No

**Does this rule create or modify fines or fees?**

\_\_\_\_ Yes  
  X   No

**REGULATORY ANALYSIS**

for Amendments to

**6 CCR 1015-7 Loan Repayment Program for Dental Professionals**

- 1. A description of the classes of persons who will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule.**

No changes to this program are proposed related to the award amount, term of service, or requirements to participate. Two classes of persons stand to benefit directly from this rule. These are dentists and dental hygienists who agree to a term of service and a minimum amount of care to underserved people. There are no classes of persons who are expected to bear the cost of implementation, as there are no expected costs associated with the proposed changes to this rule.

Increased access to care resulting from this program will benefit children and adults who are insured by Colorado Medicaid and the Child Health Plan. Individuals who are low-income and uninsured will also benefit from improved access to care.

- 2. To the extent practicable, a description of the probable quantitative and qualitative impact of the proposed rule, economic or otherwise, upon affected classes of persons.**

There are no anticipated impacts of the proposed rule changes on affected classes of persons.

The program receives an annual appropriation of \$200,000 derived from the Tobacco Master Settlement agreement. Eight to ten loan repayment awards are expected to be made in each year of the program going forward, provided that the annual appropriation to the program remains constant. Program participants are expected to deliver approximately 24,000 patient visits per year to those who are uninsured or insured by Medicaid or the Child Health Plan.

- 3. The probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues.**

The proposed changes to the rule are not expected to change the costs of participation or administration of the program. There are no expected changes to state revenue resulting from changes to this rule.

- 4. A comparison of the probable costs and benefits of the proposed rule to the probable costs and benefits of inaction.**

The proposed rule changes are not intended to modify the primary purpose of the rule or the implementation of the program at the department. There are no expected new costs imposed on participants resulting from the proposed changes. The proposed changes are made for the purpose of improving the clarity and concision of the rule and to better align the program with certain administrative attributes of the Colorado Health Service Corps. These alignments include scheduling of the application cycle, contractor reporting periodicity, and the allocation of award considerations between



nonprofit and private practices across both loan repayment programs. The proposed changes to the rule are therefore expected to enhance overall program efficiency.

If no action is taken on this rule, overall program efficiency improvements may not be realized.

**5. A determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule.**

There are no less costly or less intrusive methods of achieving the purpose of this rule revision.

**6. Alternative Rules or Alternatives to Rulemaking Considered and Why Rejected.**

An alternative to this rule change would be to continue administering the rule as is currently in force. This alternative affords no benefit and saves no costs to the program or its participants.

**7. To the extent practicable, a quantification of the data used in the analysis; the analysis must take into account both short-term and long-term consequences.**

Because the proposed changes are largely qualitative, no data was used in the analysis of the proposed changes to the rule.



**STAKEHOLDER COMMENTS**  
**for Amendments to**  
**6 CCR 1015-7 Loan Repayment Program for Dental Professionals**

The following individuals and/or entities were included in the development of these proposed rules:

Katya Mauritson, DMD, MPH, Director, Oral Health Unit, Prevention Service Division

Diane Brunson, MPH, Director of Public Health and Community Outreach, University of Colorado School of Dental Medicine (Ms. Brunson participated in the creation of the program in 2001)

Jeff Thormodsgaard, Colorado Dental Association

The following individuals and/or entities were notified that this rule-making was proposed for consideration by the Board of Health:

Katya Mauritson, DMD, MPH-Director, Oral Health Unit, Prevention Service Division

Diane Brunson, MPH, Director of Public Health and Community Outreach, University of Colorado School of Dental Medicine

Jennifer Goodrum, Colorado Dental Association

Jeff Thormodsgaard, Colorado Dental Association

Current contractors and employers participating in the program through a quarterly newsletter, Facebook page, and Twitter account

The Colorado Community Health Network

ClinicNet

Summarize Major Factual and Policy Issues Encountered and the Stakeholder Feedback Received. If there is a lack of consensus regarding the proposed rule, please also identify the Department's efforts to address stakeholder feedback or why the Department was unable to accommodate the request.

No major factual and policy issues were encountered through the process of stakeholder feedback.

Please identify health equity and environmental justice (HEEJ) impacts. Does this proposal impact Coloradoans equally or equitably? Does this proposal provide an opportunity to advance HEEJ? Are there other factors that influenced these rules?

There are no health equity or environmental justice impacts of the proposed rule change. The effect of the program is, however, intended to improve health equity for those who have poor access to dental care.

**DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT****Prevention Services Division****LOAN REPAYMENT PROGRAM FOR DENTAL PROFESSIONALS****6 CCR 1015-7**

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**1.1 Definitions:**

(1)\_\_\_“Board” means the State Board of Health.

(2)\_\_\_“Dental hygienist provider level I” means:;

~~(A) A licensed dental hygienist who provides services to at least twenty (20) underserved patients per month on average; or~~

~~(B) A licensed dental hygienist who provides services to at least twenty (20) underserved patients per month on average and is employed by a Federally Qualified Health Center; or~~

~~(C) A licensed dental hygienist who provides service to at least twenty (20) underserved patients per month on average and owns or is employed by a practice that remains open to new clients enrolled in the Medicaid Program or the Children's Basic Health Plan Program; or~~

~~(D) A licensed dental hygienist who provides services to at least twenty (20) underserved patients per month on average on a pro bono basis.~~

(3)\_\_\_“Dental hygienist provider level II” means:

~~(A) A licensed dental hygienist who provides services to at least ten (10) underserved patients per month on average; or~~

~~(B) A licensed dental hygienist who provides services to at least ten (10) underserved patients per month on average and is employed by a Federally Qualified Health Center; or~~

~~(C) A licensed dental hygienist who provides services to at least ten (10) underserved patients per month on average and owns or is employed by a practice that remains open to new clients enrolled in the Medicaid Program, or the Children's Basic Health Plan Program; or~~

~~(D) A licensed dental hygienist who provides services to at least ten (10) underserved patients per month on average on a pro bono basis.~~

(4) \_\_\_ “Dentist provider level I” means:

(A) \_\_\_ A licensed dentist who provides services to at least forty (40) underserved patients per month on average; or

(B) \_\_\_ A licensed dentist who devotes at least thirty percent (30%) of a full time dental practice to providing services to underserved populations; ~~or~~

~~\_\_\_ (B) A licensed dentist who provides services to at least forty (40) underserved patients per month on average or devotes at least thirty percent (30%) of a full time dental practice to providing services to underserved populations and is employed by a Federally Qualified Health Center; or~~

~~(C) A licensed dentist who provides services to at least forty (40) underserved patients per month on average or devotes at least thirty percent (30%) of a full time dental practice to providing services to underserved populations and owns or is employed by a practice that remains open to new clients enrolled in the Medicaid Program or the Children's Basic Health Plan Program; or~~

~~(D) A licensed dentist who provides services to at least forty (40) underserved patients per month on average or devotes at least thirty percent (30%) of a full time dental practice to providing services to underserved populations on a pro bono basis.~~

(5E) \_\_\_ “Dentist provider level II” means:

(A) \_\_\_ A licensed dentist who provides services to at least twenty-five (25) underserved patients per month on average; or

(B) \_\_\_ A licensed dentist who devotes at least twenty percent (20%) of a full time dental practice to providing services to underserved populations; ~~or~~

~~B. A licensed dentist who provides services to at least twenty five (25) underserved patients per month on average or devotes at least twenty percent (20%) of a full time dental practice to providing services to populations and is employed by a Federally Qualified Health Center; or~~

~~C. A licensed dentist who provides services to at least twenty five (25) underserved patients per month on average or devotes at least twenty percent (20%) of a full time dental practice to providing services to underserved populations and owns or is employed by a practice that remains open to new clients enrolled in the Medicaid Program or the Children's Basic Health Plan Program; or~~

~~D. A licensed dentist who provides services to at least twenty five (25) underserved patients per month on average or devotes at least twenty percent (20%) of a full time dental practice to providing services to underserved populations on a pro bono basis.~~

(6F) - "Dentist provider level III" means:

~~A. a~~ A licensed dentist in a part time dental practice who provides services to at least ten (10) underserved patients ~~pera~~ month on average; ~~or~~

~~b. A licensed dentist in a part time dental practice who provides services to at least ten (10) underserved patients a month on average and is employed by a Federally Qualified Health Center; or~~

~~c. A licensed dentist in a part time dental practice who provides services to at least ten (10) underserved patients a month on average and owns or is employed by a practice that remains open to new clients enrolled in the Medicaid Program or the Children's Basic Health Plan Program.~~

~~d. A licensed dentist in a part time dental practice who provides services to at least ten (10) underserved patients a month on average on a pro-bono basis.~~

(7) - "Department" means the Department of Public Health and Environment.

(8) - "Eligible dental professional" means a person who is:

(AB) - A dental hygienist licensed in Colorado pursuant to Article 35 of Title 12, C.R.S.; or

(BA) - A dentist licensed in Colorado pursuant to ~~a~~ Article 35 of ~~t~~ Title 12, C.R.S.; ~~or~~

(9) - "Full time dental practice" means a practice that is routinely open at least thirty-two (32) clinical hours per week.

(10) - "Loan repayment assistance" means financial assistance in paying an award of funds, payable to the lender or lenders that hold professional educational loan debt of the eligible dental professional, which pays all or part of the principal, interest, and other related expenses of a loan for professional education in either dentistry or dental hygiene, as applicable.

(11) - "Loan repayment contract" means the agreement, which is signed by the eligible dental professional and the Department, wherein the eligible dental professional agrees to ~~accept loan repayment assistance and to serve practice~~ in accordance with the requirements in §25-23-101, C.R.S., et seq and these rules in exchange for loan repayment assistance.

(12) - "Master settlement agreement" means the Master Settlement Agreement, the smokeless tobacco Master Settlement Agreement, and the consent decree approved and entered by the court in the case denominated STATE OF COLORADO, EX REL. GALE A. NORTON, ATTORNEY GENERAL V. R.J. REYNOLDS TOBACCO CO.; AMERICAN TOBACCO CO., INC.; BROWN & WILLIAMSON TOBACCO CORP.; LIGGETT AND MEYERS INC.; LORILLARD TOBACCO CO., INC.; PHILLIP MORRIS, INC.; UNITED STATES TOBACCO CO.; B.A.T. INDUSTRIES, P.L.C.; THE COUNCIL FOR TOBACCO RESEARCH-USA.,

INC.; AND TOBACCO INSTITUTE, INC., Case No. 97 CV 3432, in the District Court for the City and County of Denver.

(13) ~~“Part-time dental practice” means a dental practice of less than that is routinely open fewer than~~ thirty-two (32) ~~or fewer~~ clinical hours per week.

(14) ~~“Program” means the loan repayment program for dental professionals created in §25-23-103, C.R.S.~~

~~(15) “Settlement moneys” means the moneys received pursuant to the master settlement agreement, other than attorney fees and costs.~~

~~(1517) “Underserved” means any individual patient” includes any individual who is: a member of an underserved population, as defined in § 1.1 (18).~~

~~(18) “Underserved population” includes but is not limited to:~~

(A) ~~Individuals e~~Eligible for medical assistance under Article 4 ~~Oof~~ Title 26, C.R.S.; or

(B) ~~Individuals e~~Enrolled in the Children's Basic Health Plan pursuant to Article 19 of Title 26, C.R.S.; or

(C) ~~Individuals e~~Eligible for medical services pursuant to the program for the medically indigent set forth in Article 15 of Title 26, C.R.S.; or

(D) ~~Individuals who are provided~~ Receiving dental services ~~by a dental professional and who are charged fees in exchange for a reduced fee assessed~~ on a sliding scale that is based upon the individual's income; or

(E) -Receiving dental services or who are served without charge based upon the individual's income or dental insurance status.

(16) “Significant level of service” means care provided to the underserved at the levels that qualify the eligible dental professional for one or more of the following:

(AD) Dental hygienist provider level I; or

(BE) Dental hygienist provider level II; or

(CA) Dentist provider level I; or

(DB) Dentist provider level II; or

(EG) Dentist provider level III; or

## 1.2 Eligibility criteria

(1) ~~\_\_\_~~ A dental professional is eligible for loan repayment assistance if ~~the dental professional enters into a loan repayment contract with the Department on or after April 1, 2002, and meets~~ at least one of the following criteria is met:

(A) ~~\_\_\_~~ The dental professional is employed by a federally qualified health center as defined by 42 U.S.C. § 1396(d)(1)(2)(B); or

~~(B) \_\_\_~~ The dental professional owns or is employed by a practice that provides a significant level of service to the underserved ~~populations~~ as defined in § 1.1(16); or

~~(C) \_\_\_~~ The dental professional owns or is employed by a practice that ~~remains is~~ open to new clients enrolled in the Medicaid Program or the Children's Basic Health Plan Program and can achieve a significant level of service to the underserved as defined in § 1.1(16).;

~~(D) The dental professional provides, on a pro bono basis, a significant level of service to underserved populations as defined in §1.1(16).~~

## 1.3 Loan repayment prioritization

(1) ~~\_\_\_~~ In the event that there are insufficient funds in the state dental loan repayment fund to ~~meet satisfy~~ the loan repayment assistance ~~needs requests~~ of eligible dental professionals in ~~any a~~ given state fiscal year, the Department will prioritize awards in the following order: use the criteria set forth in §1.3(2) through (5) to allocate the available funds.

(A) Current program participants who have satisfactorily performed under the terms of their contract for at least 13 months and request a contract amendment to extend their service for an additional year of service under the same terms; then

(B) Dentist Level I; then

(C) Hygienist Level I; then

(D) Dentist Level II; then

(E) Hygienist Level II; then

(F) Dentist Level III

(2) ~~In addition, t~~The Department may, ~~in its discretion, limit~~ further refine the allocation of the awards to number of program participants based on the available funds and other legitimate criteria, e.g., such as the geographical disbursement distribution of program participants or the availability of other public resources to incentivize

increased dental care to underserved individuals. ~~to meet identified needs of underserved populations, when applying the following criteria.~~

~~(2) First priority will be given to Dentist provider level I and Dental hygienist provider level I that:~~

~~(A) Have satisfactorily completed a two-year service commitment to the underserved population in excess of the amounts set forth in §1.1(4) and (2), respectively; or~~

~~(B) Agree to provide services to the underserved population in excess of the amounts set forth in §1.1(4) and (2), respectively.~~

~~(3) Second priority will be given to Dentist provider level I and Dental hygienist provider level I. (4) Third priority will be given to Dentist provider level II. (5) Fourth priority will be given to Dentist provider level III and Dental hygienist level II.~~

#### 1.4 Loan repayment

(1) ~~Except as provided in § 1.4 (2), for each year an eligible dental professional provides care to underserved populations in accordance with the terms of a loan repayment contract, the loan repayment~~ award assistance provided by the Department ~~shall not exceed, subject to available appropriations, in the aggregate:~~

~~(A)~~ (AD) ~~-\$6,000 for a Dental hygienist provider level I;~~

~~(B)~~ (BE) ~~-\$3,000 for a Dental hygienist provider level II;~~

~~(C)~~ (Ca) ~~-\$25,000 for a Dentist provider level I;~~

~~(D)~~ (DB) ~~-\$20,000 for a Dentist provider level II;~~

~~(E)~~ (EG) ~~-\$10,000 for a Dentist provider level III;~~

~~(2) In the event that the total dollars funds available for loan repayment assistance for in the current state fiscal year exceeds the amount needed to fund eligible program applicants at award amounts specified in §1.4 (1) for the number of eligible dental professionals that have entered into loan repayment contracts, the Department may increase the amount of loan repayment assistance to participants that an eligible dental professional may receive for that fiscal the year.~~

~~(3) The loan repayment award amount will shall not exceed the total balance due on all amount of the educational loans held by the eligible dental professional plus any accrued interest and related expenses.~~

~~(4) Loan repayment will be considered ordinary income.~~

## 1.5 Application requirements

(1) ~~—~~ An eligible dental professional, desiring to participate in the program, shall complete and submit ~~to the Department the program an~~ application ~~form required by~~ to the Department in accordance with the application deadlines set by the Department. ~~The application shall not be considered complete unless accompanied by the following information: A complete application shall include all of the following:~~

(A) ~~—~~ A current copy of the eligible dental professional's his or her current Colorado dentist or dental hygienist license to practice in Colorado;

(B) ~~—~~ Evidence of having met one or more of the eligibility requirements as described in §1.2 (1);

~~(C)~~ ~~—~~ Evidence of having met and the ability to maintain a level of significant level of service as described in §1.1 (16); to be eligible for loan repayment if applicable;

~~(D)~~ ~~—~~ A current statement from the lending institution that holds the educational loan debt of the applicant and reports dated within the last three months that shows the total remaining loan balance of the applicant and the account status as "current"; and verifies that the dentist or dental hygienist is current with respect to payments on the loan. The information provided by the lending institution must include the total amount of the outstanding loan as of January first of the first year for which the loan repayment is requested;

~~(E) The dental professional must include a —~~ A statement that discloses all other current obligations of the applicant to perform dental services in exchange for educational debt forgiveness, tax considerations, bonus agreements, or advances on salary; identifies all other loan repayment and tax credit programs that assist in repayment of professional education loans in which he or she has participated or is participating, and the total amount of repayment/credit granted under each program.

(F) A statement from the lender, or a signed statement from the applicant, ~~must clearly show attesting~~ that the loan ~~was used to~~ financed higher education opportunities resulting in a directly related to dentistry or dental hygiene degree.

~~(23)~~ A successful applicant ~~for participation into~~ the program shall sign a contract with the Department. The terms of the loan repayment contract shall be determined by the Department and shall include, but ~~need may~~ not be limited to, ~~the following:~~

(A) ~~—~~ The total annual amount of loan repayment assistance available awarded to the eligible dental professional;



- (B) ~~\_\_~~ -The eligible dental professional's agreement to provide care to underserved ~~populations individuals~~ for a minimum of two (2) years at the rates that confer program eligibility to the provider level at which the participant was awarded ~~and the level of such services to be provided (as described set forth in §§1.1 (2) through (6))~~;
- (C) ~~\_\_~~ -The eligible dental professional's agreement to promptly notify the Department in writing if the participant:
- (i) ~~\_\_~~ ~~Dd~~ decreases the level of service~~eed~~ provided to underserved populations from that required under the contract; or
  - (ii) ~~\_\_~~ ~~Cc~~ ceases to serve provide care to underserved ~~populations individuals~~; or
  - (iii) ~~\_\_~~ ~~eO~~ otherwise fails or ceases to meet program eligibility requirements; and
- (D) ~~\_\_~~ ~~Reasonable pP~~ enalties and other enforcement remedies available to the Department in the event the eligible dental professional breaches the terms of the contract.
- (E) ~~\_\_~~ -The eligible dental professional's agreement to submit quarterly semi-annual reports to the Department quantifying evidencing the number of underserved patients served and other related practice information.

## 1.6 Application deadlines

The Department ~~may will~~ solicit applications ~~up to three times each~~ at least once per fiscal year on a date or dates ~~to be~~ determined by the ~~P~~program, ~~and~~ subject to the availability of funds. ~~The A~~ completed application, ~~including all~~ and required attachments, must be received by the Department by on or before the announced application deadlines ~~for the dental professional~~ to be considered for participation in the program.



## COLORADO

Board of Health

Department of Public Health & Environment

# Notice of Public Rule-Making Hearing Scheduled for March 16, 2016

NOTICE is hereby given pursuant to the provisions of Section 24-4-103, C.R.S., that the Colorado Board of Health will conduct a public rule-making hearing on March 16, 2016 at 10 a.m. in the Sabin-Cleere Conference Room of the Colorado Department of Public Health and Environment, Bldg. A, First Floor, 4300 Cherry Creek Drive, South, Denver, CO 80246, to consider the promulgation of rules pertaining to 6 CCR 1015-7, Loan Repayment Program for Dental Professionals. The proposed rules have been developed by the Prevention Services Division of the Colorado Department of Public Health and Environment pursuant to Section § 25-23-101 C.R.S., *et seq.*

The agenda for the meeting and the proposed amendments will also be available on the Board's website, <https://www.colorado.gov/pacific/cdphe/boh> at least seven (7) days prior to the meeting. The proposed rules, together with the proposed statement of basis and purpose, specific statutory authority and regulatory analysis will be available for inspection at the Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South EDO-A5, Denver, Colorado 80246-1530 at least five working days prior to the hearing. Copies of the proposed rules may be obtained by contacting the Colorado Department of Public Health and Environment, Prevention Services Division, Primary Care Office, A-5, 4300 Cherry Creek Drive S., Denver, CO 80246, (303) 692-2582.

The Board encourages all interested persons to participate in the hearing by providing written data, views, or comments, or by making oral comments at the hearing. At the discretion of the Chair, oral testimony at the hearing may be limited to three minutes or less depending on the number of persons wishing to comment. Pursuant to 6 CCR 1014-8, §3.02.1, written testimony must be submitted no later than five (5) calendar days prior to the rulemaking hearing. Written testimony is due by 5:00 p.m., Thursday, March 10, 2016. Persons wishing to submit written comments should submit them to: Colorado Board of Health, ATTN: Jamie L. Thornton, Program Assistant, Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South EDO-A5, Denver, Colorado 80246-1530 or by e-mail at: [cdphe.bohrequests@state.co.us](mailto:cdphe.bohrequests@state.co.us)

Dated this 27<sup>th</sup> day of January, 2016.

Deborah Nelson  
Board of Health Administrator

# Notice of Proposed Rulemaking

**Tracking number**

2016-00072

**Department**

1000 - Department of Public Health and Environment

**Agency**

1016 - Prevention Services Division (1016 Series)

**CCR number**

6 CCR 1016-3

**Rule title**

RULES PERTAINING TO INTERNATIONAL MEDICAL GRADUATES SEEKING STATE SUPPORT OF AN IMMIGRATION PETITION: ELIGIBILITY, APPLICATION PROCESS, FEES AND SELECTION PROCEDURES

**Rulemaking Hearing****Date**

03/16/2016

**Time**

10:00 AM

**Location**

Sabin-Cleere Conference Room, Colorado Department of Public Health and Environment, Bldg. A, 4300 Cherry Creek Drive, South, Denver, CO. 80246

**Subjects and issues involved**

To consider the promulgation of rules pertaining to 6 CCR 1016-3, International Medical Graduates Seeking State Support of an Immigration Petition: Eligibility Application Process, Fees and Selection Procedures.

**Statutory authority**

Section § 25-1.5-404, C.R.S.

**Contact information****Name**

Stephen Holloway

**Title**

Health Equity & Access Branch Director

**Telephone**

303-692-2582

**Email**

stephen.holloway@state.co.us



Dedicated to protecting and improving the health and environment of the people of Colorado

To: Members of the State Board of Health

From:  Stephen Holloway, Branch Chief, Health Equity and Access  
Prevention Services Division

Through:  Elizabeth Whitley, Prevention Services Division Director

Date: December 30, 2015

Subject: **Request for Rulemaking Hearing**

Proposed Amendments to 6 CCR 1016-3, International Medical Graduates  
Seeking State Support of an Immigration Petition: Eligibility Application  
Process, Fees and Selection Procedures, with a request for the rulemaking  
hearing to occur in March of 2016.

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The goal of the J-1 Visa Waiver and National Interest Waiver programs is to facilitate the placement of non US resident physicians in underserved areas of the state for the purpose of increasing access to primary and specialty medical services. The United States Department of State authorizes the governor or his designee to certify that a waiver of certain visa residency requirements for international medical graduates is in the national interest.

The department proposes to simplify and clarify language contained in 6 CCR 1016-3, which governs the programs for foreign trained physicians practicing in Colorado in order to more clearly reflect federal statutes that create the program. This rule was first promulgated in 2010 and has not been amended since that time. None of the proposed changes are intended to substantially alter how the program has been administered or implemented in the department. The primary purpose of the program is and remains to increase access to care in Colorado communities that experience a shortage of physician providers.

These rules are promulgated in accordance with the statutory authority granted by § 25-1.5-404 C.R.S. for the administration and establishment of application fees for the J-1 Visa Waiver and the National Interest Waiver programs.

**STATEMENT OF BASIS AND PURPOSE  
AND SPECIFIC STATUTORY AUTHORITY**

for Amendments to

6 CCR 1016-3, International Medical Graduates Seeking State Support of an  
Immigration Petition: Eligibility, Application Process, Fees and Selection Procedures

**Basis and Purpose.**

The department proposes to simplify and clarify language contained in 6 CCR 1016-3, which governs the programs placing foreign trained physicians in Colorado. The proposed changes to the rule include refinement of program definitions, an updated statutory reference, and simplified instructions to applicants regarding the review process.

Key revisions proposed for the current rule include:

- The requirement that the application include evidence that the petitioner has a United States equivalent medical education is removed. The physician residency “match” and admissions process satisfies this requirement prior to the submission of a waiver application to the state. This application requirement is therefore redundant and unnecessary.
- The requirement that a petitioner complete three years of a residency program before applying for a waiver in Colorado is revised to two years. This change is made to allow physicians who are in their final year of residency to apply for a waiver in Colorado. This change benefits the state because it allows physicians to seek qualified employment in Colorado and begin work as soon as they are fully trained. There is no risk of the program supporting waivers for physicians who have incomplete training because the Colorado Medical Board requires complete training for foreign medical graduates prior to granting a license to practice.
- The requirement that a petitioner demonstrate English proficiency is removed. The program has no direct means of evaluating this program requirement. Furthermore, English language proficiency determinations more appropriately reside with the hiring employer.
- The requirement that the petitioner provide a “statement of no objection from the country of origin” is removed. This change is made because the United States Department of State performs this function when reviewing a final waiver application.
- The requirement that an employing practice maintain a sliding fee scale for the uninsured is removed. This change is made because Colorado Medicaid now covers substantially more low income Coloradans and the Health Insurance Exchange provides additional premium support for those ineligible for Medicaid. In addition, it was found that many program users have had difficulty in managing and reporting on the use of sliding fee schedules in large hospital settings. These hospitals continue to maintain free and charitable care policies for the uninsured that do not strictly meet the definition of a sliding fee scale.
- The waiver petition preference hierarchy is removed because Colorado has never filled its allocation of 30 waiver petition slots. As such, there is not likely to be an opportunity to apply this hierarchy in the foreseeable future.

These proposed changes will not modify the purpose of the rule or materially change program implementation. The primary purpose of the program is and remains to increase access to care in Colorado communities that experience a shortage of physician providers.

**Specific Statutory Authority.**

These rules are promulgated pursuant to § 25-1.5-404.

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SUPPLEMENTAL QUESTIONS

**Is this rulemaking due to a change in state statute?**

\_\_\_\_\_ Yes, the bill number is \_\_\_\_\_; rules are \_\_\_\_ authorized \_\_\_\_ required.

\_\_\_X\_\_\_ No

**Is this rulemaking due to a federal statutory or regulatory change?**

\_\_\_\_\_ Yes

\_\_\_X\_\_\_ No

**Does this rule incorporate materials by reference?**

\_\_\_\_\_ Yes

\_\_\_X\_\_\_ No

**Does this rule create or modify fines or fees?**

\_\_\_\_\_ Yes

\_\_\_X\_\_\_ No

**REGULATORY ANALYSIS****for Amendments to****6 CCR 1016-3 International Medical Graduates Seeking State Support of an Immigration Petition: Eligibility, Application Process, Fees and Selection Procedures**

- 1. A description of the classes of persons who will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule.**

The simplification and clarification of 6 CCR 1016-3 is expected to benefit employers, physicians and their representatives who apply to this program. These benefits will also indirectly accrue to the communities they serve by making the visa waiver programs easier to use.

Employers and physicians may be effected by the fee structure, though no changes from the current fee structure are proposed. The fee structure benefits these groups because it supports the work of the Primary Care Office to promote and administer programs that improve access to health care. Specifically, these programs lead to increased placement of physicians in underserved areas of the state and promote more care to publicly insured, uninsured and underinsured people.

While employers generally bear the cost of the visa waiver fee, they benefit from a recruitment incentive that has value far in excess of the cost of the fee. For example, it is not uncommon to pay a signing bonus to US trained physicians of \$30,000 or more for a period of service to a rural hospital or medical practice.

In addition to the recruitment incentive, employers benefit from the technical assistance provided by program staff to facilitate the complete process of application for a visa waiver. This process includes relationships with physician residency programs, immigration attorneys, the US Department of State, and the US Citizenship and Immigration Service.

- 2. To the extent practicable, a description of the probable quantitative and qualitative impact of the proposed rule, economic or otherwise, upon affected classes of persons.**

The proposed rule changes are expected to only have a nominal impact on employers and physicians seeking to use the visa waiver program. The burden of completing an application to the state is expected to be similar, or slightly less, as a result of the proposed changes to the rule. These proposed changes are not expected to increase or decrease the total number of waiver applications to the state. The access to care impact of the program is expected to continue on a scale similar to the experience of the program over the previous five years.



The placement characteristics of the program in the last five years are as follows:

County	Number (56)	Percent
Adams	7	12.5
Alamosa	2	3.6
Arapahoe	3	5.4
Denver	8	14.3
Morgan	4	7.1
Otero	1	1.8
Prowers	1	1.8
Pueblo	30	53.6

Specialty	Number (56)	Percent
Primary Care	40	71.4
Specialty	16	28.6

The Primary Care Office evaluates the effectiveness of the immigration waiver programs on a three year iterative cycle. Data from participating physicians is collected semiannually in reports that document the number of Medicaid, Medicare and uninsured patient visits. Both physicians and employers are required to complete end of service program evaluations that provide information about the overall success of the program at increasing access to care.

The health plan characteristics of those served by program participants are as follows:

Encounters Per Year	Number (56)	Percent
Medicaid	42,180	19.8
Medicare	88,364	41.4
Child Health Plan	1,415	0.7
Sliding Fee Scale	9,923	4.7
Other Health Plans	71,478	33.5

**3. The probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues.**

The cost of administering the program in the department is not expected to change. Annual state revenues are not predicted to change, as no change to the fee structure is proposed and the number of applicants will likely remain constant.



**4. A comparison of the probable costs and benefits of the proposed rule to the probable costs and benefits of inaction.**

The benefit to changing the rule is a clearer regulation that more precisely conforms to federal statutes about the conduct of the visa programs in the state. The proposed language is simpler and easier to understand for employers and physicians interested in waiver programs. The cost of the application fee remains nominal when compared to the total cost of recruitment, legal council, and federal application fees for those who wish to participate in the program.

If no action is taken on this rule, overall program efficiency improvements may not be realized.

**5. A determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule.**

There are no less costly or intrusive methods of achieving the purpose of this rule revision.

**6. Alternative Rules or Alternatives to Rulemaking Considered and Why Rejected.**

State statute requires the State Board of Health to maintain rules for this program and establish fees. There is no alternative to rulemaking.

**7. To the extent practicable, a quantification of the data used in the analysis; the analysis must take into account both short-term and long-term consequences.**

Because the proposed changes are largely qualitative, no data was used in the analysis of the proposed changes to the rule.

**STAKEHOLDER COMMENTS  
for Amendments to**

6 CCR 1016-3 International Medical Graduates Seeking State Support of an Immigration  
Petition: Eligibility, Application Process, Fees and Selection Procedures

The following individuals and/or entities were included in the development of these proposed rules:

Connie Berry, former director of the Texas Primary Care Office and national subject matter expert regarding international medical graduate programs.

The following individuals and/or entities were notified that this rule-making was proposed for consideration by the Board of Health:

Stakeholders were notified via the Colorado Health Service Corps loan repayment program's social media outlets, Facebook and Twitter, and in the program's quarterly newsletter. The audiences for these outlets are comprised of health facility employers in Colorado, as well as current loan recipients and students of health professional schools.

Other stakeholders include the members of the Waiver Application Review Committee:

- Angela Rose, Colorado Community Health Network
- Ashley Mills, Colorado Rural Health Center
- Gail Finley, Colorado Hospital Association
- Henrique Fernandez, MD, Parkview Medical Center (former J-1 Visa physician)
- Tanah Wagenseller, Colorado Community Health Network

Summarize Major Factual and Policy Issues Encountered and the Stakeholder Feedback Received. If there is a lack of consensus regarding the proposed rule, please also identify the Department's efforts to address stakeholder feedback or why the Department was unable to accommodate the request.

No major factual and policy issues were encountered through the process of stakeholder feedback. The proposed changes are for the purpose of improving the clarity and concision of the rule.

Please identify health equity and environmental justice (HEEJ) impacts. Does this proposal impact Coloradoans equally or equitably? Does this proposal provide an opportunity to advance HEEJ? Are there other factors that influenced these rules?

There are no health equity or environmental justice impacts of the proposed rule change. The effect of the program is, however, intended to improve health equity for those who have poor access to care by placing physicians in underserved areas of the state.

## DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

## Prevention Services Division

**~~RULES PERTAINING TO~~ INTERNATIONAL MEDICAL GRADUATES SEEKING STATE SUPPORT OF AN IMMIGRATION PETITION: ELIGIBILITY, APPLICATION PROCESS, FEES AND SELECTION PROCEDURES****6 CCR 1016-3**

.....

## 1.1 Authority

This regulation is adopted pursuant to the authority in section 25-~~20~~ 1.5-6404, Colorado Revised Statutes and is intended to be consistent with the requirements of the State Administrative Procedures Act, section 24-4-101 et seq. (the “APA”-), C.R.S., the Conrad 30 J-1 Visa Waiver Program established in 8 U.S.C. section 1184 (c) ~~(12)~~ ~~(D)~~ (ii) and the National Interest Waiver ~~Program~~ established in 8 U.S.C. section 1153 (b) (2) (B) (ii).

## 1.2 Definitions

(1) “International Medical Graduate” means a physician who is not a United States citizen and has received a medical degree from a school outside of the United States or Canada.

(2) “J-1 visa physician” means an International Medical Graduate who is not a United States citizen and who holds a J-1 visa for training in a United States medical residency or fellowship program.

(3) “Underserved Area” means a geographic area or clinical facility with one or more of the following designations of the United States Secretary of Health and Human Services.

(A) “Health Professional Shortage Area” as provided in 42 U.S.C. sec. 294e.

(B) “Medically Underserved Area” as provided in 42 U.S.C. sec. 295p.

(C) “Medically Underserved Population” as provided in 42 U.S.C. sec. 254b.

(4) “Conrad 30 J-1 Visa Waiver Program” means the program established in 8 U.S.C. section- 1184 (c) ~~(12)~~ ~~(1D)~~ (ii), allowing ~~foreign-trained~~ J-1 visa physicians who meet certain criteria to remain in the United States after training and practice in communities designated as Medically Underserved Areas, Medically Underserved Populations, or Health Professional Shortage Areas.

(5) “National Interest Waiver ~~Program~~” means the program established in 8 U.S.C. sec.1153 (b) (2) (B) (ii) allowing foreign-trained physicians who meet certain criteria to

~~practice in communities designated as Medically Underserved Areas, Medically Underserved Populations, or Health Professional Shortage Areas.~~ receive legal permanent residence in the United States.

(6) “Governor’s Designee” means the Director of the Primary Care Office, who has received an official assignment from the governor to act on behalf of the state regarding immigration waiver petitions of ~~International Medical Graduate J-1 Visa~~ physicians.

~~(7)~~ “Primary Care Office” means the office created in C.R.S. 25-~~201.5-603404~~.

~~(8)~~ “Practice Site” means the physical location at which the ~~International Medical Graduate physician who is recommended for a waiver~~ will provide clinical services and may or may not be the administrative address of the Employer.

~~(7)(9)~~ - “Employer” means the legal entity seeking to engage the ~~International Medical Graduate J-1 visa~~ physician in an agreement to provide medical services in exchange for a salary and other remunerations.

~~(8)(10)~~ “Waiver Application Review Committee” means the committee of health access experts, appointed by the Director of the Primary Care Office, who represent broad interests in addressing Colorado’s health work force needs and who support and participate in the ~~decision-making-review~~ process regarding the waiver petitions of International Medical Graduates.

### 1.3 Program

International Medical Graduates are permitted to come to the United States for medical residency training on a ~~AJ-1, non-immigrant~~ Exchange Visitor Visa. Upon completion of training, ~~exchange J-1 visa~~ physicians are required to return to their country of origin for two years before applying for a new United States immigration Visa. The two-year home return requirement may be waived for a physician willing to practice medicine full-time in an ~~U~~underserved ~~A~~area of the United States for a period of three years, ~~if requesting a Conrad 30 J-1 Visa Waiver, or five years if requesting a National Interest Waiver.~~ A petition for a waiver of the home return requirement is granted by the federal government where a qualified application is submitted to a state health department and the Governor’s Designee determines that the ~~placement of the International Medical Graduate physician waiver~~ is in the national interest.

### 1.4 Waiver Petition

~~(1)~~ At the time of application, Aan eligible ~~International Medical Graduate J-1 visa~~ physician shall:

~~(2)~~

~~(3)(1)~~ demonstrate a medical education equivalent to a United States trained physician;

(A) Successfully complete at least ~~three~~ two years of a United States based medical residency program;

~~(B) demonstrate English language proficiency;~~

~~(C) file a statement of no objection from the country of origin, where applicable;~~

~~(D)(B) have or~~ Apply for or obtain a Colorado Medical License;

~~(E)(C) a~~ Agree to comply with program requirements for the full term of service;

~~(F)–~~

~~(G)(D)~~ Upon receipt of a Colorado Conrad 30 recommendation, the physician will:

i. ~~r~~ Report practice characteristics to the Primary Care Office on a biannual basis; and

ii. ~~e~~ Complete an exit survey at the conclusion of his or her service obligation.

~~(4)(2)~~ At the time of application, Aan eligible Practice Site shall:

(A) ~~b~~ Be located in an Underserved Area or provide substantial evidence of a physician shortage in the service area for the ~~International Medical Graduate~~ J-1 visa physician's medical specialty;

(B) ~~a~~ Acept patients covered by Colorado Medicaid;

(C) ~~a~~ Acept patients insured by Child Health Plan+, if the practice accepts children;

~~(D) a~~ Acept patients insured by Medicare, if the practice accepts ~~elderly~~ patients who are 65 and over;

~~(E)–~~

~~(F)(D) assess clinic charges on a posted sliding fee schedule for low income patients;~~ e Employ the ~~International Medical Graduate~~ J-1 visa physician full time, in direct patient care, at a salary commensurate with that of a United States trained physician in the same specialty with similar experience and training, in the region;

~~(E)~~ a Assign a patient panel to the ~~International Medical Graduate~~ J-1 visa physician that is not substantially different than that of other physicians in the practice with the same clinical specialty;

~~(F)~~ Upon receipt of a Colorado Conrad 30 recommendation, the Practice Site will:

i. ~~r~~ Report practice characteristics to the Primary Care Office on a biannual basis; and

ii. ~~e~~ Complete an exit survey at the conclusion of their service obligation.

(5)(3) A complete application shall originate from a prospective Employer and shall contain all elements described in the application guidance available from the Primary Care Office, which include:

- (A) an application face page,
- (B) an employer statement,
- (C) a community statement of need,
- (D) a recruitment effort summary,
- (E) a signed contract that conforms to waiver and program requirements,
- (F) a physician retention plan,
- (G) all required immigration documentation, and
- (H) documentation supporting the International Medical Graduate's waiver eligibility.

(6)(4) An application fee shall be assessed in exchange for a complete application review and waiver support determination. Fees are not refundable in the event the Governor's Designee declines to support a waiver petition, the Department of State or the United States Citizenship and Immigration Services declines to grant a waiver, the physician fails to begin a service commitment, or the physician or employer terminates a service commitment prior to the end of a service obligation. Fees shall be payable at the time of application to the "Colorado Department of Public Health and Environment" on the following schedule:

(A) \$1,000 for a Conrad 30 J-1 Visa Waiver application review.

(B) \$250 for a National Interest Waiver application review letter where the physician is a-currently J-1 Visa Waiver physician-practicing, or intends to practice in Colorado.

(C) \$1,250 for a National Interest Waiver application review letter where the physician is not a-currently J-1 Visa Waiver physician-practicing in Colorado.

(D) The Governor's Designee may waive application fees for Executive agencies of state government.

## 1.5 Application Review Process

### (1) Conrad 30 J-1 Visa Waiver Application

- (A) Applications will be accepted at any time and will be reviewed in the order that they are received.

~~(B) Complete applications, where both the International Medical Graduate and Practice Site are eligible under program rules, will be referred to the Waiver Application Review Committee for a vote. In federal fiscal years where more than 30 applications are received, priority will be given to applicants who:~~

~~(1) are specialists in Family Medicine, General Internal Medicine, General Pediatrics, General Obstetrics and Gynecology, or General Psychiatry;~~

~~(2) will be placed in an outpatient clinical setting; and~~

~~(3) are assigned to a Practice Site located in a current Health Professional Shortage Area.~~

~~(C) The Governor's Designee will support waiver petitions that are recommended by a majority vote of the Waiver Application Review Committee. All decisions regarding state support of a waiver petition are final.~~

~~(D)~~(B) Once 30 waiver requests have been supported by the Governor's Designee in a single federal fiscal year, the application process will be closed until the following federal fiscal year.

(2)

~~(2)~~ National Interest Waiver ~~Application~~

~~(3)~~

~~Applications~~ Requests will be accepted at any time and will be reviewed in the order that they are received. The Governor's Designee will respond to the National Interest Waiver request in writing.

~~(A) Complete applications, where both the International Medical Graduate and Practice Site are eligible under program rules, will be evaluated by the Governor's Designee if an applicant is a current J-1 Visa Waiver physician practicing in Colorado, or be referred to the Waiver Application Review Committee for a vote if the applicant is not a current J-1 Visa Waiver physician practicing in Colorado.~~

~~(B) The Governor's Designee will make the final determination of state support. All decisions regarding state support of a waiver petition are final.~~





# COLORADO

Board of Health

Department of Public Health & Environment

## Notice of Public Rule-Making Hearing Scheduled for March 16, 2016

NOTICE is hereby given pursuant to the provisions of Section 24-4-103, C.R.S., that the Colorado Board of Health will conduct a public rule-making hearing on March 16, 2016 at 10 a.m. in the Sabin-Cleere Conference Room of the Colorado Department of Public Health and Environment, Bldg. A, First Floor, 4300 Cherry Creek Drive, South, Denver, CO 80246, to consider the promulgation of rules pertaining to 6 CCR 1016-3, International Medical Graduates Seeking State Support of an Immigration Petition: Eligibility Application Process, Fees and Selection Procedures. The proposed rules have been developed by the Prevention Services Division of the Colorado Department of Public Health and Environment pursuant to Section § 25-1.5-404, C.R.S.

The agenda for the meeting and the proposed amendments will also be available on the Board's website, <https://www.colorado.gov/pacific/cdphe/boh> at least seven (7) days prior to the meeting. The proposed rules, together with the proposed statement of basis and purpose, specific statutory authority and regulatory analysis will be available for inspection at the Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South EDO-A5, Denver, Colorado 80246-1530 at least five working days prior to the hearing. Copies of the proposed rules may be obtained by contacting the Colorado Department of Public Health and Environment, Prevention Services Division, Primary Care Office, A-5, 4300 Cherry Creek Drive S., Denver, CO 80246, (303) 692-2582.

The Board encourages all interested persons to participate in the hearing by providing written data, views, or comments, or by making oral comments at the hearing. At the discretion of the Chair, oral testimony at the hearing may be limited to three minutes or less depending on the number of persons wishing to comment. Pursuant to 6 CCR 1014-8, §3.02.1, written testimony must be submitted no later than five (5) calendar days prior to the rulemaking hearing. Written testimony is due by 5:00 p.m., Thursday, March 10, 2016. Persons wishing to submit written comments should submit them to: Colorado Board of Health, ATTN: Jamie L. Thornton, Program Assistant, Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South EDO-A5, Denver, Colorado 80246-1530 or by e-mail at: [cdphe.bohrequests@state.co.us](mailto:cdphe.bohrequests@state.co.us)

Dated this 27<sup>th</sup> day of January, 2016.

Deborah Nelson  
Board of Health Administrator



# Notice of Proposed Rulemaking

**Tracking number**

2016-00070

**Department**

1502 - Public Employees' Retirement Board

**Agency**

1502 - Public Employees' Retirement Association

**CCR number**

8 CCR 1502-1

**Rule title**

COLORADO PERA RULES

**Rulemaking Hearing****Date**

03/11/2016

**Time**

01:30 PM

**Location**

Colorado PERA Office - 1301 Pennsylvania Street, Denver CO 80203

**Subjects and issues involved**

Amendment to the Colorado PERA Rules

**Statutory authority**

C.R.S. 24-51-204(5)

**Contact information****Name**

Megan Westberg

**Title**

Staff Attorney

**Telephone**

303-398-7675

**Email**

mwestberg@copera.org

# **PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION**

## **COLORADO PERA RULES**

### **8 CCR 1502-1**

#### **NOTICE OF PROPOSED PERMANENT RULEMAKING HEARING**

**March 11, 2016**

#### **STATEMENT OF BASIS AND PURPOSE**

The statutory authority for rulemaking by the Public Employees' Retirement Association is section 24-51-204(5), Colorado Revised Statutes, as amended.

The purpose of this rulemaking is to amend Colorado PERA Rule 2.50 to permit Board elections of Board Chair and Vice Chair to occur at the last regular meeting of the calendar year, and for those elected individuals to assume office at the next regularly scheduled meeting. Currently, those elections are held at the first meeting after January 1.

#### 2.50 Election of Officers

The Board shall, by secret ballot, elect ~~by secret ballot~~ from among its members a Chair and Vice Chair, each to serve for terms of two years. When elections are required, they shall take place be elected at the last regular meeting held in the calendar year, and the newly elected Chair and Vice Chair shall assume office as of the next regular meeting. first regular meeting held after January 1 commencing with the first regular meeting held after January 1, 2007, and shall serve for terms of two years. No member may serve continuously as Chair for more than two consecutive terms. All officers shall be elected by a majority of those present and voting.

# Notice of Proposed Rulemaking

**Tracking number**

2016-00064

**Department**

2505,1305 - Department of Health Care Policy and Financing

**Agency**

2505 - Medical Services Board (Volume 8; Medical Assistance, Children's Health Plan)

**CCR number**

10 CCR 2505-10

**Rule title**

MEDICAL ASSISTANCE - STATEMENT OF BASIS AND PURPOSE, AND RULE HISTORY

**Rulemaking Hearing****Date**

03/11/2016

**Time**

09:00 AM

**Location**

303 East 17th Avenue, 11th Floor, Denver, CO 80203

**Subjects and issues involved**

see attached

**Statutory authority**

25.5-1-301 through 25.5-1-303, CRS (2015)

**Contact information****Name**

Judi Carey

**Title**

MSB Coordinator

**Telephone**

303-866-4416

**Email**

judith.carey@state.co.us



## COLORADO

Department of Health Care  
Policy & Financing

Medical Services Board

### NOTICE OF PROPOSED RULES

The Medical Services Board of the Colorado Department of Health Care Policy and Financing will hold a public meeting on Friday, March 11, 2016, beginning at 9:00 a.m., in the eleventh floor conference room at 303 East 17th Avenue, Denver, CO 80203. Reasonable accommodations will be provided upon request for persons with disabilities. Please notify the Board Coordinator at 303- 866-4416 or [judith.carey@state.co.us](mailto:judith.carey@state.co.us) or the 504/ADA Coordinator [hcpf504ada@state.co.us](mailto:hcpf504ada@state.co.us) at least one week prior to the meeting to make arrangements.

A copy of the full text of these proposed rule changes is available for review from the Medical Services Board Office, 1570 Grant Street, Denver, Colorado 80203, (303) 866-4416, fax (303) 866-4411. Written comments may be submitted to the Medical Services Board Office on or before close of business the Wednesday prior to the meeting. Additionally, the full text of all proposed changes will be available approximately one week prior to the meeting on the Department's website at [www.colorado.gov/hcpf/medical-services-board](http://www.colorado.gov/hcpf/medical-services-board).

This notice is submitted to you for publication, pursuant to § 24-4-103(3)(a) and (11)(a), C.R.S.

#### **MSB 15-10-27-E, Revision to the Medical Assistance Health Programs Benefits Management Rule Concerning Supervision Requirements for Registered Nurses at Local Public Health Agencies, Section 8.200**

Medical Assistance: The proposed rule revises the supervision requirements for vaccination administration services rendered by a Registered Nurse (RN) at a Local Public Health Agency (LPHA). The proposed revision removes the requirement that the supervising provider be physically onsite for the duration of vaccination administration services rendered by RNs, and replaces it with a requirement that the supervising provider be immediately available via telephonic or other electronic means to give assistance throughout the performance of the service. This rule revision is intended to increase access to vaccinations for Colorado Medicaid members served by LPHAs.

State authority for this rule is contained in 25.5-1-301 through 25.5-1-303, C.R.S. (2015); 25.5-4-401(2), C.R.S. (2015); and 24-4-103(6)(a), C.R.S. (2015). Federal Authority for this rule is contained in 42 CFR 440.230(2)(b).

#### **MSB 15-10-27-A, Revision to the Medical Assistance Special Financing Rule Concerning Colorado Dental Health Care Program for Low-Income Seniors, 10 CCR 2505-10, Section 8.960.**

Medical Assistance. Colorado Dental Health Care Program for Low-Income Seniors, 10 CCR 2505-10, Section 8.960. This rule change clarifies the covered dental care services under this program, which include diagnostic imaging, emergency services, endodontic services, evaluation, oral and

maxillofacial surgery, palliative treatment, periodontal treatment, preventive services, prophylaxis, removable prosthesis, and restorative services.

The state authority for this rule is contained in Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2015); and 25.5-3-404, C.R.S. (2015)

**MSB 15-11-20-A, Revision to the Medical Assistance Finance Office Payment Reform Section Hospital Services Rule Concerning Definition for Trim Point Day, Section 8.300.1**

Medical Assistance. Hospital Services. The definition for Trim Point Day in section 10 CCR 2505-10 8.300.1 will be updated to reflect the 2.58 standard deviations used to calculate the trim point day implemented with All Patient Refined – Diagnosis Related Groups (APR-DRG) on 1/1/2014 instead of the 1.94 standard deviations that were used in calculating the trim points for CMS-DRGs (Centers for Medicare and Medicaid Services) prior to 1/1/2014.

The state authority for this rule is contained in Sections 25.5-1-301 through 25.5-1-303, C.R.S. (2015), and 25.5-4-401, C.R.S (2015).

Federal authority for this rule is contained in 42 C.F.R. 412

# Notice of Proposed Rulemaking

**Tracking number**

2016-00050

**Department**

500,1008,2500 - Department of Human Services

**Agency**

2506 - Food Assistance Program (Volume 4B)

**CCR number**

10 CCR 2506-1

**Rule title**

RULE MANUAL VOLUME 4B, FOOD ASSISTANCE

## Rulemaking Hearing

**Date**

03/04/2016

**Time**

10:00 AM

**Location**

Jefferson County Department of Human Services, 900 Jefferson County Parkway, Golden, Colorado 80401

**Subjects and issues involved**

The purpose of the proposed rule change is to modify the implementation date of rules that were previously adopted to implement Transitional Food Assistance. The purpose of Transitional Food Assistance was to provide stable food benefits to families that receive Food Assistance and Colorado Works (CW) basic cash assistance, but become ineligible for Colorado Works cash assistance during the middle of the households certification period because the familys income makes them ineligible. Transitional Food Assistance is meant to help meet a familys nutritional needs for five (5) months as they transition into self-sufficiency.

The effective date of the previously adopted rules was February 1, 2016. Due to delays in automated system changes that are necessary to implement the rule, the effective date must be modified to July 1, 2016, which is when the system changes will be completed.

**Statutory authority**

26-1-107; 26-1-109; 26-1-111; 26-2-301, C.R.S. (2015); Pub. L. 113-79 (Agricultural Act of 2014); 7 U.S.C. Sections 2011-2036; 7 CFR 273.26 - 7 CFR 273.32

**Contact information****Name**

Amanda Dyer

**Title**

Food Assistance Program

**Telephone**

303-866-2538

**Email**

amanda.dyer@state.co.us

Title of Proposed Rule:           Modifying the Implementation Date of Transitional Food Assistance

Rule-making#:       16-1-14-1

Office/Division or Program:       Rule Author: Amanda Dyer  
Office of Economic Security/  
Food Assistance Program

Phone: 303-866-2538  
E-Mail: amanda.dyer@state.co.us

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### **STATEMENT OF BASIS AND PURPOSE**

Summary of the basis and purpose for the rule or rule change. *(State what the rule says or does, explain why the rule or rule change is necessary and what the program hopes to accomplish through this rule. How do these rule changes align with the outcomes that we are trying to achieve, such as those measured in C-Stat?)*

The purpose of the proposed rule change is to modify the implementation date of rules that were previously adopted to implement Transitional Food Assistance.

The purpose of Transitional Food Assistance was to provide stable food benefits to families that receive Food Assistance and Colorado Works (CW) basic cash assistance, but become ineligible for Colorado Works cash assistance during the middle of the household's certification period because the family's income makes them ineligible. Transitional Food Assistance is meant to help meet a family's nutritional needs for five (5) months as they transition into self-sufficiency.

The effective date of the previously adopted rules was February 1, 2016. Due to delays in automated system changes that are necessary to implement the rule, the effective date must be modified to July 1, 2016, which is when the system changes will be completed.

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An emergency rule-making (which waives the initial Administrative Procedure Act noticing requirements) is necessary:

X
X

to comply with state/federal law and/or

to preserve public health, safety and welfare

Explain: To implement Transitional Food Assistance, automated system changes are necessary to make Transitional Food Assistance available to prospective clients. In finalizing the system changes, additional requirements that need to be included were identified and, as a result, the effective date of the rule must be delayed to align with the system enhancements. Without the system enhancements, Transitional Food Assistance cannot be made available to prospective clients. This emergency proposed rule is necessary to comply with law and to ensure the state and county departments are not out of compliance with state regulations.

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Initial Review	<u>02/05/2016</u>	Final Adoption	<u>03/04/2016</u>
Proposed Effective Date	<u>02/05/2016</u>	EMERGENCY Adoption	<u>02/05/2016</u>

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[Note: "Strikethrough" indicates deletion from existing rules and "all caps" indicates addition of new rules.]



Title of Proposed Rule: Modifying the Implementation Date of Transitional Food Assistance

Rule-making#: 16-1-14-1

Office/Division or Program: Rule Author: Amanda Dyer  
Office of Economic Security/  
Food Assistance Program

Phone: 303-866-2538  
E-Mail: amanda.dyer@state.co.us

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**STATEMENT OF BASIS AND PURPOSE** (continued)

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Authority for Rule:

State Board Authority: 26-1-107, C.R.S. (2015) - State Board to promulgate rules;  
26-1-109, C.R.S. (2015) - state department rules to coordinate with federal programs;  
26-1-111, C.R.S. (2015) - state department to promulgate rules for public assistance and welfare activities.

Program Authority: (give federal and/or state citations and a summary of the language authorizing the rule-making)  
26-2-301, C.R.S. (2015) – allows the state department, with the approval of the state board, to enter into an agreement with the secretary of the United States Department of Agriculture to accept federal food assistance benefits for disbursement to qualified households in accordance with federal law;  
Public Law 113-79 (Agricultural Act of 2014) and 7 U.S.C. Sections 2011-2036 – Federal program authority for the Food Assistance Program;  
7 CFR 273.26 through 7 CFR 273.32 – Federal regulations governing the administration of the Transitional Benefits Alternative

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Does the rule incorporate material by reference?

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

Does this rule repeat language found in statute?

If yes, please explain.

---

*The program has sent this proposed rule-making package to which stakeholders?*

Aurora Community Connection outreach partner;  
Hunger Free Colorado outreach partner;  
Weld Food Bank outreach partner;  
Care and Share outreach partner;  
Colorado Legal Services;  
The Legal Center for Persons with Disabilities and Older Persons;  
Colorado Center on Law and Policy;  
Colorado Human Services Directors Association (CHSDA);  
Office of Economic Security Sub-PAC;  
Food Assistance Performance Improvement Plan monthly meeting which consists of representatives from the ten largest counties; and,  
CDHS Colorado Works Program, Adult Financial Program, and Office of Appeals

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Attachments:

Regulatory Analysis  
Overview of Proposed Rule  
Stakeholder Comment Summary

Title of Proposed Rule:           Modifying the Implementation Date of Transitional Food Assistance

Rule-making#:           16-1-14-1

Office/Division or Program:       Rule Author: Amanda Dyer  
Office of Economic Security/  
Food Assistance Program

Phone: 303-866-2538

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## **REGULATORY ANALYSIS**

*(complete each question; answers may take more than the space provided)*

### **1. List of groups impacted by this rule:**

*Which groups of persons will benefit, bear the burdens or be adversely impacted by this rule?*

No groups of persons will benefit, bear the burdens or be adversely impacted by delaying the implementation date of the previously adopted rule-making, as Transitional Food Assistance has not yet been implemented.

### **2. Describe the qualitative and quantitative impact:**

*How will this rule-making impact those groups listed above? How many people will be impacted? What are the short-term and long-term consequences of this rule?*

Delaying implementation of Transitional Food Assistance is necessary to ensure that automated systems are functioning properly so that Transitional Food Assistance is administered correctly in accordance with federal regulations to prevent non-compliance in administering a federal policy option.

### **3. Fiscal Impact:**

*For each of the categories listed below explain the distribution of dollars; please identify the costs, revenues, matches or any changes in the distribution of funds even if such change has a total zero effect for any entity that falls within the category. If this rule-making requires one of the categories listed below to devote resources without receiving additional funding, please explain why the rule-making is required and what consultation has occurred with those who will need to devote resources.*

State Fiscal Impact *(Identify all state agencies with a fiscal impact, including any Colorado Benefits Management System (CBMS) change request costs required to implement this rule change)*

There is no state fiscal impact in regards to the funding of the Food Assistance benefit. All Food Assistance benefits are one hundred percent (100%) federally funded.

Changes to the Colorado Benefits Management System (CBMS) will be completed with funds already available to the program areas.

Costs to provide training will be absorbed within current state positions that currently conduct training.

#### **County Fiscal Impact**

There are no county fiscal impacts associated with this rule change.

#### **Federal Fiscal Impact**

There are no federal fiscal impacts associated with this rule change. The United States Department of Agriculture, Food Nutrition Service (USDA, FNS), has been informed of the implementation of Transitional Food Assistance and no concerns have been raised regarding the potential increase in Food Assistance benefit issuance and the associated federal fiscal costs. All Food Assistance benefits issued to households are 100% federally funded.

FNS has been notified of the delayed implementation and has no concerns.

Title of Proposed Rule:       Modifying the Implementation Date of Transitional Food Assistance

Rule-making#:       16-1-14-1

Office/Division or Program:  
Office of Economic Security/  
Food Assistance Program

Rule Author: Amanda Dyer

Phone: 303-866-2538

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**REGULATORY ANALYSIS** (continued)

Other Fiscal Impact (*such as providers, local governments, etc.*)

There are no other fiscal impacts associated with this rule change.

**4. Data Description:**

*List and explain any data, such as studies, federal announcements, or questionnaires, which were relied upon when developing this rule?*

Feedback received from the system vendor was utilized in developing this rule.

**5. Alternatives to this Rule-making:**

*Describe any alternatives that were seriously considered. Are there any less costly or less intrusive ways to accomplish the purpose(s) of this rule? Explain why the program chose this rule-making rather than taking no action or using another alternative.*

No other alternatives to rule-making are available to delay implementation of the Transitional Food Assistance policy option.

Title of Proposed Rule:       Modifying the Implementation Date of Transitional Food Assistance

Rule-making#:       16-1-14-1

Office/Division or Program:  
Office of Economic Security/  
Food Assistance Program

Rule Author: Amanda Dyer

Phone: 303-866-2538

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### **OVERVIEW OF PROPOSED RULE**

Compare and/or contrast the content of the current regulation and the proposed change.

<u>Section Numbers</u>	<u>Current Regulation</u>	<u>Proposed Change</u>	<u>Stakeholder Comment</u>			
4.609.1	Outlines the general eligibility guidelines for Transitional Food Assistance	Added that the effective implementation date for Transitional Food Assistance is July 1, 2016	—	Yes	<u>X</u>	No

Title of Proposed Rule:           Modifying the Implementation Date of Transitional Food Assistance

Rule-making#:       16-1-14-1

Office/Division or Program:       Rule Author: Amanda Dyer  
Office of Economic Security/  
Food Assistance Program

Phone: 303-866-2538

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## **STAKEHOLDER COMMENT SUMMARY**

### **DEVELOPMENT**

The following individuals and/or entities were included in the development of these proposed rules (such as other Program Areas, Legislative Liaison, and Sub-PAC):

Colorado Works Program area

### **THIS RULE-MAKING PACKAGE**

The following individuals and/or entities were contacted and informed that this rule-making was proposed for consideration by the State Board of Human Services:

Aurora Community Connection outreach partner;  
Hunger Free Colorado outreach partner;  
Weld Food Bank outreach partner;  
Care and Share outreach partner;  
Colorado Legal Services;  
The Legal Center for Persons with Disabilities and Older Persons;  
Colorado Center on Law and Policy;  
Colorado Human Services Directors Association (CHSDA);  
Office of Economic Security Sub-PAC;  
Food Assistance Performance Improvement Plan monthly meeting which consists of representatives from the ten largest counties; and,  
CDHS Colorado Works Program, Adult Financial Program, and Office of Appeals

Are other State Agencies (such as Colorado Department of Health Care Policy and Financing) impacted by these rules? If so, have they been contacted and provided input on the proposed rules?

☐ Yes    ☒ No

Have these rules been reviewed by the appropriate Sub-PAC Committee?

☐ Yes    ☒ No

Date presented Not yet presented. Were there any issues raised?   \_\_\_ Yes   \_\_\_ No

If not, why. Sub-PAC has not reviewed the emergency rule, as the need to pursue this emergency rule change occurred between the monthly meetings. All county departments and other stakeholders are being notified of the delay in implementation, and this will be presented at the next Sub-PAC meeting.

Title of Proposed Rule:       Modifying the Implementation Date of Transitional Food Assistance

Rule-making#:       16-1-14-1

Office/Division or Program:       Rule Author: Amanda Dyer  
Office of Economic Security/  
Food Assistance Program

Phone: 303-866-2538

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**STAKEHOLDER COMMENT SUMMARY** (continued)

Comments were received from stakeholders on the proposed rules:

☐ Yes    ☒ No

*If "yes" to any of the above questions, summarize and/or attach the feedback received, including requests made by the State Board of Human Services, by specifying the section and including the Department/Office/Division response. Provide proof of agreement or ongoing issues with a letter or public testimony by the stakeholder.*

## (10 CCR 2506-1)

### **4.609 TRANSITIONAL FOOD ASSISTANCE**

#### **4.609.1 GENERAL ELIGIBILITY GUIDELINES [Eff. 2/1/16]**

- A. EFFECTIVE JULY 1, 2016, households that receive Food Assistance and Colorado Works basic cash assistance that become ineligible for continued receipt of Colorado Works basic cash assistance as a result of changes in household income are eligible to receive Transitional Food Assistance (TFA), as provided for within this section. Colorado works diversion payments are not considered basic cash assistance. Colorado works basic cash assistance is defined in Section 3.601 of the Code of Colorado Regulations (9 CCR 2503-6).
- B. Households that are eligible to receive Transitional Food Assistance will have the Food Assistance benefit amount continued for five (5) months. The household's Food Assistance allotment will be continued in an amount based on what the household received prior to when the household's income made them ineligible for Colorado Works basic cash assistance. Only the following four (4) changes will be acted upon when determining the Food Assistance allotment that is to be continued.
  - 1. The loss of the Colorado Works cash grant;
  - 2. Changes in household composition that result in a household member leaving and applying for Food Assistance in another household;
  - 3. Updates to the Food Assistance eligibility standards that change each October 1 as a result of the annual cost-of-living adjustments (see Section 4.607); and,
  - 4. Imposing an intentional program violation disqualification.
- C. When the Food Assistance benefit amount is continued, the household's existing certification period shall end, and the household shall be assigned a new five (5) month certification period. The recertification requirements located within Section 4.209 that would normally apply when the household's certification period ends must be postponed until the end of the five (5) month transitional certification period.
- D. Households who are denied or not eligible for Transitional Food Assistance must have continued eligibility and benefit level determined in accordance with Section 4.604.
- E. The following households are not eligible to receive Transitional Food Assistance:
  - 1. Households leaving the Colorado Works program due to a Colorado Works sanction; or,
  - 2. Households that are ineligible to receive Food Assistance because all individuals in the household meet one of the following criteria:
    - a. Disqualified for intentional program violation in accordance with Section 4.803;
    - b. Ineligible for failure to comply with a work requirement in accordance with Section 4.310;
    - c. Ineligible student in accordance with Section 4.306;

- d. Ineligible non-citizen in accordance with Section 4.305.1;
- e. Disqualified for failing to provide information necessary for making a determination of eligibility in accordance with Section 4.500 or for completing any subsequent review of its eligibility in accordance with Sections 4.209 and 4.210;
- f. Disqualified for receiving Food Assistance benefits in more than one household in the same month in accordance with Section 4.803.3;
- g. Disqualified for being a fleeing felon in accordance with Section 4.304.4;
- h. Able-bodied adults without dependents who fail to comply with the requirements of Section 4.310.

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# Notice of Proposed Rulemaking

**Tracking number**

2016-00049

**Department**

500,1008,2500 - Department of Human Services

**Agency**

2513 - Division of Rehabilitation (Volume 9)

**CCR number**

12 CCR 2513-1

**Rule title**

RULE MANUAL VOLUME 9, REHABILITATION SERVICES

## Rulemaking Hearing

**Date**

03/04/2016

**Time**

10:00 AM

**Location**

Jefferson County Department of Human Services, 900 Jefferson County Parkway, Golden, Colorado 80401

**Subjects and issues involved**

This rule implements Senate Bill 15-240, which was signed into law on May 1, 2015, and requires that rules be promulgated on or before July 1, 2016 for the block distribution of state moneys to Independent Living Centers. The rule outlines how the additional \$830,000 that was allocated by the State Legislature will be distributed to the Centers for Independent Living under the funding formula that the Centers agreed to in October 2015. The Centers agreed to a weighted formula that divides county disability population, plus county population, and land area by population to determine the funding amount for each county. The Centers also agreed to explore setting aside \$400,000 to establish a Division of Independent Living in State Government. The program will be meeting its fiduciary requirements by having this rule promulgated.

**Statutory authority**

26-1-107; 26-1-109; 26-1-111; 26-8.1-103, C.R.S.; 26-8.1-105; 26-8.1-107, C.R.S. (2015); Title VII, Section 725 of the Rehabilitation Act of 1973, as amended

## Contact information

**Name**

Karen Prince

**Title**

Division of Vocational Rehabilitation

**Telephone**

303-866-4730

**Email**

karen.prince@state.co.us

Title of Proposed Rule: State Allocation for Delivery of Independent Living Services Pursuant to S.B. 15-240

Rule-making#: 15-11-30-1

Office/Division or Program: Rule Author: Karen Prince  
Office of Community Access and  
Independence (OCAI)/ Division of  
Vocational Rehabilitation (DVR)

Phone: 303-866-4730

E-Mail:  
karen.prince@state.co.us

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## **STATEMENT OF BASIS AND PURPOSE**

Summary of the basis and purpose for the rule or rule change. *(State what the rule says or does, explain why the rule or rule change is necessary and what the program hopes to accomplish through this rule. How do these rule changes align with the outcomes that we are trying to achieve, such as those measured in C-Stat?)*

This rule implements Senate Bill 15-240, which was signed into law on May 1, 2015, and requires that rules be promulgated on or before July 1, 2016 for the block distribution of state moneys to Independent Living Centers. The rule outlines how the additional \$830,000 that was allocated by the State Legislature will be distributed to the Centers for Independent Living under the funding formula that the Centers agreed to in October 2015. The Centers agreed to a weighted formula that divides county disability population, plus county population, and land area by population to determine the funding amount for each county. The Centers also agreed to explore setting aside \$400,000 to establish a Division of Independent Living in State Government. The program will be meeting its fiduciary requirements by having this rule promulgated.

---

An emergency rule-making (which waives the initial Administrative Procedure Act noticing requirements) is necessary:

- |   |   |
|---|---|
| X | to comply with state/federal law and/or       |
| X | to preserve public health, safety and welfare |

Explain: S.B. 15-240 directs the formation of the rule for disbursement of the additional General Funds to be distributed based on the funding formula to which the Centers for Independent Living (CIL) agreed. Funds were available for disbursement January 2016; however, the funds cannot be distributed to the CILs until the rule is in place authorizing the use of the funding formula. Therefore, it is necessary to promulgate these rules on an emergency basis in order to comply with state law and to provide delivery of services in a timely manner for the health, safety and welfare of individuals with disabilities. Failing to complete the rule making process before the end of State Fiscal Year (SFY) 2016 will result in a loss of funding to the CILs, denying them access to funds allocated to them under S.B. 15-240.

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Initial Review	<u>02/05/2016</u>	Final Adoption	<u>03/04/2016</u>
Proposed Effective Date	<u>02/05/2016</u>	EMERGENCY Adoption	<u>02/05/2016</u>

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[Note: "Strikethrough" indicates deletion from existing rule and "all caps" indicates addition of new rules.]

Title of Proposed Rule: State Allocation for Delivery of Independent Living Services Pursuant to S.B. 15-240

Rule-making#: 15-11-30-1

Office/Division or Program: Rule Author: Karen Prince  
Office of Community Access and  
Independence (OCAI)/ Division of  
Vocational Rehabilitation (DVR)

Phone: 303-866-4730

E-Mail:  
karen.prince@state.co.us

---

**STATEMENT OF BASIS AND PURPOSE** (continued)

---

Authority for Rule:

**State Board Authority:** 26-1-107, C.R.S. (2015) - State Board to promulgate rules; 26-1-109, C.R.S. (2015) - state department rules to coordinate with federal programs; 26-1-111, C.R.S. (2015) - state department to promulgate rules for public assistance and welfare activities.

**Program Authority:** *(give federal and/or state citations and a summary of the language authorizing the rule-making)*

Title VII, Section 725 of the Rehabilitation Act of 1973, as amended;

26-8.1-103, C.R.S. (2015) – functions of the state department and rule-making authority for block distribution of moneys to Independent Living Centers;

26-8.1-105, C.R.S. (2015) – authority to promulgate rules setting standards for levels and types of core services;

26-8.1-107, C.R.S. (2015) – evaluation standards

---

Does the rule incorporate material by reference?

☐

Yes

☒

No

Does this rule repeat language found in statute?

☐

Yes

☒

No

If yes, please explain.

---

*The program has sent this proposed rule-making package to which stakeholders?*

Centers for Independent Living, Statewide Independent Living Council, Division of Vocational Rehabilitation, Colorado Developmental Disabilities Council, and announced on Statewide Independent Living Council website for individuals with disabilities notification

---

Attachments:

Regulatory Analysis

Overview of Proposed Rule

Stakeholder Comment Summary

Title of Proposed Rule: State Allocation for Delivery of Independent Living Services Pursuant to S.B. 15-240

Rule-making#: 15-11-30-1

Office/Division or Program:  
Community Access and  
Independence/ Division of  
Vocational Rehabilitation

Rule Author: Karen Prince

Phone: 303-866-4730

---

## **REGULATORY ANALYSIS**

*(complete each question; answers may take more than the space provided)*

### **1. List of groups impacted by this rule:**

*Which groups of persons will benefit, bear the burdens or be adversely impacted by this rule?*

Individuals with disabilities will benefit because Certified Centers for Independent Living in Colorado will have access to additional funding which will enable them to provide more services to individuals with disabilities leading to the individuals' potential for increased economic securities and community access.

### **2. Describe the qualitative and quantitative impact:**

*How will this rule-making impact those groups listed above? How many people will be impacted? What are the short-term and long-term consequences of this rule?*

The rule is the final step of the process of implementing S.B. 15-240. The Centers for Independent Living crafted the formula, and have already agreed to the parts of the formula and estimated amounts of General Fund that each Center would receive.

In 2015, the Centers for Independent Living reported providing services for 13,019 separate individuals with disabilities. This number could increase exponentially as the ability to provide services based on the individual funding increases.

### **3. Fiscal Impact:**

*For each of the categories listed below explain the distribution of dollars; please identify the costs, revenues, matches or any changes in the distribution of funds even if such change has a total zero effect for any entity that falls within the category. If this rule-making requires one of the categories listed below to devote resources without receiving additional funding, please explain why the rule-making is required and what consultation has occurred with those who will need to devote resources.*

State Fiscal Impact *(Identify all state agencies with a fiscal impact, including any Colorado Benefits Management System (CBMS) change request costs required to implement this rule change)*

The Colorado General Assembly passed S.B. 15-240 which allocated the additional funds to the Centers for Independent Living. The addition to the Center for Independent Living (CIL) funding will be an incremental increase over two years. During State Fiscal Year (SFY) 2016, the base building funds amount will be an additional \$158,500 per CIL for a total increase of \$1,585,000. In addition, S.B. 15-240 calls for an additional \$415,000 to be distributed to the CILs based on the funding formula the CILs are to develop before December 31, 2015. These funds cannot be released to the CILs until the funding formula is written into rule. In SFY 2017, the base building per CIL will be \$600,000 for a total amount of \$6,000,000. There will be an additional available amount for distribution under the funding formula of \$830,000.

County Fiscal Impact

N/A

Title of Proposed Rule: State Allocation for Delivery of Independent Living Services Pursuant to S.B. 15-240

Rule-making#: 15-11-30-1

Office/Division or Program:  
Community Access and  
Independence/ Division of  
Vocational Rehabilitation

Rule Author: Karen Prince

Phone: 303-866-4730

---

**REGULATORY ANALYSIS** (continued)

Federal Fiscal Impact

N/A

Other Fiscal Impact (such as providers, local governments, etc.)

N/A

4. Data Description:

*List and explain any data, such as studies, federal announcements, or questionnaires, which were relied upon when developing this rule?*

N/A

5. Alternatives to this Rule-making:

*Describe any alternatives that were seriously considered. Are there any less costly or less intrusive ways to accomplish the purpose(s) of this rule? Explain why the program chose this rule-making rather than taking no action or using another alternative.*

There were no alternatives considered as the rule is directed to be enacted under S.B. 15-240.

Title of Proposed Rule: State Allocation for Delivery of Independent Living Services Pursuant to S.B. 15-240

Rule-making#: 15-11-30-1

Office/Division or Program:  
Community Access and  
Independence/ Division of  
Vocational Rehabilitation

Rule Author: Karen Prince

Phone: 303-866-4730

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### **OVERVIEW OF PROPOSED RULE**

Compare and/or contrast the content of the current regulation and the proposed change.

<u>Section Numbers</u>	<u>Current Regulation</u>	<u>Proposed Change</u>	<u>Stakeholder Comment</u>			
9.207.3	New	State allocation for delivery of Independent Living Services	—	Yes	<input checked="" type="checkbox"/> X	No

Title of Proposed Rule: State Allocation for Delivery of Independent Living Services Pursuant to S.B. 15-240

Rule-making#: 15-11-30-1

Office/Division or Program:  
Community Access and  
Independence/ Division of  
Vocational Rehabilitation

Rule Author: Karen Prince

Phone: 303-866-4730

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## **STAKEHOLDER COMMENT SUMMARY**

### **DEVELOPMENT**

The following individuals and/or entities were included in the development of these proposed rules (such as other Program Areas, Legislative Liaison, and Sub-PAC):

Centers for Independent Living crafted the funding formula independently as directed by S.B. 15-240.

### **THIS RULE-MAKING PACKAGE**

The following individuals and/or entities were contacted and informed that this rule-making was proposed for consideration by the State Board of Human Services:

Centers for Independent Living, Statewide Independent Living Council, Division of Vocational Rehabilitation, Colorado Developmental Disabilities Council, and announced on Statewide Independent Living Council website for individuals with disabilities notification

Are other State Agencies (such as Colorado Department of Health Care Policy and Financing) impacted by these rules? If so, have they been contacted and provided input on the proposed rules?

☐ Yes ☒ No

Have these rules been reviewed by the appropriate Sub-PAC Committee?

☐ Yes ☒ No

Date presented \_\_\_\_\_. Were there any issues raised? \_\_\_\_ Yes \_\_\_\_ No

If not, why.

Comments were received from stakeholders on the proposed rules:

☐ Yes ☒ No

*If "yes" to any of the above questions, summarize and/or attach the feedback received, including requests made by the State Board of Human Services, by specifying the section and including the Department/Office/Division response. Provide proof of agreement or ongoing issues with a letter or public testimony by the stakeholder.*

(12 CCR 2513-1)

**9.207.3 STATE ALLOCATION FOR DELIVERY OF INDEPENDENT LIVING SERVICES**

CERTIFIED CENTERS FOR INDEPENDENT LIVING (CILs) WILL BE ALLOCATED GENERAL FUNDS IN ADDITION TO THEIR BASE AMOUNT OF GENERAL FUNDS IN THE FOLLOWING FORMULA:

- A. ASSIGN EACH COLORADO COUNTY A SCORE WHICH EQUALS:  $40\% \times (\text{COUNTY 16-64 DISABILITY POPULATION} / \text{STATE 16-64 DISABILITY POPULATION}) + 20\% \times (\text{COUNTY 65+ POPULATION} / \text{STATE 65+ POPULATION}) + 40\% \times (\text{COUNTY QUANTILE AVERAGE OF LAND AREA} / \text{POPULATION})$ .
- B. MULTIPLY THIS SCORE FOR EACH COUNTY BY THE AVAILABLE FUNDS, AND THEN DIVIDE IT BY 100.
- C. SUM UP ALL THE COUNTY SCORES FROM WITHIN EACH CIL'S CATCHMENT AREA. THE RESULTING FIGURE IS THE AMOUNT WHICH EACH CENTER FOR INDEPENDENT LIVING WILL RECEIVE FROM THE FUNDING FORMULA, EXCEPT THAT ATLANTIS COMMUNITY, MILE HIGH INDEPENDENT LIVING CENTER (MHIL), AND THE CENTER FOR PEOPLE WITH DISABILITIES (CPWD) AGREED TO SPLIT THE COUNTIES THAT THEY SHARE EQUALLY, WITH THE EXCEPTION OF JEFFERSON COUNTY, 50% OF WHOSE FUNDING WILL GO TO CPWD, 25% TO MHIL, AND 25% TO ATLANTIS.

\*\*\*\*\*



## **Permanent Rules Adopted**

**Department**

Department of Revenue

**Agency**

Division of Motor Vehicles

**CCR number**

1 CCR 204-10

**Rule title**

1 CCR 204-10 TITLES AND REGISTRATIONS 1 - eff 03/01/2016

**Effective date**

03/01/2016

# **DEPARTMENT OF REVENUE**

## **Division of Motor Vehicles – Title and Registration Section**

### **1 CCR 204-10**

#### **RULE 9. DEPOT LICENSE PLATES**

**Basis:** The statutory bases for this rule are sections 42-1-204, 42-3-116, and 42-3-301, C.R.S.

**Purpose:** The following is promulgated to establish criteria for the issuance and use of Depot License Plates.

##### **1.0 Definitions**

- 1.1 “Dealer” – means a Colorado licensed dealership as defined in Code of Colorado Regulation 1 CCR 204-10 Rule 48. Colorado Dealer License Plates.
- 1.2 “Depot License Plate(s)” also referred to as “Depot Tags” – means a numbered license plate issued by the Department that has the stacked “DPT” lettering on the Colorado blue and white graphic license plate.

##### **2.0 Requirements**

- 2.1 A Dealer requesting Depot License Plates must complete and submit to the Department-form DR 2521 Depot Plate Application, together with a copy of the Dealer’s license and required fees.
- 2.2 A Dealer can obtain one Depot License Plate per mechanic or service technician employed by the Dealer. Upon application or renewal, the owner or authorized representative of the Dealer must certify the number of mechanics or service technicians currently employed by the Dealer.
- 2.3 Applications, issuance, renewals, and replacements may be conducted via mail (including U.S. Postal Service, FedEx, UPS, DHL, etc.). The Dealer must provide a self-addressed, postage-paid envelope for Depot License Plates if requesting delivery by mail services. Depot License Plates cannot be mailed to a non-Colorado address.
- 2.4 Use of Depot License Plates is limited to the purposes described in section 42-3-116(4)(a), C.R.S.

##### **3.0 Lost or Stolen Depot License Plates**

- 3.1 A Dealer must report lost or stolen Depot License Plates within seventy-two (72) hours to the local law enforcement agency and to the Department using form DR 2283 Lost or Stolen License Plates/Permits Affidavit.

##### **4.0 Surrender of Depot License Plates**

- 4.1 A Dealer whose dealer license is suspended, denied, revoked, or expired, or otherwise ceases to operate must surrender to the Department all Depot License Plates in its possession within seventy-two (72) hours.

- 4.2 The Department will not refund any portion of the original fees paid when Depot License Plates are surrendered.

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00757

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

Division of Motor Vehicles

**on 01/20/2016**

1 CCR 204-10

**TITLES AND REGISTRATIONS**

The above-referenced rules were submitted to this office on 01/20/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 28, 2016 15:28:11

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

**Department**

Department of Education

**Agency**

Colorado State Board of Education

**CCR number**

1 CCR 301-8

**Rule title**

1 CCR 301-8 RULES FOR THE ADMINISTRATION OF THE EXCEPTIONAL  
CHILDREN'S EDUCATIONAL ACT 1 - eff 03/01/2016

**Effective date**

03/01/2016

**DEPARTMENT OF EDUCATION**

**Colorado State Board of Education**

**RULES (FOR THE) ADMINISTRATION OF THE EXCEPTIONAL CHILDREN'S EDUCATIONAL ACT**

**1 CCR 301-8**

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**2220-R-1.00 STATEMENT OF BASIS AND PURPOSE**

1.00(1) – 1.00(17) [NO CHANGE]

1.00(18) The statutory authority for the amendments to these Rules is found in Title 22, Article 54, Section 129, which amended the formula for determining applicable revenues for students placed in approved facility schools. The purpose of the amendment is to align these Rules with the statute.

**2.00 – 8.08 [NO CHANGE]**

**2220-R-9.00 OUT OF DISTRICT PLACEMENTS**

**9.01 DEFINITIONS**

9.01(1) “ **Applicable Revenues** ” means:

9.01(1)(a) The Per Pupil Revenue (PPR), as follows:

9.01(1)(a)(i) The PPR of the chartering school district when a child with a disability enrolls in and attends a charter school pursuant to Article 30.5 of Title 22, C.R.S., not including a charter school that provides an on-line program pursuant to Section 22-33-104.6, C.R.S.;

9.01(1)(a)(ii) The PPR of the accounting district, as defined under Section 22-30.5-513 (1)(a), C.R.S., when a child with a disability enrolls in and attends an institute charter school pursuant to Part 5 of Article 30.5 of Title 22, C.R.S.

9.01(1)(a)(iii) The PPR of the district of attendance when a child with a disability enrolls in and attends a school in an administrative unit other than the child's administrative unit of residence pursuant to Section 22-36-101, C.R.S., and the school does not provide the child an on-line program and the school is not a charter school;

9.01(1)(a)(iv) The PPR of the district of residence when an administrative unit of residence purchases services from another administrative unit for a specific special education program not available in the administrative unit of residence; or

9.01(1)(a)(v) The state minimum PPR when a child with a disability enrolls in and attends a public on-line program pursuant to section 22-33-104.6, C.R.S., including an on-line program provided by a charter school.

- 9.01(1)(b) For three- and four-year old children with disabilities, and for five-year old children with disabilities who are not enrolled in kindergarten, 50 percent PPR shall be considered applicable revenue.
- 9.01(1)(c) Monies available from federal sources.
- 9.01(1)(d) Monies received under ECEA.
- 9.01(1)(e) Monies received from other state agencies.
- 9.01(1)(f) Monies received from other administrative units, not including tuition.
- 9.01(1)(g) Monies received through grants and donations.
- 9.01(1)(h) For a child with a disability placed in an approved facility school, an amount equal to one and seventy-three hundredths (i.e., 173%) of the statewide base per pupil funding for the applicable budget year, pursuant to Section 22-54-129(c) (II), C.R.S.

9.01(2) - 9.01(8) [No Change]

## **9.02 [NO CHANGE]**

## **9.03 RESPONSIBILITY FOR TUITION COSTS**

9.03(1) [No Change]

### **9.03(2) Type of Tuition Placements**

#### **9.03(2)(a) Placement in Approved Facility Schools**

9.03(2)(a)(i) When a child with a disability is placed, by a public agency, into an approved facility school, the district of residence is responsible for paying the educational costs over and above applicable revenues, also known as tuition costs. The administrative unit of residence shall count the child for the December 1 Special Education Count. The tuition costs shall be determined by the Department of Education for each approved facility school in accordance with Section 9.06(1) of these Rules. Such tuition costs shall be the maximum amount the district of residence shall be obligated to pay for the special education program. The district of residence may pay a higher tuition cost than the cost established and approved by the Department of Education for children in need of specialized services, if these services were included in a child's IEP but were not included in the approved tuition cost. The district of residence is not responsible for paying tuition costs for extended school year services for a child unless the child's IEP specifies the need for extended school year services. The Department of Education does not set the amount of tuition costs the administrative unit of attendance may charge the district of residence for children in group homes served by the administrative unit of attendance.

9.03(2)(a)(ii) Any court of record, the Department of Human Services, or any other public agency authorized by law to place a child with a disability in a facility with an approved facility school shall notify in writing the child's administrative unit of residence, the administrative unit in which the approved facility school is located and the Department of the placement within fifteen calendar days after the placement. If a court or public agency makes a public placement but fails to

provide the required written notice, such court or public agency shall be responsible for the tuition costs for the child until such time as the required notification is made. If the child's administrative unit of residence does not provide written notice of disapproval of the child's placement in an approved facility school by a court or public agency within fifteen calendar days after the required notification, the placement shall be deemed appropriate. A decision to disapprove a placement must be based solely on the unavailability of appropriate educational services. If the placement is disapproved, the administrative unit of residence must assure that the child receives a free appropriate public education until an appropriate placement can be determined in accordance with Sections 5.04(1) and (2) of these Rules.

9.03(2)(a)(ii)(A) If an administrative unit of residence initiates a placement of a child with a disability into an approved facility school for its day treatment or residential program, and the approved facility school also provides the child's educational program, the administrative unit of residence shall count the child on its December 1 Special Education Count. The approved facility school shall count the student on the October 1 Count, bill the Department for one and seventy-three hundredths (i.e., 173%) of the statewide base per pupil revenue, pursuant to Section 22-54-129(c)(II), C.R.S., and the administrative unit of residence shall pay the approved facility school all remaining day treatment or residential costs, as well as any additional educational costs agreed to by the parties.

9.03(2)(a)(ii)(B) If an administrative unit of residence places a child with a disability into an approved facility school for the educational program only, the district of residence must count the child on the October 1 Count as being in a private school placement, and the administrative unit of residence shall count the child on its December 1 Special Education Count as being in a private school placement. The approved facility school shall not bill the Department for one and seventy-three hundredths (i.e., 173%) of the statewide base PPR for the child, pursuant to Section 22-54-129(c)(II), C.R.S. Instead the approved facility school shall bill the administrative unit of residence for the total cost of the child's educational program, as agreed to by the approved facility school and the administrative unit of residence.

9.03(2)(b) – (e) [NO CHANGE]

**9.04 – 12.08 [NO CHANGE]**



**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00765

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

Colorado State Board of Education

**on 01/13/2016**

1 CCR 301-8

**RULES FOR THE ADMINISTRATION OF THE EXCEPTIONAL CHILDREN'S EDUCATIONAL ACT**

The above-referenced rules were submitted to this office on 01/20/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 28, 2016 14:00:39

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Education

### **Agency**

Colorado State Charter School Institute

### **CCR number**

1 CCR 302-1

### **Rule title**

1 CCR 302-1 RULES FOR THE ADMINISTRATION OF THE STATE CHARTER  
SCHOOL INSTITUTE 1 - eff 03/01/2016

### **Effective date**

03/01/2016

## DEPARTMENT OF EDUCATION

### Colorado State Charter School Institute

## RULES FOR THE ADMINISTRATION OF THE STATE CHARTER SCHOOL INSTITUTE

### 1 CCR 302-1

*[Editor's Notes follow the text of the rules at the end of this CCR Document.]*

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Statutory Authority: Article IX, Section 1, Colorado Constitution. Sections 22-30.5-503(1)(c), 505(4)(k), 505(5), and 510(1)(b) and (c), CRS.

#### **Rule 1.00 Statement of basis and purpose.**

The statutory basis for these Rules adopted October 16, 2012, is found in Sections 22-30.5-503(1)(c), 505(4)(k), 505(5), and 510(1)(b) and (c), CRS.

- 1) Section 22-30.5-505, et. seq., CRS., requires the Institute Board to promulgate Rules for the administration of Part 5, Article 30.5, Title 22, CRS. The purposes of these Rules include, but are not limited to, establishing regulations to:
  - a) set forth procedures for acceptance of Institute Charter School applications.
  - b) identify the criteria and process for evaluating Institute Charter School applications.
  - c) set forth the criteria for approving Institute Charter Schools.
  - d) provide procedures for entering into, renewing, terminating and revoking Institute Charter School contracts.
  - e) specify procedures for monitoring and overseeing Institute Charter Schools.
  - f) state procedures concerning Institute Charter School accountability.
  - g) provide procedures for adoption of content standards by Institute Charter Schools pursuant to Section 22-30.5-505(8), CRS.
  - h) provide for procedures for entering into contracts with a Board of Cooperative Services or with any other qualified individual or private or public entity pursuant to Section 22-30.5-505(6)(a), CRS.

#### **Rule 2.00 Definitions.**

- 1) At-risk student. "At-risk student" means a student:
  - a) who is eligible to receive free or reduced-cost lunch pursuant to the provisions of the federal "national school lunch act", 42 USC. Sec. 1751, et seq.; or
  - b) who has performed at the proficiency level of "unsatisfactory" or "Partially Proficient" on a Statewide assessment.

- 2) Board of Cooperative Services. "Board of Cooperative Services" means a Board of Cooperative Services as defined in Section 22-5-103(2), CRS.
- 3) Charter School Institute. "Charter School Institute" means the Charter School Institute created and existing pursuant to Section 22-30.5-501, et seq., CRS.
- 4) Charter School Contract. "Charter School Contract" means the contract between an Institute Charter School and the Charter School Institute.
- 5) Education Management Provider. "Education Management Provider" means a nonprofit, not-for-profit, or for-profit entity that contracts with an Institute Charter School to provide, manage, or oversee all or substantially all of the Educational services provided by the Institute Charter School.
- 6) Existing school. "Existing school" means a school or program within a school that is already in existence, including, but not limited to, a Charter School operating under a contract pursuant to Part 1 of Article 30.5 of Title 22, CRS., with a local Board of Education; an existing non-charter public school, an existing non-public school, or a discrete program that is a Part of one of the forgoing schools.
- 7) Institute Charter School. "Institute Charter School" means a public, nonsectarian, nonreligious, non-home-based school that operates pursuant to a Charter School contract with the Charter School Institute.
- 8) Institute Board. "Institute Board" means the Board of the Charter School Institute appointed pursuant to Section 22-30.5-505, CRS.
- 9) Department. "Department" means the Colorado Department of Education created and existing pursuant to Section 24-1-115, CRS.
- 10) School district. "School district" means a school district organized and existing under the laws of Colorado, except a junior college district pursuant to Section 22-30.5-502(10), CRS; except that, for purposes of Section 22-30.5-513, CRS, "school district" shall have the meaning set forth in Section 22-30.5-513(1)(a), CRS.
- 11) State Board. "State Board" means the Colorado State Board of Education created and existing pursuant to Section 1 of Article IX of the Colorado State constitution.

**Rule 3.00 Institute Charter School application procedures.**

- 1) Deadline. An Institute Charter School application shall be submitted to the Institute Board by a date determined by the Institute annually and reasonably publicized to interested Parties.
  - a) The deadline for filing an application may be extended in the discretion of the Institute upon written request by the applicant.
  - b) Prior to any change in the application deadline, the Charter School Institute shall notify each known Institute Charter School applicant of the proposed change by certified letter.
- 2) An application may be submitted by one or more individuals (e.g., a Partnership); by a non-profit, governmental, or other entity or organization; or by an existing school.
- 3) An application for an Institute Charter School may not be submitted if the school district within which the Institute Charter School is to be located has retained exclusive authority to authorize Charter Schools pursuant to Part 5, Article 30.5, Title 22, CRS, unless the Board of Education of such school district has approved, by resolution, the establishment of one or more Institute

Charter Schools within its geographic boundaries, has submitted the resolution to the State Board, and has not rescinded the resolution.

- 4) Applications from an existing school.
  - a) Timeline: existing schools wishing to convert to the Charter School Institute must submit an application in the year before the desired conversion according to a timeline that the Institute will promulgate annually with sufficient notice to any interested schools.
  - b) If the existing school is a Charter School approved by a school district:
    - i) the existing school must have consent from its authorizing school district if it is seeking to convert to the Charter School Institute before the end of its current charter contract unless it is in the last year of the current charter contract.
    - ii) the existing school does not need to be non-renewed by its authorizing school district to apply to the Charter School Institute.
    - iii) the existing school may submit a renewal application to the current school district at the same time it submits an application to the Charter School Institute.
    - iv) the existing school is not required to seek consent if its authorizing district does not have exclusive authorization.
- 5) An application may be withdrawn at any time by filing a written request for withdrawal signed by the applicant(s) or authorized representatives of the applicant(s). The withdrawal shall be effective on the date the notice of withdrawal is received by the Institute.
- 6) On or before the date the application is submitted to the Institute Board, the applicant shall provide proof that it has given written notice of the application and provided a complete copy of the application to the Board of Education and the Accountability Committee of the school district in which the proposed Institute Charter School is to be located. If the application is supplemented or amended (including responses to questions raised at any interview of the applicant), on or before the date the amendment or supplement is submitted to the Institute Board, the applicant shall provide proof that a complete copy of the amendment or supplement has been provided to the Board of Education and the Accountability Committee of the School District in which the proposed Institute Charter School is to be located. The Board of Education and the Accountability Committee may each comment on the application to the Institute Board, in writing, within 30 days of receiving notice of the application or of any supplement or amendment.
- 7) Applications for an Institute Charter School shall be in both electronic form and hard copy and in a format published by the Institute.

**Rule 4.00      Institute Charter School application contents.**

- 1) The Institute Charter School application is a proposed agreement upon which the Institute charter applicant and the Institute negotiate a charter contract. At a minimum, each Institute Charter School application includes:
  - a) an executive summary that outlines the elements of the application and provides an overview of the proposed Institute Charter School;
  - b) the vision and mission statements of the proposed Institute Charter School;

- c) the goals, objectives, and student performance standards the proposed Institute Charter School expects to achieve, including but not limited to the performance indicators specified in CRS Section 22-11-204 and applicable standards and goals specified in federal law;
- d) evidence that an adequate number of parents and pupils support the formation of an Institute Charter School;
- e) descriptions of the proposed Institute Charter School's Educational program, student performance standards, and curriculum;
- (f) a plan for evaluating student performance across the curriculum, which plan aligns with the proposed Institute Charter School's mission and educational objectives and provides a description of the proposed Institute Charter School's measurable annual targets for the measures used to determine the levels of attainment of the performance indicators specified in CRS Section 22-11-204 and procedures for taking corrective action if student performance at the school falls below the described targets;
- g) evidence that the plan for the proposed Institute Charter School is economically sound, including a proposed budget for a term of at least five years. The Institute charter application shall also describe the method for obtaining an independent annual audit of the proposed Institute Charter School's financial Statements consistent with generally accepted auditing standards and Circular A-133 of the United States Office of Management and Budget, as originally published in the Federal Register of June 30, 1997, and as subsequently amended.
- h) a description of the governance and operation of the proposed Institute Charter School, including the nature and extent of parental, professional educator, and community involvement in the governance and operation of the proposed Institute Charter School, that is consistent with the standards adopted by Rule of the State Board pursuant to CRS Section 22-2-106 (1) (h);
- i) an explanation of the relationship that will exist between the proposed Institute Charter School and its employees and the proposed Institute Charter School's employment policies;
- j) a proposal regarding the Parties' respective legal liabilities and applicable insurance coverage, which insurance coverage shall include, at a minimum, workers' compensation, liability insurance, and insurance for the proposed Institute Charter School's facility and its contents;
- k) the proposed Institute Charter School's expectations and plans for ongoing parent and community involvement;
- l) a description of the proposed Institute Charter School's enrollment policy, consistent with the requirements of CRS Section 22-30.5-507 (3) and Rules adopted by the State Board pursuant to CRS Section 22-2-106 (1) (h), and the criteria for enrollment decisions;
- m) a statement of whether the proposed Institute Charter School plans to address the transportation or food service needs of its students while they are attending the school. The proposed Institute Charter School may choose not to provide transportation or food services, may choose to develop or form a Charter School Collaborative as described in CRS Section 22-30.5-603 to provide transportation or food services, or may choose to negotiate with a school district, Board of Cooperative Services, or private Provider to provide transportation or food services for its students. If the proposed Institute Charter

School chooses to provide transportation or food services, the application shall include a plan for each provided service, which plan, at a minimum, shall specifically address serving the needs of low-income and academically low-achieving students, complying with insurance and liability issues, and complying with any applicable State or federal rules or regulations.

- n) a facilities plan that details viable facilities options that are consistent with CRS Section 22-32-124 and that includes the reasonable costs of the facility, which are reflected in the proposed budget;
- o) a list of the waivers of statute and state rules that the proposed Institute Charter School is requesting, which list explains the rationale for each requested non-automatic waiver and the manner in which the proposed Institute Charter School plans to meet the intent of the waived statute or rule pursuant to CRS Section 22-30.5-509(1)(o);
- p) policies regarding student discipline, expulsion, and suspension that are consistent with the intent and purpose of CRS Section 22-33-106, provide adequately for the safety of students and staff, and provide a level of due process for students that, at a minimum, complies with the requirements of the federal "Individuals with Disabilities Education Act", 20 USC Sec. 1400 et seq.;
- q) a plan for serving students with special needs, including budget and staff requirements, which plan shall include identifying and meeting the learning needs of at-risk students, students with disabilities, gifted and talented students, and English language learners;
- r) a dispute resolution process, as provided in CRS Section 22-30.5-107.5; and
- s) if the proposed Institute Charter School intends to contract with an Education Management Provider:
  - i) a summary of the performance data for all of the schools the Education Management Provider is managing at the time of the application or has managed previously, including documentation of academic achievement and school management success;
  - ii) an explanation of and evidence demonstrating the Education Management Provider's capacity for successful expansion while maintaining quality in the schools it is managing;
  - iii) an explanation of any existing or potential conflicts of interest between the governing Board of the proposed Institute Charter School and the Education Management Provider; and
  - iv) a copy of the actual or proposed performance contract between the governing Board for the proposed Institute Charter School and the Education Management Provider that specifies, at a minimum, the following material terms:
    - a) performance evaluation measures;
    - b) the methods of contract oversight and enforcement that the governing Board will apply;
    - c) the compensation structure and all fees that the proposed Institute Charter School will pay to the Education Management Provider; and

- d) the conditions for contract renewal and termination.
- 2) If the applicant is an existing school, the application shall contain the information described under Section 1 above in addition to the following information:
  - a) If the existing school is a Charter School, identify each pre-existing obligation of the school to the school district that authorized the Charter School. For all existing schools, identify any contractual obligations to or relationships with other Parties and provide a detailed plan for addressing each such pre-existing obligation or relationship in the context of a conversion to the Institute. The applicant shall acknowledge that the Institute Board's approval of the application shall not relieve the applicant of these pre-existing obligations or relationships.
  - b) An organization chart or other summary showing staffing of the existing school, by year, for the past three years.
  - c) Audited financial statements for the past three years.
  - d) A discussion of the pupil performance standards used at the existing school, a summary of the assessment methods used to measure pupils' performance, and copies of any performance reports issued by the District for the last three years.
  - e) A description of the existing school's educational program in each of the last three years.
  - f) Other planning, performance, and evaluation reports and information to the extent they are available, as determined by the Institute.

**Rule 5.00 Institute Charter School application review process and criteria.**

- 1) It is the intent of the Institute Board that all Institute Charter School applications address how the proposed school will be among the highest-performing schools in academic achievement.
- 2) An application is considered filed when the Institute receives the Institute charter application from the Institute charter applicant either in hard copy or electronically.
- 3) Within fifteen days after receiving an Institute Charter School application, the Institute shall determine whether the application contains the minimum components specified in Section 22-30.5-509 (1) and is therefore complete. If the application is not complete, the Institute shall notify the applicant within the fifteen-day period and provide a list of the information required to complete the Institute charter application. The applicant has fifteen days after the date it receives the notice to provide the required information to the Institute for review. The Institute is not required to take action on the Institute charter application if the applicant does not provide the required information within the fifteen-day period. The Institute may request additional information during the review period and provide reasonable time for the applicant to respond. The Institute may, but is not required to, accept any additional information the applicant provides that the Institute does not request.
- 4) The Institute's review of applications shall include, but is not limited to, the following key evaluative areas:
  - a) The number of at-risk students that the applicant school anticipates serving, both as an absolute number and as a percentage of the entire student body expected to enroll at the applicant school;



- b) Curriculum and instructional program;
  - c) Non-academic program characteristics;
  - d) Financial viability;
  - e) Appropriate governance model and proposed practices;
  - f) Appropriate, consistent, clear, and measurable accountability systems;
  - g) The extent to which the instructional program fits the mission statement of the applicant school;
  - h) Whether the applicant school will provide an Educational option that substantially differs from the Educational opportunities provided by existing schools of the school district that have capacity to accommodate additional students;
  - i) The applicant school's plan for outreach and recruitment of students whose race, gender and ethnicity reflect the demographics of the community that the applicant school intends to serve; and
  - j) The applicant school's plan for identifying and reducing the academic achievement gaps among its student population.
- 5) Once the Institute has completed an initial review of the Institute Charter School application, the Institute may ask for supplemental information, including but not limited to, interviews with the applicant school's leadership, founding Board members, administrators, teachers, and representatives of companies partnering or assisting in the development of the applicant school. The Institute will focus on approving only those Charter School applications that have a high likelihood of success, especially in regard to academics and financial operations.
- 6) The Institute Board shall rule by resolution on an application for authorization of an Institute Charter School, either new or existing, in a public hearing, following reasonable public notice, within ninety (90) days of receipt of a complete application, unless the Institute and the applicant school mutually agree in writing to a longer period of time. Before making its decision, the Institute Board shall give the applicant and members of the public reasonable opportunity to be heard.
- 7) If the application is denied, the Institute Board shall advise the applicant, in writing, of the reason(s) for the denial. Within thirty (30) days of the date of the denial, the applicant may submit to the State Board a notice of appeal stating the grounds for the appeal.
- 8) If the application is approved or approved with conditions, the Institute Board shall advise the applicant in writing.
- 9) After the Institute Board has approved an application, the applicant shall progress through a checklist of criteria or milestones that must be met before opening the Institute Charter School. The timeline for completing the checklist shall be mutually agreed between the Institute and the applicant school. Completion of the checklist, however, is required before the Institute Charter School may begin serving students.
- 10) The Institute Board and the school applicant may jointly waive any of the deadlines in this Rule 5 by mutual agreement in writing.

**Rule 6.00      Institute Charter School contract**

- 1) If a proposed Institute Charter School is approved by the Institute Board, the applicant school and the Institute Board shall negotiate a Charter School contract. The Institute Board and the Institute Charter School shall conclude negotiations and agree upon all terms of the Charter School contract within forty-five (45) days of the date the Institute Board approves the Institute Charter School.
- 2) The approved Institute Charter School application shall serve as the basis of the contract between the Institute Charter School and the Charter School Institute.
- 3) The Institute may approve a new charter contract for an Institute Charter School for a period of four academic years, and the Institute may renew the charter contract for succeeding periods not to exceed five academic years.
- 4) Any material change to the terms of the Charter School contract may be made only with the written approval of the Institute Board and the governing body of the Institute Charter School.
- 5) The terms of the Charter School contract must include, but are not limited to:
  - a) A statement of each state law or rule or Institute Board policy for which a waiver is requested from the State Board or the Institute Board.
  - b) An agreement as to the services, other than necessary administration, oversight, and management services, to be provided to the Institute Charter School by any third party with which the Institute Charter School or the Charter School Institute contracts, including, for each such service:
    - i) the nature of the service.
    - ii) the anticipated vendor of the service.
    - iii) the cost of the service.
  - c) The minimum enrollment of the Institute Charter School for financial viability.
  - d) The finances required for contracted services for the Institute Charter School, including the source and application of funds.

**Rule 7.00 Institute Charter School Oversight and Monitoring.**

- 1) The Charter School Institute will accredit each individual Institute Charter School based on the Charter School Institute's accreditation contract with the State Board.
- 2) During the term of a charter contract, the Institute shall annually review the Institute Charter School's performance. At a minimum, the review includes the Institute Charter School's progress in meeting the objectives identified in the plan the Institute Charter School is required to implement pursuant to Section 22-11-210 and the results of the Institute Charter School's most recent annual financial audit. The Institute shall provide to the Institute Charter School written feedback from the review and shall include the results of the Institute Charter School's annual review in the body of evidence that the Institute Board takes into account in deciding whether to renew or revoke the charter contract and that supports the renegotiation of the charter contract.
- 3) The Institute shall adopt and revise as necessary procedures and timelines for the charter-renewal process, which procedures and timelines are in conformance with the requirements of Part 5 of Article 22, Section 30.5, CRS. The Institute shall ensure that each of the Institute

Charter Schools receives a copy of the Institute's charter renewal procedures and timelines and any revisions to the procedures and timelines.

**Rule 8.00 Accountability Reporting.**

- 1) Each Institute Charter School shall be responsible for gathering and submitting to the Charter School Institute the data necessary to prepare a school performance report required by Section 22-11-503, CRS, for the Institute Charter School. The data shall be in the format required by Section 22-11-503, CRS, and, whenever possible, using the State data reporting system described in Section 22-11-501, CRS, and other data as required by the Charter School Institute and the Colorado Department of Education. This data shall be submitted to the Institute in accordance with a timeline established by the Institute.

**Rule 9.00 Institute Charter School Content Standards.**

- 1) Each Institute Charter School shall adopt content standards which meet or exceed the preschool through elementary and postsecondary education standards adopted pursuant to Section 22-7-1005, CRS, as amended.
- 2) Content standards may be adopted for each grade level or may be adopted for groupings of grade levels.
- 3) In adopting content standards, each Institute Charter School may seek input from educators, parents, students, business persons, and members of the general community who are representative of the cultural diversity at the Institute Charter School. In any event, however, the Institute Charter School's standards shall align with content standards adopted by the Colorado department of Education.
- 4) Following adoption of content standards pursuant to this Section, each Institute Charter School shall develop a plan for:
  - a) Revising curriculum and programs of instruction to align them with adopted content standards and to ensure that each student will have the Educational experiences needed to achieve the adopted content standards.
  - b) Selecting or developing and administering assessments that will adequately measure each student's progress toward and achievement of the adopted content standards for the subject areas that are not tested by the State pursuant to Section 22-7-1006.3, CRS, including specification of an acceptable performance level. Such performance level shall be reexamined not less than yearly.
  - c) Addressing the different learning styles and needs of students of various backgrounds and abilities and eliminating barriers to equity which may exist within the Institute Charter School.
  - d) Providing professional educator development in standards-based Education.
- 5) The plan adopted by the Institute Charter School pursuant to this Section shall specifically address the education of exceptional students. In addition, such plan shall adopt timelines for the implementation of standards-based education pursuant to CRS 22-7-1001, et seq., as amended.
- 6) Following adoption of content standards pursuant to this Section, each Institute Charter School shall review and revise such content standards as necessary, but at least in 2017 and every 6 years thereafter to promote the highest student achievement pursuant to Section 22-7-1013(5), CRS. In revising such content standards, each Institute Charter School shall seek recommendations from and shall work in cooperation with educators, parents, students, business

persons, and members of the general community who are representative of the cultural diversity of the Institute Charter School.

- 7) Any individual education program which is developed for a student with disabilities pursuant to CRS 22-20-108(4), et seq. shall specify whether such student shall achieve the Institute Charter School's adopted standards or whether such student shall achieve individualized standards which would indicate the student has met the requirements of such student's Individual Education Program.

**Rule 10.00      Revocation of the Charter School contract.**

- 1) The Institute may revoke a charter school contract pursuant to C.R.S. § 22-30.5-511 and this Rule 10.00.
- 2) *Grounds for Revocation:* The Institute Board ("Board") may revoke a Charter School Contract ("Contract") if the Board determines that an Institute Charter School ("School") did any of the following:
  - a) Committed a material violation of any of the conditions, standards, or procedures set forth in the Contract;
  - b) Failed to meet or make adequate progress toward achievement of the content standards, pupil performance standards, or targets for the measures used to determine the levels of attainment of the performance indicators identified in the Contract;
  - c) Was required to adopt a turnaround plan and the State Board recommended pursuant to C.R.S. § 22-11-210 that the School be restructured;
  - d) Failed to meet generally accepted standards of fiscal management; or
  - e) Violated any provision of law from which the School was not specifically exempted.
  - f) If a School is required to implement a turnaround plan pursuant to C.R.S. § 22-11-210 (2) for a second consecutive school year, the School shall present to the Board, in addition to the turnaround plan, a summary of the changes made by the School to improve its performance, the progress made in implementing the changes, and evidence, as requested by the Board, that the School is making sufficient improvement to attain a higher accreditation category within two school years or sooner. If the Board finds that the School's evidence of improvement is not sufficient or if the School is required to implement a turnaround plan for a third consecutive school year, the Board may revoke the School's Contract.
- 3) *Notice of Intent to Revoke*
  - a) The Charter School Institute Executive Director ("Executive Director"), upon reasonable belief that grounds for revocation of the Contract exist, shall notify by certified mail or electronic equivalent the governing body of the School by issuing a Notice of Intent to Revoke.
    - i. The Notice of Intent to Revoke shall set forth the grounds for the proposed revocation.
  - b) Within thirty (30) days of receipt of the Notice of Intent to Revoke, the governing body of the School shall respond in writing.

- i. If the School admits the accuracy of the grounds of revocation, the response must contain a description of the School's plan and timeline for correcting the deficiencies ("Plan of Correction").
    - ii. If the School denies the accuracy of the grounds of revocation, the response shall include sufficient evidence to support its position.
    - iii. If the School does not respond by the deadline, the accuracy of the grounds of revocation shall be deemed admitted.
  - c) In addition to responding in writing, School representatives may also choose to meet with the Executive Director or his/her designee.
    - i. This meeting must also occur within thirty (30) days of receipt of the Notice of Intent to Revoke.
    - ii. This meeting may occur in person, by phone, by video or any other means mutually agreed upon between the School and the Institute.
  - d) Within fourteen (14) days of receipt of the School's written response, the Executive Director shall decide whether to withdraw the Notice of Intent to Revoke or proceed with a revocation hearing.
  - e) The Executive Director may withdraw the Notice of Intent to Revoke if he/she determines:
    - i) The School's Plan of Correction is reasonable and likely to correct the identified deficiencies within an acceptable amount of time;
    - ii) The School's response addressed the perceived deficiencies in the Notice of Intent to Revoke in a satisfactory manner; or
    - iii) There is any other good reason to do so.
- 4) *Revocation Hearing*
  - a) The Executive Director shall initiate a revocation hearing before the Board if he/she determines that, after proceeding through the Notice of Intent to Revoke process, grounds for revocation of the Contract exist.
  - b) The Executive Director shall send a notice of the revocation hearing to the Board and School.
    - i. The notice of revocation hearing shall state the grounds for revocation as well as a written recommendation, including reasons supporting the recommendation, concerning whether to revoke the Contract. See C.R.S. § 22-30.5-511(5)(a) (stating requirement of written recommendation).
    - ii. The notice shall also state when and where the hearing shall occur.
  - c) Within thirty (30) days of receipt of a notice of revocation hearing, the Board shall convene a revocation hearing.
  - d) Within fourteen (14) days of receipt of the notice of revocation hearing, the School shall provide a written position statement to the Board and Executive Director.

- i. The School's position statement should respond as fully as possible to the grounds for revocation and recommendation identified in the notice of revocation hearing.
  - ii. The School should include with its position statement exhibits, affidavits, and any other evidence it wants the Board to consider.
- e) Within fourteen (14) days of receipt of the School's position statement, the Executive Director may provide to the Board and the School a written reply, which may include documentation to support its reply.
  - i. The reply may not raise new grounds for revocation.
- f) At the revocation hearing, the Executive Director or his/her designee and the School or its designee shall each have thirty minutes to make their presentation to the Board, during which time Board members may question the parties.
- g) After the parties' presentations, Board members may discuss among themselves whether to revoke the Contract. This discussion shall take place in open session and in compliance with the Open Meetings Law.
- h) The Board shall decide whether to revoke the Contract by resolution, and a copy of the resolution shall be provided to the School's governing Board, the Executive Director, and the State Board.
  - i. The resolution shall state the Board's reasons for the revocation.
  - ii. The resolution shall also state the effective date of the revocation, recognizing that the State Board may review the Board's decision to revoke.
- 5) Any decision to revoke a Contract may be reviewed by the State Board pursuant to C.R.S. § 22-30.5-511(6).
  - a) If the School wishes to appeal the revocation, it shall provide the Board and the State Board with a notice of appeal within thirty (30) days after the Board's decision to revoke.
- 6) Notwithstanding any other provision of a Contract, monies remaining in the School's accounts upon revocation of the Contract revert to the Institute, unless there are specific instructions from a donor for disposing of a gift. See C.R.S. § 22-30.5-513.5(9)(b)(6)(b).
- 7) Notwithstanding the above procedures for revocation, if the Executive Director determines that emergency action to revoke a School contract is necessary to protect the safety of students or to preserve the school's funds and/or property, the Board may convene a revocation hearing.
  - a) An emergency revocation hearing shall be commenced at least 15 days after written notice to the School by the Executive Director of the circumstances justifying emergency revocation.
  - b) The procedure at the hearing shall be as provided in Rule 10.6 above, except that each side shall provide its written position Statement to the other Party no later than 24 hours before the hearing.

**Rule 11.00 Termination of the Charter School Contract by Institute Charter School.**

- 1) The Institute Charter School governing body, by a majority vote, may, at any time and for any reason, request termination of the Charter School contract as follows:
  - a) The Institute Charter School's request for termination shall be made to the Charter School Institute Executive Director not less than ten (10) calendar months in advance of the Institute Charter School's proposed effective date of termination.
  - b) Upon receipt of the Institute Charter School's request for termination, the Charter School Institute Executive Director shall present the request for termination to the Institute Board. a copy of the Institute Charter School's resolution approving the contract termination, including a summary of the reasons for terminating the contract, shall be included with the Institute Charter School's request for termination.
  - c) At the Institute Board's next regularly scheduled meeting, the Board will consider and vote on the proposed termination request. The Institute Board may, in its sole direction, waive the ten (10) month advance notice requirement for terminating the contract.
  - d) The Institute shall adopt procedures for closing an Institute Charter School following revocation or nonrenewal of the Institute Charter School's charter contract.at a minimum, the procedures shall ensure that:
    - (a) when practicable and in the best interest of the students of the Institute Charter School, the Institute Charter School continues to operate through the end of the school year. if the Institute determines it is necessary to close the Institute Charter School prior to the end of the school year, the Institute shall work with the Institute Charter School to determine an earlier closure date.
    - (b) the Institute works with the parents of the students who are enrolled in the Institute Charter School when the charter contract is revoked or not renewed to ensure that the students are enrolled in schools that meet their Educational needs; and
    - (c) the Institute Charter School meets its financial, legal, and reporting obligations during the period that the Institute Charter School is concluding operations.

**Rule 12.00      Renewal of the Charter School Contract.**

- 1) The governing body of an Institute Charter School shall submit a renewal application in the year before the Charter School contract expires, according to a timeline that the Institute will promulgate annually with sufficient notice to schools. The application shall include but not be limited to the following information:
  - a) A complete, detailed report on the progress of the Institute Charter School in implementing the plans and in achieving the goals, objectives, student performance standards, content standards and other objectives set forth in its application.
  - b) If the Institute Charter School is requesting a term longer than five years for the purpose of enhancing the terms of any lease or financial obligation, it shall identify each such lease and/or obligation and state the enhancement to be obtained through the longer term.
- 2) The Institute Board shall act on the application for renewal within seventy-five (75) days of the receipt of the completed renewal application, unless extended by mutual consent in writing.

- 3) A Charter School contract shall not be renewed for more than five years unless the Institute Board and the Institute Charter School jointly agree to extend the charter for a longer period for the purpose of enhancing the terms of any lease or financial obligation.
- 4) The Institute Board shall hold a hearing on the renewal application, after reasonable notice, at which the applicant and the public shall be given reasonable notice to be heard. The Institute Board shall Rule by resolution on the application within seventy-five (75) days of receipt of the completed renewal application.
- 5) The grounds for non-renewal are the same as the grounds for revocation set forth in Rule 10.1 above. In addition, the Institute Board may deny renewal on the grounds that it is not in the best interests of the pupils attending the Institute Charter School to continue operation of the Institute Charter School.
- 6) At least fifteen days prior to the date on which the Institute Board will consider whether to revoke or renew a charter contract, the Institute shall provide to the Institute Board and the Institute Charter School a written recommendation, including the reasons supporting the recommendation, concerning whether to revoke or renew the charter contract.
- 7) If the Institute Board denies the application for renewal, the governing body of the Institute Charter School may appeal the decision to the State Board by giving both the State Board and the Institute Board a notice of appeal within thirty (30) days of the date of the decision of the Institute Board not to renew the Charter School contract.
- 8) The Institute shall adopt procedures for closing an Institute Charter School following revocation or nonrenewal of the Institute Charter School's charter contract. At a minimum, the procedures shall ensure that:
  - a) When practicable and in the best interest of the students of the Institute Charter School, the Institute Charter School continues to operate through the end of the school year. If the Institute determines it is necessary to close the Institute Charter School prior to the end of the school year, the institute shall work with the Institute Charter School to determine an earlier closure date.
  - b) The Institute works with the parents of the students who are enrolled in the Institute charter School when the charter contract is revoked or not renewed to ensure that the students are enrolled in schools that meet their educational needs; and
  - c) The Institute Charter School meets its financial, legal, and reporting obligations during the period that the Institute Charter School is concluding operations.

**Rule 13.00 Institute Contracts with a Board of Cooperative Services or Otherwise Qualified Individual or Private or Public Entity.**

- 1) The Institute Board may contract with a Board of cooperative services, or with any other qualified individual or public or private entity or organization, including a school district, for the provision of administrative or other support services directly to the Institute or for the benefit of Institute Charter Schools.
- 2) Contracts pursuant to this Section shall be in accordance with Colorado laws, Rules, and policies, including, but not limited to, the Colorado fiscal Rules (1 CCR 101-1) and the Colorado procurement Rules (1 CCR 101-9).



- 3) The qualifications of Boards of cooperative services, individuals, or private or public entities shall be determined by the Institute Board during the selection process for the particular contract at issue.
  - 4) Each contract entered shall have appropriate liquidated damages and/or penalties for failing to comply with the terms and conditions of the contract.
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### **Editor's Notes**

### **History**

Rule 3 emer. rule eff. 07/09/2007.

Rule 3 eff. 09/30/2007.

Entire emer. rule eff. 07/19/2011; expired eff. 11/16/2011.

Entire rule eff. 12/31/2011.

Rules 1.00, 1.00.1.f, 2.00.1.b, 2.00.5 – 2.00.11, 3.00.4.a, 3.00.4.b.i, 4.00, 5.00.2 – 5.00.3, 5.00.6, 5.00.9, 6.00.3, 7.00.2 – 7.00.3, 9.00.1, 10.00.1.b, 10.00.1.f – g, 10.00.2.f, 10.00.6, 11.00.1.d, 12.00.6, 12.00.8 eff. 03/15/2013.

Rule 10.00 eff. 01/31/2015.

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00821

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

Colorado State Charter School Institute

**on 01/12/2016**

1 CCR 302-1

**RULES FOR THE ADMINISTRATION OF THE STATE CHARTER SCHOOL INSTITUTE**

The above-referenced rules were submitted to this office on 01/14/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 28, 2016 14:03:26

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Natural Resources

### **Agency**

Colorado Parks and Wildlife (405 Series, Parks)

### **CCR number**

2 CCR 405-1

### **Rule title**

2 CCR 405-1 CHAPTER P-1 - PARKS AND OUTDOOR RECREATION LANDS 1 - eff  
03/01/2016

### **Effective date**

03/01/2016

**FINAL REGULATIONS - CHAPTER P-1 - PARKS AND OUTDOOR RECREATION LANDS**

**ARTICLE I - GENERAL PROVISIONS RELATING TO PARKS AND OUTDOOR RECREATION LANDS AND WATERS**

**# 100 - PARKS AND OUTDOOR RECREATION LANDS**

- a. "Parks and Outdoor Recreation Lands" shall mean, whenever used throughout these regulations, all parks and outdoor recreation lands and waters under the administration and jurisdiction of the Division of Parks and Wildlife.
- b. "Wearable Personal Flotation Device" shall mean a U.S. Coast Guard approved personal flotation device that is intended to be worn or otherwise attached to the body. A personal flotation device labeled or marked as Type I, II, III, or V (with Type I, II, or III performance) is considered a wearable personal flotation device as set forth in the Code of Federal Regulations, Title 33, Parts 175 and 181(2014).
- c. It shall be prohibited:
  - 1. To enter, use or occupy Parks and Outdoor Recreation Lands when same are posted against such entry, use or occupancy. (Access to Parks and Outdoor Recreation lands and waters is generally allowed between 5:00 a.m. and 10:00 p.m. daily. Restricted access generally will be allowed during other hours for camping and fishing.)
  - 2. To remove, destroy, mutilate, modify or deface any structure, water control device, poster, notice, sign or marker, tree, shrub or other plant or vegetation, including dead timber and forest litter, or any object of archaeological, geological, historical, zoological or natural/environmental value or interest on Parks and Outdoor Recreation Lands. (This regulation does not include removal of firewood from designated firewood areas, noxious weeds as defined by statute, or recreational gold mining within the Arkansas Headwaters Recreation Area, except where prohibited as indicated by posted signs.)
  - 3. To remove, destroy or harass any wildlife or livestock on Parks and Outdoor Recreation Lands. (Hunting will be allowed in areas designated by the Division during hunting seasons.)

**CAMPING**

- 4. To camp or to park a motor vehicle, trailer or camper on Parks and Outdoor Recreation Lands with the intention (or for the purpose) of camping other than on areas designated for camping; or to leave a set-up camp, motor vehicle, trailer or camper unattended for more than twenty-four (24) hours, unless otherwise posted.
  - (a) No person may camp or park a motor vehicle, trailer or camper on a state park for more than fourteen (14) days in any forty-five (45) day period, except that extensions totaling no more than a maximum of fourteen (14) additional days may be permitted.

**LITTERING**

- 5. To leave fish or fish entrails or debris in or on the ice-covered or open waters of lakes, reservoirs or streams located within Parks and Outdoor Recreation Lands.

6. To leave any residentially or commercially generated garbage or trash or any other litter generated outside a park or recreation area anywhere within a park or recreation area.

## **FIRES**

7. To build or tend fires within Parks and Outdoor Recreation Lands, except in fully enclosed vehicles; or in designated sites in Division-furnished grills or fireplaces; or in hibachis, charcoal grills, stoves and other metal containers, unless otherwise prohibited by these regulations.
8. To allow a fire to burn in a careless manner; to leave any fire unattended; or to fail to completely extinguish any fire on Parks and Outdoor Recreation Lands.
9. To discharge or use fireworks of any kind or nature within Parks and Outdoor Recreation Lands (except special displays approved by the Director; subject to provisions of local political subdivision regulations).

## **COMMERCIAL USE**

10. To use Parks and Outdoor Recreation Lands for a commercial purpose, except:
  - (a) Special resource use which shall be authorized by the Commission on a case-by-case basis at a public meeting of the Commission (i.e., mining, timber cutting, grazing, haying, and other similar uses.)
  - (b) Uses authorized pursuant to concession contracts issued in accordance with state procurement and fiscal rules; or
  - (c) Pursuant to a cooperative agreement with the Division.

Commercial use which conflicts with area management plans will not be approved.

## **BOAT DOCKS**

11. To fish from boat ramps or boat docks located within Parks and Outdoor Recreation Lands or to otherwise use such ramps or docks in a manner contrary to the intended use.

## **GLASSWARE**

12. For any person to carry or possess any glassware within the confines of a public swimming area, bathing area or designated water skiing beach.

## **NIGHT ACTIVITY**

13. To occupy a parking site with a motorized vehicle between the hours of 10:00 p.m. and 5:00 a.m., unless such person and all other occupants arriving in such vehicle are actively engaged in fishing or boating.

## **SWIM BEACH**

14. For any person:
  - (a) To swim or bathe in any Parks and Outdoor Recreation waters, except in areas designated for such use.

- (b) To build or tend any kind of fire on any swim beach.
- (c) To fish from any swim beach.
- (d) To allow any child under the age of 12 years to be on a swim beach unless accompanied by an adult.
- (e) Definitions as used in this regulation, unless the context requires otherwise:
  - (1) "Swim Beach" - For the purpose of this regulation, "swim beach" means a portion of a natural or impounded body of water designated for swimming, recreational bathing or wading.

## **AIRCRAFT**

- 15. To land or take off with any type of aircraft on any Parks and Outdoor Recreation lands and waters, except as specifically authorized by these regulations or in case of emergency. "Aircraft" means any device or equipment that is used or intended to be used for manned flight or to otherwise hold humans aloft for any period of time, including powerless flight, and specifically includes, but is not limited to, airplanes, helicopters, gliders, hot air balloons, hang gliders, parachutes, parasails, kite boards, kite tubes, zip lines and other similar devices or equipment.

## **ANIMALS/PETS**

- 16. To allow any dog or other pet on Parks and Outdoor Recreation Lands, unless the same shall be under control and on a leash not exceeding six (6) feet in length. This requirement for dogs or other pets to be on a six foot leash shall not apply when the animal is confined in a vehicle or vessel or within the boundaries of the designated dog off leash area at Chatfield State Park or the designated dog off leash area at Cherry Creek State Park. Further, it shall be unlawful to allow a dog or other pet within any area used as a swimming or water-ski beach. Any person having a dog or other pet creating a nuisance or disturbance or who fails to properly control a dog or other pet may be evicted from the park or recreation area. This provision shall not apply to dogs while being used in hunting, field trials, or while being trained on lands open to such use.
- 17. To bring horses, mules, donkeys or burros into or allow same on Parks and Outdoor Recreation Lands, except on areas or trails designated for such use.
- 18. To turn livestock onto or allow grazing on Parks and Outdoor Recreation Lands without permission from the Commission.
- 19. For any handler of any dog to fail to immediately collect, remove, and properly dispose of all dog or pet feces from, or near, any developed park sites including campgrounds, picnic area, dog training areas, and designated trails.

## **DUMP STATIONS/OTHER UTILITIES**

- 20. To empty wastewater holding tanks, fill water holding tanks or otherwise use any parks and outdoor recreation dump station or utility without a valid park pass and valid camping permit or camping reservation.

- d. The following water and land-use restrictions are in consideration of the Division's leases with the Denver Water Department and the City of Aurora and shall apply to Eleven Mile State Recreation Area and Spinney Mountain State Recreation Area, located in Park County:
1. It shall be unlawful, except by law enforcement officers on official duty, to operate or park snowmobiles on land or on the frozen water surface of the reservoir, unless otherwise posted at the park entrances. (Eleven Mile S.R.A. and Spinney Mountain S.R.A.)
  2. It shall be unlawful to operate or occupy boats on the surface of the reservoir from one-half hour after sunset until one-half hour before sunrise. (Eleven Mile S.R.A. and Spinney Mountain S.R.A.)
  3. It shall be unlawful to enter upon, use or occupy the islands on the reservoir. (Eleven Mile S.R.A. and Spinney Mountain S.R.A.)
  4. It shall be unlawful to enter, use or occupy the lands or waters of Eleven Mile State Recreation Area lying to the east of the restrictive buoy line. (Eleven Mile S.R.A.)
  5. It shall be unlawful to enter, use or occupy the lands or waters of Spinney Mountain State Recreation Area between November 16 and April 30, unless the reservoir is ice-free and the area is otherwise posted as open for public use. (Spinney Mountain S.R.A.)
  6. It shall be unlawful to enter, use or occupy the lands or waters of Spinney Mountain State Recreation Area between the hours of one hour after sunset and one-half hour before sunrise, or as otherwise posted. (Spinney Mountain S.R.A.)

## **BEARS**

- e. Where necessary to prevent or address bear/human interactions or related issues, the park manager may designate all or a portion of any state park where: food, trash and equipment used to cook or store food must be kept sealed in a hard-sided vehicle, in a camping unit that is constructed of solid, non-pliable material, or in a food storage box provided by the park for those persons entering the park in something other than a hard-sided vehicle or appropriate camping unit. This restriction does not apply to food that is being transported, consumed, or prepared for consumption. A hard-sided vehicle is defined as: the trunk of an automobile, the cab of a pickup truck, the interior of a motor home, fifth wheel, camping trailer or pickup camper. A hard-sided vehicle does not include any type of tent, pop-up campers or pickup campers with nylon, canvas, or other pliable materials, car top carriers or camper shells on the back of pickup trucks.

## **PARK-SPECIFIC RESTRICTIONS**

- f. In addition to the general land and water regulations, the following restrictions shall also apply:

### **1. Barr Lake State Park**

- (a) No dogs or other pets shall be permitted in the wildlife refuge area.
- (b) Visitors shall be required to remain on designated trails and boardwalks in the wildlife refuge area.
- (c) No fishing or boating shall be permitted in the wildlife refuge area.
- (d) Visitors shall be required to remain on the designated trails on Barr Lake Dam.
- (e) No horses shall be permitted on the Barr Lake Dam.

### **2. Highline Canal State Trail**

- (a) No swimming, tubing or rafting shall be permitted.
- (b) No fires shall be permitted.

**3. Roxborough State Park**

- (a) No dogs or other pets shall be permitted.
- (b) No fires shall be permitted.
- (c) It shall be unlawful to climb, traverse or rappel on or from rock formations.

**4. Chatfield State Recreation Area**

- (a) A valid permit is required to launch or land any hot-air balloon.

**5. Harvey Gap State Recreation Area**

- (a) No dogs or other pets shall be permitted except when used for hunting during the period beginning the Tuesday after Labor Day and continuing through the Friday prior to Memorial Day.

**6. Bonny State Recreation Area**

- (a) No public access, hunting, fishing or boating shall be permitted in the North Cove Waterfowl Refuge Area from the first day in November through the last day in January.

**7. Mueller State Park and Wildlife Area**

- (a) No dogs or other pets shall be permitted outside of the developed facilities area.
- (b) It shall be unlawful, except by law enforcement officers on official duty, to operate snowmobiles.

**8. James M. Robb - Colorado River State Park - Colorado River Wildlife Area**

- (a) In accordance with applicable management plans, no dogs or other pets shall be permitted, except on designated trails.
- (b) No fires shall be permitted.
- (c) No swimming shall be permitted.
- (d) In accordance with applicable management plans, public access is restricted to designated roads and trails from March 15 to May 30 of each year.

**9. Ridgway State Park**

- (a) No boats, rafts, or other floating devices shall be permitted on any waters within the Pa-Co-Chu-Puk Recreation Site, below Ridgway Dam.

**10. Arkansas Headwaters Recreation Area**

- (a) Except in established campgrounds where toilet facilities are provided, all overnight campers must provide and use a portable toilet device capable of carrying human waste out of the Arkansas Headwaters Recreation Area. Contents of the portable toilet must be emptied in compliance with law and may not be deposited within the Arkansas Headwaters Recreation Area, unless at a facility specifically designated by the Arkansas Headwaters Recreation Area.
- (b) Building or tending fires is allowed pursuant to regulation # 100b.7., except at the Arkansas Headwaters Recreation Area fire containers must have at least a two inch rigid side. Fire containers must be elevated up off the ground.
- (c) Swimming is permitted in the Arkansas River from the confluence of the East Fork/Lake Fork of the Arkansas within the boundaries of the Arkansas Headwaters Recreation Area. All persons under the age of 13 swimming in the Arkansas River within the Arkansas Headwaters Recreation Area must wear a properly fitting U.S. Coast Guard approved wearable personal flotation device.

**11. John Martin Reservoir State Recreation Area**

- (a) No public access shall be permitted on the north shore area of John Martin Reservoir State Recreation Area from the first day of November through March 15 of every year or as posted except to retrieve downed waterfowl.



**12. Cheyenne Mountain State Park**

- (a) No dogs or other pets shall be permitted outside of the developed facilities area.
- (b) Smoking shall be limited to developed areas only and shall not be permitted in the backcountry, or on the archery range, parking lot or trail system.
- (c) Hunting shall be prohibited.
- (d) It shall be unlawful to climb, traverse or rappel on or from rock formations.
- (e) Any person 17 years of age or older who is shooting on the field/3D portion of the archery range must obtain and maintain on one's person a proper and valid daily or annual Cheyenne Mountain Park archery range individual permit.
- (f) Public access is prohibited on the archery range from sunset to sunrise.
- (g) Any person 16 years of age or younger entering the archery range must be under adult supervision at all times.
- (h) Broadheads, crossbows, alcoholic beverages, and firearms, including, but not limited to, BB guns, pellet guns, and air rifles, are prohibited on the archery range.
- (i) No dogs or other pets shall be permitted on the archery range.

**13. Castlewood Canyon State Park**

- (a) No dogs or other pets shall be permitted in the East Canyon area.
- (b) No horses shall be permitted in the east canyon area.
- (c) It shall be unlawful to climb, traverse, or rappel, on or from rock formations in the East Canyon area.
- (d) Visitors shall be required to remain on the designated trails in the East Canyon area.

**14. Rifle Falls State Park**

- (a) It shall be unlawful to climb, traverse, or rappel on or from rock formations.

**15. Chatfield State Park**

- (a) Entrance to and exit from the dog off leash areas are permitted only at designated access points.
- (b) A handler may bring a maximum of three dogs at one time into the designated dog off leash area.
- (c) Handlers must possess a leash and at least one waste bag for each dog in the designated dog off leash area.
- (d) Sport dog trainers shall obtain a special use permit to access and use the designated upland and flat-water sport dog training areas.
- (e) Handlers in the dog off leash area and the sport dog training areas must have a visible and valid dog off leash annual pass or dog off leash daily pass.

**16. Cherry Creek State Park**

- (a) Entrance to and exit from the dog off leash areas is permitted only at designated access points.
- (b) A handler may bring a maximum of three dogs at one time into the designated dog off leash area.
- (c) Handlers must possess a leash and at least one waste bag for each dog in the designated dog off leash area.
- (d) Sport dog trainers shall obtain a special use permit to access and use the designated upland sport dog training area.
- (e) Handlers in the dog off leash area and the sport dog training area must have a visible and valid dog off leash annual pass or dog off leash daily pass.
- (f) Use of shotgun shells on the trap/skeet range with shot size larger than size 7 is prohibited.

**17. Lake Pueblo State Park**

- (a) Jumping, diving or swinging from cliffs, ledges or man-made structures is prohibited, including, but not limited to, boat docks, marina infrastructure and the railroad trestle in Turkey Creek.

**18. Eldorado Canyon State Park**

- (a) The use of all portable grills and stoves (including, but not limited to, charcoal, gas, and wood) is prohibited outside of designated high-use pads.

**QUIET HOURS**

- g. Quiet hours will be enforced from 10:00 p.m. until 6:00 a.m.; and all generators, loud radios or other loud noises that may disturb the peace are prohibited during these hours.

**ABANDONED PROPERTY**

- h. It shall be unlawful to leave any personal property unattended on Parks and Outdoor Recreation land or water for more than twenty-four (24) hours.
  - 1. If such property is left unattended for more than twenty-four (24) hours, it will be considered abandoned.
  - 2. Removal and storage will be at the expense of the owner.
  - 3. All abandoned personal property, other than motor vehicles, which is not claimed within six months shall be sold for cash to the highest bidder at a public auction, notice of which (including time, place, and a brief description of such property) shall be published at least once in a newspaper of general circulation in the county wherein said public auction is to be held at least ten days prior to such auction. All funds generated shall be deposited in the Parks Cash Fund.
  - 4. Abandoned motor vehicles will be handled in accordance with Article 4, Part, 18 of Title 42, C.R.S.

**MODELS**

- i. It shall be unlawful to operate radio-controlled and/or fuel-propelled models, except in designated areas.

**CLIMBING HARDWARE**

- j. It shall be unlawful to place fixed or permanent rock climbing hardware, unless the climber first obtains a Special-Activities Permit from the park manager. Removal of previously placed fixed or permanent climbing hardware is prohibited.

**# 101 – SEARCH AND RESCUE TRAINING PERMITS**

- a. Public or nonprofit search and rescue organizations shall be permitted to conduct official, sanctioned training activities on state park lands upon completion of a search and rescue training permit application and written park manager approval of the application.
  - 1. The search and rescue training permit application shall include the following information.
    - (a) Organization name and address;

- (b) Organization representative contact information including name and phone number;
  - (c) Date, time and specific park location of proposed training activities;
  - (d) Roster of participants;
  - (e) Number of vehicles and associated license plate numbers;
  - (f) Training agenda, lesson plan, or other description of proposed activity.
2. The training permit application shall be submitted to the park manager at least 14 day prior to the start of the event.
  3. Upon request from park staff, participants shall identify themselves as part of the training activity.
  4. Upon approval of the search and rescue training permit application, the park manager may close that portion of the park or recreation area used for the training activity for the duration of the training to the public.
  5. Participants of such training activities shall be allowed free entrance to any state park or recreation area while engaged in the training activity.

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00806

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

Colorado Parks and Wildlife (405 Series, Parks)

**on 01/13/2016**

2 CCR 405-1

**CHAPTER P-1 - PARKS AND OUTDOOR RECREATION LANDS**

The above-referenced rules were submitted to this office on 01/19/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 26, 2016 16:29:26

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Natural Resources

### **Agency**

Colorado Parks and Wildlife (405 Series, Parks)

### **CCR number**

2 CCR 405-2

### **Rule title**

2 CCR 405-2 CHAPTER P-2 - BOATING 1 - eff 03/01/2016

### **Effective date**

03/01/2016

**FINAL REGULATIONS - CHAPTER P-2 - BOATING**

**# 222 - COLLISIONS, ACCIDENTS, AND CASUALTIES**

1. In the case of an accident involving a vessel, the operator thereof, shall file with the Division a full report concerning the accident. A vessel is considered to be involved in a boating accident whenever the occurrence results in damage, in excess of two thousand dollars, by or to the vessel or its equipment, in injury or loss of life to any person, or in the disappearance of any person from on board under circumstances which indicate the possibility of death or injury. Such boating accident includes, but is not limited to, capsizing, collision, foundering, flooding, fire, explosion, and the disappearance of a boat other than by theft. Accidents for the purpose of the report are only those which occur on the water.
2. Reports required under subsection 1 of this section shall contain the following information:
  - a. The number assigned to each vessel involved;
  - b. The locality, time and date of the accident;
  - c. The weather conditions existing at the time of the accident;
  - d. The name, address, and age of each operator of a vessel involved in the accident;
  - e. The name and address of the owner of each vessel involved in the accident;
  - f. the name and address of any person who is injured or killed as the result of the accident;
  - g. The nature and extent of injury to any person;
  - h. A description of any property damage;
  - i. A description of how the accident occurred;
  - j. The type of vessel that is the subject of the report;
  - k. The name and address, if known, of any witness to the accident.
3. All reports required to be submitted under this section shall be submitted to the Law Enforcement Unit at 13787 South Highway 85, Littleton, Colorado 80125 of the Division within five days after the date of the accident.

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00808

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

Colorado Parks and Wildlife (405 Series, Parks)

**on 01/13/2016**

2 CCR 405-2

**CHAPTER P-2 - BOATING**

The above-referenced rules were submitted to this office on 01/19/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 26, 2016 16:28:55

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Natural Resources

### **Agency**

Colorado Parks and Wildlife (405 Series, Parks)

### **CCR number**

2 CCR 405-7

### **Rule title**

2 CCR 405-7 CHAPTER P-7 - PASSES, PERMITS AND REGISTRATIONS 1 - eff  
03/01/2016

### **Effective date**

03/01/2016



**FINAL REGULATIONS - CHAPTER P-7 - PASSES, PERMITS AND REGISTRATIONS**

**ARTICLE I - GENERAL PROVISIONS AND FEES RELATING TO PASSES, PERMITS AND REGISTRATIONS**

**SPECIAL ACTIVITIES**

**# 703 - SPECIAL ACTIVITIES REQUIRING PERMITS**

1. "Special activities" means those noncommercial events which have the potential for an adverse impact on park values or health, safety or welfare of park visitors or which may otherwise require special planning/scheduling for proper management. Special activities shall require prior approval in the form of a special-activities permit. Applications thereof generally shall be made to the Park Manager at least ninety (90) days prior to the event. Such application must be accompanied by the appropriate application filing fee. This requirement for an application to be filed ninety days prior to an event will be waived in rare circumstances where arrangements can be made in a shorter time without putting undue administrative burden on the Park Manager or when no special arrangements are necessary.
2. The decision of whether to approve special activity permits will be made by the Park Manager when it is determined that the special activities will not involve the use of a park or recreation area by a group of persons totaling more than the park or recreation area's established carrying capacity. Otherwise, the Regional Manager shall make the decision of whether to approve the permits. The decision of whether to approve special activities permits will be based on the impact on park values and/or the health, safety and welfare of park visitors and other affected persons, and also will be based on:
  - a. The nature of the park or recreation area and the types of recreational opportunities/resources it is intended to provide the public
  - b. The carrying capacity of the facility or facilities to be utilized during the special activity compared to:
    - (1) The total number of park visitors (including participants and spectators in the special activity) expected to utilize such facilities; and
    - (2) The total number of vehicles, vessels or persons expected to participate in or be attracted to such activities.
  - c. The extent to which the special activity will contribute to the variety of outdoor recreational opportunities available to the people of this state and its visitors.
  - d. The extent to which the activity places an administrative burden on the staff of the park area.
3. Whenever it is determined that any special activity will involve the use of a park or recreation area by a group of persons totaling more than the park's or recreation area's established carrying capacity a thirty day written public comment period and a public meeting shall be required prior to the granting of a permit. The Park Manager shall publish notice of both the written comment period and the meeting at least once in a newspaper of general circulation in the county or counties wherein said park or recreation area is located. The meeting shall be conducted by the Division representative responsible for the permit issuance decision and shall be held either at

the park or recreation area, or within a county in which the park or recreation area is located. Such public meeting is not intended to be an adjudicatory licensing hearing under the provisions of the Colorado Administrative Procedures Act, but only as an opportunity for public comment.

4. An application for a permit shall be acted upon promptly, and the applicant shall be notified immediately after the taking of action on the application. If the application is denied, the applicant shall be notified in writing within five working days of such action. Such written notification shall include the basis for the denial. The applicant may submit a written appeal of a denial to the Division Director within sixty days of receipt of the denial, requesting a hearing pursuant to section 24-2-104(9), C.R.S.. If the date of the proposed special activity is to occur within the sixty day appeal period, then the applicant shall submit any written appeal as soon as practicable so as to allow a reasonable time for the Director to act upon the appeal. Absent special circumstances justifying a later submittal and depending upon the nature of the proposed special activity and the amount of preparation required on the part of the Division for such activity, generally an appeal submitted less than twenty-five days prior to the proposed special activity will be deemed untimely.
5. Upon written request, the Division shall waive the requirement for a parks pass for those vehicles when all the occupants are entering parks and outdoor recreation areas for the purpose of administering permitted special activities and not for the purpose of their own recreation.
6. For special activities where the Division representative responsible for the permit issuance decision determines it will be a greater administrative ease for the Division to administer the activity, an alternative fee of \$2.00 per person per day may be charged for admission of persons attending or participating in the special activity. This permission shall apply only to groups of twenty or more persons.
7. Nothing in this regulation impairs the specific authority of the Commission pursuant to 33-10-107(1)(d) C.R.S. to enter into cooperative agreements for the development and promotion of parks and outdoor recreation programs, or the general authority of the Commission pursuant to 33-10-106 C.R.S. to manage all state parks and state recreation areas for both commercial and noncommercial purposes. The authority granted to park managers and regional managers is intended to allow them to address events of limited and local impact, and is specifically intended to coexist with, and not to exclude, the Commission's statutory authorities.

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00807

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

Colorado Parks and Wildlife (405 Series, Parks)

**on 01/13/2016**

2 CCR 405-7

**CHAPTER P-7 - PASSES, PERMITS AND REGISTRATIONS**

The above-referenced rules were submitted to this office on 01/19/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 26, 2016 16:24:33

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Natural Resources

### **Agency**

Colorado Parks and Wildlife (406 Series, Wildlife)

### **CCR number**

2 CCR 406-0

### **Rule title**

2 CCR 406-0 CHAPTER W-0 - GENERAL PROVISIONS 1 - eff 03/01/2016

### **Effective date**

03/01/2016

## FINAL REGULATIONS - CHAPTER W-0 - GENERAL PROVISIONS

### ARTICLE I - DEFINITIONS

**#000** – The following definitions supplement the statutory definitions found in the Wildlife Act including, but not limited to, those definitions found in section 33-1-102, C.R.S.

#### A. General Definitions Including Manner of Take Definitions

1. **"Aggregate"** when applied to bag and possession limits, means the total number of species which are covered by such bag and possession limits. Any combination of the species may be possessed up to the total number established as the aggregate bag and possession limits.
2. **"Archery"** means the use of a hand-held bow.
3. **"Bag Limit"** means the maximum number of wildlife which may be taken in a single day during an established open season. This includes any wildlife which are consumed or donated during the same day they were legally taken. The terms "bag limit," "daily bag" and "bag" are considered to have the same meaning.
4. **"Baiting"** means the placing, exposing, depositing, distributing, or scattering of any salt, mineral, grain, or other feed so as to constitute a lure, attraction or enticement for wildlife.
5. **"Crossbow"** means a bow which is attached at a right angle to a stock with a mechanical mechanism for holding the bow string in a cocked position and fired from the shoulder.
6. **"Feral Hog"** means any species or hybrid of species from the family *Suidae* (European boar, Eurasian boar, Russian boar, feral hog) or the family *Tayassuidae* (Javelina and peccary), which possesses one or more morphological characteristic distinguishing it from domestic swine including, but not limited to, an elongated snout, visible tusks, muscular shoulders with small hams and short loins, coarse hair, or a predominant ridge of hair along its back. For the purposes of these regulations, any swine running at large which possesses one or more of the above characteristics, may be presumed to be a feral hog, unless a person has received actual notice that the swine has escaped containment and its return is actively sought, in which case the person should report its location to the owner, if known, and the Division and the Department of Agriculture.
7. **"Handgun"** means any pistol or revolver having no shoulder stock or attachment.
8. **"Hand-held bow"** means a long bow, recurved bow, or compound bow on which the string is not drawn mechanically or held mechanically under tension. String releases or mechanical releases which are hand-drawn and hand-held with no other attachment or connection to the bow other than to the bowstring are lawful devices.
9. **Licenses**
  - a. **"Leftover license"** means a limited license which is leftover after the primary application and drawing process.
  - b. **"Limited license"** means any license which is limited in number by regulation and which is issued through the drawing process.

- c. **"Over the counter license"** means a license that may be purchased at a license agent. Most over the counter licenses are unlimited in number, but some may have an established cap.
  - d. **"Private Land Only license"** means a limited license valid only for use on private land and State Trust Lands not leased by the Division, excluding those limited licenses issued as part of the Ranching for Wildlife program. Contact the State Land Board for access restrictions.
  - e. **"Unlimited license"** means a hunting license and carcass tag when appropriate which is not restricted in quantity and which is sold by license agents throughout the state and is not valid in any unit where licenses are available only through application and computer or hand drawn selection.
10. **"Mentor"** means a person eighteen years of age or older who holds a valid hunter education certificate or who was born before January 1, 1949, and accompanies a youth or apprentice while hunting. A person whose hunting and fishing license privileges are suspended can not be a mentor.
  11. **"Muzzle-loading rifle or musket"** means a firearm fired from the shoulder, with a single barrel which fires a single patched round ball or bullet.
  12. **"Pellet gun"** means any handgun or rifle of .177 caliber or larger firing pellets and powered by compressed air or gas.
  13. **"Private use"** means the possession of wildlife only for private enjoyment and not intended to be sold, traded, bartered, or entered into commerce.
  14. **"Privately-owned game birds"** means game birds held in private ownership and otherwise acquired in accordance with Commission regulations.
  15. **"Processed meat"** means those edible parts of wildlife which have been cut into normal portions and wrapped for storage. It does not include game meat that is whole, has been quartered, or has not been packaged into normally accepted butcher's portions including but not limited to steaks, roasts, loins, chops, and ground meat.
  16. **"Rifle"** means a firearm fired from the shoulder, with a rifled bore, having a barrel length of sixteen (16) inches or more and a minimum overall length of twenty-six (26) inches.
  17. **"Shotgun"** means a firearm fired from the shoulder with a smooth bore, having a barrel length of eighteen (18) inches or more and a minimum overall length of twenty-six (26) inches.
  18. **"Slingshot"** means a hand-held device, not drawn or held mechanically, with the arms or attachment points to which an elastic band is attached for propelling small stones or metal projectiles. Wrist-brace attachments and non-elastic projectile pouches are considered normal components of a slingshot.
  19. **"State Trust Lands"** means those lands owned or under the control of the State Board of Land Commissioners.

#### **B. Definitions related to Aquatic Species or Fish Health**

1. **"Aquatic Nuisance Species" (ANS)** means exotic or nonnative aquatic wildlife or any plant species that have been determined by the Commission to pose a significant threat to the aquatic resources or water infrastructure of the state.

2. **"Best management practices"** means the most effective, practicable (including technological, economic, constructible, and institutional considerations) means of preventing or minimizing the presence or spread of ANS, parasites, or diseases in a fish production facility.
3. **"Certification"** means a document issued by the Division certifying that the facility and the fish located thereon, have been tested for regulated fish pathogens in the numbers and by methods meeting the minimum standards established by these regulations, or any analogous document issued by a qualified fish health official from a recognized state, federal, or foreign fish and wildlife agency.
4. **"Coldwater stream"**- means a segment or reach of a creek, stream, or river that has water temperatures that do not exceed 68 degrees F for 24 consecutive hours.
5. **"Critical Habitat"**- means the following river reaches and their 100 year floodplains: the Gunnison River downstream of the Uncompahgre River confluence, the Colorado River downstream of the exit 90 north bridge from I-70, the White River downstream of Rio Blanco Dam, the Green River downstream of the Yampa River confluence, and the Yampa River downstream of the Colo 394 bridge.
6. **"Direct connection"** means waters in the Upper Colorado River Basin that flow directly into critical habitat. This does not include reservoirs, and waters above such reservoirs, where fish escapement has been addressed according to a management plan approved by the Division.
7. **"Drainages"**- means sub-sets of the USGS hydrologic code system as set forth in the Hydrologic Unit Maps (U.S. Geological Survey Water Supply Paper 2294, U.S. Dept. of Interior U.S. Geological Survey, 1974, State of Colorado section reprinted 1992). This document, but not later amendments or editions, have been incorporated by reference and can be viewed and copies obtained at the Division as set forth in the "Incorporated References" section of Chapter 0 of these regulations.
8. **"Gametes"**- means eggs or sperm.
9. **"Inlets"** - means the bay or recess at the confluence of a stream with the surface of a lake or reservoir.
10. **"Isolated Water"**- means ponds, lakes, or reservoirs that have no outlet.
11. **"*Myxobolus cerebralis* intensity"** means average spore levels in salmonid fish as determined by standardized testing in accordance with the provisions of #014 Aquatic Wildlife Health Management.
12. **"*Myxobolus cerebralis* negative salmonid fish production facility"** means a facility in which *Myxobolus cerebralis* has never been found or in which *Myxobolus cerebralis* has been eliminated in accordance with the provisions of #014 Aquatic Wildlife Health Management.
13. **"*Myxobolus cerebralis* negative water"** means a lake, pond or coldwater stream segment sampled for a statistically valid number of fish that do not test positive for *Myxobolus cerebralis*, or a water that has not been tested and has not been stocked with salmonid fish from a *Myxobolus cerebralis* positive facility.
14. **"*Myxobolus cerebralis* positive water"** means a lake, pond or coldwater stream segment sampled and found to have salmonids that test positive for *Myxobolus cerebralis*, or which has been stocked with salmonid fish from a *Myxobolus cerebralis* positive facility.

15. **"Myxospore (spore)"** means the stage of *Myxobolus cerebralis* formed in the cartilage of infected fish which re-infects the alternate host, the *Tubifex tubifex* worm.
16. **"Nonsalmonid fish"** - means all species of fish and their hybrids that are not in the family Salmonidae.
17. **"Ordinary high water line"**– means the point where perennial, hydrophytic plant life converges with bare substrate (rock, gravel, sand, fines) or with substrate interspersed with annual vegetation.
18. **"Prevalence"** is the percentage of individuals in a population found to be infected with a pathogen as determined by standardized testing in accordance with the provisions of #014 Aquatic Wildlife Health Management.
19. **"Qualified fish pathologist"** means an individual who meets professional standards as set forth by the CPW and who conducts inspections as set forth in #014 Aquatic Wildlife Health Management.
20. **"Salmonid fish"** - means all species of fish and their hybrids in the family Salmonidae, including but not limited to trout, salmon, char, whitefish, and grayling
21. **"Salmonid fish production facility"** - means one or more lakes, ponds, raceways, tanks or other containers in a single location and under the same ownership and management in which salmonid fish are reared for eventual live shipment or release.
22. **"Salmonid habitat"** means any water that supports, is capable of supporting, or is upstream of a water that supports a self-sustaining population of trout, salmon, char, whitefish, or grayling; and includes the drainages listed in Appendix D.
23. **"Spore concentration technique (SCT)"** means tests conducted according to:
  - a. "Myxosoma cerebralis: Isolation and Concentration from Fish Skeletal Element – Sequential Enzymatic Digestion and Purification by Differential Centrifugation", Maria E. Markiw and Ken Wolf, Journal Fisheries Research Board of Canada, Volume 31, No. 1, 1974., or
  - b. "Whirling Disease *Myxobolus cerebralis* Spore Concentration using the Continuous Plankton Centrifuge", Joseph J. O'Grodnick, Journal of Wildlife Diseases Volume 11 pp 54-57, 1975.

These documents, but not later amendments or editions, have been incorporated by reference and can be viewed and copies obtained as set forth in the "Incorporated References" section of Chapter 0 of these regulations.

24. **"Triactinomyxons (TAMS)"** are a stage of *Myxobolus cerebralis* formed in the gut lining of the *Tubifex tubifex* (tubifex) worm, and which are then released into the water column and re-infect fish with *Myxobolus cerebralis*.
25. **"Upper Colorado River Basin"** - means that portion of the Colorado River drainage that lies within the boundaries of the State of Colorado. This includes all waters in the Yampa, White, Gunnison, Dolores, San Juan, and Colorado River basins.
26. **"100-year floodplain"**- for the upper Colorado River Basin means river floodplain 5.5 vertical feet above the ordinary high water line (OHWL).

#### C. Definitions related to Terrestrial Species or Wildlife Health

1. **"Pelt"** means the skin of a furbearer with pelage intact on the skin.

## ARTICLE II - LICENSE TYPES AND REQUIREMENTS



## #001 - Hunt Codes

- A. Hunt Codes are a series of eight sequential letters and numbers which denote the species, sex of animal, unit number, season, and hunt type for each choice shown on the application:

1. Species - The first character of the hunt code is a letter denoting species:

A for pronghorn  
B for black bear  
C for desert bighorn sheep  
D for deer  
E for elk  
G for mountain goat  
H for small game or furbearer  
L for mountain lion  
M for moose  
P for greater prairie-chicken  
S for rocky mountain bighorn sheep  
T for wild turkey

2. Sex of Animal - The second character of the hunt code is a letter denoting the sex of the animal for which the license is valid:

E for either-sex (antlerless or antlered) of animal, as defined in #200  
F for antlerless or doe animals, as defined in #200  
M for antlered or buck animals, as defined in #200

3. Unit Number - The third through fifth characters are numbers denoting the unit or group of units in which the license is valid. Units are numbered sequentially beginning with the number 1. Zeros appear before the unit number when it is less than three characters in length, i.e. 001, 023, etc. Where the license is valid in more than one unit, the lowest numbered complete unit in the group is used, and the season table shows the complete list of valid units or portions thereof. When the limited license is valid statewide, the unit number is 000. In the case of sheep and goat, the three characters are a letter denoting the species (C, S, or G) followed by the two digit unit number.
4. Season Dates or Type - The sixth and seventh characters are a letter and number (0 and up) or two numbers (1 and up) denoting the season and hunt number within the season type (chronologically):

A	for auction season/licenses + number
C	for private (match for public) combined ranches Ranching for Wildlife licenses + number
D	for game damage or distribution management hunts + number
E	for early seasons + number
F	for East of I-25 Family Only Landowner Pilot seasons + number
H	for seasons for hunters with mobility impairments /licenses + number
J	for public combined ranches Ranching for Wildlife licenses + number
K	for youth only season/licenses + number
L	for late seasons + number
M	for private (match for public) Ranching for Wildlife licenses + number or for private Bighorn Sheep Access Program licenses
N	for private (match for public) special population Ranching for Wildlife licenses + number
O	for combined or regular seasons + number
P	for private land only (PLO) seasons + number (when simultaneous with a regular

	season, uses the same number as the regular season)
R	for replacement license for CWD positive animals + number, for Raffle season/licenses + number, or TIPs license + number
S	for split seasons (either by time, location, or other listed criteria) + number
T	for trapping season/licenses + number
U	for over the counter licenses
W	for public Ranching for Wildlife licenses or for public Bighorn Sheep Access Program licenses
X	for public special population Ranching for Wildlife licenses + number
Y	for experimental seasons + number
Z	for disease management hunts + number

**5. Manner of Take - The eighth character is a letter denoting the manner of take:**

- A for archery only
- F for hawking only
- M for muzzle-loading only
- R for rifle and associated methods (all legal methods)

**6. Preference Point Only Hunt Codes - When applicants wish to apply for a preference point only, the hunt codes are: Deer (DP99999P), Elk (EP99999P), Pronghorn (AP99999P), Mountain Goat (GP99999P), Rocky Mountain Bighorn Sheep (SP99999P), Moose (MP99999P), Wild Turkey (TP99999P) or Bear (BP99999P)**

**#002 - License Requirements**

- A.** Except as otherwise provided by these regulations any person who takes or possesses any wildlife shall have in possession the appropriate and valid Colorado resident or non-resident license as provided in §33-4-102, C.R.S. and shall only take wildlife of the species and type as indicated on the license. In addition to the required license the taking of some species may also require a permit.
- B.** Except as otherwise provided, any person who hunts or fishes in Colorado shall have in possession the appropriate and valid Colorado resident or nonresident hunting, fishing or furbearer license including a customer identification number

A customer identification number is not required for the following license categories:

1. Falconry licenses.
  2. Senior Lifetime licenses issued prior to 1990.
  3. Senior Lifetime Low-Income licenses issued prior to 1994.
  4. Free Fishing licenses.
- C.** All annual resident and nonresident licenses authorized in 33-4-102 (1.4), C.R.S., including fishing, senior fishing, small game hunting, furbearer, combination fishing and small game hunting, and the Colorado wildlife habitat stamp, shall be valid and otherwise in effect from April 1 to March 31st of the following year.
  - D.** Except as otherwise provided in these regulations, any person who hunts or fishes in Colorado shall be physically present in the immediate vicinity of the activity. Internet or other computer-assisted remote hunting or fishing is prohibited.
  - E.** Any person who hunts big game or turkey in a game management unit, or portions thereof, for which the Wildlife Commission has established limited license quotas must have a limited license valid for that unit. General season, over-the-counter licenses may not be used in a limited license unit unless validated by the Division.
  - F.** Any person possessing a license or permit restricted to a specific game management unit or portions thereof, may only hunt that unit or area for which his license or permit is issued.

- G. Duplicate small game, fishing, furbearers, senior citizen lifetime licenses and combination small game licenses may be obtained from the Division by submitting an affidavit on forms provided by the Division and payment of a \$5.00 fee.
- H. Any person who is authorized to hunt, fish or trap wildlife in Colorado pursuant to a permit issued by the Division shall comply with all of the terms and conditions of that permit.
- I. The Director is hereby authorized to issue the following licenses.
  - 1. Licenses for law enforcement investigative purposes to District Wildlife Managers, U.S. Fish & Wildlife (USFWS) Service Special Agents, or other persons cooperating with them or otherwise participating in a wildlife-related law enforcement activity authorizing them to hunt or fish as an appropriate element of an investigation of violation of Articles 1 through 6 of Title 33 of the Colorado Revised Statutes, regulations issued pursuant thereto, or federal wildlife laws; provided however, that no wildlife shall be taken with such a license if the taking would jeopardize the maintenance of populations at viable self-sustaining levels.

A written report shall be provided by the Director to the Wildlife Commission annually specifying the total number of licenses issued under this authority during the previous calendar year.

**J. Turning In Poachers (TIPS) Reward Program**

- 1. The Director is authorized to award licenses and preference points in accordance with this regulation to otherwise eligible persons that report the illegal take or possession or willful destruction of big game or turkey in Colorado to the Division.
- 2. Any person who voluntarily provides information that results in a person being charged with the illegal take or possession of big game or turkey may be awarded a preference point for the wildlife species of their choice or an over-the-counter license for the same species reported. As an alternative to the above reward options, and except as provided below, any person who voluntarily provides information that results in a person being charged with willful destruction of big game or turkey or assessment of a § 33-6-109(3.4), C.R.S., penalty may be awarded a limited license for the same species and unit reported.
  - a. In limited license units where less than 10 licenses (total) are allocated annually for all manners of take, only one reward license can be issued in any three year period.
  - b. In limited license units where less than 20 licenses (total) are allocated annually for all methods of take, only one reward license may be issued per year.
  - c. In limited license units where the reward license has already been issued the person may:
    - 1. wait until the next reward license in that unit is available, or
    - 2. select another limited license unit for which a reward license is available.
  - d. If the violation(s) reported occurred within a game management unit, which is closed to hunting the species reported, the person may select another limited license unit for which a reward license is available.

3. Limited licenses awarded as part of the TIPs Reward Program shall be in addition to the number of licenses generally available through or allocated as part of the Division's limited license draw.
4. Licenses for use on properties participating in the Division's Ranching for Wildlife program are not available as part of the TIPs Reward Program.
5. Licenses awarded as part of the TIPs Reward Program do not confer or otherwise guarantee access to any property for the purpose of exercising the benefits of the license. Securing such access is the responsibility of the license holder.
6. Except as provided in 2(c)(1), all licenses awarded as part of the TIPs Reward Program must be for a season occurring within 18 months of the final judicial disposition of the charges.
7. Licenses and preference points issued as part of the TIPs Reward Program are nontransferable.
8. For the purposes of the TIPs Reward Program, "charging" means the issuance of a penalty assessment or summons and complaint and such charging decision is at the sole discretion of the investigating officer or District Attorney.
9. While conviction is not necessary to support the awarding of a preference point or license, no applications for TIPs rewards will be accepted and no such rewards will be issued until final judicial disposition of the charges.
10. Only one TIPs reward will be issued per poaching incident, no matter how many animals are illegally taken. Further, if more than one person reports the violation(s) and files an application, the TIPS reward will be awarded to the person the Director finds to have provided the most pertinent information regarding the violation.
11. Applications for TIPs rewards must be made on forms provided by the Division, must be filed within 90 days of the judicial disposition of the charges and all applicants are subject to the following eligibility requirements:
  - a. To be eligible for a TIPs reward, a person must voluntarily come forward and report the violation, and must be willing to testify, and testify if requested, in any subsequent criminal prosecution. Information obtained through criminal investigation or court process is not considered "voluntary" for the purposes of the TIPs Reward Program.
  - b. A person is eligible for only one TIPs reward per year.
  - c. A person is ineligible to receive a TIPs reward if they have received any other reward for reporting the violation(s), including but not limited to a monetary payment under the Operation Game Thief program.
  - d. A person must be eligible to apply for, possess or exercise the benefits of any license or preference point conferred through the TIPs Reward Program and must otherwise comply with all other generally applicable hunting requirements and restrictions.
  - e. All Division employees, and peace officers that report violation(s) to the Division as part of their law enforcement duties, are ineligible for the TIPs Reward Program.

#### **K. Terrestrial Invasive Species**

1. The following terrestrial invasive species are hereby declared to be detrimental to Colorado's wildlife and habitat. They may be seized, captured or destroyed by the Division or its authorized agents whenever and wherever found.
  - a. Feral hog
  - b. Eurasian collared-dove
  - c. European starling
  - d. House (English) sparrow
2. No license is required for a person to hunt or take terrestrial invasive species. However, commercial hunting or taking of terrestrial invasive species is prohibited. No person shall receive compensation or attempt to receive compensation from the hunting of terrestrial invasive species in Colorado. Terrestrial invasive species may be taken year-round in any number by any method allowed for the take of big or small game. In addition, terrestrial invasive species may be taken at night with the use of artificial light and night vision equipment.
  - a. Except when counted as part of the bag and possession limit for doves in #508 of these regulations, while in the field and during transport all Eurasian collared-doves shall be fully feathered.
3. No person shall release terrestrial invasive species or hybrids of terrestrial invasive species in Colorado for the purpose of allowing them to run at large or otherwise facilitate the distribution or abundance of these species in Colorado.

#### **L. Hunter Education**

1. For the purpose of this regulatory provision, the following terms have the following definitions:
  - a. **"Active Duty"** means a person who is a full time employee of a U.S. military service branch under the Department of Defense and can be deployed at any time.
  - b. **"National Guard"** means the Army National Guard or Air National Guard that is part of an organized militia of any state within the United States of America. National Guard members are not considered active duty military personnel.
  - c. **"Reserve Duty"** means a person who is trained and qualified by a U.S. military Reserve Component to be available for active duty in the armed forces when needed. Reserve members are not considered active duty military personnel.
  - d. **"Veteran"** means a person who served in the Active Duty or Reserve Duty military or the National Guard and who was discharged or released from such service under conditions other than dishonorable.
2. As authorized and in accordance with §33-6-107(8) and §33-6-107(10) C.R.S, these regulations establish requirements for Colorado's hunter education certification program. Hunter education classes within this state must include a minimum of 10 hours of instruction, including, but not limited to, the topics of wildlife management, wildlife identification, firearms safety, ethics, and laws and regulations. A portion of the course curriculum must also include hands-on activities where students demonstrate, at a minimum, safe firearms handling and a live fire exercise. Students must also pass a written test to successfully complete the course. Except as provided in regulation #002(L)(3) below, any person born on or after January 1, 1949, must have a valid hunter education certificate prior to hunting, trapping, or purchasing any hunting license in accordance with §33-6-107(8) and §33-6-107(10) C.R.S.

3. Allowable hunter education course delivery options and methods are as follows:
  - a. Traditional class- 10 hours, minimum, in a standard classroom setting that includes hands-on learning activities. Additional time beyond the 10 hour requirement is also necessary to complete the written test and live fire exercise.
  - b. Internet course with conclusion class- The internet portion of the class is credited with 6 hours of study. A 4-6 hour, in-person, conclusion class is required and will cover laws and regulations, wildlife identification, and hands-on firearms activities. Additional time beyond the 4-6 hour requirement is also necessary to complete the written test and live fire exercise.
  - c. A person age 50 and older may complete a one-time test-out of the hunter education certification requirements by passing a timed hunter education test online with a score of 90% or above. This online test can only be taken once.
  - d. U.S. military veterans, active duty, reserve duty and National Guard members may complete a one-time test-out of the hunter education certification requirements by passing a timed hunter education test online with a score of 90% or above. This online test can only be taken once. Military personnel must bring test certificate and military identification to a CPW office to verify military status and obtain a hunter education certificate. To qualify, a veteran must be discharged under conditions other than dishonorable. Acceptable forms of military identification include:
    - i. DD 214;
    - ii. DD Form 2;
    - iii. DD Form 2765;
    - iv. Active, retired, veteran military identification card;
    - v. A current Colorado Drivers License or state issued identification card with the word "veteran" printed on it as specified in 42-2-303(5)(a) C.R.S.;
    - vi. VA medical card.

4. Exceptions to the hunter education certification requirements are as follows:

- a. A person 10 years of age or older who obtains an apprentice certificate. An apprentice certificate can only be obtained once and is valid for a one year period, identified as April 1-March 31 annually. Apprentice certificate holders must be personally accompanied by, and in voice and visual contact with a mentor while hunting. A mentor may oversee no more than 2 apprentices at a time and must carry proof of hunter education and age while in the field.

#### **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 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 be used as an aid in taking furbearers 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 #005.
- 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.

## ARTICLE V – ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

### #005 REASONABLE ACCOMMODATIONS

- A. The Director shall have the authority to grant variances from the regulations adopted by the Wildlife Commission, including but not limited to manner of take and access accommodations, for the sole purpose of providing reasonable accommodations to persons with a significant impairment of a major life function resulting in functional impairment under the Americans with Disabilities Act. Such accommodations may be provided if they are reasonably required to allow the person to participate in wildlife programs or access wildlife properties to participate in wildlife related recreation and do not:
  - 1. Significantly alter the purpose of the Division property or program for which the accommodation is requested;
  - 2. Jeopardize the safety of the applicant or any other person; or
  - 3. Pose undue hardship for the Division
- B. Application for such accommodations must be made on a form available from and submitted to the Division at least 30 days prior to the requested effective date.
- C. Except when applying exclusively for the use of a power-driven mobility device, the application shall include a statement from a licensed medical doctor, a certified physical therapist, a certified occupational therapist, or a certified recreational therapist containing:
  - 1. A medical explanation as to whether or not the disability is a significant impairment that limits one or more daily life functions, and how those functions are affected.
  - 2. A narrative description of how the accommodation requested is reasonably required to allow the applicant to participate in the wildlife program or access the wildlife property in question.
- D. Such applications will be reviewed on a case by case basis and additional documentation may be required if necessary to establish the applicant's disability or the reasonableness of the accommodation requested. If any accommodation is authorized, the applicant will be provided with a special permit listing the accommodation and any conditions of its use. In the case of properties and facilities designated exclusively for hunters with qualifying disabilities, this permit shall allow a permittee and attendant access to such properties and facilities.
  - 1. When shooting from a motor vehicle is authorized, the permittee is authorized to discharge a firearm or release an arrow from a stationary motor vehicle only after all forward motion has ceased and the motor has been turned off or is incapable of forward motion. No shooting may be done from a public road.



- E. Permits are free of charge, and valid for the time period designated on the permit. Except when applying exclusively for the use of a power-driven mobility device, the temporary or permanent nature of the person's disability may be considered in establishing the time period for which the permit will be valid. Permits shall be presented for inspection upon request by an officer of the Division.
- F. Hunters with permits must be accompanied by another person when necessary to ensure that the wildlife taken is retrieved and properly prepared for human consumption. Such person may dispatch wounded wildlife when so authorized as a condition of the permit.
- G. Persons provided with any accommodation under this regulation shall comply with all other applicable laws and regulations. Permits allow variances only from regulations specifically addressed and only in the manner and under the circumstances set forth therein.
- H. A service animal is defined as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the handler's disability. The crime deterrent effects of an animal's presence and the provisions of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

## **ARTICLE VI - TERRESTRIAL WILDLIFE**

### **#006 – TRANSPORTATION**

#### **A. Harvested Terrestrial Wildlife**

- 1. Wildlife for which a carcass tag is required by statute or by Commission Regulation must have such tag properly attached to the wildlife unless the wildlife consists of twenty (20) pounds or less of big game meat and is accompanied by a donation certificate.
- 2. Processed big game meat shall be accompanied by the carcass tag, or in the case of donated meat a donation certificate.
- 3. Except as provided in subsection four (4) below, wildlife for which no carcass tag is required must be personally accompanied by the license holder.
- 4. Wildlife shipped by common carrier must be accompanied by either the license, a photo copy of the license, or appropriate carcass tag, and if applicable, a donation certificate.
- 5. Evidence of sex regulations as provided in #003 shall apply while transporting any wildlife except for processed big game meat.

#### **B. Live Terrestrial Wildlife**

- 1. Intrastate transportation of those species of live wildlife listed in #008(B) is prohibited.
- 2. Any exportation of live wildlife held under authority of Colorado Wildlife Parks or Lakes licenses shall be in accordance with the rules and regulations of the receiving country, state or province.
- 3. All wild ungulates transported within Colorado must be marked with U.S. Department of Agriculture (USDA) official eartags or tags approved by the Division.

4. All live captive cervids transported within Colorado must test negative for tuberculosis (TB) within sixty (60) days prior to movement anywhere within Colorado except that live captive cervids originating from herds with a "Colorado TB tested elk herd" or a "Colorado TB accredited elk herds" status issued by the Colorado Department of Agriculture (Dept. of Agriculture) shall be exempt from intrastate TB testing requirements. Tuberculosis testing shall be accomplished using a single strength cervical (SSC) tuberculin test performed by an accredited veterinarian who has prior training to conduct such tests. An official certificate of veterinary inspection (listing the animal identification, as well as the dates and results of such testing, or the Dept. of Agriculture herd status number) shall also accompany all shipments of live captive cervids within Colorado.
5. All captive wild ungulates transported within Colorado after July 1, 1993, must originate from a "Colorado tuberculosis tested herd" or a "Colorado tuberculosis accredited herd" as determined under procedures approved by the Dept. of Agriculture as set forth in Appendix A to this regulation.
6. CWD Surveillance

Commercial Wildlife Parks facilities seeking to move live deer or elk within Colorado must obtain written authorization from the Director and shall request such authorization from the Division at least 30 days prior to the proposed movement date. Deer and elk from alternative livestock facilities licensed by the Dept. of Agriculture being transferred into Commercial Wildlife Parks are included in this requirement. Provided further that no such captive cervid transportation will be permitted anytime a new CWD diagnosis is made in any such facility, until all tracebacks have been completed and CWD-free facility status has been confirmed.

  - a. Criteria for approval or denial:
    1. Written authorization will be based on compliance with a sixty (60) month surveillance requirement for CWD including a review of inventory records for all deer and elk on the facility. Such review shall include proof of individual animal identification; all additions, exports and mortalities; and copies of the results of any animal inventory or records of audits and verification records; for at least the previous sixty (60) months, and laboratory reports documenting the absence of CWD lesions, after microscopic evaluation of brain tissues by an accredited veterinary diagnostic laboratory, or a negative result from another CWD diagnostic test conducted by an accredited laboratory, which test has been approved by the Director and State Veterinarian as having equal or greater diagnostic reliability, in all adult (12 months of age or older) deer and elk dying of any cause over the required surveillance period. Determination of when a facility meets the sixty (60) month minimum surveillance period shall be based on the age of the animals on the facility, the source facility of the animals, and the length of the surveillance program of the source facility(ies). Every individual in the source herd must meet the sixty month surveillance requirement, except for young born into a herd during the sixty month surveillance period, provided that all other deer and elk in the facility during that time period and all deer and elk imported into the facility during that time period also meet the sixty (60) month requirement, unless the Division and the Dept. of Agriculture agree that movement does not present a substantial risk of moving CWD based on the location of the source and receiving facilities, length of surveillance at the source facility, fencing at the receiving facility and other relevant factors.
    2. For the purpose of determining and maintaining 60 months CWD-free status, records must positively account for all animals and cause of death, unless the Division and the Dept. of Agriculture agree otherwise. If any animals remain untested or unaccounted for or cause of death is otherwise unknown or in question, status is adversely impacted and reduced to the date the untested or unaccounted for animal or animal with the unknown or questionable cause of

death was introduced into the herd, unless the Division and the Dept. of Agriculture agree that the associated risk is negligible, taking into consideration the possibility of predation, theft, or other relevant factors. Provided, however, that anytime a facility receives animals from another in-state facility with lower CWD status, the receiving facility shall assume the lower CWD status level. Any deer or elk transported within Colorado as described in G above in violation of this standard, or any pre-existing standard, or for which documentation does not exist which clearly establishes compliance with said standard, must be immediately destroyed and tested for CWD. In addition, the status of the receiving herd may be reduced up to 0 months. Both the source facility and the receiving facility are quarantined upon discovery of the violation, until test results show that CWD was not detected in any of the subject animals. If CWD is detected in any of them, the quarantines remain in effect and all private deer and elk that have come into contact with any of them must be immediately destroyed and tested for CWD. In all such cases, there shall be no obligation for the state to compensate the owner of the animals.

3. All cervid mortalities of animals 12 months of age or older shall be submitted for CWD testing. If CWD is detected in any animal, the status of the herd exposed to such animal shall be reduced to 0 months.
4. Upon receipt of any request to move captive wildlife or alternative livestock to a captive wildlife facility within the state, the Division shall forward the request and all necessary documentation, including but not limited to, the status records for the facilities involved, to the Dept. of Agriculture for review and approval. The Dept. of Agriculture shall render its determination regarding risk within 5 working days of receipt of all necessary documentation. If no such determination is received by the Division at the end of the five working days, the Division may presume that the Dept. of Agriculture has no objection to the requested movement.
5. No evaluation or determination of CWD risk is required for alternative livestock or captive wildlife shipped directly to slaughter or to a biosecure facility approved by the Division and the Dept. of Agriculture.

#### **#007 – IMPORTATION OF TERRESTRIAL WILDLIFE**

- A. Prior to importation of wildlife an importation permit must be obtained from the Division and the State Veterinarian.
- B. An appropriate license must be in possession prior to importation. Only animals in the same scientific family as animals approved on the license can be imported.
- C. All wild ungulates imported into Colorado must be tagged with a USDA official identification device or official Canadian identification device. Any wild ungulates imported to Colorado 12 months of age or under must be identified with a bangle or ranch tag to identify ownership.
- D. Except as authorized in writing by the Director for research purposes or immediate slaughter, all wildlife imported into Colorado must be examined by an accredited veterinarian prior to importation and must be accompanied by a valid, preapproved health certificate certifying disease-free status. Minimum specific disease testing results and/or health statements must be included on health certificates for:
  1. All captive wild ungulates shall:
    - a. Test negative for brucellosis. The health certificate completed by an accredited veterinarian must include the signed statement that "To the best of my knowledge, animals listed herein are not infected with Paratuberculosis (Johnes Disease) and have not been exposed to animals infected with Paratuberculosis."

- b. Test negative for bovine tuberculosis using USDA-approved testing procedures appropriate for species in question not more than 60 days prior to importation and must originate from a herd which has had a negative complete herd test for tuberculosis within the past 12 months. A "complete herd test" is defined as tuberculosis testing of all ruminants and camelids on a premises (except domestic cattle, Bison, sheep and goats) using USDA-approved testing procedures appropriate for species in question where all testing is completed during a period not exceeding six (6) consecutive months; or
    - c. Originate from a bovine tuberculosis-free herd accredited by another state or province which meets the standards for testing or their equivalent as set forth in (b) above.
    - d. Appropriate USDA-approved testing procedures are limited to those referenced in section #006(B)(5) above and others prescribed by the federal Veterinary Service as set forth in Appendix B to this regulation.
    - e. If in the family Cervidae, originate from a herd that has been under surveillance for Chronic Wasting Disease for a period of at least 60 months unless the Division and the Colorado Department of Agriculture agree that the associated risk is negligible.
  - 2. Testing for bovine tuberculosis in other mammalian species may be required prior to importation if there is reason to suspect that such animals may be infected with the disease.
  - 3. All wild species in the sub families Meleagridinae (wild turkey) and Tetraoninae (grouse): Tested negative for *Mycoplasma gallisepticum*, *M. synoviae*, *M. meleagridis* and *Salmonella pullorum*. For groups of grouse imported from the same source in a single shipment, testing is required for only 25% (one of every four) of those birds.
  - 4. All elk must be tested prior to importation for evidence of red deer hybridization. Any animal testing positive for red deer hybridization shall not be allowed to be imported into Colorado.
  - 5. The offspring of any female elk must be tested for red deer hybridization, at the owner's expense, by December 31 of the year of birth if the calf results from a pregnancy which existed prior to the female elk being imported into Colorado.
  - 6. Any offspring, described in 4(e) above, testing positive for red deer hybridization, must be removed from the State of Colorado, at the owner's expense, by June 1 of the year following the year of birth. In all cases, the Division will not compensate owners for these animals.
- E. Additional disease testing may be required at the discretion of the Director of the Division by written notification prior to importation, when there is reason to believe other diseases, parasites or other health risks are present. (e.g. recent outbreak of a disease not listed in this section.)
- F. All imported wild ungulates, turkeys, and grouse must be held in isolation from other wildlife on the operator's premises for at least thirty (30) consecutive days upon importation into Colorado. Animals obtained from free-ranging wild stock by state or federal agencies are exempt from the isolation period.
- G. At least seven (7) days prior to the proposed importation date all persons desiring to import raptors into Colorado must properly complete a Raptor Importation form, except that no raptor importation form is required for licensed Colorado wildlife rehabilitators importing raptors for imminently-necessary medical care. However, prior to importation, that rehabilitator must provide telephone notice of any such importation to the Area Wildlife Manager presiding over the area in which the care facility is located, including the number, species and condition of the raptor(s) to be imported. All raptors imported into Colorado must have veterinary certificates certifying the birds are disease free.

## **#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 facilities with non-salmonid fishes 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 the Blue Book: USFWS and AFS-FHS (U.S. Fish and Wildlife Service and American Fisheries Society-Fish Health Section) Current edition. Standard procedures for aquatic animal health inspections. *In* AFS-FHS. FHS Blue Book: Suggested procedures for the detection and identification of certain finfish and shellfish pathogens, 2014 edition. AFS-FHS, Bethesda, Maryland. 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. The Blue Book: USFWS and AFS-FHS (U.S. Fish and Wildlife Service and American Fisheries Society-Fish Health Section) 2014 edition. Standard procedures for aquatic animal health inspections. *In* AFS-FHS. FHS Blue Book: Suggested procedures for the detection and identification of certain finfish and shellfish pathogens, 2014 edition. AFS-FHS, Bethesda, Maryland, or
  - 2. The Manual of diagnostics for aquatic animals 2014 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
        - aa. 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.
            - aaa. Any negative finding will be conclusive for the absence of *Myxobolus cerebralis*.
            - bbb. 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.
      - bb. 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 salmonid fish production facility.
      - cc. 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.
      - dd. 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.

- ee. 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:

aa. 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:

aaa. 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.

bbb. 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.



bb. 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:

aaa. Water supply(s).

bbb. Distance between water supply(s) and rearing spaces.

ccc. Nature of connecting pipes and conveyances.

ddd. Possibility of fish entering and exiting in water supply lines.

eee. Nature and construction of rearing spaces.

fff. Nature and reliability of treatment technology.

ggg. 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.

cc. 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.

## ARTICLE XI - SPECIAL RESTRICTIONS

### #020 -

- A. Most restrictive Federal or State law - In all cases of licensing, taking, possession, importation, exportation, release, marking and sale of any wildlife, irrespective of current status (threatened, endangered, game or nongame), the most restrictive state or federal regulation shall apply by species.

- B. Live Capture – Common snapping turtles may be taken in any number and maintained alive.
- C. Tagging and carcass tag requirements.
  - 1. A carcass tag is required for all big game and for turkey.
  - 2. When any person kills a wildlife species for which a carcass tag is required such person must immediately void the carcass tag by signing, dating and detaching it. Such tag must be attached to the carcass immediately prior to and during transportation in any vehicle or while in camp or at a residence or other place of storage. Such tag, when so dated, signed and attached to the species lawfully taken or killed and lawfully in possession, authorizes the possession, use, storage, and transportation of the carcass, or any part thereof.
  - 3. If the carcass tag and/or license are inadvertently or accidentally detached, lost or destroyed, the licensee must obtain a duplicate carcass tag and/or license before he can lawfully hunt with such license. The duplicate carcass tag may be obtained upon furnishing satisfactory proof as to the inadvertent or accidental nature of detachment, loss, or destruction to the Division.
- D. Waste of Wildlife
  - 1. Except for furbearers, Terrestrial Invasive Species listed in Commission Regulation #002(K)(1), wildlife listed in Commission Regulation #300(A)(3), or any wildlife taken under the authority of §33-6-107(9), C.R.S., all edible portions of game wildlife taken under the authority of a license shall be properly prepared to provide for human consumption. For the purpose of this restriction edible portions shall not include internal organs.
  - 2. Any consumption or spoilage of game wildlife by a falconry raptor upon the raptor's capture of the game wildlife shall not be considered waste of wildlife, provided the falconer makes a reasonable and timely attempt to retrieve the game wildlife and prepare some remaining edible portion for human consumption.
- E. Closures
  - 1. Federal fish hatcheries and rearing units except that persons designated by the United States Fish and Wildlife Service may take fish or amphibians within the boundaries of said hatcheries or rearing units.
  - 2. Except as otherwise provided in these regulations all Division hatcheries, rearing units and holding basins shall be closed to the taking of fish and amphibians.
  - 3. State Refuges, Parks and Monuments - Public access to any refuge, park or monument, the jurisdiction over which is by law given to any federal or state agency or municipality, may be limited by order of said agency or municipality to the same extent as if said agency or municipality were a private person.
  - 4. Hunting with rifles, handguns or shotguns firing a single slug, or archery equipment is prohibited within an area fifty (50) feet on each side of the center line of any state highway or municipal or county road as designated by the county. In the case of a divided road or highway this shall include the entire median area and the fifty (50) feet shall be measured from the center line of both roads.
  - 5. Hunting is prohibited on Mt. Evans Summit Lake cirque, and within 1/2 (one-half) mile of either side of the centerline of Mt. Evans Highway (Colo 5) while the road is open to motor vehicle traffic, from its intersection with Colo 103 to the summit of Mt. Evans. When Colo 5 is closed to motor vehicle traffic, this hunting closure is lifted, except that

the closure will remain in place year-round for ptarmigan hunting. (Information note: maps are available from the Division, Northeast Region Office, 6060 Broadway, Denver, Colorado 80216.)

6. All lands in the Gore Creek Drainage south of I-70 from Lions Head Ski Lift at Vail to the intersection of I-70 and US 24, and all lands on the north side and within one-half (1/2) mile of I-70 between the intersection of I-70 and US 24 shall be closed to all hunting during the regular rifle deer and elk seasons each year.

#### F. Director's Authority

1. The Director of the Division may establish and enforce temporary closures of, or restrictions on, lands and waters of the state to hunting, fishing or other wildlife-related recreation, including but not limited to the collection of shed antlers, for a period not to exceed 9 months. Such temporary closures may be established and enforced only where necessary to protect public safety, protect threatened or endangered wildlife species, protect wildlife resources from significant natural or manmade threats, such as the introduction or spread of disease or nuisance species, changing environmental conditions or other similar threats, protect time-sensitive wildlife use of lands or waters, protect against additional and significant environmental damage after an area has sustained a natural or manmade disaster, or to facilitate Division-sponsored wildlife research projects or management activities. Whenever such closure is established, public notice of the closure shall be given, including the posting of the lands and waters affected, indicating the nature and purpose of the closure. Upon posting, it shall be unlawful to hunt, fish or engage in any other designated wildlife-related recreation on such lands or waters or enter the lands or waters for the purpose of hunting, fishing or any other designated wildlife-related recreation.

#### G. Incorporated References

1. Materials incorporated by reference in these regulations only include the edition of the material specifically identified by date in the incorporation by reference. The incorporation by reference does not include later amendments to, or editions of, the incorporated materials. 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  
1313 Sherman Street  
Denver, Colorado 80203

2. In addition, materials incorporated by reference in these regulations are maintained by, and available for examination at, any state publications depository library.

#### H. Possession of Edible and Non-edible Portions of Mountain Lions and Bears

The possession of the carcass, hide, skull, claws, or any part of any bear or lion is prohibited unless the animal was taken by a licensed hunter during an established hunting season or unless specifically authorized by the Division.

#### I. Chronic Wasting Disease Reporting

Chronic Wasting Disease (CWD) is classified as a disease which, whenever detected in the wild or in a commercial park, must be reported to the Colorado Division of Parks and Wildlife Veterinarian, 317 W. Prospect, Ft. Collins 80526, within 24 hours of the receipt of any CWD positive test result. As a condition of issuance of a license or permit, any hunter, commercial park licensee, other license holder or permittee of the Division, or any member

of the public who submits a deer or elk head for CWD testing grants consent for the lab to report the test results to the Division. A written copy of the test report shall be provided to the Division at the above address within 10 days of test completion, either by the lab or by the person who submits the sample.

**J. Electronic Ignition Muzzle Loaders**

It is unlawful for any person, except a person authorized by law or by the division, to possess or have under his control a loaded electronic-ignition muzzle loader in or on any motor vehicle unless the chamber of such firearm is unloaded or unless the battery is disconnected and removed from its compartment.

**#024 - BIGHORN SHEEP UNIT BOUNDARY DESCRIPTIONS**

- |          |   |
|----------|---|
| UNIT S01 | <b>Poudre River</b> - That portion of Larimer Co bounded on the north by Larimer Co Rd 80C and Deadman-Red Feather Rd; on the east by Larimer Co Rd 68C (Boy Scout Ranch Road) and Elkhorn Creek; on the south by Colo 14; and on the west by the Laramie River Rd.   |
| UNIT S02 | <b>Gore-Eagles Nest</b> - Those portions of Eagle and Summit counties bounded on the north by Elk Creek to Piney Ridge, Eagles Nest Wilderness boundary, Elliott Ridge/Arapaho/White River National Forest boundary, the North Fork of Elliott Creek, Hoagland Reservoir and Elliott Creek; on the east by the Blue River, on the south by I-70 and on the west by Colo 131 and the Colorado River from State Bridge to Elk Creek.                                    |
| UNIT S03 | <b>Mount Evans</b> - Those portions of Clear Creek, Jefferson and Park counties bounded on the north by I-70; on the east by Colo 74; on the south by Bear Creek, Beartrack Creek, Tumbling Creek, a line from the head of Tumbling Creek to the junction of USFS Trails 603 and 602; USFS Trail 603, and the boundary between the Pike and Arapaho National Forests; and on the west by the Continental Divide.  |
| UNIT S04 | <b>Grant</b> - Those portions of Clear Creek, Park and Jefferson counties bounded on the north by the north boundary of the Pike National Forest, USFS Trail 603, a line from the junctions of USFS Trails 603 and 602 to the head of Tumbling Creek, Tumbling Creek, Beartrack Creek, and Bear Creek; on the east by Co Rd 73; on the east and south by US 285; on the south by the North Fork of the South Platte River; and on the west by the Continental Divide. |
| UNIT S05 | <b>Beaver Creek</b> - Those portions of El Paso, Fremont and Teller counties bounded on the north by the Gold Camp Rd and Rock Creek; on the east by Colo 115; on the south by US 50; and on the west by Freemont Co. Rd 67 and Teller Co. Rd 86 (Phantom Canyon Road), Teller Co. Rd 861 (Skaguay Road) and 81 (Lazy S Ranch Road)..   |
| UNIT S06 | <b>Pikes Peak</b> - Those portions of Teller and El Paso counties bounded on the north by US 24; on the east by I-25 and Colo 115; on the south by the Gold Camp Rd and Rock Creek; and on the west by Colo 67.   |
| UNIT S07 | <b>Arkansas River</b> - That portion of Fremont Co bounded on the north by Fremont Co Rd 2; on the east by Colo 9; on the south by US 50; and on the west Fremont Co Rd 12.   |
| UNIT S08 | <b>Huerfano</b> - Those portions of Huerfano and Alamosa counties bounded on the north by Sixmile Lane, USFS Trail 883, USFS 583 (Mosca Pass) and Huerfano Co Rds 583, 581, 580 and 550; on the east by Huerfano Co Rds 570 and 572 (Pass Creek Rd); on the south by the Huerfano-Costilla and Costilla-Alamosa   |

Co lines and US 160; and on the west by Colo 17.

- UNIT S09      **Sangre de Cristo** - Those portions of Alamosa, Saguache, Custer and Huerfano counties bounded on the north by Saguache Co Rd LL 57, USFS Rd 970 (Hayden Pass Rd), and the Fremont-Saguache and Fremont-Custer Co lines; on the east by Colo 69; on the south by Huerfano Co Rds 550, 580, 581 and 583, USFS Rd 583 (Mosca Pass), USFS Trail 883, and Sixmile Lane; and on the west by Colo 17 and US 285.
- UNIT S10      **Trickle Mountain** - Those portions of Saguache, Chaffee and Gunnison counties bounded on the north by US 50 and the Marshall Pass Rd (USFS Rd 243); on the east by US 285; on the south by Colo 114; and on the west by USFS Rd 803 (Meyer's G. and Gismo Creek Rd), Razor Creek and Saguache Co Rd 14-PP and Gunnison Co Rd 45 (Doyleville Cut-off Rd).
- UNIT S11      **Collegiate North** - Those portions of Lake, Chaffee, Pitkin and Gunnison counties bounded on the north by Colo 82; on the east by US 24; on the south by Chaffee Co Rd 306 and Cottonwood Pass Rd (USFS Rd 209); and on the west by the Taylor River, the North Fork Taylor River, USFS Trail 761 and USFS Rd 123.
- UNIT S12      **Buffalo Peaks** - Those portions of Lake, Chaffee and Park counties bounded on the north by the Continental Divide; on the east by Colo 9 and US 285; on the south by US 285; and on the west by US 24.
- UNIT S13      **Snowmass East** - That portion of Pitkin Co bounded on the north and east by the Roaring Fork River, USFS Rd 123 and Co Rd 15A (Richmond Hill Rd); on the south by 761.1D (Taylor River Head Rd), USFS Trail 400 (Brush Creek Trail), USFS Rd 738.2B (East Brush Creek Rd), and USFS/Gunnison Co Rd 738 (Brush Creek Rd); and on the west by Colo 135, Gunnison Co Rd 317 (Gothic Rd), Crystal River-Gunnison River divide, Roaring Fork River-Crystal River divide and Capitol Creek.
- UNIT S14      **Clinetop Mesa** - That portion of Garfield Co bounded on the north by the White River-Colorado River divide; on the east by Canyon Creek; on the south by I-70; and on the west by Colo 13, Rifle Creek, West Rifle Creek and Mullen Gulch.
- UNIT S15      **Sheep Mountain** - Those portions of Hinsdale, Mineral and Rio Grande counties bounded on the north by the Rio Grande River; on the east by Colo 149, US 160 and the Continental Divide; on the south by USFS 667, the Mineral-Archuleta and the Hinsdale-Archuleta Co lines; and on the west by the Piedra River, Middle Fork of the Piedra River, Middle Trout Creek, West Trout Creek, and Trout Creek.
- UNIT S16      **Cimarrona Peak** - Those portions of Hinsdale and Mineral counties bounded on the north by the Rio Grande River; on the east by Trout Creek, West Trout Creek, and Middle Fork of Trout Creek, the Middle Fork of the Piedra River and the Piedra River; on the south by the Hinsdale-Archuleta county line; and on the west by Weminuche Creek, USFS Trail 539, the Los Pinos River, and North Fork Pinos River and the Rio Grande Reservoir/Squaw Creek Divide.
- UNIT S17      **Collegiate South** - Those portions of Chaffee and Gunnison counties bounded on the north by Chaffee Co Rd 306 (Cottonwood Creek Rd) and Cottonwood Pass Rd (USFS Rd 209); on the east by US 24 and 285; on the south by US 50; and on the west by the Gunnison-Chaffee Co line, Middle Willow Creek, Willow Creek, and the Taylor River.

- UNIT S18      **Rawah** - Those portions of Larimer and Jackson counties bounded on the north by the Wyoming state line; on the east by Larimer Co Rd 103 (Laramie River Rd); on the south by Colo 14; and on the west by Colo 125 and Colo127.
- UNIT S19      **Never Summer Range** - Those portions of Larimer, Jackson and Grand counties bounded on the north by Colo 14; on the east by Larimer Co Rd 63E (Pingree Park Rd), Larimer County RD 44H (Buckhorn Rd), the divide between Pennock Creek and Elk Creek, USFS Trails 928 (Signal Mountain Trail), and 980 (Stormy Peaks Trail); on the south by the Rocky Mountain National Park boundary, USFS Rds 120.4 (North Supply Jeep Rd), and 120 (Kawuneechee Rd), the North Supply Trail, USFS Trail 118 (Blue Ridge Trail), the Lost Lake Trail, USFS Rd 107 (Lost Lake Rd); and on the west by Colo 125 and Jackson Co Rd 27 (Rand-Gould Rd).
- UNIT S20      **Marshall Pass** - Those portions of Gunnison, Chaffee and Saguache counties bounded on the north by US 50; on the east by US 285; and on the south by Marshall Pass Rd; and on the west by US 50.
- UNIT S21      **Cow Creek, Wetterhorn Peak** - Those portions of Ouray, Gunnison, San Miguel and Hinsdale counties bounded on the north by Colo 62, US 550, the Ouray-Montrose Co line and Ouray-Gunnison Co line to the Uncompahgre National Forest line, and the Uncompahgre NF line to Big Blue Creek; on the east and south by Big Blue Creek to Uncompahgre Peak, the Uncompahgre-Animas River divide, the Ouray-Hinsdale Co line, Engineer Mountain, the Uncompahgre-Lake Fork-Animas River divide, the San Miguel-San Juan and San Miguel-Dolores Co lines, and Lizard Head Pass; and on the west by Colo 145 and US 62.
- UNIT S22      **San Luis Peak** - Those portions of Hinsdale, Mineral and Saguache counties bounded on the north by USFS Rd 788, Hinsdale Co Rds 5, 15, and 45, Saguache Co Rd KK-14 and NN-14; on the east by the Continental Divide, USFS Rd 787, and the La Garita Wilderness Boundary; on the south by USFS Trail 787 (La Garita Stock Driveway), USFS Rd 504, and Colo 149; and on the west by USFS Rd 507, USFS Trails 803, 787 and 473, and Colo 149.
- UNIT S23      **Kenosha**- Those portions of Park and Jefferson counties bounded on the north by US 285; on the north and east by Park Co Rd 68, USFS Rds 543 and 560; on the south by USFS Rd 545, USFS Trail 609, Park Co Rd 56 and USFS Rd 56 (Lost Park Rd); and on the west by US 285.
- UNIT S24      **Battlement Mesa** - Those portions of Garfield and Mesa counties bounded on the north by the Colorado River and I-70; on the east and south by the Garfield Co Rds 331 and 342, Mesa Co Rd 330E, Colo 330 and Colo 65; and on the west by the Colorado River.
- UNIT S25      **Snowmass West** - Those portions of Pitkin, Gunnison and Eagle counties bounded on the north by the Roaring Fork River; on the east by Capitol Creek and the Roaring Fork River-Crystal River divide; on the south by the Crystal River-Gunnison River divide; and on the west by the Crystal River-Gunnison River divide and Colo 133.
- UNIT S26      **Taylor River** - That portion of Gunnison Co bounded on the north by USFS/Gunnison Co Rd 738 (Brush Creek Rd), USFS Rd 738.2B (East Brush Creek Rd), USFS Trail 400 (Brush Creek Trail), 761.1D (Taylor River Head Rd); on the east by USFS Rd 761 (Taylor Pass Rd), North Fork of Taylor River, Taylor River, Willow Creek, Middle Willow Creek, and Cumberland Pass Rd; on the south by the New Mexico Principal Meridian/6<sup>th</sup> Principal Meridian divide, the western Fossil Ridge Wilderness boundary and Lost Canyon Rd; and on

the west by Colo 135.

- UNIT S27     **Tarryall** - Those portions of Park and Jefferson counties bounded on the north by Park Co Rd 56, USFS Rd 56 (Lost Park Rd), USFS Trail 609, and USFS Rd 560; on the east by USFS Rd 211 (Matukat Rd.), Park Co Rd 77, US 24; on the south by the South Platte River, Park Co Rds 59, 592, and 23, USFS 234 and Park Co Rd 77; and on the west by US 285.
- UNIT S28     **Vallecito** - Those portions of Hinsdale, La Plata and San Juan counties bounded on the north by the Continental Divide; on the east by the North Fork Los Pinos River, Los Pinos River, USFS Trail 539 from Divide Lakes, and Weminuche Creek; on the south by the Hinsdale-Archuleta County line, East Creek and the Los Pinos River; and on the west by Vallecito Reservoir (east shoreline) and Vallecito Creek.
- UNIT S29     **Alamosa Canyon** - Those portions of Conejos, Mineral and Rio Grande counties bounded on the north by US 160; on the east by Colo 15; on the south by USFS Rds 255, 240, and 259, USFS Trail 706, USFS Rds 260, 250 and 380; and on the west by the Continental Divide.
- UNIT S30     **Conejos River** - Those portions of Conejos, Archuleta, Mineral and Rio Grande counties bounded on the north by USFS Rds 380, 250, and 260, USFS Trail 706, USFS Rds 259, 240 and 255, and Colo 15; on the east by US 285; on the south by the Colorado-New Mexico state line and the USFS Rio Grande National Forest boundary; and on the west by the Continental Divide.
- UNIT S31     **Blanca River** - Those portions of Archuleta, Conejos and Rio Grande counties bounded on the north by the Mineral-Archuleta County line and USFS Rd 667; on the east by the Continental Divide; on the south by the Colorado-New Mexico state line; and on the west by US 84 and US 160.
- UNIT S32     **Georgetown** - Those portions of Clear Creek, Jefferson, Gilpin, and Boulder counties bounded on the north and east by USFS 149 (Rollins Pass Rd), Gilpin Co Rd 16 (Tolland Rd), Colo 119, and Colo 72; on the south by I-70; and on the west by the Continental Divide.
- UNIT S33     **Lake Fork/Pole Mountain** - Those portions of Hinsdale and San Juan counties bounded on the north by the Gunnison-Hinsdale County line; on the east by Colo 149; on the south by North Clear Creek, USFS Trail 821 from North Clear Creek to Lost Trail Creek, and Lost Trail Creek; on the south by the Rio Grande River, Stoney Gulch, Cunningham Creek and Colo 110; and on the west by US 550, the Ouray-San Juan County line, the Uncompahgre-Upper Gunnison River Divide and Big Blue Creek.
- UNIT S34     **Rampart Range** - Those portions of El Paso and Teller counties bounded on the north by USFS Rds 393, 300 and 320; on the east by I-25; and on the south and west by US 24 to Woodland Park.
- UNIT S35     **Greenhorns** - Those portions of Pueblo, Huerfano and Custer counties bounded on the north by Colo 96; on the east by I-25; on the south by the Huerfano River; and on the south and west by Colo 69.
- UNIT S36     **Bellows Creek** - Those portions of Mineral, Rio Grande and Saguache counties bounded on the north by USFS Trail 787; on the east by the Mineral/Saguache county line and an all-terrain vehicle trail also known as the La Garita Stock Driveway, USFS Rd 630 and Rio Grande Co Rds 15 and 18; on the south by US 160 and the Rio Grande River; and on the west by Colo 149 and USFS Rd 504.

- UNIT S37      **St Vrain** - Those portions of Boulder, Grand and Larimer counties bounded on the north and east by the Rocky Mountain National Park boundary and US 36; on the south by Boulder Co Rds 94, 81, 106, and 95 (Lefthand Canyon Dr), Colo 72 (Peak to Peak Highway), Boulder Co Rd 102 (Brainard Lake Rd), USFS Trail 907 (Pawnee Pass Trail) and USFS Trail 1 (Cascade Creek Trail); and on the west by USFS Rd 125, USFS Trail 102 (Knight Ridge Trail), and the Rocky Mountain National Park boundary.
- UNIT S38      **Apishapa** - Those portions of Huerfano, Pueblo, Otero and Las Animas counties bounded on the north by Colo 10, and US 50; on the east and south by US 350; and on the west by I-25.
- UNIT S39      **Mount Silverheels** - Those portions of Park and Summit counties bounded on the north by the Swan River Rd (Summit Co Rd 6), USFS Rd 6, the Continental Divide and the North Fork of the South Platte River; on the east by US 285, Park Co Rds 77 and 23 (Turner Gulch Rd or USFS Rd 234); on the south by US 24; and on the west by US 285 and Colo 9.
- UNIT S40      **Lone Pine** - That portion of Larimer Co bounded on the north by Larimer Co Rds 80C and 59 (Cherokee Park Rd), the Wyoming state line; on the east by Larimer Co Rd 37, South Branch Boxelder Creek, Boxelder Creek, Larimer Co Rd 19; on the south by Larimer Co Rd 80, and US 287; and on the south and west by Larimer Co Rds 74E and 162 (Red Feather Lakes-Deadman Rd).
- UNIT S41      **Peru Creek** - That portion of Summit Co bounded on the north by I-70; on east by the Continental Divide; on the south by the Swan River Rd (Summit Co Rd 6) and USFS Rd 6; and on the west by Colo 9 and US 6.
- UNIT S42      **Waterton Canyon** - Those portions of Jefferson, Douglas, and Park counties bounded on the north by US 285; on the east by Colo 470, US 85, Colo 67, and USFS Rd 300 (Rampart Range Rd); on the south by USFS Trail 649, Colo 67, Jefferson Co Rd 126 (South Deckers Rd) and USFS Rd 211; and on the west by USFS Rds 560 and 543, and Park Co Rd 68.
- UNIT S43      **Hayman** - Those portions of Park, Teller, Douglas, and Jefferson counties bounded on the north by USFS Rd 211 and Jefferson Co Rd 126 (South Deckers Rd); on the east by Colo 67 and Trout Creek; on the south by US 24; and on the west by the Park Co Rd 77 and USFS Rd 211 (Matakat Rd).
- UNIT S44      **Basalt** - Those portions of Garfield, Eagle and Pitkin counties bounded on the north by USFS Trail 514 (Red Tables Divide Rd) and USFS Trail 1870; on the east by the Crooked Creek Pass Rd (USFS Rd 400); on the south by the Fryingpan River and the Roaring Fork River; and on the west by Garfield Co Rd 100, and the Cottonwood Pass Rd.
- UNIT S45      **Cross Mountain** - That portion of Moffat Co bounded on the north and east by Colo 318; on the east and south by US 40; and on the west by the Lilly Park Rd and the Little Snake River.
- UNIT S46      **Dome Rock** - That portion of Teller Co bounded on the north by US 24; on the east and south by Colo 67; and on the west by Teller Co Rd 1.
- UNIT S47      **Browns Canyon** - Those portions of Chaffee, Fremont and Park counties bounded on the north by US 24; on the east by Kaufman Ridge, Badger Creek, and Fremont Co Rds 2 and 12; and on the south by the Arkansas River and South Arkansas River; and on the west by US 285 and 24.



- UNIT S48      **Carrizo Canyon** - Those portions of Baca and Las Animas counties bounded on the north by US 160; on the east by Baca Co Rd 13 (Pritchett Grade Rd); on the south by the Colorado-New Mexico state line; and on the west by Colo 389.
- UNIT S49      **Grape Creek\ Copper Ridge** – Those portions of Custer and Fremont counties bounded on the north by the Arkansas River, the Fremont Co Rd 12 Bridge, and US 50; on the east by Colo 67; on the south by Colo 96; and on the west by Colo 69, Fremont-Custer and Fremont-Saguache Co lines, USFS Rd 6 (Hayden Pass Rd), and Fremont Co Rd 6.
- UNIT S50      **Mount Mestas** - Those portions of Huerfano and Costilla counties bounded on the north by Huerfano Co Rd 550, Colo 69 and the Huerfano River; on the east by I-25; on the south by US 160; and on the west by the Pass Creek Rd.
- UNIT S51      **Spanish Peaks** - Those portions of Huerfano, Costilla and Las Animas counties bounded on the north by US 160; on the east by I-25; on the south by the Colorado-New Mexico state line; and on the west by the Huerfano-Costilla Co line and farther south by the Southern Sangre de Cristo Divide (Culebra mountain range).
- UNIT S52      **Rock Creek** - Those portions of Gunnison, Saguache and Hinsdale counties bounded on the north by BLM Rds 3035, 3036 (Cebolla Creek Rd) 3047 (Huntsman Gulch Rd) and 3043; on the east by USFS Rd 806; on the south by USFS Rd 788 (Los Pinos Pass Rd) , Saguache Co Rd KK-14, Hinsdale Co Rds 45, 15 and 5; and on the south and west by the Powder Horn Primitive Area boundary, USFS Trail 462, the East Fork of Powderhorn Creek, and Powderhorn Creek.
- UNIT S53      **Bristol Head** - Those portions of Mineral and Hinsdale counties bounded on the north by North Clear Creek, Colo 149, and USFS Trails 473 and 787; on the east by USFS Trail 803 and USFS Rd 507; on the south by Colo 149, and the Rio Grande River; and on the west by Lost Trail Creek.
- UNIT S54      **Dillon Mesa** - That portion of Gunnison Co bounded on the north by Gunnison Co Rd 12; on the east by Colo 135; on the south by US 50, the Gunnison River, Blue Mesa Reservoir, and Colo 92; and on the west by Curecanti Creek, Curecanti Pass, and Coal Creek.
- UNIT S55      **Natural Arch-Carnero Creek** - Those portions of Rio Grande and Saguache counties bounded on the north by Colo 114; on the east by US 285; on the south by Colo 112 and US 160; and on the west by Rio Grande Co Rds 18 and 15, USFS Rd 630, and USFS Trail 787, the all terrain vehicle trail also known as the La Garita Driveway, La Garita Wilderness Area boundary, USFS Rd 787 and the Continental Divide.
- UNIT S56      **Black Ridge** - That portion of Mesa Co bounded on the north by the Colorado River and US 50; on the east by US 50; on the east and south by Colo 141 and the Dolores River; and on the west by the Colorado-Utah state line.
- UNIT S57      **Big Thompson** - Those portions of Larimer and Boulder counties bounded on the north by Larimer Co Rd 44H (Buckhorn Rd), Stove Prairie Rd (Larimer Co Rd 27), Larimer Co Rds 52E (Rist Canyon Rd) and 54G; on the east by US 287; on the south by Colo 66 and US 36; and on the west by the Rocky Mountain National Park boundary, USFS Trails 980 (Stormy Peaks Trail), and 928 (Signal Mountain Trail) and the divide between Pennock Creek and Elk Creek.
- UNIT S58      **Lower Poudre** - That portion of Larimer Co bounded on the north by Larimer

- Co Rd 74E (the Red Feather Lakes Rd) on the east by US 287 and Larimer Co Rd 54G; on the south by Larimer Co Rd 52E (Rist Canyon Rd), Stove Prairie Rd (Larimer Co Rd 27), and Larimer Co Rd 44H (Buckhorn Rd); and on the west by Larimer Co Rd 63E (Pingree Park Rd), Colo 14, Elkhorn Creek, and Larimer Co Rd 68 (Boy Scout Ranch Rd).
- UNIT S59      **Derby Creek** - Those portions of Rio Blanco, Routt, Eagle and Garfield counties bounded on the north by USFS Trails 1103, 1116 and 1117, USFS Rds 959 and 16, Routt Co Rds 132 and 15; on the east by Colorado Colo 131; on the south by the Eagle River, the Colorado River and Deep Creek; and on the west by the Colorado River-White River divide, and the White River-Yampa River divide.
- UNIT S60      **Shelf Rd** - Those portions of Teller, Fremont and Park counties bounded on the north by Park Co Rds 59 and 102 and Teller Co Rds 112, 11, and 1; on the east by Colo 67, Teller Co Rd 86 and Fremont Co Rd 67; on the south by US 50; and on the west by Colo 9.
- UNIT S61      **Purgatory Canyon** - Those portions of Otero, Bent and Las Animas counties bounded on the north by US 50; on the east by Colo 109; on the south by US 160; and on the west by US 350.
- UNIT S62      **Dominguez Creek** - Those portions of Delta, Mesa, Montrose and Ouray counties bounded on the north by Colo 141; on the east by Colo 50; on the south by Colo 90; and on the west by USFS Rd 402 (Divide Rd).
- UNIT S63      **Middle Dolores River** - Those portions of Montrose and San Miguel counties bounded on the north by Colo 90; on the east by Monogram Mesa Rd (Montrose Co Rd DD 19 and San Miguel Co Rds 18Y, U29 and 25R); on the south by Colo 141, and the Big Gypsum Valley Rd (San Miguel Co Rd 20R, Dolores River and McIntyre Canyon); and on the west by the Colorado-Utah state line.
- UNIT S64      **Upper Dolores River** - Those portions of San Miguel, Dolores and Montezuma counties bounded on the north by McIntyre Canyon, Dolores River, San Miguel Co Rd 20.R (Big Gypsum Valley Rd), Colo 141 and Disappointment Valley Rd (San Miguel Co Rd 19.Q and Dolores Co Rd D.00); on the east by USFS Rd 526 (Norwood-Dolores Rd) and Colo 145; on the south by Colo 184 and US 491; and on the west by the Colorado-Utah state line.
- UNIT S65:      **Costilla** - That portion of Costilla Co bounded on the north by the Alamosa-Costilla and Huerfano-Costilla Co lines; on the east by the Huerfano-Costilla Co line and farther south by the southern Sangre de Cristo Divide (Culebra Mountain Range); on the south by the Colorado-New Mexico state line; and on the west by Colo 159 and US 160.
- UNIT S66      **Mount Elbert** - That portion of Lake and Pitkin counties bounded on the north by the North Fork Fryingpan River, and Mormon Creek and the Continental Divide; on the east by US 24; on the south by Colo 82; and on the west by Lost Man Creek, over ridge from Lost Man Creek to South Fork Fryingpan River, South Fork Fryingpan River, and Fryingpan River.
- UNIT S67      **Flattops** - Those portions of Rio Blanco and Garfield counties bounded on the north by the Williams Fork River-White River divide; on the east by the White River-Yampa River divide and the White River-Colorado River divide; on the south by the South Fork of the White River-Colorado River divide; and on the west by USFS Rd 245, Rio Blanco Co Rds 17 (Buford-Newcastle Rd) and 8, and USFS Rd 250.

- UNIT S68      **Northern Sangre de Cristos** - Those portions of Chaffee, Fremont and Saguache counties bounded on the north by the South Arkansas River and the Arkansas River; on the east by Fremont Co Rd 6 and USFS Rd 6 (Hayden Pass Rd); on the south by the Fremont-Custer and Fremont-Saguache Co lines, USFS Rd 970 (Hayden Pass Rd), and Saguache Co Rd LL 57; and on the west by US 285.
- UNIT S69      **Cochetopa** – Those portions of Gunnison and Saguache counties bounded on the north by the Gunnison River and US 50, on the east by Gunnison Co Rd 45 and Saguache Co Rd 14-PP (Doyleville Cut-off Road), Razor Creek and USFS Rd 803 (Gismo Creek and Meyer's Gulch Rd), Colo 114 and the Continental Divide; on the south by Saguache Co Rds NN-14 and KK-14; and on the west by USFS Rd 806 and South Beaver Creek.
- UNIT S70      **Fossil Ridge** – That portion of Gunnison Co bounded on the north by the New Mexico Principal Meridian/6<sup>th</sup> Principal Meridian divide; on the east by USFS Rd 765, Gunnison Co Rd 76, USFS Rd 763 (Waunita Pass Rd) and Gunnison Co Rd 887 (Waunita Hot Springs Rd); on the south by US 50; and on the west by Gunnison Co Rd 76, BLM Rd 3103 (North Parlin Flats), USFS Rd 583 and the western Fossil Ridge Wilderness boundary.
- UNIT S71      **West Needles** - Those portions of San Juan and La Plata counties bounded on the north by the San Miguel-Ouray Co line, US 550, Colo 110, Cunningham Gulch, and the Continental Divide; on the east by Vallecito Creek and the Los Piños River; on the south by US 160; and on the west by the Montezuma-La Plata and Montezuma- Dolores Co lines.
- UNIT S72      **Greenland** - That portion of Douglas Co bounded on the north by Wolfensberger Rd, Wilcox Street, and Colo 86; on the east by Colo 83; on the south by Palmer Divide Rd; and on the west by Colo 105.
- UNIT S73      **Mount Zirkel** - Those portions of Jackson and Routt counties bounded on the north by the Mount Zirkel Wilderness boundary, USFS Trail 1125, USFS Rd 660, and Big Creek Rd (USFS Rd 600); on the east by Jackson Co Rds 6W, 7, 12W, 18, and 5; on the south by Jackson Co Rd 24, and the Buffalo Pass Rd (USFS Rd 60); and on the west by the boundary of the Mount Zirkel Wilderness Area.
- UNIT S74      **Glenwood Canyon** - Those portions of Garfield and Eagle counties bounded on the north by the South Fork White River-Colorado River Divide and Deep Creek; on the east and south by the Colorado River; and on the west by Canyon Creek.
- UNIT S75      **Main Canyon** - Those portions of Mesa, Garfield and Rio Blanco counties bounded on the north by the Colorado River-White River divide; on the east by the Roan Creek-Parachute Creek divide and Kelly Gulch; on the south by the Colorado River; and on the west by the Bookcliffs, the Little Salt Wash-Roan Creek divide, the Big Salt Wash-Roan Creek divide, and the East Salt Creek-Roan Creek divide.
- UNIT S76      **Holy Cross** - Those portions of Eagle and Pitkin counties bounded on the west and north by the Holy Cross Wilderness area, West Grouse Creek, and USFS Trail 2129 and USFS Rd 733; on the east by US 24; on the south by the Continental Divide; and on the west by the Fryingpan River-Eagle River divide.
- UNIT S77      **Gore Canyon** - Those portions of Grand, Eagle, Summit and Routt counties bounded on the north by Colo 134; on the east by US 40, Colo 9 and the Blue

River; on the south by Elliott Creek, Hoagland Reservoir, the North Fork of Elliott Creek, Elliott Ridge/Arapaho/White River NF boundary, Eagles Nest Wilderness boundary, Piney Ridge, Elk Creek, and the Colorado River to State Bridge; and on the west by Colo 131.

- UNIT S78     **Ten Mile** - Those portions of Summit and Eagle counties bounded on the north by Resolution Creek Road (USFS Rd 702), Resolution Creek, Ptarmigan Pass, Wilder Gulch and I-70; on the east by Colo 9; on the south by the Continental Divide; and on the west by US 24.
- UNIT S79     **Pueblo West** - That portion of Pueblo and Fremont counties bounded on the north by US 50; on the east by Colo 45; on the south by Colo 96; and on the west by Colo 67.
- UNIT S80     **Black Canyon** - Those portions of Delta, Gunnison, and Montrose counties bounded by the Gunnison Gorge National Conservation Area, Black Canyon of the Gunnison National Park, and Curecanti National Recreation Area south and west of Colo 92.
- UNIT S81     **Lower Lake Fork, Gunnison River** - That portion of Gunnison Co bounded on the north by US 50 and Blue Mesa Reservoir; on the east by Colo 149; on the south by Colo 149; and on the southwest and west by Gunnison Co Rd 25.
- UNIT S82     **Cold Springs** - That portion of Moffat Co bounded on the north by the Colorado-Wyoming state line; on the east by Moffat Co Rd 10N (Irish Canyon Rd), Colo 318 and Moffat Co Rd 10; on the south by Moffat Co Rd 34 and the Green River; and on the west by the Colorado-Utah state line.
- UNIT S83     **Rocky Mountain National Park** - Those portions of Larimer, Boulder and Grand counties within the boundaries of Rocky Mountain National Park, except for Twin Sisters Mountain.
- UNIT S84     **Mesa Verde** - That portion of Montezuma and La Plata counties bounded on the north by US 160; on the east by Colo 140; on the south by the Colorado-New Mexico state line; and on the west by US 491.
- UNIT S85     **Dinosaur Monument** - That portion of Moffat Co bounded on the north by the Dinosaur National Monument boundary, the Green River and Moffat Co Rd 34; on the east and south by Dinosaur National Monument (containing the Green River); and on the west by the Colorado-Utah state line.

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00809

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

Colorado Parks and Wildlife (406 Series, Wildlife)

**on 01/13/2016**

2 CCR 406-0

**CHAPTER W-0 - GENERAL PROVISIONS**

The above-referenced rules were submitted to this office on 01/19/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 26, 2016 16:23:59

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Natural Resources

### **Agency**

Colorado Parks and Wildlife (406 Series, Wildlife)

### **CCR number**

2 CCR 406-2

### **Rule title**

2 CCR 406-2 CHAPTER W-2 - BIG GAME 1 - eff 03/01/2016

### **Effective date**

03/01/2016

**FINAL REGULATIONS - CHAPTER W-2 - BIG GAME**

**ARTICLE I - GENERAL PROVISIONS**

**#200 - DEFINITIONS**

See also §33-1-102 C.R.S. and Chapter 0 of these regulations for other applicable definitions.

- A. "Antlered" means any deer, elk, or moose with an antler or antlers of at least five (5) inches in length as measured on the outside curve of the antler from the skull to the tip.
- B. "Antlerless" means any deer, elk, or moose; including fawn deer and calf elk or moose; without antlers or with antlers of less than five (5) inches in length.
- C. "Antler Point" means a projection of the antler at least one (1) inch long and which is longer than the width of its base.
- D. Bighorn Sheep:
  - 1. "One-half (1/2) curl ram" means: A male sheep with a horn or horns that have one (1) or both tips grown at least through one-half (1/2) or 180 degrees of a circle to be measured by first establishing a reference line which bisects the eye and the base of the ear; and which has horn tips which have grown at least as far as the projection of this reference line.
  - 2. "Three-quarter (3/4) curl ram" means: A male sheep with a horn or horns that have one or both tips grown at least through three-quarters (3/4) or 270 degrees of a circle to be measured by first establishing a reference line which bisects the eye and the base of the ear; then by establishing a line which intersects the reference line at the base of the ear, and is perpendicular thereto; and which has horn tips which have grown at least as far as the downward projection of the perpendicular line.
  - 3. "Ewe" means: any female sheep having a horn or horns of at least five (5) inches in length as measured on the outside curve of the horn from the skull to the tip.
- E. "Brow tine" means a projection of the antler at least five (5) inches long located on the lower half of the antler.
- F. "Buck" means any pronghorn with a black cheek patch and a horn or horns of at least five (5) inches in length as measured on the outside curve of the horn from the skull to the tip, excluding any prong or point occurring between base (skull) and tip.
- G. "Doe" means any pronghorn; including fawn pronghorn; without horns, or with a horn or horns of less than five (5) inches in length.
- H. "Game Management Objectives" means specific data analysis unit (DAU) objectives relative to long- term population and/or sex ratio objectives.
- I. "Intermingled Lands" means lands where: 1) private land deeded to one landowner completely surrounds public land, or 2) public land is intermingled with private lands owned by a landowner where a quantified access component exists, the landowner possesses some ability to affect game management on the adjacent public land, and the issuance of licenses valid on both private and public lands would help to achieve game management objectives.

- J. "Habitat Evaluation Committee (HEC)" means local advisory committees established in units where the Wildlife Landowner Conservation pilot program is implemented.
- K. Definitions related to Landowner Preference Program.
1. **"Agricultural Land"** means lands classified for the purposes of taxation as agricultural.
  2. **"Broker"** means for a third party to transfer a voucher for compensation or any other consideration, or otherwise arrange for such transfer, on behalf of the landowner, or land manager or on behalf of any individual.
  3. **"Land manager"** means an individual designated in writing by the landowner who is 1) a ranch manager, property manager, business partner, employee, or relative of the landowner who has control of the property or 2) a licensed outfitter or other individual who has entered into a written agreement with the landowner for control of the hunting operations on the property, and who has a working knowledge of the property, including but not limited to, boundaries and access points.
  4. **"Landowner"**- means a person that owns private agricultural land in Colorado, as shown by a recorded deed.
  5. **"Transfer"**- means to buy, sell, assign, trade, exchange, acquire or otherwise arrange to buy, sell, assign, trade, exchange, acquire or dispose of a voucher.
  6. **"Immediate family"**- means the landowner's spouse, parents, grandparent, children, grandchildren, and sibling including in-law and step relations.
  7. **"Voucher"**- means a document issued by the division, authorizing the landowner or any individual to whom the document is lawfully transferred to purchase a hunting license for the unit, species, sex and season printed on the document.
  8. **"Landowner Preference Program"** – means the license preference program for owners of private agricultural land established by § 33-4-103, C.R.S., and any implementing regulations adopted pursuant thereto.

## #201 - LICENSE FEES

### A. Big Game License Fees

#### 1. Nonresident Big Game Licenses

In accordance with the provisions of §33-4-102, C.R.S., nonresident big game fees for the year 2015 shall be as follows:

Nonresident License Type	2015 License Fee	2016 Statutory Maximum License Fee*	2016 License Fee**
Pronghorn	\$370	\$375.05	\$375
Deer	\$370	\$375.05	\$375
Elk	\$615	\$625.08	\$625
Bear	\$615	\$625.08	\$625
Mountain lion	\$615	\$625.08	\$625



Moose	\$2,060	\$2,083.60	\$2,080
Mountain goat	\$2,060	\$2,083.60	\$2,080
Rocky Mountain bighorn sheep	\$2,060	\$2,083.60	\$2,080
Desert bighorn sheep	\$1,375	\$1,389.07	\$1,385
*Based on cumulative Consumer Price Index increase since 2000. **Adjusted after application of Consumer Price Index by rounding down to the nearest \$5.00 increment, in whole numbers.			

- a. All licenses sold through March 2016 shall be sold at 2015 license fees.

## 2. Nonresident License Fee Reduction:

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

Nonresident License Type	2015 License Fee	2016 License Fee
Nonresident Bear	\$350.00	\$350.00
Nonresident Mountain Lion	\$350.00	\$350.00
Nonresident Antlerless Elk	\$460.00*	\$465.00*
Nonresident Antlerless Elk license fee is set at 75% of Elk Nonresident License Fee rounded down to the nearest \$5.00 increment, in whole numbers.		

## 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.

## #202 - HUNTING HOURS

- A. Big game may be taken from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset.

## #203 - MANNER OF TAKE

See also #000 in Chapter 0 of these regulations for other applicable manner of take definitions.

- A. The following are legal methods of take for all species and seasons listed in this chapter, except as otherwise noted. Any method of take not listed herein shall be prohibited, except as otherwise provided by statute or these regulations:
- Rifles using center-fire cartridges of .24 caliber or larger, having expanding bullets of at least seventy (70) grains in weight, except for elk and moose where the minimum bullet

weight is eighty-five (85) grains, and with a rated impact energy one hundred (100) yards from the muzzle of at least one thousand (1000) foot pounds as determined by the manufacturer's rating, and except for mountain lion where any center-fire rifle using bullets of at least 45 grains and producing at least 400 foot pounds of energy at the muzzle may be used. Provided further that any semiautomatic rifle used shall not hold more than six (6) rounds in the magazine and chamber combined. A fully automatic rifle is prohibited.

2. Muzzle-loading rifles and smoothbore muskets, provided the minimum caliber shall be forty (.40) for all big game except elk and moose. The minimum caliber for elk and moose shall be fifty (.50). All muzzle-loading rifles and smoothbore muskets from forty (.40) caliber through fifty (.50) caliber must use a bullet of at least 170 grains in weight. All muzzle-loading rifles and smoothbore muskets greater than fifty (.50) caliber must use bullets of at least 210 grains in weight.
  - a. During the muzzle-loading firearms seasons for deer, elk, pronghorn, bear, and moose only lawful muzzle-loaders and smoothbore muskets may be used by muzzle-loading license holders.
  - b. During the muzzle-loading firearm seasons for deer, elk, pronghorn, bear, and moose the following additional restrictions apply:
    1. Propellant/Powders: The use of pelletized powder systems and smokeless powder are prohibited.
    2. Projectiles: Sabots are prohibited. For the purposes of this regulation cloth patches are not sabots.
    3. Loading: Firearms must load from the muzzle. Firearms which can be loaded from the breech are prohibited.
    4. Sights: Any muzzle-loading rifle or smoothbore musket with any sighting device other than open or "iron" sights is prohibited.
    5. Electronic or battery-powered devices cannot be incorporated into or attached to the muzzle-loading firearm.
3. Handheld bows, including compound bows, using arrows equipped with a broadhead with an outside diameter or width of at least 7/8ths of an inch with no less than two steel cutting edges. Each cutting edge must be in the same plane throughout the length of the cutting surface.
  - a. During the archery seasons for deer, elk, pronghorn, bear, sheep, goat, and moose, only lawful hand-held bows may be used by archery license holders.
  - b. Bows must have a minimum draw weight of 35 pounds. The let-off percentage shall not exceed 80%.
  - c. No portion of the bow's riser (handle) or any track, trough, channel, arrow rest or other device, excluding the cable(s) and bowstring, that attaches to the bow's riser can contact, support and/or guide the arrow from a point rearward of the bow's brace height.
  - d. Bows can propel only a single arrow at a time and no mechanism for automatically loading arrows is allowed.

- e. Equipment using scopes, electronic or battery-powered devices cannot be incorporated into or attached to the bow or arrow, with the exception of lighted nocks on arrows and recording devices on bows that cast no light towards the target and do not aid in range finding, sighting, or shooting the bow.
  - f. Hydraulic or pneumatic technology cannot be used to derive or store energy to propel the arrow. Explosive arrows are prohibited.
4. Shotguns, no smaller than twenty (20) gauge and firing a single slug.
  5. Crossbows, provided the minimum draw weight is at least one hundred twenty-five (125) pounds and has a minimum draw length of fourteen (14) inches as measured from the front of the bow to the nocking point of the draw string and contain a positive mechanical safety device. In addition, the bolt must be at least sixteen (16) inches in length equipped with a broadhead with an outside diameter or width of at least 7/8th of an inch with no less than two steel cutting edges and each cutting edge must be in the same plane throughout the length of the cutting surface.
    - a. Crossbows are not legal during the archery seasons for deer, elk, pronghorn, bear, sheep, goat, and moose.
  6. Handguns, provided they have a minimum barrel length of four (4) inches and comply with the following criteria:
    - a. Except for mountain lion, use a .24 caliber or larger diameter expanding bullet with a rated impact energy of at least 550 ft. pounds at 50 yards as determined by the manufacturer.
    - b. For mountain lion only, use a centerfire handgun using bullets of at least 45 grains and producing at least 400 foot pounds of energy at the muzzle, as determined by the manufacturer.

#### **#204 - VACANT**

#### **#205 - ANNUAL BAG LIMITS AND MAXIMUM NUMBERS OF LICENSES PER PERSON**

- A. Deer, elk, pronghorn, black bear, mountain lion, moose, rocky mountain bighorn sheep, and mountain goat

The annual bag and possession limit for deer, elk, pronghorn, black bear, mountain lion, rocky mountain bighorn sheep, and mountain goat shall be the total number of animals taken on all licenses which can be legally obtained by the hunter for each species during that license year, as established in the following lists. Big game taken during a hunting season established as a portion of the preceding license year's hunting seasons shall be counted as part of the preceding year's bag limit. When a license allows hunting in more than one Game Management Unit, the unit listed in the hunt code on the license shall determine the maximum number of annual licenses a license holder may obtain for that species.

Notwithstanding the ("List A," "List B," "List C") license categories set forth in this regulation, any license that is administratively converted to a private-land-only license as part of the Landowner Preference Program will retain the ("List A," "List B," "List C") status of its original hunt code.

1. Deer
  - a. One License - Any hunter may obtain one deer license.

- b. Two Licenses - A hunter may obtain two deer licenses if at least one of them is:
  - 1. a private land only antlered license for GMUs 29, 38, 51, 391 and 461.
  - 2. a private land only antlerless license,
  - 3. an over-the-counter either-sex whitetail only license,
  - 4. an either-sex whitetail only license, except Ranching for Wildlife license, for GMUs 59, 69, 84, 581,
  - 5. an antlerless whitetail only license, except Ranching for Wildlife license, or
  - 6. an antlerless license, except for Ranching for Wildlife license, for GMUs 15, 18, 20, 25, 26, 27, 28, 29, 30, 33, 34, 35, 36, 37, 41, 42, 43, 44, 45, 47, 181, 361, 371, 421, 444, 471.
  - 7. a license issued for hunt code DE089S2R or DE093S2R.
- c. Any Number of Licenses - A hunter may also obtain any number of the following deer licenses:
  - 1. an auction license,
  - 2. a raffle license,
  - 3. a game damage license,
  - 4. a special population management license (except that a hunter may not purchase more than one extra antlerless Ranching for Wildlife license as provided in #271(A)(2)) , a special allocation Ranching for Wildlife license for donation to youths or hunters with mobility impairments,
  - 5. a disease management license,
  - 6. a replacement license for an animal found CWD positive,
  - 7. a rewards program license (except that a hunter may not be issued more than one Turn In Poachers (TIPS) license per year, as provided in #002(J).
  - 8. a Youth Outreach license, as provided in #206(B)(4)(d).
  - 9. a license issued for hunt code DF029P5R, DF056L1R, DF085P5R, DF089S2R, DF091S3R, DF092S3R, DF093S2R, DF096S3R, DF096S5R, DF101S2R, DF104L3R, or DF481L1R.

## 2. Elk

- a. One License - Any hunter may obtain one elk license.
- b. Two Licenses - A hunter may obtain two elk licenses if at least one of them is
  - 1. a private land only antlerless license,

2. an over the counter antlerless archery license,
  3. an antlerless license, except for Ranching for Wildlife license, issued for GMUs 1, 2, 3, 4, 5, 6, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 40, 41, 42, 43, 44, 45, 47, 50, 52, 54, 59, 82, 83, 85, 86, 131, 133, 134, 140, 141, 142, 161, 171, 181, 201, 211, 214, 231, 301, 361, 371, 411, 421, 441, 444, 471, 500, 501, 511, 512, 521, 581, 591, 682, 691, 791, 851, or 861,
  4. a license issued for hunt code EE082P5R, EM682P5R, or EM682P6R.
- c. Any Number of Licenses - A hunter may also obtain any number of the following elk licenses:
1. antlerless private land only license for GMUs 391 or 461 ,
  2. any over the counter either-sex license, except archery license, issued for GMUs 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 107, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 129, 130, 132, 135, 136, 137, 138, 139, 143, 144, 145, 146, 147, or 951,
  3. a license issued for hunt code EF003E1R, EF020L3R, or EF128L1R,
  4. an auction license,
  5. a raffle license,
  6. a game damage license,
  7. a special population management license (except that a hunter may not purchase more than one extra antlerless Ranching for Wildlife license as provided in #271(A)(2)) , a special allocation Ranching for Wildlife license for donation to youths or hunters with mobility impairments,
  8. a disease management license,
  9. a replacement license for an animal found CWD positive,
  10. a rewards program license (except that a hunter may not be issued more than one Turn In Poachers (TIPS) license per year, as provided in #002(J).
  11. a Youth Outreach license, as provided in #206(B)(4)(d).
3. Pronghorn
- a. One license - Any hunter may obtain one pronghorn license.
  - b. Two licenses - A hunter may obtain two pronghorn licenses if at least one of them is:
    1. a private land only license,

2. a doe license, except for Ranching for Wildlife license, issued for GMUs 105, 106, 107, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146 or 147,
- c. Any Number of Licenses - A hunter may also obtain any number of the following pronghorn licenses:
  1. an auction license,
  2. a raffle license,
  3. a game damage license, if available,
  4. a special population management license, a special allocation Ranching for Wildlife license for donation to youths or hunters with mobility impairments,
  5. a disease management license, if available,
  6. a rewards program license (except that a hunter may not be issued more than one Turn In Poachers (TIPS) license per year, as provided in #002(J).
  7. a Youth Outreach license, as provided in #206(B)(4)(d).
4. Bear
  - a. One license - Any hunter may obtain one bear license.
  - b. Two licenses - A hunter may obtain two bear licenses if at least one of them is a private land only license or a bear license in GMUs 35, 36, 43, 44, 45, 47, 361, 444, or 471.
  - c. Any Number of Licenses - A hunter may also obtain any number of the following bear licenses:
    1. a game damage license, if available,
    2. a disease management license, if available,
    3. a rewards program license (except that a hunter may not be issued more than one Turn In Poachers (TIPS) license per year, as provided in #002(J),
    4. a special population management license, a special allocation Ranching for Wildlife license for donation to youths or hunters with mobility impairments.
    5. a license issued for hunt code BE087U5R,
5. Moose
  - a. One License - Any hunter may obtain one moose license. The lifetime bag limit for antlered moose is one, except when taken on an auction or raffle license.

Any person who harvests an antlered moose shall be ineligible to draw either an antlered or either-sex license.

- b. Any Number of Licenses - A hunter may also obtain any number of the following moose licenses:
  - 1. an auction license,
  - 2. a raffle license,
  - 3. a game damage license, if available,
  - 4. a special population management license, a special allocation Ranching for Wildlife license for donation to youths or hunters with mobility impairments,
  - 5. a disease management license, if available,
  - 6. a replacement license for an animal found CWD positive,
  - 7. a rewards program license (except that a hunter may not be issued more than one Turn In Poachers (TIPS) license per year, as provided in #002(J)).

6. Mountain Lion

- a. One License - Any hunter may obtain one mountain lion license.
- b. Any Number of Licenses - A hunter may also obtain any number of the following mountain lion licenses:
  - 1. a game damage license, if available,
  - 2. a disease management license, if available,
  - 3. a rewards program license (except that a hunter may not be issued more than one Turn In Poachers (TIPS) license per year, as provided in #002(J)).

7. Bighorn Sheep

- a. One License - Any hunter may obtain one rocky mountain bighorn sheep license or one desert bighorn sheep license. The lifetime bag limit for desert bighorn sheep is one. Provided further that application restrictions in regulation #206 apply.
- b. Any Number of Licenses - A hunter may obtain any number of the following bighorn sheep licenses:
  - 1. an auction or raffle license for rocky mountain bighorn sheep,
  - 2. a special bighorn sheep management license, a special allocation Ranching for Wildlife license for donation to youths or hunters with mobility impairments,

3. a disease management license, if available,
  4. a rewards program license (except that a hunter may not be issued more than one Turn In Poachers (TIPS) license per year, as provided in #002(J)).
8. Mountain Goat
- a. One License - Any hunter may obtain one mountain goat license. Provided further that application restrictions in regulation #206 apply.
  - b. Any Number of Licenses - A hunter may obtain any number of the following mountain goat licenses:
    1. an auction or raffle license for mountain goat,
    2. a special mountain goat management license, if available,
    3. a disease management license, if available,
    4. a rewards program license (except that a hunter may not be issued more than one Turn In Poachers (TIPS) license per year, as provided in #002(J)).
- B. Exceptions to Bag Limit Calculation The following big game animals shall not be counted against an annual bag and possession limit for that species:
1. Accidental Hunter Take: Any big game animal accidentally taken by a hunter, provided that prior to any further hunting the individual self-reports the incident to the Division as soon as practicable and the Division verifies the claim of accidental kill. For the purposes of this regulation an "accidental kill" means any unintentional taking of wildlife not resulting from carelessness or negligence on the part of the hunter.
    - a. Determination of whether the taking involves carelessness or negligence shall be based on a consideration of the totality of circumstance surrounding the taking including but not necessarily limited to, number of shots fired, number of animals present, number of animals killed or wounded, type of firearm or ammunition used, angle and distance of shot, species of animal, topography, ground cover, and light or weather conditions.
  2. Accidental Vehicle Kills: Any big game animal accidentally killed by a motor vehicle or train shall not be counted against an annual bag limit for that species.
  3. Damage Kills: Any big game animal causing damage and taken under the authority of §33-3-106 C.R.S.
  4. Southern Ute Tribal Lands: Any big game animal taken on a Southern Ute Tribal Lands permit.

#### **#206 - APPLICATIONS AND DRAWINGS FOR LIMITED LICENSES**

- A. Exceeding of Quota: The Division shall only exceed the number of licenses authorized by the Commission:



1. If there is proof of Division error in the application for or issuance of a limited license, provided that the director or his designee determines there will be no detrimental impact to the subject wildlife population.
2. To issue licenses to hunters with mobility impairments or United States Armed Services Wounded Warrior hunters, who qualify for such licenses in accordance with regulation #206(B)(4)(e) or #206(B)(4)(f), provided there is no detrimental impact to the established herd population and sex ratio objectives. For each of these two programs:
  - no more than 100 limited antlerless deer, 100 limited doe pronghorn, and 200 limited antlerless elk licenses may be issued each year.
  - no more than 100 total antlered or either-sex licenses for deer or elk and buck pronghorn licenses in the aggregate may be issued each year.

Provided further, that limited license numbers for wildlife ranching properties cannot exceed the levels established by the Division and the landowner on the Ranching for Wildlife Seasons Form.

B. Application and Drawing Provisions and Restrictions:

1. General Provisions and Restrictions

- a. Number of Applications: No person may submit more than one application per year for the regular drawing process for a limited license for any big game species, nor more than one application per year for a leftover limited license for any species.
- b. Additional Choice Applications: Any additional choice on any application must be for the same species as the first choice.
- c. Valid Applications: Only complete and correct application forms will be accepted. Any forms involved in a violation of (a) or (b) above will be considered to be incorrect. Any incorrect application by one member of a group will invalidate the entire application.
- d. Group Applications: Group applications are accepted for the regular drawing for all species except moose and desert bighorn sheep, with no limit on the number of applicants per group except as follows:
 

Bighorn Sheep	2 applicant maximum
Mountain Goat	2 applicant maximum

Provided further that residents and nonresidents may not apply for the sheep or mountain goat on same group application.
- e. Ranching for Wildlife: Non-residents are not eligible to apply for public Ranching for Wildlife licenses for any big game species.
- f. Bighorn Sheep Access Program: Non-residents are not eligible to apply for public Bighorn Sheep Access Program licenses.

2. Restrictions by Species

- a. Bighorn Sheep: Any person who harvests a Rocky Mountain bighorn sheep ram, one-half ( $\frac{1}{2}$ ) curl or larger, except one taken on a Division auction or raffle license or a license issued in accordance with regulation #271 or #272, shall not

be eligible to apply for, or participate in the drawing for a Rocky Mountain bighorn sheep ram license for the five years following the year in which the harvest occurred. During this five year period a person may apply for a ewe license, but if unsuccessful will not receive preference points or chances. Any person who harvests a desert bighorn sheep, shall never again be eligible to apply for or participate in a desert bighorn sheep license drawing.

- b. Mountain Goat: Any person who harvests a mountain goat, except one taken on an auction or raffle license, a special goat management license, or a license issued in accordance with regulation #271 or #272, shall not be eligible to apply for or participate in the drawing for a mountain goat license for the five years following the year in which the harvest occurred.
- c. Moose: Any person who harvests an antlered moose, except one taken on an auction or raffle license, or a license issued in accordance with regulation #271 or #272 shall never again be eligible to apply for or participate in an antlered or either-sex moose license drawing.

### 3. Application Submittal

- a. Applications for limited licenses will be accepted only on application forms provided by the Division.
- b. Each application form, along with a single accompanying payment in the form of a check or money order, must be submitted in a separate envelope addressed according to the species for which application is enclosed. Payment shall include the license fee, a \$3.00 non-refundable application fee, a \$.75 public education fund fee and a \$.25 fee designated for search and rescue operations.
- c. Applications for the regular drawing must be mailed to the following addresses by species, and postmarked no later than midnight on the first Tuesday in April, annually:

Deer	PO Box 173313, Denver, CO 80217
Elk	PO Box 173314, Denver, CO 80217
Pronghorn	PO Box 173315, Denver, CO 80217
Bighorn Sheep	PO Box 173757, Denver, CO 80217
Mountain Goat	PO Box 173758, Denver, CO 80217
Black Bear	PO Box 173761, Denver, CO 80217
Moose	PO Box 173782, Denver, CO 80217

### 4. Preference Systems

Note: see also §33-4-103, C.R.S.

- a. Landowner Preference: General Provisions
  - 1. Preference for hunting licenses under the Landowner Preference Program shall only be given to eligible landowners who apply using the

Landowner registration form(s) provided by the division. Only complete and correct registration forms will be accepted. Except for the carryover registration provided in § 33-4-103(2)(c), C.R.S., registration in the Landowner Preference Program is valid for 5 years. All landowners shall re-register their properties every 5 years (or on or before July 1, 2016 for carryover registrations) to continue participation, if desired, in the Landowner Preference Program.

2. As a condition of registration and participation in the Landowner Preference Program, landowners shall provide and maintain accurate ownership information with the division for all lands registered in the Program. During the statutory period of carryover registration provided in §33-4-103(2)(c), C.R.S., and any five-year registration period, landowners shall notify the division of any changes to required registration information in writing within 30 days.
3. Landowner preference is species specific and available only in units that are totally limited for all rifle licenses for deer, elk or pronghorn and vouchers will be allocated to eligible landowners by unit, species, sex and season. In units where vouchers remain after the initial allocation, eligible landowners may apply for the unused vouchers and shall pay \$25 for each reallocated female (antlerless/doe) and \$40 for each either-sex or male (antlered/buck) voucher. Unsuccessful applicants will receive a refund check.
4. Vouchers not otherwise allocated to landowners as part of the Landowner Preference Program shall be made available as licenses to the general public in the remaining limited licenses draws or sales.
5. All landowners and hunters participating in the Landowner Preference Program shall file reports using the forms provided by the division. Reports must be complete and correct, and submitted to the Division by within 30 days after the close of the season.
6. Landowners and their registered properties may be audited for compliance with eligibility requirements of the Landowner Preference Program during any carryover or 5-year registration period. Notice of any noncompliance will be provided in writing to the landowner and the landowner shall have 30 days to resolve the noncompliance or withdraw the property from the Landowner Preference Program.

b. Landowner Preference: Voucher Requirements and Restrictions

1. Vouchers shall only be transferred by the landowner or the landowner's land manager, if any, directly to an individual to be used by that individual for the purchase of a license. Landowners may only designate one land manager for all lands registered in the Landowner Preference Program in any one unit.
2. The transfer of any voucher must include permission to access and hunt all lands in the unit registered in the Landowner Preference Program for the entire season for which the voucher was awarded. Such access shall be allowed without discrimination between hunters accessing the property, and without restriction other than manner of access restrictions (foot, horseback, vehicular) that are reasonably necessary to prevent damage to property.

3. The transfer of a voucher by any person other than the landowner or the landowner's land manager to any person other than an individual for purchase of a license is prohibited. Violation of this prohibition shall void the voucher and any license purchased with it.
4. No person shall broker a voucher on behalf of any landowner or person, or use or possess any brokered voucher. Violation of this prohibition shall void the voucher and any license purchased with it.

c. Landowner Preference: Disqualification

1. Landowners, or the landowner's land manager, who fail to comply with any requirements of the Landowner Preference Program, may be disqualified from participation in the Program from one to five years. Disqualification of a joint or co-owner of property registered with the Landowner Preference Program shall disqualify all other joint or co-owners of the registered properties from participation in the Program.
2. Disqualification of a landowner from the Landowner Preference Program shall invalidate all preference points associated with property registered by the landowner in the Program.
3. Any landowner, or the landowner's land manager, that has been disqualified from the Landowner Preference Program shall not register properties, apply for vouchers or acquire or use any vouchers during the term of disqualification. Landowners that have been disqualified from participation in the Landowner Preference Program shall be required to re-register at the end of their period of disqualification and prior to further participation, if desired, in the Program.
4. Any other person that fails to comply with any requirements of the Landowner Preference Program may also be disqualified from participation in the Landowner Preference Program from one to five years. Any person disqualified shall not participate in the Landowner Preference Program in any manner, including, but not limited to, as a landowner, as a landowner's land manager, enrolling properties in any name, submitting applications for vouchers, receiving vouchers, transferring vouchers, redeeming vouchers or using licenses obtained with vouchers.
5. Any person convicted of a violation of the Landowner Preference Program will be given notice in writing of their possible disqualification from the Landowner Preference Program and the opportunity to appear and show cause why they should not be disqualified from participation in the Program. Any such disqualification hearing shall be held in the Denver office of the division, or at another location acceptable to the division. Notice of any resulting disqualification shall be sent to the person by certified mail, return receipt requested.

- d. Youth Preference - a minimum of 15 percent of the number of the limited doe pronghorn licenses, limited either-sex and antlerless deer licenses and limited antlerless elk licenses established for each GMU shall be made available for purchase by qualified youth applicants. Licenses shall be available through application and computer selection from the Division headquarters, 6060

Broadway, Denver, CO 80216. Licenses not allocated to youth shall be made available to the general public in the remaining drawings.

1. Any eligible hunter, ages 12-17 is entitled to youth hunt preference for all seasons and methods of take for the license types listed in the preceding paragraph, except that public Ranching for Wildlife and Air Force Academy licenses shall not be included in this preference. The applicant must submit an individual application for the desired, eligible license on forms provided by the Division. Group applications will not be accepted for youth preference. Where more than one (1) hunt code choice is shown on the application, all hunt codes must be youth preference-eligible hunt codes.
  2. Youth preference will be set at 50% for all antlerless deer licenses in GMUs 55, 66, 67, and 551.
- e. Youth Outreach Hunting Licenses – The Director may make additional youth outreach program deer, elk and pronghorn licenses available to qualified organizations sponsoring youth hunting activities.
1. Youth Outreach licenses will be available for private land only. There will be no more than 300 elk licenses (50 antlered or either-sex, 150 antlerless), no more than 200 deer licenses (50 antlered or either-sex, 150 antlerless) and no more than 200 pronghorn licenses (30 buck or either-sex, 170 doe) issued annually under this subsection.
  2. Licenses in game management units with at least one hunt code requiring 6 or more resident preference points to draw, excluding Ranching for Wildlife properties, will not be authorized for use under this subsection.
  3. Licenses are issued on a first come, first served basis to qualified organizations. No more than 10 licenses may be issued per event to any single requesting organization.
  4. Requested dates for hunting events must occur between August 15 and January 31 each year.
  5. Organizations who wish to request a Youth Outreach license must submit the request in writing to Colorado Parks and Wildlife, State Hunter Outreach Coordinator, 6060 Broadway, Denver, Colorado 80216 no later than 60 days prior to the planned hunting event.
  6. Licenses are limited to youth hunters 12 to 17 years of age.
- f. Hunting Licenses for Hunters with Mobility Impairments - The Director may make certain deer, elk, and pronghorn licenses available to qualified hunters with mobility impairments.
1. Applicants for hunting licenses for hunters with mobility impairments must have a mobility impairment resulting from permanent medical conditions, which makes it physically impossible for them to hunt without the assistance of an attendant. Evidence of an impossibility to participate in the hunt without the assistance of an attendant may include, but is not limited to, prescribed use of a wheel chair; shoulder or

arm crutches; walker; two canes; or other prescribed medical devices or equipment.

2. Applications for antlerless deer and elk and doe pronghorn licenses for hunters with mobility impairments shall be made on the form available from, and submitted with the applicable license fee to, the Division, Limited License Office, 6060 Broadway, Denver, Colorado, 80216. Applications for antlered deer and elk and pronghorn buck licenses for hunters with mobility impairments shall be made on the form available from, and submitted with the applicable license fee to, the applicable Division regional service center. Hunters may apply from the Monday after the May Commission meeting through the last day of the rifle seasons.
3. Applications for hunting licenses for hunters with mobility impairments shall contain a statement from a licensed medical doctor or a certified physical, occupational, or recreational therapist describing the applicant's mobility impairment and the permanent medical condition which makes it impossible for the applicant to hunt without the assistance of an attendant. Additional documentation may be required if necessary to establish the applicant's eligibility for a hunting license for hunters with mobility impairments. For the 2001 seasons and thereafter, once certified by the Division as mobility-impaired according to these regulations, applicants will not be required to submit the medical statement.
4. Antlerless deer and elk and doe pronghorn licenses will be available in all game management units with a total allocation of more than 100 antlerless deer or 100 antlerless elk or 50 doe pronghorn during the rifle seasons described in #250, #257, and #262 of these regulations. For any one game management unit no more than 10 licenses or 2 percent of the total number of limited antlerless deer or elk or doe pronghorn licenses for the game management unit, whichever number is greater, shall be issued as hunting licenses for hunters with mobility impairments for the species in question.
5. Antlered or either-sex licenses for deer or elk and buck pronghorn licenses will be private land only licenses and will be available for hunt codes requiring four or fewer resident preference points to draw in the previous year in all game management units with a total allocation of more than 100 antlered or either-sex deer, 100 antlered or either-sex elk, or 50 buck pronghorn during the rifle seasons described in #250, #257 and #262 of these regulations. For any one game management unit no more than 5 licenses or 2 percent of the total number of limited antlered, either-sex or buck licenses for the game management unit, whichever is greater, shall be issued as hunting licenses for hunters with mobility impairments for the species in question.
6. Antlered or either-sex licenses for deer or elk and buck pronghorn licenses will be approved by the applicable Regional Manager on a case-by-case basis for hunters who qualify as mobility-impaired in instances where an organization assisting hunters with mobility impairments has coordinated a hunting opportunity specifically for this program and where all other avenues of obtaining a license have been exhausted.

7. Hunting licenses for hunters with mobility impairments will be valid only for the season dates and any units included in the authorized hunt code. Licenses for hunters with mobility impairments may not be issued for Ranching for Wildlife properties unless otherwise provided in the ranch contract.
- g. Wounded Warrior Hunting Licenses - The Director may make certain deer, elk, and pronghorn licenses available to qualified participants in any United States Armed Services Wounded Warrior programs.
1. Applicants must be members of the United States Armed Forces, who are residents of, or stationed in, Colorado returning from post-September 11, 2001 overseas contingency operations who have been so severely injured during combat, including combat-related support activities, that they will require years of intense, ongoing care or assistance. Additionally, applicants must be members of a United States Armed Services Wounded Warrior program, as defined in 33-4-102(1.9) C.R.S., and must be assigned to a military medical treatment facility at the time of application for this program.
  2. Applications shall contain a statement from a licensed medical doctor certifying the applicant's eligibility under the criteria in 1 above. Additional documentation may be required if necessary to establish the applicant's eligibility under this program.
  3. Applications for antlerless deer and elk and doe pronghorn licenses shall be made on the form available from the Division, Limited License Office, 6060 Broadway, Denver, Colorado. Applications for antlered deer and elk and pronghorn buck licenses shall be made on the form available from the applicable Division regional service center. Hunters may apply from the Monday after the May Commission meeting through the last day of the rifle seasons. Licenses issued under this program shall be issued as free licenses.
  4. Antlerless deer and elk and doe pronghorn licenses will be available in all game management units with a total allocation of more than 100 antlerless deer or 100 antlerless elk or 50 doe pronghorn during the rifle seasons described in 250, 257, and 262 of these regulations. Licenses issued for military installations will be exempted from these minimum license requirements. Wounded Warrior licenses issued for military installation property will be approved by the applicable Regional Manager. For any one game management unit no more than 10 licenses or 2 percent of the total number of limited antlerless deer or elk or doe pronghorn licenses for the game management unit, whichever number is greater, shall be issued as Wounded Warrior hunting licenses for the species in question.
  5. Antlered or either-sex licenses for deer or elk and buck pronghorn licenses will be private land only licenses and will be available for hunt codes requiring four or fewer resident preference points to draw in the previous year in all game management units with a total allocation of more than 100 antlered or either-sex deer, 100 antlered or either-sex elk, or 50 buck pronghorn during the rifle seasons described in #250, #257 and #262 of these regulations. Licenses issued for military installations will be exempted from these preference point and minimum license requirements. Wounded Warrior licenses issued for military installation

property will be approved by the applicable Regional Manager. For any one game management unit no more than 5 licenses or 2 percent of the total number of limited antlered, either-sex or buck licenses for the game management unit, whichever is greater, shall be issued as Wounded Warrior hunting licenses for the species in question.

6. Antlered or either-sex licenses for deer or elk and buck pronghorn licenses will be approved by the applicable Regional Manager on a case-by-case basis for hunters who qualify under this program in instances where an organization assisting Wounded Warrior hunters has coordinated a hunting opportunity specifically for this program and where all other avenues of obtaining a license have been exhausted.
  7. Wounded Warrior hunting licenses will be valid only for the season dates and any units included in the authorized hunt code. Wounded Warrior hunting licenses may not be issued for Ranching for Wildlife properties unless otherwise provided in the ranch contract.
- h. Dream Hunt Hunting Licenses – The Director may make available additional deer, elk, pronghorn, mountain lion and black bear licenses to individuals qualified under this subsection.
1. Applicants for Dream Hunt licenses must be between the ages of 12 and 21, and must have a terminal illness or a life-threatening disease or injury.
  2. A request for a Dream Hunt license must be made, in writing, by a sponsoring organization, documenting the individual's life-threatening or terminal condition, desired, hunt experience, desired location, time frame and logistical considerations. Requests should be sent to the Division of Parks and Wildlife, Hunter Outreach Coordinator, 6060 Broadway, Denver, Colorado 80216.
  3. Requested dates for hunting events must occur between August 15 and January 31 each year, with preferred dates occurring during an existing season for the requested species. However, alternate dates may be approved by the Director on a case-by-case basis as an applicant's condition requires.
  4. Written landowner permission must be obtained prior to issuance of a license under this subsection if the individual will be hunting on private land.
  5. Except on private land, licenses in game management units with at least one hunt code requiring 10 or more resident preference points to draw, excluding Ranching for Wildlife properties, will not be authorized for use under this subsection.
- i. Preference Points and Chances
1. Preference will be given for qualifying applications for first choice hunt codes only and shall be subject to the following provisions:
    - aa. Deer, Elk, Pronghorn, and Bear: one preference point will be awarded to each person who qualifies for and fails to draw a limited



license for deer, elk, pronghorn, or bear as a first choice in the regular drawing or who applies using a first choice hunt code established for the purpose of accumulating a preference point only. Preference points will be used in future drawings for the same species and will accumulate until the applicant obtains a first choice license. When an applicant obtains a first choice license, all accumulated preference points for that species become void. If an applicant both fails to apply for a species and has not purchased a license for that same species during any given 10-year period, all accumulated preference points for that species become void. If an applicant accepts a first choice license that has been returned and reissued, all accumulated preference points for that species become void. In those hunt codes requiring 10 or more resident preference points to draw, up to 20 percent of available licenses for deer, elk, pronghorn and bear shall be issued through a random drawing. The number of preference points required to draw shall be determined by a three-year average for the 2007, 2008, and 2009 limited license draws. A minimum of five individual preference points is required for an applicant to participate in the random drawing. Group applications shall not be eligible to participate in the random drawing.

- bb. In addition to the \$3 application fee, an unsuccessful applicant (except youth as defined by 33-4-117 C.R.S., lifetime license holders, and Colorado resident military personnel on active duty outside Colorado), or one who applies using a first choice hunt code established for the purpose of accumulating a preference point only, for deer, elk, pronghorn or bear will be assessed a \$40 fee (\$30 for resident deer and pronghorn) to receive a preference point unless they have purchased one of the following: an annual license (fishing (including free senior annual), small game or resident combination small game/fishing license, furbearer) for the year previous to which they are seeking a preference point; any big game license for the previous year or a current draw license for the species for which they are seeking a preference point. The fee, per species, shall entitle the hunter to preference points for any unsuccessful deer, elk, pronghorn or bear application in that year.
- cc. Rocky Mountain Bighorn Sheep, Mountain Goat, and Moose: One preference point will be awarded to each person who qualifies for and fails to draw a first choice license, until three preference points have been accumulated. Each time an applicant with three (3) points qualifies for and fails to draw a first choice license for rocky mountain bighorn sheep, mountain goat or moose the applicant will be awarded one (1) weighted preference point to be used in future drawings for that species. Applicants with at least three (3) preference points or any number of weighted preference points will be given weighted preference during the license drawings for each applicable species. Weighted preference is calculated by converting the applicant's original application number into a new random application number, then dividing that random application number by the number of weighted preference points the applicant currently has for that species plus one. The resulting number is the applicant's final and only application number. Final application numbers are sorted from lowest number to highest number, with licenses awarded to applicants starting on the top of the list (lowest number), working down the list until no licenses for that species remain. When an

applicant obtains a first choice license, all accumulated preference points for that species become void. If an applicant both fails to apply for a species and has not purchased a license for that same species during any given 10-year period, all accumulated preference points for that species become void. If an applicant accepts a first choice license that has been returned and reissued, all accumulated preference points for that species become void.

dd. Applications receiving preference points will be given priority over all applications with fewer points. Group applications will receive preference at the level of the group member with the fewest accumulated preference points, and, where applicable, the fewest accumulated chances, except that group applications will not be successful, regardless of preference point level or number of chances, when there are fewer licenses remaining in the hunt code quota than the number of applicants in the group.

ee. In lieu of applying through the regular limited license draw, any active duty member of the United States Armed Forces who is stationed at any military facility in Colorado and actively deployed outside the United States, or any active duty member of the United States Armed Forces who is a Colorado resident and is deployed outside the United States, shall, upon their return to the United States, be eligible to apply for preference points for any limited license draw that occurred during their absence. Applications for preference points shall be made on forms provided by the Division and filed within six months upon the member's return to the United States.

## 5. Drawing Processes

- a. Applications using landowner preference and youth preference shall be drawn, in that order, prior to drawing general public applications for the same species.
- b. Except as otherwise provided, applicants who applied properly for deer, elk, or pronghorn in the regular drawing and are unsuccessful will be given an option to: Apply for a leftover drawing. Request a refund. Donate that refund to the Division's nongame or Operation Game Thief fund. No such donation may be split between the two funds. Request an unlimited antlered elk license.
- c. Unsuccessful applicants for bear, bighorn sheep, mountain goat, or moose will receive a refund check.
- d. Unsuccessful applicants will be notified of their accumulated preference points and chances on their refund check stub, on their leftover drawing letter, or on their carcass tag, whichever is applicable.
- e. Nonresident hunter drawing limitations (first choice applications only)
  1. Nonresidents hunters shall receive no more than 10% of available moose, bighorn sheep and mountain goat licenses for all hunt codes. In the event there are an insufficient number of nonresident applications for the allocated number of moose, bighorn sheep or mountain goat licenses in any hunt code, the excess nonresident licenses will be issued to residents through the regular drawing process. These drawing limitations

do not apply to the issuance of Bighorn Sheep Access Program (BSAP) licenses.

2. Unless there is an insufficient number of resident applications, nonresident hunters shall receive no more than 35% of available deer and elk licenses for hunt codes requiring fewer than six preference points for resident hunters to draw in the regular drawing, and no more than 20% of available deer and elk licenses for hunt codes requiring six or more preference points for resident hunters to draw in the regular drawing as calculated using a three-year average for the 2007, 2008, and 2009 limited license draws. These drawing limitations do not apply to the issuance of Private Land Only and Ranching for Wildlife licenses.

6. Leftover Licenses, Drawing Provisions and Restrictions

- a. Elk, deer, pronghorn and bear licenses which are not issued through the regular drawing will be issued as "leftover" licenses, (through one "leftover" drawing process if the number of "leftover" licenses is sufficient to justify the administrative cost).
- b. Only persons who apply for a limited license and who are unsuccessful are eligible for the leftover license drawing. Applicants for the leftover drawing may only apply for the same species that they applied for in the initial drawing.
- c. Any eligible hunter, ages 12 – 17 shall receive preference for leftover deer and elk licenses.
- d. Any active duty member of the United States Armed Forces stationed at any military facility in Colorado and actively deployed outside the United States, or any active duty member of the United States Armed Forces who is a Colorado resident and is deployed outside the United States, shall be allowed a preference for the purchase of leftover licenses prior to their sale to the general public.
- e. Group applications are not accepted for leftover licenses.
- f. Applicants must respond on the forms provided to the individuals by the Division following the regular drawing.
- g. Applications must be postmarked no later than the first Tuesday in July, annually.
- h. Applications not postmarked by the first Tuesday in July, annually, will receive a refund.
- i. Leftover Ranching for Wildlife licenses will not be available through the standard over-the-counter leftover process. For information regarding the availability of these licenses on a first-come, first-served basis, please refer to the big game drawing brochure or call the Division at (303) 297-1192.

**#207 - SEASON PARTICIPATION**

- A. A person may hunt in only one hunting season per license year for each big game species regardless of the method of hunting used, except in accordance with regulations #207B, #207C, and #242A.6 or in #205, when the purchase of more than one license per species is authorized or when the animal taken is not counted against an annual bag limit.

- B. Except on Ranching for Wildlife properties and in GMUs 61, 62 and 512, youths ages 12-17 may participate in any open regularly scheduled antlerless rifle elk or antlerless rifle deer hunt starting after the last day of the season listed on their original license, in the same DAU and for the same species listed on their original license, provided they possess an unfilled limited antlerless or either-sex elk or antlerless deer license originally valid in that same DAU from a season which has already been completed, comply with applicable regulations for the specific open regularly scheduled antlerless rifle hunt in which they participate, and are accompanied by a mentor if under 16 years of age. A mentor must be at least 18 years of age and comply with hunter education requirements. The mentor may not hunt except in units and in seasons for which they possess a valid license. Youths with an unfilled either-sex elk license who wish to hunt in any subsequent antlerless rifle season within the same DAU may do so provided that they must bring their license to the Division and have it converted to an antlerless license for the appropriate species prior to hunting. In GMUs 61 and 62, youth hunters may participate in the extended youth seasons as provided and restricted herein, except youth are further restricted to hunting in the same GMU where their original license was valid.
- C. Youths ages 12-17 may participate in any December pronghorn season in the following GMUs: 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 145, 146 or 147, provided they possess an unfilled pronghorn doe or either-sex license from a season which has already been completed for any other unit and comply with applicable regulations for the specific hunt in which they participate. Youths with unfilled either-sex pronghorn licenses who wish to hunt in the late youth pronghorn doe hunt may do so provided that they bring their license to the Division and have it converted to a doe pronghorn license prior to hunting.
- D. Any license marked or stamped for a season and unit, or portions thereof, is valid only as marked on the license.
- E. A person may only purchase an over the counter with caps bear license for the concurrent rifle bear season (hunt codes listed in #239.B) if they also possess a deer or elk license for an overlapping game management unit listed on that bear license. A person may hunt bear with an over the counter with caps rifle bear license during any regular rifle deer or elk season west of I-25 or in unit 140, only if they also possess a deer or elk license (filled or unfilled) valid any day of the regular rifle deer or elk seasons. The person may hunt bear in any unit(s) for which their bear license is valid. If the deer or elk license is a Private Land Only license, use of the bear license is restricted to private land as well. The restrictions of this subsection shall not apply to hunt codes BE083P1R, BE084P5R, BE048P5R, BE058P5R, and BE059P5R.
- F. Any person may take coyotes with an unfilled big game license in the same unit and season and by the same manner of take.

## **#208 - LICENSE RESTRICTIONS**

- A. Cutoff of License Sales
  1. Archery Season - The sale of bear licenses at license agents for the archery deer and elk season shall be terminated at midnight preceding the opening day of the archery bear season.
  2. Muzzle-loading Season - The sale of bear, elk, and deer licenses at license agents for the muzzle-loading season shall be terminated at midnight preceding the opening day of the season.
  3. First Regular Rifle Elk and Over the Counter with Caps Either-Sex Concurrent Rifle Bear Seasons - The sale of concurrent rifle bear licenses and first season elk licenses at

license agents shall be terminated at midnight proceeding the opening day of the first regular rifle elk season.

4. Second Regular Rifle Deer and Elk Season - The sale of rifle deer and elk licenses at license agents for the second regular rifle season shall be terminated at midnight preceding the opening day of the season.
5. Third Regular Rifle Deer and Elk Season - The sale of rifle deer and elk licenses at license agents for the third regular rifle season shall be terminated at midnight preceding the opening day of the season.
6. Fourth Regular Rifle Deer and Elk Season - The sale of rifle deer and elk licenses at license agents for the fourth regular rifle season shall be terminated at midnight preceding the opening day of the season.
7. Plains Bear Season – The sale of rifle bear licenses at license agents for the plains deer and elk season shall be terminated at midnight preceding the opening day of the season.
8. Other Licenses – The sale of leftover licenses (except as provide in subsection 9, below), and late season licenses at license agents shall be terminated at midnight preceding the opening day of the applicable seasons.
9. After the start of each season, licenses will be sold to the licensee, in person, only at Division service centers, except that license agents are authorized to sell 14-day or longer Private Land Only, archery, disease management, special hunts, season choice, and plains either-sex elk after the start of the season. In addition, license agents may also accept landowner vouchers for licenses after the start of the season.
10. If prior to the opening day of a season the Total Licensing System (TLS) becomes inoperable for an extended period of time, the Director shall have the authority to authorize agents to sell licenses after the start of the respective season, notwithstanding any other provision in these regulations.

#### **#209 - SPECIAL RESTRICTIONS**

##### **A. Private Land Only Seasons**

1. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
2. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

##### **B. Special restrictions for the James John State Wildlife Area.**

1. Hunting access during the regular rifle deer and elk seasons is restricted to big game hunters only and to no more than twelve (12) permitted hunters per day. Access permits will be issued from the Division's Pueblo Office through a hand drawing. Permit applications may be obtained from the Division of Parks and Wildlife, 600 Reservoir Road, Pueblo, Colorado 81005 (telephone (719) 561-5300). Group applications will be accepted. No more than two (2) applicants per group. Application deadline is July 1annually. Successful applicants will be notified by mail. The date, time and location of the drawing will be included on the application.

- a. Permits will be issued for the following time periods:
  - 1st Season - Separate Limited Elk - Entire Season
  - 2nd Season - Combined Deer and Elk - Entire Season
  - 3rd Season - Combined Deer and Elk - Entire Season
  - 4th Season - Combined Limited Deer and Elk - Entire Season
- b. For the 2<sup>nd</sup> and 3<sup>rd</sup> combined rifle seasons, a minimum of five (5) out of the twelve (12) permits will be issued to hunters with a valid GMU 140 deer license.

C. Off - Highway Vehicle (OHV) Weapon Restrictions during Big Game Seasons

- 1. All firearms, except pistols and revolvers, carried on an OHV during deer, elk, pronghorn or bear season must be fully unloaded (both the chamber and the magazine) and fully enclosed in a hard or soft case (no scabbards or cases with open ends or sides). All bows carried on an OHV during any deer, elk, pronghorn or bear season must be fully enclosed in a hard or soft case (no scabbards or cases with open ends or sides). This regulation shall not apply to any person; any member of such person's family, or an employee or agent of the person, carrying a firearm on an OHV for the purpose of taking depredating wildlife on property owned or leased by the person, pursuant to §§33-3-106 or 35-40-100.2, C.R.S.

D. Closures

The following lands are closed, as described:

- 1. All publicly-owned lands in GMUs 25, 26, 35, 36, 43, 44, 47, 54, 55, 66, 67, 444, 471, and 551 shall be closed to the collection of shed antlers from January 1 through March 14 annually, and shall further be closed to the collection of shed antlers between legal sunset and 10:00 AM from March 15 through May 15 annually, provided further that the Director or his designee may establish additional closures as necessary under the criteria set forth in WCR #020.E.6.

E. Fluorescent Orange Garments

- 1. Except for archers hunting during a limited bear season, archers with an auction or raffle deer, elk, pronghorn or moose license hunting outside of a regular rifle season, and archers hunting with an archery bear, deer, elk, pronghorn, or moose license, all persons hunting bear, deer, elk, pronghorn or moose shall be required to wear daylight fluorescent orange garments which comply with the requirements of §33-6-121, C.R.S.

F. Chronic Wasting Disease (CWD) Testing Requirements

- 1. Mandatory CWD Sample Submissions

The Director of the Division may establish and enforce mandatory CWD submission areas for species known to contract CWD. Such submission areas may be established and enforced where necessary to meet sampling requirements, and mandatory submittal shall end when the Division achieves sampling goals, as stipulated by Division staff prior to enacting any such mandatory submission requirement. At such time that mandatory

submission areas are established public notice shall be given, including posting of mandatory submission requirements in applicable Division offices and license agents, and when possible inclusion of such requirements in Division publications. Upon establishment of mandatory CWD submission requirements, it shall be unlawful to fail to submit CWD samples for the designated species harvested in designated mandatory submission areas.

**#210 - RANCHING FOR WILDLIFE – DEER, ELK, PRONGHORN, BLACK BEAR, MOOSE, AND BIGHORN SHEEP**

**A. Implementation Authority**

1. The Director is authorized to implement the Ranching for Wildlife program, including the authority to determine ranch enrollment status, enter into cooperative agreements with ranches, establish and modify public and private season dates on each ranch, and establish and modify license allocations to each ranch including the subsequent distribution of licenses to the public and private share annually, and may establish additional Ranching for Wildlife operating guidelines subject to the following provisions.

**B. Ranch Entry and Maintenance**

1. Ranches must have a minimum of 10,000 acres of privately owned land in one contiguous unit. Ranches that meet this 10,000-acre minimum requirement may include privately owned non-contiguous parcels in the program if the Director determines that their inclusion will contribute to meeting the performance standards for the ranch.
2. Ranches must develop a Ranching for Wildlife Management Plan that includes goals, objectives, and strategies for achieving such goals and objectives for wildlife habitat management, species management, and public hunting management. The Management Plan shall identify the Tier category in which the ranch seeks to be placed and what specific actions the ranch will take to achieve the appropriate Tier placement criteria. The Management Plan must be approved by the Division prior to execution of a Cooperative Agreement for Ranching for Wildlife.
3. Ranches may not charge public hunters an access fee for hunting.
4. Except as agreed to in writing by the Division when necessary to meet the ranch performance standards or as mutually agreed and contained in the Management Plan, ranches must provide for equality of access in terms of geographical area and mode of transportation for both public and private hunters. No closure or restriction of land or roads shall apply to public hunters that do not also apply to private hunters.
5. Public hunts must be established at a time when the species to be hunted are present and available for harvest. No public seasons shall be established during times when normal winter conditions would prevent access to most of the ranch, nor when normal migration patterns of the species to be hunted result in the species having migrated off the ranch.
6. Ranches that establish coinciding or overlapping public and private hunts may not exclude public hunters from any portion of the ranch due to the presence of private hunters.
7. The Ranch and the Division will mutually agree to ranch rules regarding access to and hunting on the ranch by public hunters. The ranch rules will be provided to hunters prior to seasons on the ranch in accordance with other provisions contained in this regulation.

8. Enrolled ranches shall not be eligible for game damage payments or materials for those species hunted in the program when damage occurs within the boundaries of the enrolled portions of the ranch.
  9. The Division may, at its sole discretion, require ranches with public bighorn sheep hunting seasons to provide scouting access to those hunters and their companions prior to such seasons. Provisions for this scouting access shall be contained in the Management Plan.
- C. Cooperative Agreements, Enrollment, Denial of Enrollment, Termination of Enrollment
1. The Division is authorized to enter into Cooperative Agreements with ranches.
  2. Ranches may appeal enrollment decisions to the Commission.
  3. Cooperative Agreements shall incorporate approved Ranching For Wildlife Management Plans as part of the Cooperative Agreement.
  4. The Division shall periodically evaluate ranches for enrollment, contract performance, and Tier placement, and shall establish minimum performance standards for ranches enrolled in the program, including wildlife habitat management and improvement, public recreation opportunity and experience, and any factors intended to contribute to meeting Data Analysis Unit (DAU) management objectives. Such performance standards shall be incorporated into the Cooperative Agreement with the ranch.
- D. Season Structures, Manner of Take, License Restrictions
1. Public and private seasons opening and closing date parameters
    - a. Deer, elk, pronghorn, moose, and bighorn sheep seasons may not begin before the first day of the statewide archery season for that species, nor extend beyond January 31.
    - b. Black bear season may not begin before September 2, nor extend beyond October 31.
  2. Private season length
    - a. Deer, elk, or pronghorn private seasons are restricted to a maximum of ninety (90) days.
    - b. Moose or bighorn sheep private seasons are restricted to a maximum of 30 days.
  3. Public season length
    - a. Deer and elk public season length
      1. Antlered or either sex public hunting seasons shall be a minimum of ten (10) days in length for every licensed public hunter, either as a minimum of ten (10) consecutive days in length or divided into two (2) or more five (5) day periods.
      2. Ranches must offer a total of at least ten (10) days of antlerless public hunting. The season may run a minimum of ten (10) consecutive days; or may be split into two (2) or more five (5) day periods in which a



hunter's license is valid in each period; or may be split into two (2) or more five (5) day seasons in which a hunter's license is valid in one but not any other five (5) day season. Ranches electing to split seasons and limit hunter participation to a single five (5) day season must assure that total public hunter harvest and licenses available are as much or more than would be achieved in the other two antlerless season alternatives.

3. All public seasons or periods will include one full weekend, but seasons need not open on weekend days.

b. Pronghorn public season length

1. Buck or doe hunting seasons shall be a minimum of five (5) days in length. All public seasons shall include one full weekend, but seasons need not open on weekend days.

c. Black Bear public season length

1. Shall be a minimum of fifteen (15) days in length.

d. Moose public season length

1. Antlered or antlerless public hunting seasons shall be a minimum of ten (10) days in length. Antlered seasons shall include a minimum of five (5) consecutive days without overlapping any antlerless moose hunting season on the ranch.

e. Bighorn sheep public season length

1. Public hunting seasons for rams shall be a minimum of thirty (30) days in length and shall include a minimum of fifteen (15) consecutive days of hunting without overlapping any ewe hunting season on the ranch.
2. Public hunting seasons for ewes shall be a minimum of fifteen (15) days in length.

f. Additional primitive weapon seasons may be established provided that the season is structured so there is a minimum of 5 days of opportunity in which the method of take is restricted to archery or muzzleloading rifles.

1. These seasons shall be in addition to the previously mentioned minimum season lengths. Hunters drawing licenses for these seasons shall be allowed to hunt in the season with the restricted method of take and also in at least 10 additional days of opportunity with rifle method of take for moose, or antlered or either sex deer, elk, or black bear licenses; at least 5 additional days of opportunity with rifle method of take for pronghorn, or antlerless deer or elk licenses; at least 30 additional days of opportunity with rifle method of take for ram bighorn sheep licenses; and at least 15 additional days of opportunity with rifle method of take for ewe bighorn sheep. Additional primitive weapon seasons will include one full weekend.

4. Manner of Take

- a. Rifle hunting shall be the designated manner of take. Provided further that additional public hunting seasons beyond the previously mentioned minimum levels may be established with more restricted manner of take. Any such seasons and licenses allocated to those seasons are additional public hunting opportunity and shall not reduce licenses that would otherwise be allocated for the rifle seasons.

5. License Restrictions

- a. Ranching for Wildlife licenses are the only licenses valid for hunting of species under contract on the ranch, except that auction and raffle licenses may be used when there is not a public season for the same species in progress on the ranch and antlerless deer or elk licenses may be used on a ranch when authorized in writing by the Division, subject to the following provisions:
  1. There is an established season in which such licenses would be valid in the Game Management Unit (GMU) in which the ranch is located.
  2. Such licenses shall not be used concurrently with any Ranching For Wildlife season, or at any other time when the Division determines that it would result in elk, deer, pronghorn, bighorn sheep, moose, or black bear not being available to Ranching For Wildlife public hunters.
  3. The Division determines that any resulting harvest achieved will contribute to achieving DAU management objectives.

E. License Allocation

1. A maximum of 1,000 licenses of each species and sex for deer, elk, and pronghorn, a maximum of 30 black bear licenses, a maximum of 20 licenses of each sex for bighorn sheep, and a maximum of 50 licenses of each sex for moose may be allocated to each ranch annually, and subsequently distributed to the public and private share according to the distribution table established in this regulation.
2. Division staff recommendations regarding license allocations for each ranch shall be forwarded to and approved by the Director based upon Data Analysis Unit harvest objectives, relative ranch land base and occupied habitat for each species on the ranch to that of the Data Analysis Unit, hunter crowding, enhancement of hunter harvest, and relative densities of the species on the ranch.
3. Substitution of licenses of one species or sex for licenses of another species or sex shall not be permitted.
4. For purposes of determining distribution of licenses allocated to each ranch, either sex licenses will be treated as antlered licenses for deer and elk and buck licenses for pronghorn.
5. Landowner preference shall not be used for any public or private Ranching For Wildlife license. In addition, Ranching for Wildlife property may not be used to qualify for or receive landowner preference pursuant to §33-4-103, C.R.S.
6. The public share of the licenses in the following distribution tables represents the minimum for each species. Fractions of licenses shall be rounded up for public distribution licenses.

DEER, ELK, AND PRONGHORN
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	Private Share of Licenses		Public Share of Licenses	
	% of total allocation to each ranch		% of total allocation to each ranch	
Tier	Buck, Antlered, or Either Sex	Doe or Antlerless	Buck, Antlered, or Either Sex	Doe or Antlerless
A	90	0	10	100
B	85	0	15	100
C	80	0	20	100

BLACK BEAR			
Private Share of Licenses		Public Share of Licenses	
% of total allocation to each ranch		% of total allocation to each ranch	
Either Sex		Either Sex	
60		40	
BIGHORN SHEEP			
Private Share of Licenses		Public Share of Licenses	
% of total allocation to each ranch		% of total allocation to each ranch	
Ram	Ewe	Ram	Ewe
50	0	50	100

MOOSE			
Private Share of Licenses		Public Share of Licenses	
% of total allocation to each ranch		% of total allocation to each ranch	
Antlered, or Either Sex	Antlerless	Antlered, or Either Sex	Antlerless
50	0	50	100

F. Youth Licenses

1. The Division and the ranch may formulate and implement youth hunting opportunities on any ranch through Division approved youth hunting programs. The Division must approve the youth hunting program on the ranch prior to any season or license allocation for such youth hunts.

2. A maximum of 15% of the total number for deer, elk, pronghorn, or black bear licenses allocated for a ranch may be allocated as youth hunting licenses on each ranch, over and above the total number of licenses allocated for a ranch.
3. Youth hunting seasons may occur at any time within the broad parameters for seasons within the Ranching For Wildlife program.
4. Youth licenses shall be distributed to individual youth hunters by mechanisms of the approved youth hunting program on the ranch. Youth licenses shall not count as either private or public licenses for purposes of calculating the relative share of other licenses allocated for the ranch.

#### G. License Distribution

1. Applications
  - a. Applications for private hunter licenses stamped with the ranch name and season dates shall be available to the landowner for distribution.
  - b. Public hunter licenses shall be available through application and selection from the Division during the annual limited license drawing process, except as provided in this regulation.
  - c. Leftover Ranching for Wildlife Licenses: Ranching for Wildlife licenses which are not issued through the regular drawing will be issued as "leftover" licenses, only through the "leftover" drawing process, rather than through the over-the-counter leftover license process.
2. Trinchera Ranch - One hundred percent (100%) of the limited antlered public licenses and eighty percent (80%) of the limited antlerless public licenses shall be available through the Division's annual limited license drawing process. Twenty percent (20%) of the limited public antlerless licenses will be allocated by public drawing at 1:00 p.m. on the second Wednesday in August, annually, at the San Luis Community Center, San Luis, CO. Applications will be accepted between 9:00 am and noon, on the second Wednesday in August, annually.

#### H. Special Restrictions

1. Unless otherwise provided in these Ranching for Wildlife regulations all hunters must comply with other applicable regulations, including, but not limited to, manner of take (except that private hunters may use any legal weapon during private seasons), hunting hours, application requirements and deadlines, bag limits, season participation, mandatory checks, OHV restrictions, and other generally applicable regulations for big game hunting.
2. A copy of the mutually agreed upon ranch rules will be provided to all public hunters prior to their hunting season. All public hunters will be required to sign a statement acknowledging that they have read, understand, and agree to comply with all ranch rules, before the hunter is allowed access to the ranch.
  - a. Compliance with ranch rules is a specific condition of the Ranching For Wildlife public licenses and subsequent access to the ranch. In addition to criminal penalties, non-compliance with ranch rules constitutes grounds for suspension and revocation of the license and/or being prohibited from further participation in

hunting on the ranch, and/or in the Ranching For Wildlife program as a public hunter.

- b. Final determination on any legal action taken towards hunters found in non-compliance with ranch rules shall be made solely by officers of the Division. This includes any citation that may be issued for non-compliance with the provisions of a license, or directing a hunter to leave a ranch. Ranch personnel may not direct a hunter to leave a ranch without specific authorization of a Division officer.

#### **#211- BIGHORN SHEEP ACCESS PROGRAM**

##### **A. Implementation Authority**

1. The Director is authorized to implement the Bighorn Sheep Access Program (BSAP), including the authority to determine private land enrollment status, enter into cooperative agreements with legal landowners, establish and modify public and private season dates on each property, and establish and modify license allocations to each property including the subsequent distribution of licenses to the public and private share, and may establish additional BSAP operating guidelines subject to the following provisions. All new or renewed contracts must be signed by the Director by October 15 in order to participate in the program the following year.

##### **B. Property Enrollment Constraints**

1. Properties must have a minimum of 5,000 acres of privately owned land.
2. Except under the provisions of regulation #211(E)(5), there must be a sustainable population of Rocky Mountain bighorn sheep that are predictably present on the private lands and at times for which public hunting seasons may be set. All sheep on the property must be a part of a single bighorn sheep herd (DAU). Land under contract may not cross sheep herd boundaries. At least 60% of the sheep herd within the bighorn sheep game management unit to be hunted must be located on private land or State Trust Land.
3. Properties may not charge public hunters an access fee for hunting.
4. Except as agreed to in writing by the Division, enrolled properties must provide for equality of access in terms of geographical area and mode of transportation for both public and private hunters. No closure or restriction of land or roads shall apply to public hunters that do not also apply to private hunters.
5. Public hunts must be established at a time when sheep are present and available for harvest. No public seasons shall be established during times when normal winter conditions would prevent access to most of the property, nor when normal migration patterns would result in sheep having migrated off the property.
6. Ranches that establish coinciding or overlapping public and private hunts may not exclude public hunters from any portion of the property due to the presence of private hunters.
7. The private landowner(s) will provide to each public hunter a property information packet which includes, but is not limited to, property maps showing access routes and camping areas, and landowner contact information.

8. Enrolled properties shall not be eligible for game damage payments or materials for damage caused by Rocky Mountain bighorn sheep.
- C. Cooperative Agreements, Enrollment, Termination of Enrollment
1. The Division is authorized to enter into cooperative agreements with private property owners. Multiple private property owners may participate in the program under a single contract as long as all legal owners agree to the same terms and requirements.
  2. The Division shall establish minimum performance standards or requirements for properties enrolled in the program. Such performance standards shall be incorporated into the cooperative agreement with each property owner(s). Each cooperative agreement will include an option to renew at the end of the contract period if agreed to by both the Division and private landowner.
  3. Each cooperative agreement will also contain a termination clause. Potential termination will be based on public hunter satisfaction that is within the control of the property owner or manager. No future private ram licenses will be allocated to a property after their contract is terminated.
- D. Season Structures, Manner of Take, License Restrictions
1. Public and private seasons opening and closing date parameters
    - a. Ram seasons may not begin before August 1 and may not extend beyond December 31.
    - b. Ewe seasons may not begin before September 1 and may not extend beyond January 15.
    - c. Public ram seasons shall always precede private ram seasons. When necessary for private and public seasons to be conducted in the same year, public ram seasons will occur prior to private seasons.
  2. Private season length
    - a. Private ram seasons shall not be less than 20 days nor greater than 60 days.
  3. Public season length
    - a. Public ram seasons shall be equal or greater in length to the private ram seasons, but not less than 30 days nor greater than 60 days. If multiple ram seasons are necessary to spread out hunting pressure, then season length may be shortened to not less than 20 days per season.
    - b. Ewe seasons shall be not less than 10 days in length with no more than a 5 day overlap with public ram seasons.
  4. Method of take for ram hunting will be hunter's choice in accordance with regulation #203 of this chapter. Method of take for ewe hunting will be determined by contract negotiation.
  5. License Restrictions

- a. BSAP licenses are the only licenses valid for hunting sheep on the property, except that auction and raffle licenses may be used when there is not a public season in progress on the property.

E. License Allocation

1. Division staff recommendations regarding license allocations for each property shall be approved by the Director.
2. All ewe licenses allocated are public licenses. The Division shall determine if ewe hunting is needed or desired for sheep management on the property.
3. The public share of the licenses in the following distribution table represents the minimum number of licenses provided to the public. Fractions of licenses shall be rounded up for public distribution licenses.

ROCKY MOUNTAIN BIGHORN SHEEP				
Private Share of Licenses			Public Share of Licenses	
% of total allocation to each enrolled property			% of total allocation to each enrolled property	
Option	Ram	Ewe	Ram	Ewe
A	67	0	33	100
B	75	0	25	100
C	50	0	50	100

4. Enrolled properties with a sustainable Rocky Mountain bighorn sheep population already present will have the choice between two license distribution options (option A or B). In order to receive the license allocation percentages listed in option B, a competent, skilled guide will be provided for free to the public ram hunter. The guide must be competent and knowledgeable of the property and of bighorn sheep behavior and use patterns on the property. The guide provided to the public ram hunter must be the same guide provided to the private ram hunter, unless otherwise agreed to in writing by the Division. In order to receive the license allocation percentages listed in option A, each public sheep hunter will receive free access to the property and a free area for camping if the property is located 40 minutes or more from public accommodations. No free guiding services are provided under option A.
5. Option C is available for property owners who would like their land evaluated for bighorn sheep transplant or augmentation for inclusion in the BSAP under option C. Notice of interest must be submitted in writing to the local district wildlife manager by April 1 annually. If the Division approves the transplant and property enrollment, the Division and landowner will share the costs of the trap and transplant operation. When the Division and property owner determine that the transplanted herd can sustain hunting harvest, the property will be opened to hunting under option C. Properties enrolled in the BSAP under option C will be enrolled for a 10-year period with bighorn sheep ram licenses being issued at a 1:1 public/private ratio during that period. After 10 years of hunting, the landowner may choose to withdraw from the program or re-enroll in a new contract under option A or B.
6. Public ram hunters will be allowed to bring a maximum of two additional non-hunting persons with them onto the property during their hunt. Ewe hunters will be allowed to

bring a maximum of one additional non-hunting person with them onto the property during their hunt.

7. Landowners are not required to provide pre-draw or pre-season scouting access in any license allocation option.

F. License Distribution

1. Applications

- a. Applications for private ram licenses stamped with the ranch name and season dates shall be available to the landowner for distribution.
- b. Public hunter licenses shall be available through application and selection from the Division during the annual limited license drawing process.

**#212 - 216 VACANT**

**#217 - SEASON TABLES AND HUNT CODE DESCRIPTIONS**

- A. Big Game season tables are established by species (sheep, goat, bear, lion, deer, elk, pronghorn, and moose) and hunt (archery, muzzle-loading, early, regular, plains, private land only, late, and Ranching for Wildlife). Tables contain general information describing the hunt type, season dates, unit(s) or portions thereof, hunt code, license types, and numbers.

**ARTICLE III - BIGHORN SHEEP**

**#218 - SEASON DATES, HUNT TYPE, UNITS (AS DESCRIBED IN CHAPTER 0 OF THESE REGULATIONS), AND LICENSE NUMBERS.**

- A. All rams taken shall be one half (1/2) curl or larger unless otherwise specified in these regulations.

<b>1. Archery Season Dates, Units, License Types and Numbers</b>							
Unit #/Unit Name	Hunt Code	Date Open	Date Closed	Resident Licenses (2016)		Nonresident Licenses (2016)	
				Ram	Ewe	Ram	Ewe
<b>S06</b> Pike's Peak and <b>S46</b> Dome Rock	SMS06O1A	11/10/2016	11/30/2016	2		0	
<b>S09</b> Sangre De Cristo	SMS09O1A	08/06/2016	08/30/2016	10		1	
<b>S12</b> Buffalo Peaks	SMS12O1A	08/06/2016	08/30/2016	9		1	
<b>S20</b> Marshall Pass	SMS20O1A	08/06/2016	08/30/2016	1		0	
<b>S32</b> Georgetown -Except within ¼ mile north of I-70 or within ¼ mile of US 6 or US 40	SMS32O1A	08/06/2016	08/21/2016	4		1	
<b>S32</b> Georgetown -Except within ¼ mile north of I-70 or within ¼ mile of US 6 or US 40	SMS32O2A	08/27/2016	09/11/2016	5		0	
<b>S32</b> Georgetown -Except within ¼ mile north of I-70 or within ¼ mile of US 6 or US 40	SFS32O2A	08/27/2016	09/11/2016		3		0
<b>S34</b> Rampart Range	SMS34O1A	10/15/2016	10/31/2016	1		0	



<b>1. Archery Season Dates, Units, License Types and Numbers</b>							
Unit #/Unit Name	Hunt Code	Date Open	Date Closed	Resident Licenses (2016)		Nonresident Licenses (2016)	
<b>S34</b> Rampart Range	SFS34O1A	10/15/2016	10/31/2016		1		0
<b>S34</b> Rampart Range	SMS34O2A	12/01/2016	12/15/2016	2		0	
<b>S35</b> Greenhorns	SMS35O1A	08/06/2016	08/30/2016	4		1	
<b>S37</b> St. Vrain	SMS37O1A	11/01/2016	11/30/2016	1		0	
<b>S38</b> Apishapa	SMS38O1A	12/01/2016	12/31/2016	1		0	
<b>S39</b> Mt Silverheels	SMS39O1A	08/06/2016	08/30/2016	1		0	
<b>S44</b> Basalt	SMS44O1A	08/27/2016	09/25/2016	4		1	
<b>S49</b> Grape Creek - Copper Ridge	SMS49O1A	08/06/2016	08/30/2016	4		1	
<b>S51</b> Spanish Peaks	SMS51O1A	08/06/2016	08/30/2016	2		0	
<b>S54</b> West Elk - Dillon Mesa	SMS54O1A	08/06/2016	08/30/2016	1		0	
<b>S57</b> Big Thompson	SMS57O1A	09/06/2016	10/09/2016	2		0	
<b>S57</b> Big Thompson	SFS57O1A	09/06/2016	10/09/2016		2		0
<b>S69</b> Lower Cochetopa Canyon	SMS69O1A	08/06/2016	08/30/2016	1		0	
<b>S71</b> West Needles	SMS71O1A	08/27/2016	10/09/2016	1		0	
<b>TOTALS</b>				<b>56</b>	<b>6</b>	<b>6</b>	<b>0</b>

**2. Rifle and Associated Methods Season Dates, Units, License Types and Numbers**

Unit #/ Unit Name	Hunt Code	Date Open	Date Closed	Resident Licenses (2016)		Nonresident Licenses (2016)		Private Licenses (2016)
				Ram	Ewe	Ram	Ewe	Rams
<b>S01</b> Poudre River and <b>S18</b> Rawah	SMS01O1R	09/06/2016	10/09/2016	2		1		
<b>S01</b> Poudre River and <b>S18</b> Rawah	SFS01O1R	09/06/2016	10/09/2016		2		0	
<b>S02</b> Gore-Eagles Nest- Except within ½ mile north of I-70 from Bighorn Creek to Spraddle Creek	SMS02O1R	09/06/2016	10/06/2016	1		0		
<b>S03</b> Mount Evans	SMS03O1R	08/15/2016	08/31/2016	1		1		
<b>S03</b> Mount Evans	SMS03O2R	09/06/2016	10/09/2016	2		0		
<b>S03</b> Mount Evans	SFS03O2R	09/06/2016	10/09/2016		1		0	
<b>S04</b> Grant	SMS04O1R	08/15/2016	08/31/2016	2		0		
<b>S04</b> Grant	SMS04O2R	09/06/2016	10/09/2016	1		0		
<b>S04</b> Grant	SFS04O2R	09/06/2016	10/09/2016		1		0	
<b>S06</b> Pikes Peak	SMS06O1R	09/06/2016	09/20/2016	2		0		
<b>S06</b> Pikes Peak	SMS06O2R	09/23/2016	10/07/2016	2		0		
<b>S06</b> Pikes Peak	SFS06O2R	09/23/2016	10/07/2016		1		0	
<b>S07</b> Arkansas River	SMS07O1R	09/06/2016	10/09/2016	2		0		
<b>S08</b> Huerfano	SMS08O1R	09/06/2016	10/09/2016	3		0		
<b>S09</b> Sangre de Cristo	SMS09O1R	09/06/2016	10/09/2016	10		1		
<b>S09</b> Sangre de Cristo	SFS09O1R	09/12/2016	10/09/2016		4		1	
<b>S10</b> Trickle Mountain and <b>S55</b> Natural Arch	SMS10O1R	09/06/2016	10/09/2016	1		0		
<b>S11</b> Collegiate North	SMS11O1R	09/06/2016	10/09/2016	5		1		
<b>S11</b> Collegiate North	SFS11O1R	09/17/2016	10/09/2016		2		0	
<b>S12</b> Buffalo Peaks	SMS12O1R	09/06/2016	10/09/2016	5		1		
<b>S12</b> Buffalo Peaks	SFS12O1R	09/17/2016	10/09/2016		2		0	

## 2. Rifle and Associated Methods Season Dates, Units, License Types and Numbers

Unit #/ Unit Name	Hunt Code	Date Open	Date Closed	Resident Licenses (2016)		Nonresident Licenses (2016)		Private Licenses (2016)
				Ram	Ewe	Ram	Ewe	Rams
<b>S13</b> Snowmass East	SMS13O1R	09/06/2016	10/06/2016	1		1		
<b>S15</b> Sheep Mountain	SMS15O1R	09/06/2016	10/09/2016	4		1		
<b>S15</b> Sheep Mountain	SFS15O1R	09/17/2016	10/09/2016		2		0	
<b>S16</b> Cimarron Peak	SMS16O1R	09/06/2016	10/09/2016	3		0		
<b>S16</b> Cimarron Peak	SFS16O1R	09/17/2016	10/09/2016		2		0	
<b>S17</b> Collegiate South	SMS17O1R	09/06/2016	10/09/2016	5		1		
<b>S17</b> Collegiate South	SFS17O1R	09/17/2016	10/09/2016		2		0	
<b>S19</b> Never Summer Range	SMS19O1R	09/08/2016	10/11/2016	1		0		
<b>S20</b> Marshall Pass	SMS20O1R	09/06/2016	10/09/2016	1		0		
<b>S21</b> Cow Creek - Wetterhorn Peak	SMS21O1R	09/06/2016	10/09/2016	5		1		
<b>S21</b> Cow Creek - Wetterhorn Peak - East of Hwy 550 only	SFS21O1R	09/17/2016	10/09/2016		5		2	
<b>S21</b> Cow Creek- Wetterhorn Peak – West of Hwy 550 only	SFS21S1R	09/17/2016	10/09/2016		3		0	
<b>S22</b> San Luis Peak	SMS22O1R	09/06/2016	10/09/2016	2		0		
<b>S23</b> Kenosha and <b>S27</b> Tarryall	SMS23O1R	09/06/2016	10/09/2016	2		0		
<b>S24</b> Battlement	SMS24O1R	11/01/2016	11/30/2016	1		0		
<b>S25</b> Snowmass West	SMS25O1R	09/06/2016	10/06/2016	2		0		
<b>S28</b> Vallecito	SMS28O1R	09/06/2016	10/09/2016	1		0		
<b>S29</b> Alamosa Canyon	SMS29O1R	09/06/2016	10/09/2016	1		0		
<b>S30</b> Conejos River	SMS30O1R	09/06/2016	10/09/2016	1		0		
<b>S31</b> Blanca River	SMS31O1R	09/06/2016	10/09/2016	3		0		
<b>S32</b> Georgetown -Except within ¼ mile north of I-70 or within ¼ mile of US 6 or US 40	SMS32O1R	09/17/2016	10/09/2016	9		1		
<b>S32</b> Georgetown -Except within ¼ mile north of I-70 or within ¼ mile of US 6 or US 40	SFS32O1R	09/17/2016	10/09/2016		2		1	
<b>S33</b> Lake Fork/Pole Mtn	SMS33O1R	09/06/2016	09/20/2016	2		1		
<b>S33</b> Lake Fork/Pole Mtn - North of Lake Fork River, Cottonwood Creek, Cuba Gulch, Minnie Gulch; west and north of CO 110	SFS33O1R	09/11/2016	09/20/2016		2		0	
<b>S33</b> Lake Fork/Pole Mtn - South of Lake Fork River, Cottonwood Creek, Cuba Gulch and Minnie Gulch; east and south of CO 110	SFS33S1R	09/11/2016	09/20/2016		1		0	
<b>S33</b> Lake Fork/Pole Mtn	SMS33O2R	09/22/2016	10/09/2016	2		0		

## 2. Rifle and Associated Methods Season Dates, Units, License Types and Numbers

Unit #/ Unit Name	Hunt Code	Date Open	Date Closed	Resident Licenses (2016)		Nonresident Licenses (2016)		Private Licenses (2016)
				Ram	Ewe	Ram	Ewe	Rams
<b>S33</b> Lake Fork/Pole Mtn - North of Lake Fork River, Cottonwood Creek, Cuba Gulch, Minnie Gulch; west and north of CO 110	SFS33O2R	09/27/2016	10/09/2016		2		0	
<b>S33</b> Lake Fork/Pole Mtn - South of Lake Fork River, Cottonwood Creek, Cuba Gulch and Minnie Gulch; east and south of CO 110	SFS33S2R	09/27/2016	10/09/2016		1		0	
<b>S35</b> Greenhorns	SMS35O1R	09/06/2016	10/09/2016	1		0		
<b>S35</b> Greenhorns	SFS35O1R	10/10/2016	10/30/2016		2		0	
<b>S36</b> Bellows Creek	SMS36O1R	09/06/2016	10/09/2016	1		0		
<b>S37</b> St. Vain	SMS37O1R	09/06/2016	10/09/2016	1		0		
<b>S39</b> Mount Silverheels	SMS39O1R	09/06/2016	09/21/2016	1		0		
<b>S39</b> Mount Silverheels	SMS39O2R	09/24/2016	10/09/2016	1		0		
<b>S40</b> Lone Pine and <b>S58</b> Lower Poudre	SMS40O1R	09/06/2016	10/09/2016	2		0		
<b>S40</b> Lone Pine and <b>S58</b> Lower Poudre	SFS40O1R	09/06/2016	10/09/2016		2		0	
<b>S41</b> Peru Creek	SMS41O1R	09/06/2016	10/09/2016	1		0		
<b>S41</b> Peru Creek	SFS41O1R	09/06/2016	10/09/2016		1		0	
<b>S44</b> Basalt	SMS44O1R	09/29/2016	10/12/2016	2		0		
<b>S47</b> Browns Canyon	SMS47O1R	09/06/2016	10/09/2016	2		0		
<b>S48</b> Carrizo Canyon	SMS48O1R	12/01/2016	12/31/2016	1		0		
<b>S49</b> Grape Creek - Copper Ridge	SMS49O1R	09/06/2016	10/09/2016	2		1		
<b>S50</b> Mount Mestas	SMS50O1R	09/06/2016	10/09/2016	2		0		
<b>S51</b> Spanish Peaks	SMS51O1R	09/26/2016	10/14/2016	2		0		
<b>S51</b> Spanish Peaks - West of Hwy 12 only	SFS51O1R	08/31/2016	09/11/2016		1		1	
<b>S51</b> Spanish Peaks	SMS51O2R	10/31/2016	11/15/2016	2		0		
<b>S53</b> Bristol Head	SMS53O1R	09/06/2016	10/09/2016	2		0		
<b>S53</b> Bristol Head	SFS53O1R	09/19/2016	10/08/2016		2		0	
<b>S54</b> West Elk-Dillon Mesa bound on the north by Gunnison CR 12 (Kebler Pass Rd.); on the east by Hwy 135; on the south by N boundary T50N; on the west by Curecanti Ck & Coal Ck.	SMS54O1R	09/06/2016	10/09/2016	2		0		
<b>S59</b> Derby Creek	SMS59O1R	09/06/2016	10/06/2016	2		0		
<b>S60</b> Shelf Rd	SMS60O1R	10/01/2016	10/31/2016	2		0		
<b>S61</b> Purgatory Canyon	SMS61O1R	12/01/2016	12/31/2016	3		0		
<b>S66</b> Mount Elbert	SMS66O1R	09/12/2016	10/16/2016	5		1		
<b>S66</b> Mount Elbert	SFS66O1R	09/24/2016	10/16/2016		2		0	
<b>S67</b> Flattops	SMS67O1R	08/30/2016	10/02/2016	1		0		
<b>S68</b> Cotopaxi	SMS68O1R	09/06/2016	10/09/2016	1		0		

## 2. Rifle and Associated Methods Season Dates, Units, License Types and Numbers

Unit #/ Unit Name	Hunt Code	Date Open	Date Closed	Resident Licenses (2016)		Nonresident Licenses (2016)		Private Licenses (2016)
				Ram	Ewe	Ram	Ewe	Rams
<b>S69</b> Lower Cochetopa Canyon	SMS69O1R	09/06/2016	10/09/2016	1		0		
<b>S69</b> Lower Cochetopa Canyon	SFS69O1R	09/12/2016	09/18/2016		1		0	
<b>S69</b> Lower Cochetopa Canyon	SFS69O2R	09/19/2016	09/25/2016		1		0	
<b>S71</b> West Needles	SMS71O1R	09/06/2016	10/09/2016	1		0		
<b>S73</b> Mt. Zirkel	SMS73O1R	09/08/2016	10/11/2016	1		1		
<b>S73</b> Mt. Zirkel	SFS73O1R	10/18/2016	10/31/2016		2		0	
<b>S74</b> Glenwood	SMS74O1R	09/14/2016	10/14/2016	1		0		
<b>S75</b> Main Canyon	SMS75O1R	11/01/2016	11/30/2016	1		0		
<b>S77</b> Gore Canyon	SMS77O1R	09/06/2016	10/06/2016	1		0		
<b>TOTALS</b>				<b>130</b>	<b>49</b>	<b>14</b>	<b>5</b>	

## #219 DESERT BIGHORN SHEEP SEASON DATES, HUNT TYPE, UNITS, LICENSES

- A. All rams taken shall be one half (1/2) curl or larger unless otherwise specified in these regulations.

1. Archery – None

## 2. Rifle and Associated Methods Season Dates, Units, License Types and Numbers

Unit	Hunt Code	Date Open	Date Closed	Resident Ram Licenses (2016)	Nonresident Ram Licenses (2016)
<b>S56</b> Black Ridge	CMS56O1R	11/01/2016	11/30/2016	3	0
<b>S62</b> Dominguez Ck.	CMS62O1R	11/01/2016	11/30/2016	3	1
<b>S63</b> Middle Dolores River	CMS63O1R	11/01/2016	11/30/2016	1	0
<b>S64</b> Upper Dolores River	CMS64O1R	11/01/2016	11/30/2016	3	0
<b>TOTALS</b>				<b>10</b>	<b>1</b>

## #220 - SPECIAL RESTRICTIONS

- A. All bighorn sheep harvested through hunting after July 1, 1981, shall be inspected by an employee of the Division on or before the 5th working day after the taking thereof. Any licensee who takes a bighorn sheep shall personally present the sheep with the horns and skull intact to any Division office. A mandatory check report shall be completed at the time of inspection and each legally taken bighorn sheep ram shall have a Division permanent marker attached to the horn.
- B. Any bighorn sheep licensee who does not complete and return the mandatory questionnaire to the Division within thirty (30) days after the close of the season shall not be considered for any future bighorn sheep license.
- C. No person may barter, trade, transfer, or sell any bighorn sheep ram head or horns unless the horns have been inspected and permanently marked by the Division.

- D. Only bighorn sheep rams legally taken with a valid license will be permanently marked by the Division.
- E. Sheep hunters in S42, including auction and raffle hunters, are restricted to hunt weekdays only and are required to attend an S42 Waterton Canyon hunter orientation.

**#221 - 226 VACANT**

**ARTICLE IV MOUNTAIN GOAT**

**#227 - SEASON DATES, HUNT TYPE, UNITS (as described in Chapter 0 of these regulations), LICENSES**

- A. Mountain goats of either sex may be taken unless otherwise specified in these regulations.

<b>1. Archery Season Dates, Units, License Types and Numbers</b>					
<b>Unit #/Unit Name</b>	<b>Hunt Code</b>	<b>Date Open</b>	<b>Date Closed</b>	<b>Resident Either-Sex Licenses (2016)</b>	<b>Nonresident Either-Sex Licenses (2016)</b>
<b>G01</b> Mt. Shavano and <b>G14</b> Antero	GEG01O1A	09/06/2016	10/09/2016	6	0
<b>G05</b> West Needles	GEG05O1A	09/06/2016	10/31/2016	18	2
<b>G08</b> Fossil Ridge	GEG08O1A	09/06/2016	10/09/2016	2	0
			<b>TOTALS</b>	<b>26</b>	<b>2</b>

<b>2. Rifle and Associated Methods Season Dates, Units, License Types and Numbers</b>							
<b>Unit</b>	<b>Hunt Code</b>	<b>Date Open</b>	<b>Date Closed</b>	<b>Resident Licenses (2016)</b>		<b>Nonresident Licenses (2016)</b>	
				<b>Either-Sex</b>	<b>Female</b>	<b>Either-Sex</b>	<b>Female</b>
<b>G02</b> Mount Princeton	GEG02O1R	09/06/2016	10/09/2016	6		0	
<b>G03</b> Mount Harvard	GEG03O1R	09/06/2016	10/09/2016	6		0	
<b>G04</b> Mount Evans	GEG04O1R	09/19/2016 Weekdays Only	09/30/2016 Weekdays Only	5		1	
<b>G04</b> Mount Evans	GEG04O2R	10/03/2016 Weekdays Only	10/14/2016 Weekdays Only	6		0	
<b>G04</b> Mount Evans	GEG04O3R	10/17/2016 Weekdays Only	10/28/2016 Weekdays Only	5		1	
<b>G05</b> Needles – from 09/06/2016-09/23/2016 rifle hunters must hunt west of the Animas River and north of Ten Mile and Trinity Creeks. From 09/24/2016-10/31/2016 rifle hunters can hunt all of G05.	GEG05O1R	09/06/2016	10/31/2016	2		0	
<b>G06</b> Gore Range	GEG06O1R	09/06/2016	10/06/2016	3		0	

<b>2. Rifle and Associated Methods Season Dates, Units, License Types and Numbers</b>							
<b>Unit</b>	<b>Hunt Code</b>	<b>Date Open</b>	<b>Date Closed</b>	<b>Resident Licenses (2016)</b>		<b>Nonresident Licenses (2016)</b>	
				<b>Either-Sex</b>	<b>Female</b>	<b>Either-Sex</b>	<b>Female</b>
<b>G07</b> Grays Peak	GEG07O1R	09/06/2016 Weekdays Only	09/16/2016 Weekdays Only	4		0	
<b>G07</b> Grays Peak	GEG07O2R	09/19/2016 Weekdays Only	09/30/2016 Weekdays Only	3		1	
<b>G07</b> Grays Peak	GEG07O3R	10/03/2016 Weekdays Only	10/14/2016 Weekdays Only	2		1	
<b>G07</b> Grays Peak	GEG07O4R	10/17/2016 Weekdays Only	10/28/2016 Weekdays Only	3		0	
<b>G10</b> Tenmile	GEG10O1R	09/06/2016 Weekdays Only	09/16/2016 Weekdays Only	1		0	
<b>G10</b> Tenmile	GEG10O2R	09/19/2016 Weekdays Only	09/30/2016 Weekdays Only	2		0	
<b>G10</b> Tenmile	GEG10O3R	10/03/2016 Weekdays Only	10/14/2016 Weekdays Only	1		0	
<b>G10</b> Tenmile	GEG10O4R	10/17/2016 Weekdays Only	10/28/2016 Weekdays Only	1		0	
<b>G11</b> The Raggeds- portion bounded on the N by USFS 314; on the E by Gunnison CR 3C and USFS Trail 832; on the S by USFS Trail 830 and Gunnison CR 12; and on the W by Colo 133	GEG11O1R	09/06/2016	10/09/2016	3		1	
<b>G11</b> The Raggeds- portion bounded on the N by USFS 314 and USFS 317; on the E by USFS 317; on the S by Gunnison CR 12; on the W beginning at the Dark Canyon Trailhead by USFS Trails 830 and 832, and Gunnison CR 3C	GEG11S1R	09/06/2016	10/09/2016	2		0	
<b>G12</b> Maroon Bells	GEG12O1R	09/06/2016	10/06/2016	22		3	
<b>G12</b> Maroon Bells	GFG12O1R	09/06/2016	10/06/2016		5		0
<b>G13</b> Quail Mountain	GEG13O1R	09/06/2016	09/23/2016	13		2	
<b>G13</b> Quail Mountain	GEG13O2R	09/24/2016	10/09/2016	13		2	

<b>2. Rifle and Associated Methods Season Dates, Units, License Types and Numbers</b>							
<b>Unit</b>	<b>Hunt Code</b>	<b>Date Open</b>	<b>Date Closed</b>	<b>Resident Licenses (2016)</b>		<b>Nonresident Licenses (2016)</b>	
				<b>Either-Sex</b>	<b>Female</b>	<b>Either-Sex</b>	<b>Female</b>
<b>G15</b> Jones Pass	GEG15O1R	09/06/2016 Weekdays Only	09/16/2016 Weekdays Only	2		0	
<b>G15</b> Jones Pass	GFG15O1R	09/06/2016 Weekdays Only	09/16/2016 Weekdays Only		1		0
<b>G15</b> Jones Pass	GEG15O2R	09/19/2016 Weekdays Only	09/30/2016 Weekdays Only	3		0	
<b>G15</b> Jones Pass	GFG15O2R	09/19/2016 Weekdays Only	09/30/2016 Weekdays Only		1		0
<b>G15</b> Jones Pass	GEG15O3R	10/03/2016 Weekdays Only	10/14/2016 Weekdays Only	3		0	
<b>G15</b> Jones Pass	GFG15O3R	10/03/2016 Weekdays Only	10/14/2016 Weekdays Only		1		0
<b>G15</b> Jones Pass	GEG15O4R	10/17/2016 Weekdays Only	10/28/2016 Weekdays Only	3		0	
<b>G15</b> Jones Pass	GFG15O4R	10/17/2016 Weekdays Only	10/28/2016 Weekdays Only		1		0
<b>G16</b> Mt Guyot	GEG16O1R	09/06/2016 Weekdays Only	09/16/2016 Weekdays Only	2		0	
<b>G16</b> Mt Guyot	GFG16O1R	09/06/2016 Weekdays Only	09/16/2016 Weekdays Only		1		0
<b>G16</b> Mt Guyot	GEG16O2R	09/19/2016 Weekdays Only	09/30/2016 Weekdays Only	2		0	
<b>G16</b> Mt Guyot	GFG16O2R	09/19/2016 Weekdays Only	09/30/2016 Weekdays Only		1		1
<b>G16</b> Mt Guyot	GEG16O3R	10/03/2016 Weekdays Only	10/14/2016 Weekdays Only	1		1	
<b>G16</b> Mt Guyot	GFG16O3R	10/03/2016 Weekdays Only	10/14/2016 Weekdays Only		2		0
<b>G16</b> Mt Guyot	GEG16O4R	10/17/2016 Weekdays Only	10/28/2016 Weekdays Only	2		0	
<b>G16</b> Mt Guyot	GFG16O4R	10/17/2016 Weekdays Only	10/28/2016 Weekdays Only		1		0
<b>G17</b> Independence Pass	GEG17O1R	09/06/2016	10/09/2016	5		1	

<b>2. Rifle and Associated Methods Season Dates, Units, License Types and Numbers</b>							
<b>Unit</b>	<b>Hunt Code</b>	<b>Date Open</b>	<b>Date Closed</b>	<b>Resident Licenses (2016)</b>		<b>Nonresident Licenses (2016)</b>	
				<b>Either-Sex</b>	<b>Female</b>	<b>Either-Sex</b>	<b>Female</b>
<b>G18</b> Holy Cross	GEG18O1R	09/06/2016	10/06/2016	1		0	
			<b>TOTALS</b>	<b>127</b>	<b>14</b>	<b>14</b>	<b>1</b>

## **#228 - SPECIAL RESTRICTIONS**

- A. All mountain goat hunters who take a goat shall personally present the goat with horns and skull intact to any Division office on or before the 5th working day after the taking thereof. A mandatory check report shall be completed at the time of inspection.
- B. Any mountain goat licensee who does not complete and return the mandatory questionnaire to the Division within thirty (30) days after the close of the season shall not be considered for any future mountain goat license.
- C. Where specified in regulation #227 of this chapter, auction and raffle hunters are also restricted to hunting weekdays only.

## **#229 - SPECIAL PROVISIONS REGARDING BIGHORN SHEEP, MOUNTAIN GOAT, MOOSE, DEER, ELK, AND PRONGHORN LICENSES AUTHORIZED BY AUCTION OR COMPETITIVE RAFFLE**

See also §§33-4-116 through 116.5, C.R.S., concerning statutes for these auctions and raffles

- A. Conduct of the Auction or Raffle.** Any organization selected to conduct a license auction or raffle for the Wildlife Commission shall abide by the following rules:

### **1. General**

- a. All auctions and raffles shall be carried out in accordance with applicable Colorado and Federal laws and the laws of the state where such auction or raffle is held. In the event the auction is held outside of Colorado and there is a conflict between Colorado and local laws, such conflict will be resolved in accordance with applicable principles of conflict of laws; provided the requirements of this regulation must be complied with.
- b. Unless their hunting license privilege is revoked or under suspension pursuant to the law of any state or country, any person, without regard to resident status or citizenship, is eligible to bid at competitive auction or to participate in any raffle for any license authorized by the Commission.
- c. Except as provided herein, auction and raffle licenses are non-transferable and shall be issued only to the winner of a raffle and the highest bidder at an auction. The highest bidder in any auction may give the license as a gift to another person provided written designation of such person is received by the Director at least 30 days prior to the opening of the season. Further, the Director may authorize a transfer of an auction or raffle license prior to the opening of the season due to death or medical incapacity of the holder of any auction or raffle license.
- d. Funds received by a conservation organization which conducts any auction for the Commission and due the Division shall be paid to the Division within 60 days after the auction and at least 30 days prior to the opening of the season. Funds received by a conservation organization which conducts any raffle for the Commission and



due the Division shall be paid to the Division within 90 days after the raffle. No license shall be issued until such funds are received by the Division.

- e. The conservation organization shall ensure no discrimination against any person on the basis of race, creed, color, national origin, religion, sex, age (except as required by Colorado raffle statutes), marital status or physical handicap.

**2. Competitive Auction:**

- a. Conduct the competitive auction at a location reasonably accessible to prospective bidders.
- b. Utilize the services of a professional and experienced auctioneer.
- c. Accept verbal and customary bids as well as absentee written and telephone bids.
- d. No minimum bid shall be established.
- e. No buyers premium in any form may be charged.
- f. Advertise the location, date and starting time of the auction in at least one Colorado paper with statewide circulation. Also, announce the auction through at least two conservation or wildlife oriented magazines with nationwide circulation. Such advertisement shall be accomplished at least 30 days in advance of the auction.
- g. Accept payment by legal tender, cashier's check, certified check or major credit card.
- h. Provide appropriate Colorado hunting regulations and other information to potential bidders and other interested parties at least 10 days prior to the auction upon a request basis and to any in attendance immediately prior to and during the auction.
- i. Make award to the highest bidder, but maintain a record of the second highest bidder in case of payment default or other contingency.
- j. Conduct the auction in accordance with auction procedures established and announced at the start of the auction, including, but not limited to, re-bidding procedures. In the case of any dispute, the auctioneer shall make the final determination as to the highest competitive bid. In the event of a tie, the auctioneer may reopen the bidding of those two bidders to determining the highest bidder. The auctioneer has the sole discretion to advance the bidding and may reject a nominal or fractional advance over the preceding bid. The auctioneer may refuse any bid for reasonable cause.

**3. Raffle**

- a. Procedures for issuing and collecting raffle tickets and related funds, the location, date and approximate time of a random drawing and all other procedures pertaining to the raffle shall be published and made available upon request at least three (3) months prior to any drawing or award.
- b. Any raffle drawing shall be conducted at a meeting of a conservation organization open to general public attendance. The location, date and time of such meeting must be advertised at least 30 days in advance.
- c. Raffle tickets shall be available for a value of not more than \$25.00 each, and the same name shall not appear on more than 25 tickets.
- d. All tickets shall include a place for a name, address and phone number of the holder and all tickets and stubs shall be numbered. Winner need not be present.
- e. The location and time of the drawing as well as the purpose of the raffle and other information pertaining to the raffle shall be printed on each ticket.
- f. The raffle license shall be issued to the person whose name appears on the winning raffle ticket.

**B. Auction and Raffle Licenses**

- 1. Licenses issued by auction or raffle shall permit the taking of one animal of either sex, as defined or specified by unit or season in this chapter; except as otherwise provided in these regulations. Rocky Mountain bighorn sheep licenses are not valid for desert bighorn sheep.
- 2. All licenses issued as a product of a competitive auction or raffle shall be written at the Division headquarters.
- 3. There shall be no refund of any monies collected through auction or raffle.

4. Licenses for each species shall be valid on a unit-by-unit basis from the first open season in a unit for that species after August 1 through December 31, except as provided in regulation #210(D)(5)(a), #220(E), #228(C) or #4(a) below. Licenses are not valid in units, or portions of units, that do not have an open season for that species. An open season is any season in which licenses are issued by the Division for the species in question by drawing, over the counter, or in a Special Management License unit for bighorn sheep or mountain goat, upon request from an Auction and Raffle hunter as approved by the Division. Provided further, and except as otherwise provided herein, auction and raffle licensees must comply with all other unit specific restrictions provided by these regulations.
  - a. Licenses for deer shall be valid on a unit-by-unit basis from the first open deer season in a unit after August 1 through November 30 or the last day of the last open antlered or either-sex deer season in a unit, whichever comes later.
5. For sheep, goat and moose, manner of take must be consistent with manner of take restrictions for any ongoing open season, or if no open season is ongoing, restricted to the manners of take allowed in the unit or part of a unit.
6. For deer, elk, and pronghorn, any manner of take legal for that species can be used during the period the license is valid, except pronghorn licenses are valid by archery before the last Saturday in August.
7. Licenses will be valid for one year only and only in accordance with applicable provisions of this chapter and other appropriate regulations of the Commission, unless otherwise provided herein.
8. Prior to hunting, all holders of auction and raffle licenses shall provide the Division with the following information:
  - a. Anticipated hunting areas, including GMUs and nearest towns.
  - b. Vehicle descriptions.
  - c. Intended methods of take.
9. All auction and raffle hunters shall complete and return a harvest questionnaire provided by the Division within 30 days after the close of their final hunting season. All wildlife harvested through the use of an auction or raffle license shall be presented to and inspected by an employee of the Division on or before the 5<sup>th</sup> working day after the taking thereof. Failure to present harvested wildlife for inspection as required by this regulation shall make the licensee ineligible for future licenses for that species in Colorado.

#### **C. Expenditure of Auction and Raffle Proceeds**

1. A Project Advisory Committee (PAC) shall be established for each species qualifying for auction and raffle licenses. Each PAC shall be made up of a spokesperson representative from each nonprofit, conservation organization selling an auction or raffle license for that species and a spokesperson representative of the Division. A conservation organization can abstain from participating on a PAC if they so choose or if they do not provide representation. In addition, the USFS, BLM, and other potentially affected land management agencies shall each have the opportunity to provide a spokesperson representative for each PAC at their discretion.
2. The Division shall be responsible for annual solicitation of project proposals requesting auction and raffle funding with a deadline no later than April 30<sup>th</sup> of each year. Funding can potentially be provided to government agencies, including the Division, nonprofit organizations, and private entities for appropriate projects as provided by Colorado laws. Each PAC shall review the project proposals for their respective species and recommend how auction and raffle proceeds for that species shall be expended. Each PAC shall make funding recommendations to the Division Director no later than May 31<sup>st</sup> of each year. Project funding shall require approval by the Division Director or a designee of the Director.

3. As provided by Colorado laws, auction and raffle funds for deer, elk, and pronghorn can be used interchangeably among said species and auction and raffle funds for bighorn sheep, mountain goats, and moose can be used interchangeably among said species. PACs that desire to recommend funding of projects using auction and raffle funds for a different species within an interchangeable group shall include in their recommendations for funding the respective recommendations of any PAC responsible for an affected species.

**D. Accounting of auction and raffle proceeds.**

1. Each conservation organization receiving an auction or raffle license for sale shall enter into an agreement with the Division that includes requirements for auction and raffle income and disposition records. Each organization shall maintain records of activities relating to auction and raffle proceeds retained by the organization. Such records shall be available for inspection by the Division at all reasonable times and subject to audit by the state.
2. The Division shall provide each conservation organization with a list of all projects that have been approved for auction and raffle funding each year.
3. The Division shall provide the PAC committees with current auction and raffle fund balances by May 1<sup>st</sup> of each year.
4. Recipients of auction and raffle funds must provide an annual status report to the Division by July 1<sup>st</sup> for each fiscal year funding is provided. In some cases the Division may also request a comprehensive final report. At a minimum, such reports must provide a summary of accomplishments and results in relation to proposal objectives and a basic accounting of auction and raffle fund expenditures. The Division may request additional follow-up information such as more detailed records of results and expenditures. Failure to provide a satisfactory report or follow-up information can result in termination of auction and raffle funding at the discretion of the Division. The Division shall provide copies of available annual status reports and final reports to each PAC upon request.

**#230 - SPECIAL MANAGEMENT LICENSES FOR SHEEP AND GOAT**

- A. The Director is authorized to issue special management licenses for bighorn sheep or mountain goat when necessary to:
  1. prevent exposure of a sheep or goat population to disease which could result from sheep or goats having had contact with domestic livestock which present a disease transmission risk; either within or outside of an established game management unit; or to prevent the potential spread of disease by sheep or goats pioneering from units with such disease.
  2. allow for targeted surveillance of sheep and goat populations for management purposes.
  3. prevent unplanned expansion of sheep or goats outside of established game management units for the species.
- B. Licenses will be offered to unsuccessful applicants for an adjacent or nearby unit for the same species, in the order in which they would have been drawn if successful.
- C. Manner of Take will be rifle and associated methods.

- D. Mandatory check requirements are the same as for established seasons for sheep or goat, except that mandatory tissue submission requirements may be stipulated for individual targeted surveillance hunts.
- E. Such licenses will not use or generate preference points.

**#231-#235 - VACANT**

**ARTICLE V – BLACK BEAR**

**#236 - BAITING**

- A. It shall be unlawful to hunt black bear over bait as prohibited in §33-4-101.3, C.R.S.

**#237 - ARCHERY BLACK BEAR SEASONS – ONLY LAWFUL HAND-HELD BOWS MAY BE USED TO HUNT OR TAKE BLACK BEAR DURING THIS SEASON.**

**A. Archery Seasons**

1. Hunt type, Dates, Units (as described in Chapter 0 of these regulations), Licenses, Over the Counter with a cap

Unit(s)	Season Dates: 09/02/2016 - 09/30/2016 Unless Otherwise Shown	
	Hunt Code	Either-Sex Licenses (2015)  Over the Counter with Cap
1	BE001U1A	5
2	BE002U1A	5
3, 11, 211, 301	BE003U1A	75
4, 5, 6, 14, 16, 17, 161, 171, 214, 441	BE004U1A	300
7, 8, 9, 19, 191	BE007U1A	50
10	BE010U1A	5
12, 13, 23, 24, 25, 26, 33, 131, 231	BE012U1A	400
15, 18, 27, 28, 37, 181, 371	BE015U1A	95
20, 29, 38	BE020U1A	80
21, 22, 30, 31, 32	BE021U1A	200
34	BE034U1A	30
35, 36, 44, 45, 361, 444	BE035U1A	310
39, 46, 51, 391, 461	BE039U1A	90
40	BE040U1A	30
41, 42, 52, 411, 421, 521	BE041U1A	400
43 - north and west of Capitol Creek and Capitol Peak, west and south of the Elk Mountains ridgeline between Capitol Peak and Snowmass Mountain, and west of Pitkin-Gunnison County lines	BE043U1A	160
43 - south and east of Capitol Creek and Capitol Peak, east and north of the Elk Mountains ridgeline between Capitol Peak and Snowmass Mountain, and east of Pitkin-Gunnison County lines, 47, 471	BE047U1A	160
48, 49, 56, 57, 481, 561	BE048U1A	110
50, 500, 501	BE050U1A	60

Unit(s)	Season Dates: 09/02/2016 - 09/30/2016 Unless Otherwise Shown	
	Hunt Code	Either-Sex Licenses (2015) Over the Counter with Cap
53, 63	BE053U1A	150
54, 55, 551	BE054U1A	75
58, 581	BE058U1A	75
59, 511, 591	BE059U1A	100
60, 70	BE060U1A	120
61	BE061U1A	15
62, 64, 65	BE062U1A	200
66, 67	BE066U1A	30
68, 76, 79, 80, 81, 681, 682, 791	BE068U1A	60
69, 84, 691	BE069U1A	75
71, 72, 73, 74, 711, 741	BE071U1A	100
75, 77, 78, 751, 771	BE075U1A	150
82, 86, 861	BE082U1A	90
83, 85, 140, 851 except Bosque del Oso SWA	BE083U1A	60
201	BE201U1A	5
851 Bosque del Oso SWA only	BE851U1A	5
	<b>TOTAL</b>	<b>3875</b>

**#238 - MUZZLE-LOADING FIREARMS BLACK BEAR SEASON - ONLY LAWFUL MUZZLE-LOADING FIREARMS (RIFLES AND SMOOTHBORE MUSKETS) MAY BE USED TO HUNT OR TAKE BLACK BEAR**

**A. Muzzle-loading Firearms Seasons**

1. Hunt type, Dates, Units (as described in Chapter 0 of these regulations), Licenses, Over the Counter with a cap

Unit(s)	Season Dates: 09/10/2016– 09/18/2016 Unless Otherwise Shown	
	Hunt Code	Either-Sex Licenses (2015) (Over the Counter with Cap)
1	BE001U1M	5
2	BE002U1M	5
3, 11, 211, 301	BE003U1M	20
4, 5, 6, 14, 16, 17, 161, 171, 214, 441	BE004U1M	100
7, 8, 9, 19, 191	BE007U1M	20
10	BE010U1M	5
12, 13, 23, 24, 25, 26, 33, 131, 231	BE012U1M	150
15, 18, 27, 28, 37, 181, 371	BE015U1M	25
20, 29, 38	BE020U1M	35
21, 22, 30, 31, 32	BE021U1M	60
34	BE034U1M	25
35, 36, 44, 45, 361, 444	BE035U1M	200
39, 46, 51, 391, 461	BE039U1M	40
40	BE040U1M	15
41, 42, 52, 411, 421, 521	BE041U1M	150
43 - north and west of Capitol Creek and Capitol Peak, west and south of the Elk Mountains ridgeline between Capitol Peak and Snowmass Mountain, and west of Pitkin-Gunnison County lines	BE043U1M	50
43 - south and east of Capitol Creek and Capitol Peak, east and north of the Elk Mountains ridgeline between Capitol Peak and Snowmass Mountain, and east of Pitkin-Gunnison County lines, 47, 471	BE047U1M	50
48, 49, 56, 57, 481, 561	BE048U1M	45
50, 500, 501	BE050U1M	50
53, 63	BE053U1M	100
54, 55, 551	BE054U1M	60
58, 581	BE058U1M	30
59, 511, 591	BE059U1M	40
60, 70	BE060U1M	80
61	BE061U1M	10
62, 64, 65	BE062U1M	100
66, 67	BE066U1M	15
68, 76, 79, 80, 81, 681, 682, 791	BE068U1M	45
69, 84, 691	BE069U1M	35
71, 72, 73, 74, 711, 741	BE071U1M	60
75, 77, 78, 751, 771	BE075U1M	75

Unit(s)	Season Dates: 09/10/2016– 09/18/2016 Unless Otherwise Shown	
	Hunt Code	Either-Sex Licenses (2015) (Over the Counter with Cap)
82, 86, 861	BE082U1M	45
83, 85, 140, 851 except Bosque del Oso SWA	BE083U1M	25
201	BE201U1M	5
851 Bosque del Oso SWA only	BE851U1M	5
	<b>TOTAL</b>	<b>1780</b>

## #239 - RIFLE AND ASSOCIATED METHODS – BLACK BEAR

### A. Limited Rifle Seasons

#### 1. Season Dates and Units (as described in Chapter 0 of these regulations)

Unit	Season Dates: 09/02-09/30 Annually Unless Otherwise Shown	
	Hunt Code	Either-Sex Licenses (2015)
1	BE001O1R	5
2	BE002O1R	5
3, 11, 211, 301	BE003O1R	150
4, 5, 6, 14, 16, 17, 161, 171, 214, 441	BE004O1R	800
7, 8, 9, 19, 191	BE007O1R	90
10	BE010O1R	5
12, 13, 23, 24, 25, 26, 33, 131, 231	BE012O1R	800
15, 18, 27, 28, 37, 181, 371	BE015O1R	100
20, 29, 38	BE020O1R	85
21, 22, 30, 31, 32	BE021O1R	800
34	BE034O1R	120
35, 36, 44, 45, 361, 444	BE035O1R	1000
39, 46, 51, 391, 461	BE039O1R	175
40	BE040O1R	40
41, 42, 52, 411, 421, 521	BE041O1R	1500
43 - north and west of Capitol Creek and Capitol Peak, west and south of the Elk Mountains ridgeline between Capitol Peak and Snowmass Mountain, and west of Pitkin-Gunnison County lines	BE043O1R	270
43 - south and east of Capitol Creek and Capitol Peak, east and north of the Elk Mountains ridgeline between Capitol Peak and Snowmass Mountain, and east of Pitkin-Gunnison County lines, 47, 471	BE047O1R	250
48, 49, 56, 57, 481, 561	BE048O1R	200
50, 500, 501	BE050O1R	75
53, 63	BE053O1R	600

	<b>Season Dates: 09/02-09/30 Annually Unless Otherwise Shown</b>	
<b>Unit</b>	<b>Hunt Code</b>	<b>Either-Sex Licenses (2015)</b>
54, 55, 551	BE054O1R	125
58, 581	BE058O1R	100
59, 511, 591	BE059O1R	100
60, 70	BE060O1R	240
61	BE061O1R	180
62, 64, 65	BE062O1R	200
66, 67	BE066O1R	65
68, 76, 79, 80, 81, 681, 682, 791	BE068O1R	210
69, 84, 691	BE069O1R	185
71, 72, 73, 74, 711, 741	BE071O1R	300
75, 77, 78, 751, 771	BE075O1R	300
82, 86, 861	BE082O1R	150
83, 85, 140, 851 except Bosque del Oso SWA	BE083O1R	140
201	BE201O1R	5
851 Bosque del Oso SWA only	BE851O1R 09/02/2016- 09/18/2016	5
851 Bosque del Oso SWA only	BE851O2R 09/19/2016- 10/04/2016	5
	<b>TOTAL</b>	<b>9380</b>



- B. Over the Counter with Caps Either-Sex Concurrent Rifle Season, Dates, Units (as described in Chapter 0 of these regulations), Licenses as shown by hunt code, concurrent with Regular Rifle Deer and Elk Seasons subject to season participation restrictions in #207.**

	<b>Season Dates:</b> <b>10/15/2016-10/19/2016</b> <b>and</b> <b>10/22/2016-10/30/2016</b> <b>and</b> <b>11/05/2016-11/13/2016</b> <b>and</b> <b>11/16/2016-11/20/2016</b> <b>Unless Otherwise Shown</b>	
<b>Unit</b>	<b>Hunt Code</b>	<b>Either-Sex Licenses (2015)</b>
1	BE001U5R	5
2	BE002U5R	5
3, 11, 211, 301	BE003U5R	170
4, 5, 6, 14, 16, 17, 161, 171, 214, 441	BE004U5R	380
7, 8, 9, 19, 191	BE007U5R	160
10	BE010U5R	5
12, 13, 23, 24, 25, 26, 33, 34, 131, 231	BE012U5R	980
15, 18, 27, 28, 37, 181, 371	BE015U5R	115
20, 29, 38	BE020U5R	160
21, 22, 30, 31, 32	BE021U5R	360
35, 36, 43, 44, 45, 47, 361, 444, 471	BE035U5R	800
39, 46, 51, 391, 461	BE039U5R	170
40	BE040U5R	100
41, 42, 52, 411, 421, 521	BE041U5R	1230
48, 49, 56, 57, 481, 561	BE048U5R	240
50, 500, 501	BE050U5R	190
53, 63	BE053U5R	370
54, 55, 551	BE054U5R	85
58, 59, 511, 581, 591	BE058U5R	210
60, 62, 64, 65, 70	BE060U5R	465
61	BE061U5R	100
66, 67	BE066U5R	45
68, 79, 80, 81, 681, 682, 791	BE068U5R	100
69, 84, 691	BE069U5R	85
71, 72, 73, 74, 711, 741	BE071U5R	455
75, 77, 78, 751, 771	BE075U5R	500
76	BE076U5R	10
82, 86, 861	BE082U5R	130
83, 85, 140, 851 except Bosque del Oso SWA	BE083U5R	160
201	BE201U5R	5
851 Bosque del Oso SWA only	BE851U5R	7
	<b>TOTAL</b>	<b>7797</b>

- C. Over the Counter with Caps Either-Sex Concurrent Rifle Season in Unit 61 Only, Dates, Units (as described in Chapter 0 of these regulations), Over the Counter as shown by hunt code, concurrent with the early either-sex elk season in Unit 61. Requires elk license EE061E1R to purchase.**

Unit	Season Dates:	Licenses (2016)
61	BE061U6R 10/01/2016-10/07/2016	
	<b>TOTAL</b>	

- D. Over the Counter Plains Regular Rifle Season, Dates, Units (as described in Chapter 0 of these regulations), Over the Counter as shown by hunt code**

Unit	Season Dates:	Licenses (2015)
87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 132, 133, 134, 135, 136, 137, 138, 139, 141, 142, 143, 144, 145, 146, 147, 951	BE087U6R 09/02/2016- 11/20/2016	Unlimited
	<b>TOTAL</b>	<b>Unlimited</b>

- E. Over the Counter with Cap Private Land Only Rifle Season, Dates, Units (as described in Chapter 0 of these regulations), Over the Counter as shown by hunt code**

Unit	Season Dates:	Licenses (2015)
48, 49, 56, 57, 481, 561	BE048P5R 09/02/2016-11/20/2016	75
58, 581	BE058P5R 09/02/2016-11/20/2016	150
59, 511	BE059P5R 09/02/2016-11/20/2016	300
83, 85, 140, 851	BE083P1R 09/02/2016-09/30/2016	210
84 - That portion bounded on the north by Colo 96, Siloam Rd, Colo 78, Water Barrel Rd, and Burnt Mill Rd; on the east by I-25; on the south by Huerfano Co Rd 650 (Lascar Rd); and on the west by the San Isabel Forest boundary and Colo 165	BE084P5R 09/02/2016-11/20/2016	100
	<b>TOTAL</b>	<b>835</b>

**F. Private Land Only Seasons**

- 1. Private Land Only Dates, Unit (as described in Chapter 0 of these regulations), and Licenses, Limited Licenses as shown by hunt code.**

Unit	Hunt Code	Date Open	Date Closed	Licenses (2015)
14	BE014P1R	09/02/2016	09/30/2016	20
15, 27	BE015P1R	09/02/2016	09/30/2016	
15, 27	BE015P5R	10/01/2016	11/20/2016	
18, 28, 181	BE018P1R	09/02/2016	09/30/2016	10
18, 28, 181	BE018P5R	10/01/2016	11/20/2016	15
25, 26	BE025P1R	09/02/2016	09/30/2016	50
25, 26	BE025P5R	10/01/2016	11/20/2016	50
30	BE030P1R	09/02/2016	09/30/2016	40
30	BE030P5R	10/01/2016	11/20/2016	25
31, 32	BE031P1R	09/02/2016	09/30/2016	80
31, 32	BE031P5R	10/01/2016	11/20/2016	80
34	BE034P1R	09/02/2016	09/30/2016	10
34	BE034P5R	10/01/2016	11/20/2016	20
35, 36, 43, 44, 45, 47, 361, 444, 471	BE035P1R	09/02/2016	09/30/2016	130
35, 36, 43, 44, 45, 47, 361, 444, 471	BE035P5R	10/01/2016	11/20/2016	120
37, 371	BE037P1R	09/02/2016	09/30/2016	10
37, 371	BE037P5R	10/01/2016	11/20/2016	5
40	BE040P1R	09/02/2016	09/30/2016	110
41, 42, 421	BE041P1R	09/02/2016	09/30/2016	250
41, 42, 421	BE041P5R	10/01/2016	11/20/2016	250
60, 70	BE060P1R	09/02/2016	09/30/2016	90
60, 70	BE060P5R	10/01/2016	11/20/2016	60
61	BE061P1R	09/02/2016	09/30/2016	60
62, 64, 65	BE062P1R	09/02/2016	09/30/2016	120
62, 64, 65	BE062P5R	10/01/2016	11/20/2016	90
69, 84, 691	BE069P1R	09/02/2016	09/30/2016	145
71, 72, 73, 74, 711, 741	BE071P1R	09/02/2016	09/30/2016	55
75, 77, 78, 751, 771	BE075P1R	09/02/2016	09/30/2016	60
86, 861	BE086P1R	09/02/2016	09/30/2016	95
131	BE131P1R	09/02/2016	09/30/2016	25
			<b>TOTAL</b>	<b>2075</b>

#### #240 - VACANT

#### #241 - SPECIAL RESTRICTIONS

- A. No person shall hunt, take or harass a bear in its den.
- B. No cubs shall be killed nor shall any black bear accompanied by one (1) or more cubs be killed. As used herein a "cub" shall mean any black bear less than one (1) year of age.
- C. Inspection and Seal Required.
  1. Black bear taken by licensed hunters shall be personally presented to the Division or other official designated by the Division for inspection and sealing within 5 working days after the taking thereof. Bear heads and hides must be unfrozen when presented for

inspection. If not unfrozen, the Division may retain heads and hides as necessary for thawing sufficient to extract a premolar tooth. No fee shall be required for the inspection and issuance of a legal possession seal, which shall remain attached to the hide until such hide is tanned.

2. Black bears shall not be transported, shipped or otherwise taken out of Colorado until the hide and skull are inspected and sealed by authorized personnel of the Division. Possession of any bear hide not having a seal attached within the 5 working days shall be unlawful and such hide shall become the property of the State.
  3. Inspection and sealing shall be arranged by contacting the Division Officer or the Division office.
  4. A mandatory check report shall be accurately completed by the hunter at the time of inspection.
  5. At the time of the mandatory check, the Division shall be authorized to extract and retain a premolar tooth.
- D. Individuals taking black bear under authority of §33-3-106(3) shall report the bear within five (5) days after the taking thereof as required by said statute and the carcass, hide and other parts of the bear shall remain the property of the state.

## **ARTICLE VI - MOUNTAIN LION**

### **#242 - RIFLE AND ASSOCIATED METHODS MOUNTAIN LION SEASONS**

- A. General and Extended Seasons
1. Dogs may be used to hunt mountain lion. However, the pack size shall be limited to no more than eight (8) dogs.
  2. The hunter that takes a mountain lion shall be present at the time and place that any dogs are released on the track of a mountain lion and must continuously participate in the hunt until it ends. After a mountain lion has been pursued, treed, cornered or held at bay, a properly licensed person shall take or release the mountain lion immediately. No person shall in any manner restrict or hinder the mountain lion's ability to escape for the purpose of allowing a person who was not present at the time and place that any dogs were released, to arrive and take the mountain lion.
  3. Without regard to harvest limit quotas, unit boundaries or season dates, the Director or his designee may authorize the taking of any problem lion by any lawful means designated, including but not limited to methods permitted under Article XVIII, Section 12b, of the Colorado Constitution, when such lion are causing damage to livestock or property or are frequenting areas of incompatibility with other users as may be necessary to protect public health, safety and welfare. The taking of lion under this section shall be by licensed hunters, houndsmen, or trappers who shall be bound by all other statutes and regulations regarding the taking and possession of mountain lion.
  4. The Director shall establish a statewide list of hunters, houndsmen, and trappers to take problem lions taking into consideration the ability to respond, skill, experience, location, and the ability of the hunters, houndsmen, or trappers who have applied to participate in removal operations; and, in selecting participants from that list for any particular removal operation shall further take into consideration the urgency dictated by the situation and the environment in which the removal will occur.

5. Hunt Type, Dates, Units (as described in Chapter 0 of these regulations), and Harvest Limit Quotas.
  - a. Mountain Lion, Either-sex Season and Harvest Limit Quota – In Game Management Units, as follows, the day after the close of the final combined rifle season through March 31 annually:

Units	Lion Harvest Limit Quota
1, 2	5
3, 301	5
4 (north of Co Rd 27 and USFS 110), 5	8
4 (south of Co Rd 27 and USFS 110), 14, 214, 441	5
6, 16, 17, 161, 171	4
7	1
8	4
9	3
10	10
11	12
12	18
13 (west of Hayden Divide Road)	12
13 (east of Hayden Divide Road), 131	5
15	5
18, 27, 28, 37, 181, 371	12
19	5
20	9
21	15
22	17
23	17
24	6
25, 26, 34	7
29	2
30	10
31	12
32	5
33	13
35, 36, 361	9
38	7
39, 391	7
40	7
41	5
42	10
43	7
44	6
45	1
46	6
47	1
48, 56, 481, , 561	10
49, 57, 58, 581	24
50, 500, 501	10
51	7
52, 411	10
53, 63	10
54, 55, 551	7

Units	Lion Harvest Limit Quota
59, 591	7
60	5
61	10
62	9
64	5
65	5
66, 67	8
68, 681, 682	6
69, 84, 86, 691, 861	26
70 east of Colo 141	10
70 west of Colo 141	6
71, 711	9
72	4
73	10
74, 741	6
75	4
76, 79, 791	5
77	6
78	5
80	5
81	4
82	6
83	10
85, 140, 851	24
87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 106, 107, 109, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 951	5
104, 105, 110	5
123, 124, 125, 126, 127, 128, 129, 130, 132, 133, 134, 135, 136, 137, 138, 139, 141, 142, 143, 144, 145, 146, 147	20
191	8
201	5
211	17
421	10
444	7
461	7
511	4
521	6
751, 771	5
<b>TOTAL</b>	<b>665</b>

- b. Mountain Lion, Either-sex Season and Harvest Limit Quota – In Game Management Units, as follows, April 1 - April 30 annually:

Units	Lion Harvest Limit Quota
1, 2	2
7	1
8	3
9	1
10	5
11	5

Units	Lion Harvest Limit Quota
12	1
13 (west of Hayden Divide Road)	3
13 (east of Hayden Divide Road), 131	3
19	2
20	6
21	2
23	1
24	1
29	2
30	1
31	5
32	2
33	4
38	4
39, 391	6
46	4
50, 500, 501	4
51	1
68, 681, 682	1
70 east of Colo 141	4
70 west of Colo 141	2
71, 711	1
72	3
73	4
81	1
87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 106, 107, 109, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 951	5
104, 105, 110	3
123, 124, 125, 126, 127, 128, 129, 130, 132, 133, 134, 135, 136, 137, 138, 139, 141, 142, 143, 144, 145, 146, 147	5
191	4
201	3
211	12
461	4
<b>TOTAL</b>	<b>121</b>

**B. Licenses and GMU Harvest Limit Quota Status**

1. A valid mountain lion license is required to hunt any mountain lion.
2. Except as provided in 33-3-106 C.R.S., it is unlawful for any person to purchase or obtain a mountain lion hunting license or hunt mountain lions unless the person obtains a mountain lion education certificate issued by the Division attesting to the person's successful completion of the Division's certified mountain lion education and identification course. Any person required to obtain such a certificate shall have the certificate on his or her person while hunting or taking mountain lion.
3. Prior to each hunting trip in any game management unit, but not earlier than 5:00 p.m. of the day before hunting, lion hunters must contact 1-888-940-LION (1-888-940-5466), or any Division office and determine which game management units have not reached the

unit harvest quota and are open to hunting. It shall be unlawful to hunt in a unit after it is closed.

C. Special Restrictions

1. Reporting and Sealing

a. The taking of mountain lions by licensed hunters shall be reported to the Division within 48 hours after the taking thereof, and except as provided in these regulations, the lion shall be personally presented by the hunter for inspection and sealing within five (5) days after the taking thereof. Mountain lion heads and hides must be unfrozen when presented for inspection. If not unfrozen, the Division may retain heads and hides as necessary for thawing sufficient to extract a premolar tooth. A mandatory check report shall be accurately completed by the hunter at the time of inspection, which shall include certification that all information provided is accurate.

b. At the time of the mandatory check, the Division shall be authorized to extract and retain a premolar tooth.

2. The legal possession seal when attached to the mountain lion skull or hide shall authorize possession, transportation, tanning or mounting thereof. No fee shall be required for the inspection and issuance of a legal possession seal which shall remain attached to the skull or hide until processed. Mountain lions shall not be transported, shipped or otherwise taken out of Colorado until the hide and skull are inspected and sealed.

3. All mountain lion taken or destroyed under Commission regulation #1702 or §33-3-106(3) C.R.S., as amended, shall remain the property of the state and shall be delivered to an officer of the Division within five (5) days. A report shall be given to an officer of the Division at the time of delivery which contains the following:

1) Name(s) of person(s) who killed the animal(s).

2) The county and the specific location of the kill.

3) The species and number of animals killed.

4) The reason for such action.

4. Lions With Kittens – No person shall kill a mountain lion accompanied by one or more kittens or kill a kitten.

5. “Kitten” shall mean a lion with spots.

**ARTICLE VIII – DEER**

**#243-247 VACANT**

**#248 - ARCHERY DEER SEASONS – ONLY LAWFUL HAND HELD BOWS MAY BE USED TO HUNT OR TAKE DEER DURING THE FOLLOWING SEASONS:**



A. Regular Seasons	Season Dates: 08/27/2016 – 09/25/2016 Unless Otherwise Shown			
	Unit	Hunt Code	Licenses (2015)	
			Antlered	Antlerless Either Sex
1		DM001O1A	1	
2		DM002O1A	4	
3, 4, 5, 14, 214, 301, 441		DE003O1A		550
6, 16, 17, 161, 171		DM006O1A	100	
7, 8, 9, 19, 191		DE007O1A		700
10		DM010O1A	2	
11, 13, 22, 131, 211, 231 and private land portions of 12, 23, and 24		DE011O1A		250
12, 23 north of the White River, and 24 north of the North Fork of the White River		DE012O1A		100
15		DE015O1A		215
18, 27, 28, 37, 181, 371		DE018O1A		1160
20		DE020O1A		300
21, 30		DM021O1A	60	
23 south of the White River, and 24 south of the North Fork of the White River		DE023O1A		175
25, 26		DE025O1A		150
29		DE029O1A		150
31, 32		DE031O1A		200
33		DE033O1A		125
34		DE034O1A		100
35, 36, 45, 361		DE035O1A		285
38		DE038O1A		300
39, 46		DE039O1A		200
40		DM040O1A	80	
41, 42, 421		DE041O1A		325
43, 47, 471		DE043O1A		175
44		DE044O1A		65
48, 56, 481, 561		DE048O1A		160
49, 57, 58, 581		DE049O1A		360
50, 500, 501		DE050O1A		200
51		DE051O1A		115
52, 411, 521		DM052O1A	150	
53		DM053O1A	45	
54		DM054O1A	50	
55		DM055O1A	50	
59, 511, 591		DM059O1A		
60		DM060O1A	50	
61		DM061O1A	50	
62		DM062O1A	185	
63		DM063O1A	50	
64, 65		DM064O1A	100	
66		DM066O1A	35	
67		DM067O1A	35	

<b>A. Regular Seasons</b>		<b>Season Dates: 08/27/2016 – 09/25/2016 Unless Otherwise Shown</b>		
<b>Unit</b>	<b>Hunt Code</b>	<b>Licenses (2015)</b>		
		<b>Antlered</b>	<b>Antlerless</b>	<b>Either Sex</b>
68, 681, 682	DM068O1A	80		
69, 84, 86, 691, 861	DE069O1A			325
70	DM070O1A	130		
71, 711	DM071O1A	120		
72, 73	DM072O1A	115		
74	DM074O1A	110		
75, 751	DE075O1A			185
76	DM076O1A	20		
77, 78, 771	DE077O1A			205
79, 791	DM079O1A	10		
80, 81	DM080O1A	200		
82	DM082O1A	40		
85, 851 except Bosque del Oso SWA	DM085O1A	80		
140	DM140O1A	25		
201	DM201O1A	8		
391, 461	DE391O1A			100
444	DE444O1A			100
551	DM551O1A	20		
741	DE741O1A			60
851 Bosque del Oso SWA only	DM851O1A	5		
<b>TOTALS</b>		<b>2010</b>		<b>7485</b>

**B. Late Seasons**

**1. Archery – Late Season, Deer, Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

<b>Unit</b>	<b>Hunt Code</b>	<b>Date Open</b>	<b>Date Closed</b>	<b>Licenses (2015)</b>		
				<b>Antlered</b>	<b>Antlerless</b>	<b>Either Sex</b>
87, 88, 89, 90, 95	DE087O1A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			75
91	DE091O1A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			60
92	DE092O1A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			60
93, 97, 98, 100	DE093O1A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			75
94, 951	DE094O1A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			150
96	DE096O1A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			80
99	DE099O1A	10/01/2016	10/28/2016			50

Unit	Hunt Code	Date Open	Date Closed	Licenses (2015)		
				Antlered	Antlerless	Either Sex
		11/09/2016 12/15/2016	11/30/2016 12/31/2016			
101, 102	DE101O1A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			50
103	DE103O1A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			40
104, 105, 106	DE104O1A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			420
107	DE107O1A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			30
109	DE109O1A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			35
110, 111, 118, 119, 123, 124	DE110O2A	10/01/2016 11/09/2016	10/28/2016 12/31/2016			130
112, 113, 114, 115, 120, 121	DE112O2A	10/01/2016 11/09/2016	10/28/2016 12/31/2016			80
116, 117	DE116O1A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			50
122, 125, 126, 127, 130, 132, 137, 138, 139, 146	DE122O1A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			240
128, 133, 134, 135	DE128O2A	10/01/2016 11/09/2016	10/28/2016 12/31/2016			125
129	DE129O1A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			20
136, 141, 147	DE136O1A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			45
142	DE142O2A	10/01/2016 12/15/2016	11/30/2016 12/31/2016			25
143, 144, 145	DE143O1A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			40
<b>TOTALS</b>						<b>1880</b>

**C. Private Land Only Deer Seasons**

**1. Archery - Deer, Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

Unit	Hunt Code	Date Open	Date Closed	Licenses (2015)		
				Antlered	Antlerless	Either Sex

				Licenses (2015)		
4, 13, 301 – Those portions not within Craig city limits in the following townships, ranges, and sections: <ul style="list-style-type: none"> <li>• T6N R90W Sections 5, 6</li> <li>• T6N R91W Sections 1, 2, 3</li> <li>• T7N R90W Sections 29, 30, 31, 32</li> <li>• T7N R91 W Sections 25, 26, 27, 34, 36</li> </ul>	<b>Unit</b> DF004P5A	<b>Hunt Code</b> DF004P5A	<b>Date Open</b> 08/15/2016	<b>Date Closed</b> 09/30/2016	50	
4, 13, 301 – Those portions not within Craig city limits in the following townships, ranges, and sections: <ul style="list-style-type: none"> <li>• T6N R90W Sections 5, 6</li> <li>• T6N R91W Sections 1, 2, 3</li> <li>• T7N R90W Sections 29, 30, 31, 32</li> <li>• T7N R91 W Sections 25, 26, 27, 34, 36</li> </ul>	DM004P5A		08/15/2016	09/30/2016	5	
30 – that portion south of the Highline Canal and east of West Salt Creek	DE030P5A		08/27/2016	10/31/2016		10
30 – that portion south of the Highline Canal and east of West Salt Creek	DF030P5A		08/27/2016	12/31/2016	10	
41 - Those portions bounded on the north by the Colorado River; on the east by the Orchard Mesa Canal and 38 Rd; on the south by the #2 Orchard Mesa Canal; and on the west by the 28 Rd alignment.	DE041P5A		08/27/2016	12/31/2016		25
41 - Those portions bounded on the north by the Colorado River; on the east by the Orchard Mesa Canal and 38 Rd; on the south by the #2 Orchard Mesa Canal; and on the west by the 28 Rd alignment.	DF041P5A		08/27/2016	12/31/2016	10	
83	DM083P1A		08/27/2016	09/25/2016	7	
<b>TOTALS</b>					<b>12</b>	<b>70</b>
						<b>35</b>

**D. Whitetail Only Deer Seasons**

**1. Archery - Deer, Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

Unit	Hunt Code	Date Open	Date Closed	Licenses (2015)		
				Antlered	Antlerless	Either Sex
103	DF103O3A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016		10	
104, 105, 106	DE104O3A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			50
107	DE107O3A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			30
107	DF107O3A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016		20	
109	DE109O3A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			30
109	DF109O3A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016		20	
110, 111, 118, 119, 123, 124	DE110O4A	10/01/2016 11/09/2016 12/31/2016	10/28/2016 11/30/2016 12/31/2016			100
110, 111, 118, 119, 123, 124	DF110O4A	10/01/2016 11/09/2016 12/31/2016	10/28/2016 11/30/2016 12/31/2016		50	
112, 113, 114, 115, 120, 121	DE112O4A	10/01/2016 11/09/2016 12/31/2016	10/28/2016 11/30/2016 12/31/2016			80
112, 113, 114, 115, 120, 121	DF112O4A	10/01/2016 11/09/2016 12/31/2016	10/28/2016 11/30/2016 12/31/2016		50	
116, 117	DE116O3A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			60
116, 117	DF116O3A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016		30	
122, 125, 126, 127, 130, 132, 137, 138, 139, 146	DE122O3A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			120
122, 125, 126, 127, 130, 132, 137, 138, 139, 146	DF122O3A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016		100	
128, 133, 134, 135	DE128O4A	10/01/2016 11/09/2016 12/31/2016	10/28/2016 11/30/2016 12/31/2016			50
128, 133, 134, 135	DF128O4A	10/01/2016 11/09/2016 12/31/2016	10/28/2016 11/30/2016 12/31/2016		30	
129	DE129O3A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			20
129	DF129O3A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016		15	
136, 141, 147	DE136O3A	10/01/2016 11/09/2016 12/31/2016	10/28/2016 11/30/2016 12/31/2016			30

Unit	Hunt Code	Date Open	Date Closed	Licenses (2015)		
				Antlered	Antlerless	Either Sex
		12/15/2016	12/31/2016			
136, 141, 147	DF136O3A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016		10	
143, 144, 145	DE143O3A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016			20
143, 144, 145	DF143O3A	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016		30	
<b>TOTALS</b>					<b>365</b>	<b>590</b>

**#249 - MUZZLE LOADING FIREARMS (RIFLE AND SMOOTHBORE MUSKET) DEER SEASON – ONLY LAWFUL MUZZLE-LOADING FIREARMS MAY BE USED TO HUNT OR TAKE DEER DURING THE FOLLOWING SEASONS:**

**A. Regular Seasons**

1. Muzzle-loading, Deer, Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.			
		Season Dates: 09/10/2016 – 09/18/2016 Unless Otherwise Shown	
Unit	Hunt Code	Licenses (2015)	
		Antlered	Antlerless
1	DM001O1M	1	
2	DM002O1M	5	
3, 4, 5, 14, 214, 301, 441	DM003O1M	100	
3, 4, 5, 14, 214, 301, 441	DF003O1M		75
6, 16, 17, 161, 171	DM006O1M	50	
7, 8, 9, 19, 191	DM007O1M	500	
7, 8, 9, 19, 191	DF007O1M		50
10	DM010O1M	1	
11, 13, 22, 131, 211, 231 and private land portions of 12, 23, and 24	DM011O1M	150	
11, 13, 22, 131, 211, 231 and private land portions of 12, 23, and 24	DF011O1M		10
12, 23 north of the White River, and 24 north of the North Fork of the White River	DM012O1M	50	
12, 23 north of the White River, and 24 north of the North Fork of the White River	DF012O1M		10
15	DM015O1M	120	
15	DF015O1M		60
18, 27, 28, 37, 181, 371	DM018O1M	660	
18, 27, 28, 37, 181, 371	DF018O1M		460
20	DM020O1M	125	
20	DF020O1M		50
21, 30	DM021O1M	25	
23 south of the White River, and 24 south of the North Fork of the White	DM023O1M	75	

<b>1. Muzzle-loading, Deer, Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.</b>			
	<b>Season Dates:</b> <b>09/10/2016 – 09/18/2016</b> <b>Unless Otherwise Shown</b>		
<b>Unit</b>	<b>Hunt Code</b>	<b>Licenses (2015)</b>	
		<b>Antlered</b>	<b>Antlerless</b>
River			
23 south of the White River, and 24 south of the North Fork of the White River	DF023O1M		10
25, 26	DM025O1M	70	
25, 26	DF025O1M		65
29	DM029O1M	60	
29	DF029O1M		35
31, 32	DM031O1M	110	
33	DM033O1M	50	
33	DF033O1M		10
34	DM034O1M	70	
34	DF034O1M		65
35, 36, 45, 361	DM035O1M	210	
35, 36, 45, 361	DF035O1M		100
38	DM038O1M	150	
38	DF038O1M		50
39, 46	DM039O1M	75	
39, 46	DF039O1M		25
40	DM040O1M	35	
41, 42, 421	DM041O1M	250	
41, 42, 421	DF041O1M		10
43, 47, 471	DM043O1M	175	
43, 47, 471	DF043O1M		10
43, 47, 471 – Youth only	DF043K1M		10
44	DM044O1M	50	
44	DF044O1M		10
48, 56, 481, 561	DM048O1M	70	
48, 56, 481, 561	DF048O1M		25
49, 57, 58, 581	DM049O1M	150	
49, 57, 58, 581	DF049O1M		25
50, 500, 501	DM050O1M	100	
51	DM051O1M	35	
51	DF051O1M		15
52, 411, 521	DM052O1M	60	
53	DM053O1M	20	
54	DM054O1M	45	
55	DM055O1M	35	
59, 511, 591	DM059O1M	60	
59, 511, 591	DF059O1M		10
60	DM060O1M	10	
61	DM061O1M	15	
62	DM062O1M	30	
63	DM063O1M	25	
64, 65	DM064O1M	25	
66	DM066O1M	25	
67	DM067O1M	25	

<b>1. Muzzle-loading, Deer, Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.</b>			
Unit	Hunt Code	Season Dates: 09/10/2016 – 09/18/2016 Unless Otherwise Shown	
		Licenses (2015)	
		Antlered	Antlerless
68, 681, 682	DM068O1M	90	
69, 84, 86, 691, 861	DM069O1M	185	
69, 84, 86, 691, 861	DF069O1M		25
70	DM070O1M	80	
71, 711	DM071O1M	70	
72, 73	DM072O1M	95	
74	DM074O1M	105	
75, 751	DM075O1M	160	
75, 751	DF075O1M		10
76	DM076O1M	15	
77, 78, 771	DM077O1M	205	
77, 78, 771	DF077O1M		10
79, 791	DM079O1M	20	
80, 81	DM080O1M	135	
82	DM082O1M	50	
85, 851 except Bosque del Oso SWA	DM085O1M	20	
140	DM140O1M	5	
201	DM201O1M	8	
391, 461	DM391O1M	25	
391, 461	DF391O1M		10
444	DM444O1M	50	
444	DF444O1M		10
501	DF501O1M		25
551	DM551O1M	15	
741	DM741O1M	40	
741	DF741O1M		5
851 Bosque del Oso SWA only	DM851O1M	5	
<b>TOTALS</b>		<b>5275</b>	<b>1285</b>

**B. Eastern Plains Season (East of I-25)**

<b>1. Muzzle-loading – Eastern Plains Season, Deer, Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.</b>			
Unit	Hunt Code	Season Dates: 10/08/2016 – 10/16/2016 Unless Otherwise Shown	
		Licenses (2015)	
		Antlered	Antlerless
87, 88, 89, 90, 95	DM087O2M	40	
87, 88, 89, 90, 95	DF087O2M		40
91	DM091O2M	25	
91	DF091O2M		25
92	DM092O2M	25	
92	DF092O2M		25
93, 97, 98, 100	DM093O2M	25	
93, 97, 98, 100	DF093O2M		30
94	DM094O2M	10	



1. Muzzle-loading – Eastern Plains Season, Deer, Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.			
Unit	Season Dates: 10/08/2016 – 10/16/2016		
	Unless Otherwise Shown		
	Hunt Code	Licenses (2015)	
		Antlered	Antlerless
94	DF094O2M		15
96	DM096O2M	35	
96	DF096O2M		25
99	DM099O2M	25	
99	DF099O2M		30
101, 102	DM101O2M	20	
101, 102	DF101O2M		20
103	DM103O2M	10	
103	DF103O2M		15
104, 105, 106	DM104O2M	35	
104, 105, 106	DF104O2M		25
107, 112, 113, 114, 115, 120, 121	DM107O2M	75	
107, 112, 113, 114, 115, 120, 121	DF107O2M		30
109	DM109O2M	10	
109	DF109O2M		10
110, 111, 118, 119, 123, 124	DM110O2M	15	
110, 111, 118, 119, 123, 124	DF110O2M		15
116, 117	DM116O2M	10	
116, 117	DF116O2M		10
122, 125, 126, 127, 130, 132, 137, 138, 139, 146	DM122O2M	35	
122, 125, 126, 127, 130, 132, 137, 138, 139, 146	DF122O2M		30
128, 129, 133, 134, 135, 136, 141, 147	DM128O2M	25	
128, 129, 133, 134, 135, 136, 141, 147	DF128O2M		10
142	DM142O2M	15	
142	DF142O2M		10
143, 144, 145	DM143O2M	15	
143, 144, 145	DF143O2M		15
951	DM951O2M	15	
951	DF951O2M		15
<b>TOTALS</b>		<b>465</b>	<b>395</b>

**C. Private Land Only Deer Seasons**

**1. Muzzle-loading – Deer, Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

Unit	Hunt Code	Date Open	Date Closed	Licenses (2015)		
				Antlered	Antlerless	Either Sex
83	DM083P1M	09/10/2016	09/18/2016	8		
<b>TOTAL</b>				<b>8</b>		

**D. Whitetail Only Deer Seasons**

**1. Muzzle-loading - Deer, Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

Unit	Season Dates: 10/08/2016 – 10/16/2016 Antlerless		Season Dates: 10/08/2016 – 10/16/2016 Either-sex	
	Hunt Code	Licenses (2015)	Hunt Code	Licenses (2015)
104, 105, 106	DF104O3M	45	DE104O3M	15
107, 112, 113, 114, 115, 120, 121	DF107O3M	15	DE107O3M	80
109	DF109O3M	20	DE109O3M	35
110, 111, 118, 119, 123, 124	DF110O3M	45	DE110O3M	50
116, 117	DF116O3M	15	DE116O3M	20
122, 125, 126, 127, 130, 132, 137, 138, 139, 146	DF122O3M	10	DE122O3M	60
128, 129, 133, 134, 135, 136, 141, 147	DF128O3M	20	DE128O3M	10
143, 144, 145	DF143O3M	10	DE143O3M	20
<b>TOTALS</b>		<b>180</b>		<b>290</b>

**#250 - RIFLE AND ASSOCIATED METHODS DEER SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED**

**A. Early Seasons**

**1. Early Rifle Season, Deer, Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

Unit	Hunt Code	Date Open	Date Closed	Licenses (2015)	
				Antlered	Antlerless
That portion of GMU 6 above 10,000 feet elevation and GMU 7 within the Rawah Wilderness area	DM006E1R	09/03/2016	09/11/2016	10	
6	DM006E2R	09/26/2016	10/04/2016	30	
Those portions of GMUs 12, 24, 25, 26, and 231 within the Flat Tops Wilderness Area	DM012E1R	09/03/2016	09/11/2016	10	
Those portions of GMUs 14, 16, and 161 within the Mt. Zirkel Wilderness Area	DM014E1R	09/03/2016	09/11/2016	50	
16	DM016E1R	09/26/2016	10/04/2016	30	
17	DM017E1R	09/26/2016	10/04/2016	25	
That portion of GMU 36 within the Eagles Nest Wilderness Area.	DM036E1R	09/10/2016	09/18/2016	15	
That portion of GMU 43 within the Maroon Bells-Snowmass Wilderness area	DM043E1R	09/10/2016	09/18/2016	20	
Those portions of GMUs 44, 45, and 444 within the Holy Cross Wilderness	DM044E1R	09/10/2016	09/18/2016	15	

Unit	Hunt Code	Date Open	Date Closed	Licenses (2015)	
				Antlered	Antlerless
Area					
That portion of GMU 47 within the Hunter-Fryingpan Wilderness Area	DM047E1R	09/10/2016	09/18/2016	20	
Those portions of GMUs 48, 56, 481, 561 above timberline	DM048E1R	09/10/2016	09/18/2016	20	
That portion of GMU 65 above 11,000 feet elevation	DM065E1R	09/10/2016	09/18/2016	15	
That portion of GMU 74 above timberline	DM074E1R	09/03/2016	09/11/2016	25	
Those portions of GMUs 82, 86, and 861 above timberline	DM082E1R	09/03/2016	09/11/2016	30	
161	DM161E1R	09/26/2016	10/04/2016	30	
171	DM171E1R	09/26/2016	10/04/2016	25	
471	DM471E1R	09/10/2016	09/18/2016	20	
<b>TOTAL</b>				<b>390</b>	

## B. Regular Rifle Deer Seasons

1. Combined over the counter white-tailed rifle deer seasons, Dates, Units (as described in Chapter 0 of these regulations).

Unit	Hunt Code	Date Open	Date Closed	Licenses (2015)		
				Antlered	Antlerless	Either Sex
48, 49, 56, 57, 58, 59, 69, 84, 85, 86, 140, 481, 511, 561, 581, 591, 691, 851 except Bosque del Oso SWA, 861 Available for purchase at CPW offices only	DE048U6R	12/01/2015	12/31/2015			Unlimited

## C. Regular Rifle Deer Seasons

1. Combined rifle deer seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.

Unit	2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016  Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			FLOAT	Total (2015)
	Hunt Code	Licenses (2015)		Hunt Code	Licenses (2015)		Hunt Code	Licenses (2015)			
		ANTLERED	ANTLERLESS		ANTLERED	ANTLERLESS		ANTLERED	ANTLERLESS		
1	DM001O2R	11		DM001O3R	4						15
2	DM002O2R	15		DM002O3R	10						25
3, 301	DM003O2R	475		DM003O3R	575		DM003O4R	10			1060
3, 301	DF003O2R		100	DF003O3R		145					245
4, 14, 214, 441	DM004O2R	775		DM004O3R	275		DM004O4R	10			1060
4, 14, 214, 441	DF004O2R		200	DF004O3R		35					235
5	DM005O2R	75		DM005O3R	30		DM005O4R	10			115
5	DF005O2R		20	DF005O3R		10					30
6	DM006O2R	20		DM006O3R	15						35
6, 16, 17, 161, 171							DM006O4R	10			10
7, 8	DM007O2R			DM007O3R			DM007O4R	170		575	745
7, 8	DF007O2R		130	DF007O3R							130
9, 19, 191	DM009O2R			DM009O3R			DM009O4R	400		1050	1450
9, 19, 191	DF009O2R		200	DF009O3R							200
10	DM010O2R	20		DM010O3R	5						25
11, 211	DM011O2R	350		DM011O3R	275		DM011O4R	10			635
11, 211	DF011O2R		10	DF011O3R		10					20

Unit	2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016  Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			FLOAT	Total (2015)
	Hunt Code	Licenses (2015)		Hunt Code	Licenses (2015)		Hunt Code	Licenses (2015)			
		ANTLERED	ANTLERLESS		ANTLERED	ANTLERLESS		ANTLERED	ANTLERLESS		
12, 13, 23, 24	DM012O2R	675		DM012O3R	425		DM012O4R	10			1110
12, 13, 23, 24	DF012O2R		10	DF012O3R		10					20
15	DM015O2R	425		DM015O3R	295		DM015O4R	30			750
15	DF015O2R			DF015O3R						230	230
16	DM016O2R	15		DM016O3R	15						30
17	DM017O2R	15		DM017O3R	15						30
18, 28, 37, 371	DM018O2R	1775		DM018O3R	1500		DM018O4R	270			3545
18, 28, 37, 371	DF018O2R		820	DF018O3R		820					1640
20	DM020O2R			DM020O3R			DM020O4R	125		370	495
20	DF020O2R			DF020O3R			DF020O4R			30	30
21	DM021O2R	265		DM021O3R	60						325
22	DM022O2R	275		DM022O3R	250		DM022O4R	10			535
22	DF022O2R		10	DF022O3R		10					20
25, 26	DM025O2R	395		DM025O3R	265		DM025O4R	50			710
25, 26	DF025O2R			DF025O3R						365	365
27, 181	DM027O2R	615		DM027O3R	515		DM027O4R	90			1220
27, 181	DF027O2R		410	DF027O3R		275					685
29	DM029O2R	80		DM029O3R	80		DM029O4R	80			240
29	DF029O2R		25	DF029O3R		25	DF029O4R		25		75
30	DM030O2R	80		DM030O3R	45						125
30	DF030O2R		10	DF030O3R		10					20
31, 32	DM031O2R	250		DM031O3R	165						415
33	DM033O2R	450		DM033O3R	275		DM033O4R	12			737
34	DM034O2R	220		DM034O3R	150		DM034O4R	35			405
34	DF034O2R			DF034O3R						130	130
35, 36, 45, 361	DM035O2R	685		DM035O3R	495		DM035O4R	20			1200
35, 36, 45, 361	DF035O2R			DF035O3R						275	275
38	DM038O2R			DM038O3R			DM038O4R	160		300	460
38	DF038O2R			DF038O3R			DF038O4R			190	190
39, 46	DM039O2R			DM039O3R			DM039O4R	50		275	325
39, 46	DF039O2R		25	DF039O3R		25	DF039O4R		25		75
40	DM040O2R	135		DM040O3R	95						230
41, 42, 421	DM041O2R			DM041O3R						1800	1800
41, 42,	DF041O2R			DF041O3R						10	10

Unit	2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016  Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			FLOAT	Total (2015)
	Hunt Code	Licenses (2015)		Hunt Code	Licenses (2015)		Hunt Code	Licenses (2015)			
		ANTLERED	ANTLERLESS		ANTLERED	ANTLERLESS		ANTLERED	ANTLERLESS		
421											
43, 47, 471	DM043O2R	240		DM043O3R	160		DM043O4R	10			410
43, 47, 471	DF043O2R			DF043O3R						10	10
43, 47, 471 -Youth Only	DF043K2R			DF043K3R						10	10
44	DM044O2R	50		DM044O3R	15		DM044O4R	15			80
44	DF044O2R		10	DF044O3R		10					20
48, 56, 481, 561	DM048O2R			DM048O3R						700	700
49, 57, 58, 581	DM049O2R			DM049O3R						1800	1800
49, 57	DF049O2R		10	DF049O3R		10					20
50, 500, 501	DM050O2R	225		DM050O3R	225						450
51	DM051O2R	75		DM051O3R	75		DM051O4R	50			200
52, 411, 521	DM052O2R	490		DM052O3R	160		DM052O4R	15			665
53	DM053O2R	120		DM053O3R	95		DM053O4R	10			225
54	DM054O2R	295		DM054O3R	70		DM054O4R	10			375
55	DM055O2R	190		DM055O3R	55		DM055O4R	10			255
55	DF055O2R		50	DF055O3R		45					95
58, 581	DF058O2R		10	DF058O3R		10					20
59, 511	DM059O2R			DM059O3R						250	250
60	DM060O2R	70		DM060O3R	70		DM060O4R	5			145
61	DM061O2R	115		DM061O3R	110						225
62	DM062O2R	390		DM062O3R	355						745
63	DM063O2R	105		DM063O3R	85		DM063O4R	10			200
64, 65	DM064O2R	300		DM064O3R	270		DM064O4R	10			580
66	DM066O2R	105		DM066O3R	40		DM066O4R	10			155
66	DF066O2R		45	DF066O3R		30					75
67	DM067O2R	105		DM067O3R	40		DM067O4R	10			155
67	DF067O2R		70	DF067O3R		30					100
68, 681, 682	DM068O2R	190		DM068O3R	170		DM068O4R	15			375
69, 84, 86, 691.	DM069O2R	365		DM069O3R	365						730

Unit	2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016  Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			FLOAT	Total (2015)
	Hunt Code	Licenses (2015)		Hunt Code	Licenses (2015)		Hunt Code	Licenses (2015)			
		ANTLERED	ANTLERLESS		ANTLERED	ANTLERLESS		ANTLERED	ANTLERLESS		
861											
70	DM070O2R	400		DM070O3R	400		DM070O4R	40			840
71, 711	DM071O2R	330		DM071O3R	460		DM071O4R	40			830
72, 73	DM072O2R	280		DM072O3R	350		DM072O4R	55			685
74	DM074O2R			DM074O3R			DM074O4R	50		320	370
75, 751	DM075O2R	405		DM075O3R	335		DM075O4R	90			830
75, 751	DF075O2R			DF075O3R			DF075O4R			10	10
76	DM076O2R	25		DM076O3R	20						45
77, 78, 771	DM077O2R	695		DM077O3R	495		DM077O4R	120			1310
77, 78, 771	DF077O2R			DF077O3R			DF077O4R			10	10
79, 791	DM079O2R	75		DM079O3R	90		DM079O4R	10			175
80, 81	DM080O2R	255		DM080O3R	255		DM080O4R	35			545
82	DM082O2R	140		DM082O3R	100		DM082O4R	5			245
85, 851 except Bosque del Oso SWA	DM085O2R	310		DM085O3R	215						525
131, 231	DM131O2R	50		DM131O3R	25						75
140	DM140O2R	105		DM140O3R	70						175
161	DM161O2R	25		DM161O3R	15						40
171	DM171O2R	15		DM171O3R	15						30
201	DM201O2R	23		DM201O3R	14		DM201O4R	3			40
391, 461	DM391O2R			DM391O3R			DM391O4R	100		200	300
444	DM444O2R	200		DM444O3R	85		DM444O4R	25			310
444	DF444O2R		10	DF444O3R		10					20
501							DM501O4R	30			30
501	DF501O2R		60	DF501O3R		60					120
511							DM511O4R	15			15
511	DF511O2R			DF511O3R						10	10
551	DM551O2R	120		DM551O3R	35		DM551O4R	10			165
551	DF551O2R		30	DF551O3R		25					55
741	DM741O2R			DM741O3R			DM741O4R	20		200	220
851 Bosque del Oso SWA only	DM851O1R 10/15/2016- 10/19/2016	4		DM851O2R 10/22/2016- 10/30/2016	4						8
TOTALS		14983	2265		11177	1605		2390	50	9120	41590

<b>2. Plains Regular Rifle, Season Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.</b>				
<b>Unit</b>	<b>Season Dates</b> <b>10/29/2016 – 11/08/2016</b> <b>Unless Otherwise Shown</b>			
	<b>Hunt Code</b>	<b>Antlered Licenses (2015)</b>	<b>Hunt Code</b>	<b>Antlerless Licenses (2015)</b>
87	DM087O1R	40	DF087O1R	45
88	DM088O1R	30	DF088O1R	45
89	DM089O1R	40	DF089O1R	50
90	DM090O1R	20	DF090O1R	30
91	DM091O1R	20	DF091O1R	50
92	DM092O1R	20	DF092O1R	50
93	DM093O1R	20	DF093O1R	15
94	DM094O1R	30	DF094O1R	30
95	DM095O1R	45	DF095O1R	60
96	DM096O1R	35	DF096O1R	50
97	DM097O1R	20	DF097O1R	15
98	DM098O1R	35	DF098O1R	40
99	DM099O1R	80	DF099O1R	100
100	DM100O1R	30	DF100O1R	30
101	DM101O1R	25	DF101O1R	30
102	DM102O1R	45	DF102O1R	65
103	DM103O1R	25	DF103O1R	80
104	DM104O1R	100	DF104O1R	55
105, 106	DM105O1R	325	DF105O1R	135
107	DM107O1R	75	DF107O1R	50
109	DM109O1R	40	DF109O1R	40
110	DM110O1R	60	DF110O1R	55
111	DM111O1R	25	DF111O1R	15
112	DM112O1R	30	DF112O1R	30
113	DM113O1R	20	DF113O1R	20
114, 115	DM114O1R	65	DF114O1R	70
116	DM116O1R	30	DF116O1R	20
117	DM117O1R	20	DF117O1R	20
118, 123	DM118O1R	70	DF118O1R	20
119	DM119O1R	45	DF119O1R	20
120, 121	DM120O1R	50	DF120O1R	60
122	DM122O1R	25	DF122O1R	50
124	DM124O1R	50	DF124O1R	35
125	DM125O1R	15	DF125O1R	20
126	DM126O1R	30	DF126O1R	30
127	DM127O1R	35	DF127O1R	30
128, 129	DM128O1R	90	DF128O1R	50
130	DM130O1R	20	DF130O1R	20
132	DM132O1R	30	DF132O1R	15
133	DM133O1R	20	DF133O1R	10
134	DM134O1R	30	DF134O1R	15
135	DM135O1R	30	DF135O1R	15
136, 147	DM136O1R	85	DF136O1R	10
137	DM137O1R	20	DF137O1R	10
138, 146	DM138O1R	20	DF138O1R	20



<b>2. Plains Regular Rifle, Season Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.</b>				
<b>Unit</b>	<b>Season Dates</b> <b>10/29/2016 – 11/08/2016</b> <b>Unless Otherwise Shown</b>			
	<b>Hunt Code</b>	<b>Antlered Licenses (2015)</b>	<b>Hunt Code</b>	<b>Antlerless Licenses (2015)</b>
139	DM139O1R	25	DF139O1R	15
141	DM141O1R	15	DF141O1R	20
143, 144, 145	DM143O1R	50	DF143O1R	15
951	DM951O1R	60	DF951O1R	35
<b>TOTALS</b>		<b>2165</b>		<b>1810</b>

<b>3. Regular Plains Whitetail Only Season, Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses</b>				
<b>Unit</b>	<b>Season Dates:</b> <b>10/29/2016 – 11/08/2016</b> <b>Antlerless</b>		<b>Season Dates:</b> <b>10/29/2016 – 11/08/2016</b> <b>Either-sex</b>	
	<b>Hunt Code</b>	<b>Licenses (2015)</b>	<b>Hunt Code</b>	<b>Licenses (2015)</b>
104	DF104O2R	45	DE104O2R	5
105, 106	DF105O2R	55	DE105O2R	25
107, 112, 113, 114, 115, 120, 121	DF107O2R	70	DE107O2R	70
109	DF109O2R	50	DE109O2R	50
110, 111, 118, 119, 123, 124	DF110O2R	30	DE110O2R	35
116, 117	DF116O2R	25	DE116O2R	40
122, 126, 127	DF122O2R	10	DE122O2R	55
125, 130	DF125O2R	10	DE125O2R	25
128, 129, 133, 134, 135, 136, 141, 147			DE128O2R	65
132, 139	DF132O2R	10	DE132O2R	30
137, 138, 146	DF137O2R	10	DE137O2R	10
143, 144, 145	DF143O2R	15	DE143O2R	30
<b>TOTALS</b>		<b>330</b>		<b>440</b>

#### **D. Late Deer Seasons**

1. Late Regular Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Licenses.

<b>Unit</b>	<b>Hunt Code</b>	<b>Date Open</b>	<b>Date Closed</b>	<b>Licenses (2015)</b>		
				<b>Antlered</b>	<b>Antlerless</b>	<b>Either-sex</b>
38 Jefferson County portion only	DF038L1R	12/01/2016	01/31/2017		125	

Unit	Hunt Code	Date Open	Date Closed	Licenses (2015)		
				Antlered	Antlerless	Either-sex
38 Jefferson County portion only	DE038L1R	12/01/2016	01/31/2017			125
56 That portion bounded on the north and east by Colo 291; on the south by US 50; and on the west by Colo 285	DF056L1R	09/01/2016	10/31/2016		80	
104 – Those portions bounded on the north by the Arapahoe/ Douglas/ Elbert County lines; on the east by CR 29, CR 33, Colo 86, CR 17/21, CR 15/21; on the south by CR 86/Steele Ave, E. Cherry Creek Rd and E. Jones Rd,; and on the west by Colo 83	DF104L3R	10/01/2016	12/31/2016		400	

Unit	Hunt Code	Date Open	Date Closed	Licenses (2015)		
				Antlered	Antlerless	Either-sex
211 That portion bounded on the north and east by Moffat Co Rd 17; on the south by Moffat Co Rd 32, and on the west by Moffat Co Rd 55	DF211L1R	12/01/2016	12/31/2016		5	
481 – That portion bounded on the north by Chaffee Co Rds 384A and 384; on the east by the Arkansas River; on the south by Chaffee Co Rds 306, 337, Gregg Drive, Chaffee Co Rd 319 and US 24; and on the west by Chaffee Co Rd 361	DF481L1R	09/01/2016	10/31/2016		80	
512	DM512L1R	12/01/2016	12/31/2016	15		
512	DF512L1R	12/01/2016	12/31/2016		15	
591	DM591L1R	10/01/2016	01/31/2017	50		
591	DF591L1R	10/01/2016	01/31/2017		25	
<b>TOTALS</b>				<b>65</b>	<b>730</b>	<b>125</b>

**2. Late Plains Season, Dates (unless otherwise shown), Units (as described in Chapter 0 of these regulations), Limited Licenses.**

Unit	Season Dates: 12/01/2016 – 12/14/2016 Antlered		Season Dates: 12/01/2016 – 12/14/2016 Antlerless	
	Hunt Code	Licenses (2015)	Hunt Code	Licenses (2015)
87	DM087L1R	40		
88	DM088L1R	35		
89	DM089L1R	50	DF089L1R	50
90	DM090L1R	25	DF090L1R	30
91	DM091L1R	25	DF091L1R	50
92	DM092L1R	25	DF092L1R	50
93	DM093L1R	25	DF093L1R	15
94	DM094L1R	40	DF094L1R	35
95	DM095L1R	55	DF095L1R	60
96	DM096L1R	45	DF096L1R	50
97	DM097L1R	25	DF097L1R	15
98	DM098L1R	40	DF098L1R	40
99	DM099L1R	90	DF099L1R	100
100	DM100L1R	40	DF100L1R	30
101	DM101L1R	30	DF101L1R	30
102	DM102L1R	55	DF102L1R	65
103	DM103L1R	10	DF103L1R	40
104	DM104L1R	60	DF104L1R	90
105, 106	DM105L1R	80	DF105L1R	105
107	DM107L1R	40	DF107L1R	25
109	DM109L1R	30	DF109L1R	20
116	DM116L1R	25	DF116L1R	10
117	DM117L1R	20	DF117L1R	15
122	DM122L1R	10	DF122L1R	15
125	DM125L1R	10	DF125L1R	10
126	DM126L1R	20	DF126L1R	20
127	DM127L1R	20	DF127L1R	30
129	DM129L1R	10	DF129L1R	10
130	DM130L1R	15	DF130L1R	15
132	DM132L1R	10	DF132L1R	15
136, 147	DM136L1R	15		
136			DF136L1R	10
137	DM137L1R	10	DF137L1R	10
138, 146	DM138L1R	20	DF138L1R	15
139	DM139L1R	10	DF139L1R	15
141	DM141L1R	10	DF141L1R	10
142	DM142L1R	20	DF142L1R	20
143	DM143L1R	20	DF143L1R	10
144	DM144L1R	20	DF144L1R	10
145	DM145L1R	20	DF145L1R	5
147			DF147L1R	10
951	DM951L1R	75	DF951L1R	50
<b>TOTALS</b>		<b>1225</b>		<b>1305</b>

<b>3. Late Plains Whitetail Only Season, Dates, Units (as described in Chapter 0 of these regulations, Limited Licenses)</b>				
<b>Unit</b>	<b>Season Dates: 12/01/2016 – 12/14/2016 Antlerless</b>		<b>Season Dates: 12/01/2016 – 12/14/2016 Either-sex</b>	
	<b>Hunt Code</b>	<b>Licenses (2015)</b>	<b>Hunt Code</b>	<b>Licenses (2015)</b>
103 and the portion of 109 bounded on the west by Kit Carson CR 40 and Yuma CR V.	DF103L2R 01/01/2017- 01/15/2017			
104	DF104L2R	45	DE104L2R	10
105, 106	DF105L2R	55	DE105L2R	25
107	DF107L2R	40	DE107L2R	55
109	DF109L2R	30	DE109L2R	40
116, 117	DF116L2R	15	DE116L2R	35
122, 126, 127	DF122L2R	10	DE122L2R	25
125, 130	DF125L2R	10	DE125L2R	25
129	DF129L2R	25	DE129L2R	10
132, 139	DF132L2R	10	DE132L2R	20
136, 141, 147	DF136L2R	10	DE136L2R	10
137, 138, 146	DF137L2R	10	DE137L2R	15
143, 144, 145	DF143L2R	25	DE143L2R	25
<b>TOTALS</b>		<b>285</b>		<b>295</b>

<b>4. Season-Choice Whitetail Only Deer Seasons, Dates, Units (as described in Chapter 0 of these regulations). Licenses are valid during Archery, Muzzleloader, Regular Rifle and Late Rifle seasons until filled, License holders must comply with all applicable season restrictions, including but not limited to, applicable season dates and manner of take restrictions.</b>									
<b>Unit</b>	<b>Hunt Code</b>	<b>Archery</b>		<b>Muzzleloader</b>		<b>Rifle</b>		<b>Licenses (2015)</b>	
		<b>Date Open</b>	<b>Date Closed</b>	<b>Date Open</b>	<b>Date Closed</b>	<b>Date Open</b>	<b>Date Closed</b>	<b>Antl er- less</b>	<b>Eith er Sex</b>
89, 90, 95	DE089S2R	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016	10/08/2016	10/16/2016	10/29/2016 12/01/2016	11/08/2016 12/14/2016		150
89, 90, 95	DF089S2R	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016	10/08/2016	10/16/2016	10/29/2016 12/01/2016	11/08/2016 12/14/2016	150	
93, 97, 98, 99, 100	DE093S2R	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016	10/08/2016	10/16/2016	10/29/2016 12/01/2016	11/08/2016 12/14/2016		150
93, 97, 98, 99, 100	DF093S2R	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016	10/08/2016	10/16/2016	10/29/2016 12/01/2016	11/08/2016 12/14/2016	150	
101, 102	DE101S2R	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016	10/08/2016	10/16/2016	10/29/2016 12/01/2016	11/08/2016 12/14/2016		100

<b>4. Season-Choice Whitetail Only Deer Seasons, Dates, Units (as described in Chapter 0 of these regulations).</b> Licenses are valid during Archery, Muzzleloader, Regular Rifle and Late Rifle seasons until filled, License holders must comply with all applicable season restrictions, including but not limited to, applicable season dates and manner of take restrictions.									
		Archery		Muzzleloader		Rifle		Licenses (2015)	
Unit	Hunt Code	Date Open	Date Closed	Date Open	Date Closed	Date Open	Date Closed	Antlerless	Either Sex
101, 102	DF101S2R	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016	10/08/2016	10/16/2016	10/29/2016 12/01/2016	11/08/2016 12/14/2016	120	
<b>TOTALS</b>								<b>420</b>	<b>400</b>

## E. Private-Land-Only Deer Seasons

1. Private Land Only, Season Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.															
a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.															
b. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.															
Unit	Season Dates: 10/22/2016 – 10/30/2016			Season Dates: 11/05/2016 – 11/13/2016			Season Dates: 11/16/2016 – 11/20/2016			Float (2015)	Hunt Code	Season Dates	Licenses (2015)		Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)								
	Hunt Code			Hunt Code			Hunt Code								
	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Eithe r Sex				Ant lered	Antle r-less	
3, 4, 5, 14, 214, 301, 441	DE003P2R			DE003P3R										850	
			425			425									
9											DF009P5R	09/01/2016- 11/30/2016		75	75
11, 12, 13, 22, 23, 24, 211	DE011P2R			DE011P3R										525	
			225			300									
15	DE015P2R			DE015P3R						140				140	
18, 27, 28, 37, 181,	DE018P2R			DE018P3R						350				350	

**1. Private Land Only, Season Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- b. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates: 10/22/2016 – 10/30/2016			Season Dates: 11/05/2016 – 11/13/2016			Season Dates: 11/16/2016 – 11/20/2016			Float (2015)	Hunt Code	Season Dates	Licenses (2015)		Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)								
	Hunt Code			Hunt Code			Hunt Code								
	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Eithe r Sex				Ant lered	Antle r-less	
371															
20											DM020P5R	10/22/2016- 11/30/2016	500		500
20											DF020P5R	09/01/2016- 11/30/2016		500	500
25, 26	DE025P2R			DE025P3R						100					100
29											DM029P5R	10/22/2016- 11/30/2016	175		175
29											DF029P5R	09/01/2016- 11/30/2016		275	275
31, 32	DM031P2R			DM031P3R						60					60
33	DM033P2R			DM033P3R						35					35
33											DF033P5R	12/01/2016- 01/31/2017		25	25
33 - Those portio ns bound ed on the north											DF033P6R	08/15/2016- 01/31/2017		150	150



**1. Private Land Only, Season Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- b. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates: 10/22/2016 – 10/30/2016			Season Dates: 11/05/2016 – 11/13/2016			Season Dates: 11/16/2016 – 11/20/2016			Float (2015)	Hunt Code	Season Dates	Licenses (2015)		Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)								
	Hunt Code			Hunt Code			Hunt Code								
	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Either Sex	Ant lered	Antler -less	Eithe r Sex				Ant lered	Antle r-less	
by Co Rd 226 and Co Rd 245 ; on the east by Elk Creek ; on the south by the Colorado River ; and on the west by Colo 13 and Colo 325.															
34	DE034P2R			DE034P3R						35					35

**1. Private Land Only, Season Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- b. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates: 10/22/2016 – 10/30/2016			Season Dates: 11/05/2016 – 11/13/2016			Season Dates: 11/16/2016 – 11/20/2016			Float (2015)	Hunt Code	Season Dates	Licenses (2015)		Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)								
	Hunt Code			Hunt Code			Hunt Code								
	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Eithe r Sex				Ant lered	Antle r-less	
35, 36, 45, 361	DE035P2R			DE035P3R						100					100
38											DM038P5R	10/22/2016- 11/30/2016		275	275
38											DF038P5R	09/01/2016- 11/30/2016		400	400
39, 46											DF039P5R	09/01/2016- 11/30/2016		55	55
40	DM040P2R			DM040P3R											50
	25			25											
41, 42, 421	DM041P2R			DM041P3R											280
	110			170											
43, 47, 471	DE043P2R			DE043P3R						50					50
44	DE044P2R			DE044P3R											20
			10			10									

**1. Private Land Only, Season Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

- All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates: 10/22/2016 – 10/30/2016			Season Dates: 11/05/2016 – 11/13/2016			Season Dates: 11/16/2016 – 11/20/2016			Float (2015)	Hunt Code	Season Dates	Licenses (2015)		Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)								
	Hunt Code			Hunt Code			Hunt Code								
	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Eithe r Sex				Ant lered	Antle r-less	
49, 57	DF049P2R			DF049P3R											100
		50			50										
51											DM051P5R	10/15/2016- 11/13/2016	75		75
51											DF051P5R	09/01/2016- 11/30/2016		125	125
52, 411, 521	DM052P2R			DM052P3R						70					70
52											DF052P5R	09/01/2016- 10/31/2016		75	75
53	DM053P2R			DM053P3R						40					40
53											DF053P5R	09/01/2016- 10/31/2016		40	40
56	DF056P2R			DF056P3R											50
		25			25										
60	DM060P2R			DM060P3R											20
	10			10											
60	DF060P2R			DF060P3R											10
		5			5										
62	DM062P2R			DM062P3R											55
	30			25											
62	DF062P2R			DF062P3R											85
		55			30										
63	DM063P2R			DM063P3R						75					75

**1. Private Land Only, Season Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- b. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates: 10/22/2016 – 10/30/2016			Season Dates: 11/05/2016 – 11/13/2016			Season Dates: 11/16/2016 – 11/20/2016			Float (2015)	Hunt Code	Season Dates	Licenses (2015)		Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)								
	Hunt Code			Hunt Code			Hunt Code								
	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Eithe r Sex				Ant lered	Antle r-less	
63											DF063P5R	09/01/2016- 10/31/2016		50	50
64, 65	DM064P2R			DM064P3R											95
	50			45											
69, 84, 86, 691, 861	DM069P2R			DM069P3R											820
	410			410											
69, 84, 86, 691, 861	DF069P2R			DF069P3R											100
		50			50										
70	DM070P2R			DM070P3R						265					265
70	DF070P2R			DF070P3R											40
		20			20										
71, 711	DM071P2R			DM071P3R											70
	45			25											
72, 73 south of Colo 184											DF072P5R	09/01/2016- 09/30/2016		50	50

**1. Private Land Only, Season Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- b. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates: 10/22/2016 – 10/30/2016			Season Dates: 11/05/2016 – 11/13/2016			Season Dates: 11/16/2016 – 11/20/2016			Float (2015)	Hunt Code	Season Dates	Licenses (2015)		Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)								
	Hunt Code			Hunt Code			Hunt Code								
	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Eithe r Sex				Ant lered	Antle r-less	
and US 72, 73															
	DM072P2R			DM072P3R											115
74	50			65											
	DM074P2R			DM074P3R						20					20
75, 751	DM075P2R			DM075P3R			DM075P4R			75					115
							40								
75, 751	DF075P2R			DF075P3R			DF075P4R			30					30
75 and 751- S of US 160 Only											DF075P5R	12/01/2016- 01/15/2017		175	175
77, 78, 771	DM077P2R			DM077P3R			DM077P4R			70					95
							25								
77, 78, 771											DF077P5R	12/01/2016- 01/15/2017		75	75
79											DF079P5R	09/01/2016- 12/31/2016		50	50

**1. Private Land Only, Season Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- b. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates: 10/22/2016 – 10/30/2016			Season Dates: 11/05/2016 – 11/13/2016			Season Dates: 11/16/2016 – 11/20/2016			Float (2015)	Hunt Code	Season Dates	Licenses (2015)		Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)								
	Hunt Code			Hunt Code			Hunt Code								
	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Either Sex	Ant lered	Antler -less	Eithe r Sex				Ant lered	Antle r-less	
83	DM083P2R			DM083P3R			DM083P4R								65
	30			30			5								

**1. Private Land Only, Season Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- b. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates: 10/22/2016 – 10/30/2016			Season Dates: 11/05/2016 – 11/13/2016			Season Dates: 11/16/2016 – 11/20/2016			Float (2015)	Hunt Code	Season Dates	Licenses (2015)		Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)								
	Hunt Code			Hunt Code			Hunt Code								
	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Either Sex	Ant lered	Antler -less	Eithe r Sex				Ant lered	Antle r-less	
85 - Those portions bounded on the north by Colo 160; on the east by Co Rd 350 and Waha toya Creek ; on the south by Co Rd 362, 360											DF085P5R	09/01/2016-12/31/2016		55	55

**1. Private Land Only, Season Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- b. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates: 10/22/2016 – 10/30/2016			Season Dates: 11/05/2016 – 11/13/2016			Season Dates: 11/16/2016 – 11/20/2016			Float (2015)	Hunt Code	Season Dates	Licenses (2015)		Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)								
	Hunt Code			Hunt Code			Hunt Code								
	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Either Sex	Ant lered	Antler -less	Eithe r Sex				Ant lered	Antle r-less	
and the fencel ine on the south side of LaVet a Town Lakes and golf cours e from the inters ection of Co Rds 360 and 361 to Colo 12, and															



**1. Private Land Only, Season Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- b. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates: 10/22/2016 – 10/30/2016			Season Dates: 11/05/2016 – 11/13/2016			Season Dates: 11/16/2016 – 11/20/2016			Float (2015)	Hunt Code	Season Dates	Licenses (2015)		Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)								
	Hunt Code			Hunt Code			Hunt Code								
	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Eithe r Sex				Ant lered	Antle r-less	
Co Rd 420; and on the east by Colo 12, and Co Rds 430, 440 and 451.															
91											DM091P5R	12/01/2016-12/14/2016	35		35
92											DM092P5R	12/01/2016-12/14/2016	30		30
96											DM096P5R	12/01/2016-12/14/2016	50		50
103											DM103P5R	12/01/2016-12/14/2016	30		30
103											DF103P5R	12/01/2016-12/14/2016		80	80
131, 231	DE131P2R			DE131P3R											55
			35			20									

**1. Private Land Only, Season Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- b. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates: 10/22/2016 – 10/30/2016			Season Dates: 11/05/2016 – 11/13/2016			Season Dates: 11/16/2016 – 11/20/2016			Float (2015)	Hunt Code	Season Dates	Licenses (2015)		Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)								
	Hunt Code			Hunt Code			Hunt Code								
	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Eithe r Sex				Ant lered	Antle r-less	
143, 144, 145											DM143P1R	10/29/2016- 11/08/2016	80		80
143, 144, 145											DF143P1R	10/29/2016- 11/08/2016		25	25
391, 461											DM391P5R	10/15/2016- 11/13/2016	350		350
391, 461											DF391P5R	09/01/2016- 11/30/2017		175	175
411											DF411P5R	09/01/2016- 10/31/2016		40	40
444	DE444P2R			DE444P3R											150
481	DF481P2R			DF481P3R											50
		25			25										
511	DF511P2R			DF511P3R						30					30
511							DM511P4R								20
711											DF711P5R	09/01/2016- 09/30/2016		20	20
741	DM741P2R			DM741P3R			DM741P4R			200					230
741	DF741P2R			DF741P3R			DF741P4R			200					200

**1. Private Land Only, Season Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- b. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates: 10/22/2016 – 10/30/2016			Season Dates: 11/05/2016 – 11/13/2016			Season Dates: 11/16/2016 – 11/20/2016			Float (2015)	Hunt Code	Season Dates	Licenses (2015)		Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)								
	Hunt Code			Hunt Code			Hunt Code								
	Ant lered	Antler- less	Either Sex	Ant lered	Antler- less	Either Sex	Ant lered	Antler -less	Eithe r Sex				Ant lered	Antle r-less	
791											DF791P5R	09/01/2016- 12/31/2016		25	25
TOTALS	760	230	795	805	205	805	120	0	0	1945			1325	2815	9805

**2. Season-Choice Private Land Only Seasons, Dates, Units (as described in Chapter 0 of these regulations).** Licenses are valid during Archery, Muzzleloader, Regular Rifle and Late Rifle seasons until filled, License holders must comply with all applicable season restrictions, including but not limited to, applicable season dates and manner of take restrictions.

Unit	Hunt Code	Archery		Muzzleloader		Rifle		Licenses (2015) Antlerless
		Date Open	Date Closed	Date Open	Date Closed	Date Open	Date Closed	
91	DF091S3R	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016	10/08/2016	10/16/2016	10/29/2016 12/01/2016 01/01/2017	11/08/2016 12/14/2016 01/31/2017	90
92	DF092S3R	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016	10/08/2016	10/16/2016	10/29/2016 12/01/2016 01/01/2017	11/08/2016 12/14/2016 01/31/2017	100
96	DF096S3R	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016	10/08/2016	10/16/2016	10/29/2016 12/01/2016 01/01/2017	11/08/2016 12/14/2016 01/31/2017	15
96 - East of Hwy 71	DF096S5R	10/01/2016 11/09/2016 12/15/2016	10/28/2016 11/30/2016 12/31/2016	10/08/2016	10/16/2016	10/29/2016 12/01/2016 01/01/2017	11/08/2016 12/14/2016 01/31/2017	125
<b>TOTAL</b>								<b>330</b>

**#251-#253 - VACANT**

#### **ARTICLE IX - ELK**

##### **#254 - ANTLER POINT RESTRICTIONS BY UNIT - ELK**

- A. All antlered elk taken in the following game management units during any established season, including archery, muzzle-loading rifle or rifle seasons, shall have four (4) or more points or a brow tine on one antler: GMU's 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 41, 42, 43, 44, 45, 47, 52, 53, 54, 55, 59, 60, 62, 63, 64, 65, 66, 67, 68, 70, 71, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 85, 86, 131, 140, 161, 171, 181, 191, 211, 214, 231, 301, 361, 371, 411, 421, 441, 444, 471, 511, 521, 551, 581, 681, 691, 711, 741, 751, 771, 851, and 861.
- B. There are no antler point restrictions for elk taken during any established season, including archery, muzzle-loading rifle or rifle seasons, in the following game management units: 1, 2, 10, 20, 29, 39, 40, 46, 48, 49, 50, 51, 56, 57, 58, 61, 69, 76, 84, 201, 391, 461, 481, 500, 501, 561, 591, 682, 791, or in any unit east of I-25 except 140.
- C. There are no antler point restrictions for elk on Wildlife Ranching properties during Wildlife Ranching seasons.

##### **#255 - ARCHERY ELK SEASONS - ONLY LAWFUL HAND HELD BOWS MAY BE USED TO HUNT OR TAKE ELK DURING THE FOLLOWING SEASONS:**

- A. **Early Seasons** - None

## B. Regular Archery Elk Seasons

1. Archery Season Dates, Units (as described in Chapter 0 of these regulations), Limited or Unlimited License as shown by hunt code

Unit(s)	Season Dates: 08/27/2016 – 09/25/2016 Unless Otherwise Shown				
	Hunt Code	License Numbers (2015)			
		Antlered	Antlerless	Limited Either Sex	Unlimited Either Sex
3, 6, 11, 13, 14, 15, 16, 17, 18, 21, 22, 25, 26, 27, 28, 30, 31, 32, 34, 35, 36, 37, 38, 41, 42, 43, 44, 45, 47, 52, 53, 59, 60, 62, 63, 64, 65, 68, 70, 71, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 107, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 161, 171, 181, 211, 214, 231, 301, 361, 371, 411, 421, 444, 471, 511, 521, 581, 591, 681, 691, 711, 741, 751, 771, 851 except Bosque del Oso SWA, 861, 951, private land portions of 4, 5, 12, 23, 24, 33, and 441	EE000U1A				Unlimited
3, 6, 11, 13, 14, 15, 16, 17, 18, 21, 22, 25, 26, 27, 28, 30, 31, 32, 34, 35, 36, 37, 41, 42, 43, 44, 45, 47, 52, 59, 82, 83, 85, 86, 131, 133, 134, 140, 141, 142, 161, 171, 181, 211, 214, 231, 301, 361, 371, 411, 421, 444, 471, 511, 521, 581, 591, 682, 691, 791, 851 except Bosque del Oso SWA, 861, private land portions of 4, 5, 12, 23, 24, 33, and 441	EF000U1A		Unlimited		
1	EE001O1A			2	
2	EE002O1A			9	
Public and private lands in 4, 5, 441	EE004O1A			450	
7, 8, 9, 19, 191	EE007O1A			1000	
10	EE010O1A			15	
12, 23 north of the White River, and 24 north of the North Fork of the White River	EE012O1A			630	
20	EM020O1A	5			
20	EF020O1A		15		
20 excluding the area around the town of Estes Park bounded by Rocky Mountain National Park on the north and west and by the boundary of Roosevelt National Forest on the north, east and south	EE020O1A			105	
29	EE029O1A			30	
33, 23 south of the White River, and 24 south of the North Fork of the White River	EE033O1A			1050	

Unit(s)	Season Dates: 08/27/2016 – 09/25/2016 Unless Otherwise Shown				
	Hunt Code	License Numbers (2015)			
		Antlered	Antlerless	Limited Either Sex	Unlimited Either Sex
39	EE039O1A			90	
40	EE040O1A			85	
46	EE046O1A			60	
48	EE048O1A			100	
49	EE049O1A			170	
50	EE050O1A			125	
51	EE051O1A			100	
54	EE054O1A			405	
55	EE055O1A			665	
56	EE056O1A			100	
57, 58	EE057O1A			180	
61	EE061O1A			95	
66	EE066O1A			170	
67	EE067O1A			65	
69, 84	EE069O1A			180	
76	EE076O1A			160	
104	EE104O1A			25	
201	EE201O1A			9	
391	EE391O1A			50	
461	EE461O1A			55	
481	EE481O1A			100	
500	EE500O1A			135	
501	EE501O1A			85	
551	EE551O1A			230	
561	EE561O1A			70	
851 Bosque del Oso SWA only	EE851O1A			8	
<b>TOTALS</b>		<b>5</b>	<b>15</b>	<b>6808</b>	

**#256 - MUZZLE LOADING FIREARMS (RIFLE AND SMOOTHBORE MUSKET) ELK SEASON - ONLY LAWFUL MUZZLE-LOADING FIREARMS MAY BE USED TO HUNT OR TAKE ELK DURING THE FOLLOWING SEASONS:**

**A. Regular Muzzle-loading Elk Seasons**

1. Muzzle-loading Season Dates, Units (as described in Chapter 0 of these regulations), Limited License Types and Numbers

Unit	Season Dates 09/10/2016 – 09/18/2016 Unless Otherwise Shown			
	Hunt Code	Licenses (2015)		
		Antlered	Antlerless	Limited Either Sex
1	EM001O1M	4		
1	EF001O1M		5	
2	EM002O1M	10		
2	EF002O1M		5	

Unit	Season Dates 09/10/2016 – 09/18/2016 Unless Otherwise Shown			
	Hunt Code	Licenses (2015)		
		Antlered	Antlerless	Limited Either Sex
3, 301	EE003O1M			10
3, 301	EF003O1M		10	
4, 5, and 441	EE004O1M			100
4, 5, and 441	EF004O1M		110	
6, 16, 17, 161, 171	EE006O1M			300
6, 16, 17, 161, 171	EF006O1M		250	
7, 8, 9, 19, 191	EM007O1M	300		
7, 8, 9, 19, 191	EF007O1M		375	
10	EM010O1M	5		
10	EF010O1M		5	
11, 13, 131, 211	EE011O1M			100
11, 13, 131, 211	EF011O1M		100	
12, 23 north of the White River, and 24 north of the North Fork of the White River	EE012O1M			100
12, 23 north of the White River, and 24 north of the North Fork of the White River	EF012O1M		100	
14, 214	EE014O1M			275
14, 214	EF014O1M		75	
15, 27	EE015O1M			300
15, 27	EF015O1M		100	
18, 181	EE018O1M			385
18, 181	EF018O1M		180	
20	EM020O1M	35		
20	EF020O1M		20	
21, 22, 30, 31, 32	EE021O1M			175
21, 22, 30, 31, 32	EF021O1M		150	
25, 26, 34, 231	EE025O1M			175
25, 26, 34, 231	EF025O1M		175	
28, 37, 371	EE028O1M			440
28, 37, 371	EF028O1M		165	
29	EM029O1M	30		
29	EF029O1M		30	
33, 23 south of the White River, and 24 south of the North Fork of the White River	EE033O1M			100
33, 23 south of the White River, and 24 south of the North Fork of the White River	EF033O1M		100	
35, 36, 361	EM035O1M	165		
35, 36, 361	EF035O1M		225	
38	EM038O1M	30		
38	EF038O1M		50	
39	EM039O1M	70		
39	EF039O1M		45	
40	EE040O1M			45
40	EF040O1M		30	

Unit	Season Dates 09/10/2016 – 09/18/2016 Unless Otherwise Shown			
	Hunt Code	Licenses (2015)		
		Antlered	Antlerless	Limited Either Sex
41, 42, 52, 411, 421, 521	EM041O1M	550		
41, 42, 52, 411, 421, 521	EF041O1M		880	
43, 471	EM043O1M	150		
43, 471	EF043O1M		40	
44, 45, 47, 444	EM044O1M	350		
44, 45, 47, 444	EF044O1M		250	
46	EM046O1M	30		
46	EF046O1M		15	
48	EM048O1M	35		
48	EF048O1M		30	
49	EM049O1M	70		
49	EF049O1M		60	
50	EM050O1M	35		
50	EF050O1M		40	
51	EM051O1M	30		
51	EF051O1M		40	
53	EM053O1M	85		
53	EF053O1M		100	
54	EM054O1M			
54	EF054O1M		100	
55	EM055O1M			
55	EF055O1M		190	
56	EM056O1M	35		
56	EF056O1M		30	
57, 58	EM057O1M	100		
57, 58	EF057O1M		80	
59, 511, 581, 591	EE059O1M			100
59, 511, 581, 591	EF059O1M		120	
60	EM060O1M	15		
60	EF060O1M		15	
61	EM061O1M	50		
61	EF061O1M		55	
62	EM062O1M	115		
62	EF062O1M		110	
63	EM063O1M	35		
63	EF063O1M		55	
64, 65	EM064O1M	110		
64, 65	EF064O1M		110	
66	EM066O1M	35		
66	EF066O1M		40	
67	EM067O1M	35		
67	EF067O1M		40	
68, 681	EM068O1M	85		
68, 681	EF068O1M		135	
69, 84	EM069O1M	65		
69, 84	EF069O1M		40	
70	EE070O1M			175
70	EF070O1M		145	



Unit	Season Dates 09/10/2016 – 09/18/2016 Unless Otherwise Shown			
	Hunt Code	Licenses (2015)		
		Antlered	Antlerless	Limited Either Sex
71, 72, 73, 711	EE071O1M			220
71, 72, 73, 711	EF071O1M		185	
74, 741	EE074O1M			100
74, 741	EF074O1M		25	
75, 751	EE075O1M			100
75, 751	EF075O1M		60	
76	EM076O1M	70		
76	EF076O1M		15	
77, 78, 771	EE077O1M			150
77, 78, 771	EF077O1M		60	
79	EM079O1M	15		
79	EF079O1M		25	
80, 81	EM080O1M	115		
80, 81	EF080O1M		175	
82	EE082O1M			75
82	EF082O1M		30	
85, 140, 851 Except Bosque del Oso SWA	EE085O1M			130
85, 140, 851 Except Bosque del Oso SWA	EF085O1M		130	
86, 691, 861	EE086O1M			
86, 691, 861	EF086O1M		80	
104	EM104O1M	25		
104	EF104O1M		30	
128	EE128O1M			50
133, 134, 141, 142	EE133O1M			10
133, 134, 141, 142	EF133O1M		10	
201	EM201O1M	10		
201	EF201O1M		5	
391	EM391O1M	40		
391	EF391O1M		40	
461	EM461O1M	30		
461	EF461O1M		25	
481	EM481O1M	35		
481	EF481O1M		30	
500	EM500O1M	50		
500	EF500O1M		65	
501	EM501O1M	35		
501	EF501O1M		40	
551	EM551O1M			
551	EF551O1M		90	
561	EM561O1M	35		
561	EF561O1M		20	
682, 791	EF682O1M		10	
851 Bosque del Oso SWA only	EM851O1M	5		
851 Bosque del Oso SWA only	EF851O1M		5	
<b>Limited License Totals</b>		<b>3219</b>	<b>6180</b>	<b>3845</b>

<b>B. Private Land Only Muzzle-loading Elk Seasons</b>			
1. Muzzle-loading Season Dates, Units (as described in Section #020 of these regulations), Limited License Types and Numbers			
Unit	Hunt Code	Season Dates 09/10/2016 – 09/18/2016	
		Unless Otherwise Shown	
		Licenses (2015)	
		Antlerless	Either Sex
4, 5, 441	EE004P1M		50
4, 5, 441	EF004P1M	50	
12, 13, 23, 24, 33	EE012P1M		50
12, 13, 23, 24, 33	EF012P1M	100	
83	EE083P1M		45
83	EF083P1M	10	
<b>TOTALS</b>		<b>160</b>	<b>145</b>

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**A. Early Rifle Elk Seasons**

1. Early Season Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.

Unit	Hunt Code	Date Open	Date Closed	Licenses (2015)		
				Antlered	Antlerless	Either Sex
1	EE001E1R	10/01/2016	10/11/2016			11
2	EE002E1R	10/01/2016	10/11/2016			32
2, 3, 11 - Those portions bounded on the north by Moffat Co Rd 4; on the east by Moffat Co Rd 7, Moffat Co Rd 21, Moffat Co Rd 19 and Yampa River; on the south by US 40; and on the west by Twelve Mile Gulch, Yampa River, Little Snake River, Moffat Co Rd 75 and Moffat Co Rd 66	EF003E1R	08/15/2016	10/31/2016		25	
10	EE010E1R	10/01/2016	10/11/2016			32
45	EF045E1R	09/15/2016	09/30/2016		80	
61	EE061E1R	10/01/2016	10/07/2016			
76	EM076E1R	10/06/2016	10/12/2016	20		
201	EE201E1R	10/01/2016	10/11/2016			

Unit	Hunt Code	Date Open	Date Closed	Licenses (2015)		
				Antlered	Antlerless	Either Sex
						28
<b>TOTALS</b>				<b>20</b>	<b>105</b>	<b>103</b>

**B. Regular Rifle Elk Seasons**

<b>1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.</b>						
<b>Unit(s)</b>	<b>1st Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown</b>	<b>2nd Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown</b>	<b>3rd Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown</b>	<b>4th Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown</b>	<b>Float Total (2015)</b>	<b>Total Licenses (2015), unless otherwise shown</b>
	<b>License #s (2015)</b>	<b>License #s (2015)</b>	<b>License #s (2015)</b>	<b>License #s (2015)</b>		
	<b>Hunt Code</b>	<b>Hunt Code</b>	<b>Hunt Code</b>	<b>Hunt Code</b>		
3, 4, 5, 6, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 41, 42, 43, 44, 45, 47, 52, 53, 55, 59, 60, 62, 63, 64, 65, 68, 70, 71, 72, 73, 74, 75, 77, 78, 80, 81, 82, 83, 85, 86, 131, 133, 134, 140, 141, 142, 161, 171, 181, 211, 214, 231, 301, 361, 371, 411, 421, 441, 444, 471, 511, 521, 551, 581, 591, 681, 691, 711, 741, 751, 771, 851 except Bosque del Oso SWA, 861		EM000U2R Unlimited Antlered				Unlimited
3, 4, 5, 6, 11, 12, 13, 14, 15, 16, 17, 18,			EM000U3R Unlimited			Unlimited

<b>1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.</b>						
<b>Unit(s)</b>	<b>1st Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown</b>	<b>2nd Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown</b>	<b>3rd Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown</b>	<b>4th Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown</b>	<b>Float Total (2015)</b>	<b>Total Licenses (2015), unless otherwise shown</b>
	<b>License #s (2015)</b>	<b>License #s (2015)</b>	<b>License #s (2015)</b>	<b>License #s (2015)</b>		
	<b>Hunt Code</b>	<b>Hunt Code</b>	<b>Hunt Code</b>	<b>Hunt Code</b>		
21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 41, 42, 43, 44, 45, 47, 52, 53, 54, 55, 59, 60, 62, 63, 64, 65, 68, 70, 71, 72, 73, 74, 75, 77, 78, 80, 81, 82, 83, 85, 86, 131, 133, 134, 140, 141, 142, 161, 171, 181, 211, 214, 231, 301, 361, 371, 411, 421, 441, 444, 471, 511, 521, 551, 581, 591, 681, 691, 711, 741, 751, 771, 851 except Bosque del Oso SWA, 861			Antlered			
128	EM128U5R Unlimited Antlered 10/15/2016-11/20/2016					Unlimited
87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106,	EE087U5R Unlimited Either-Sex 09/01/2016– 01/31/2017					Unlimited

1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.						
Unit(s)	1st Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown	2nd Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown	3rd Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown	4th Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown	Float Total (2015)	Total Licenses (2015), unless otherwise shown
	License #s (2015)	License #s (2015)	License #s (2015)	License #s (2015)		
	Hunt Code	Hunt Code	Hunt Code	Hunt Code		
107, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 129, 130, 132, 135, 136, 137, 138, 139, 143, 144, 145, 146, 147, 951						
54		EM054U2R Over-the-Counter Antleredwith Cap				
		450				450
<b>TOTALS</b>		<b>450</b>				<b>450</b>

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**B. Regular Rifle Elk Seasons**

**1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex		
1	EF001O1R			EF001O2R			EF001O3R			EF001O4R				80
		10			25			20			25			
2	EF002O1R			EF002O2R			EF002O3R			EF002O4R				115
		30			25			35			25			
3, 301										EM003O4R			550	550
3, 301				EF003O2R			EF003O3R						1000	1000
3, 4, 5, 214, 301, 441	EM003O1R													1300
	1300													
3, 4, 5, 214, 301, 441	EF003O1R													500
		500												
3, 4, 5, 301, 441										EF003O4R				500
											500			
4, 441										EM004O4R				350
											350			
4, 441				EF004O2R			EF004O3R						700	700
5										EM005O4R				10
											10			
5				EF005O2R			EF005O3R						100	100
6										EE006O4R				80

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex		
												80		
6							EF006O3R			EF006O4R				335
								225			110			
6, 16, 17, 161, 171	EE006O1R													690
			690											
6, 16, 17, 161, 171	EF006O1R			EF006O2R										3190
		1610			1580									
7, 8	EM007O1R			EM007O2R			EM007O3R			EM007O4R			1250	1530
	280													
7, 8				EF007O2R			EF007O3R			EF007O4R			325	325
9	EM009O1R			EM009O2R			EM009O3R			EM009O4R			160	240
	80													
10	EF010O1R			EF010O2R			EF010O3R			EF010O4R				275
		55			60			75			85			
11, 12, 13, 23, 24, 25, 26, 33, 34, 131, 211, 231	EM011O1R													5000
	5000													
	EF011O1R													2000



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**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex		
11, 12, 13, 23, 24, 25, 26, 33, 34, 131, 211, 231		2000												
11, 211										EM011O4R				420
										420				
11, 211				EF011O2R			EF011O3R							1300
					500			800						
11, 12, 23, 24, 211										EF011O4R				1700
											1700			
12, 23, 24				EF012O2R			EF012O3R						3000	3000
12, 13, 23, 24										EM012O4R				500
										500				
13				EF013O2R			EF013O3R			EF013O4R			500	500
14	EM014O1R									EM014O4R				225
	150									75				
14	EF014O1R			EF014O2R			EF014O3R			EF014O4R			250	350
		100												
15	EE015O1R									EE015O4R				400
			250									150		

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex		
15	EF015O1R			EF015O2R			EF015O3R			EF015O4R			1200	1425
		225												
16										EE016O4R				75
												75		
16							EF016O3R			EF016O4R				220
								160			60			
17										EE017O4R				65
												65		
17, 171							EF017O3R			EF017O4R				485
								340			145			
18, 181	EE018O1R									EE018O4R				1680
			840									840		
18, 181	EF018O1R													480
		480												
18				EF018O2R			EF018O3R			EF018O4R				1570
					455			575			540			
19	EM019O1R			EM019O2R			EM019O3R			EM019O4R			500	610
	110													
19				EF019O2R			EF019O3R			EF019O4R			110	110
20	EM020O1R			EM020O2R			EM020O3R			EM020O4R				80
	20			20			20			20				
20				EF020O2R			EF020O3R			EF020O4R				60
					30			20			10			
	EM021O1R									EM021O4R				1260

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**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex		
21, 22, 30, 31, 32	900									360				
21, 22, 30, 31, 32	EF021O1R													100
		100												
21, 30				EF021O2R			EF021O3R			EF021O4R				875
					350			350			175			
22				EF022O2R			EF022O3R			EF022O4R			400	500
											100			
25										EM025O4R				40
										40				
25, 26				EF025O2R			EF025O3R			EF025O4R			200	200
26										EM026O4R				100
										100				
27	EE027O1R									EE027O4R				125
			75									50		
27	EF027O1R			EF027O2R			EF027O3R			EF027O4R				645
		115			260			185			85			
28, 37	EE028O1R									EE028O4R				935
			550									385		
28, 37	EF028O1R			EF028O2R			EF028O3R			EF028O4R				1485
		330			330			440			385			
29	EM029O1R			EM029O2R			EM029O3R			EM029O4R			20	30
	10													

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex		
29	EF029O1R			EF029O2R			EF029O3R			EF029O4R			65	75
		10												
31				EF031O2R			EF031O3R			EF031O4R			500	500
32				EF032O2R			EF032O3R			EF032O4R			300	300
33										EM033O4R				115
										115				
33				EF033O2R			EF033O3R			EF033O4R			950	950
34										EM034O4R				35
										35				
34				EF034O2R			EF034O3R			EF034O4R			200	200
35										EE035O4R				50
												50		
35				EF035O2R			EF035O3R			EF035O4R			210	210
35, 36, 361	EE035O1R													250
			250											
35, 36, 361	EF035O1R													225
		225												
36, 361										EE036O4R				50
												50		
36, 361				EF036O2R			EF036O3R			EF036O4R			480	480

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex		
38	EM038O1R									EM038O4R				65
	35									30				
38	EF038O1R			EF038O2R			EF038O3R			EF038O4R			60	80
		20												
39	EM039O1R			EM039O2R			EM039O3R			EM039O4R				190
	60			60			50			20				
39	EF039O1R			EF039O2R			EF039O3R			EF039O4R			120	140
		20												
40	EE040O1R			EE040O2R			EE040O3R			EE040O4R				126
			35			33			33			25		
40	EF040O1R			EF040O2R			EF040O3R			EF040O4R				150
		40			35			35			40			
41, 42, 52, 411, 421, 521	EM041O1R									EM041O4R				1400
	1000									400				
41, 42, 52, 411, 421, 521	EF041O1R													900
		900												
41				EF041O2R			EF041O3R			EF041O4R			600	600
42				EF042O2R			EF042O3R			EF042O4R			900	1550
					650									
43, 471	EE043O1R													225
			225											
43, 471	EF043O1R													35
		35												

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex		
43										EE043O4R				75
												75		
43				EF043O2R			EF043O3R			EF043O4R			450	450
44, 45, 47, 444	EE044O1R													300
			300											
44, 45, 47, 444	EF044O1R													340
		340												
44										EE044O4R				190
												190		
44				EF044O2R			EF044O3R			EF044O4R			250	250
45										EE045O4R				130
												130		
45				EFO45O2R			EF045O3R			EF045O4R			175	175
46	EM046O1R			EM046O2R			EM046O3R			EM046O4R			80	105
	25													
46	EF046O1R			EF046O2R			EF046O3R			EF046O4R			60	80
		20												
47										EE047O4R				55
												55		
47				EF047O2R			EF047O3R			EF047O4R			290	290
48	EM048O1R			EM048O2R			EM048O3R			EM048O4R			90	160

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex		
	70													
48				EF048O2R			EF048O3R			EF048O4R			150	200
											50			
49	EM049O1R			EM049O2R			EM049O3R			EM049O4R			140	220
	80													
49				EF049O2R			EF049O3R			EF049O4R				300
					100			100			100			
49 within Lake County ONLY				EF049S2R			EF049S3R			EF049S4R				140
					50			50			40			
50	EM050O1R			EM050O2R			EM050O3R			EM050O4R			225	275
	50													
50				EF050O2R			EF050O3R			EF050O4R			400	400
51	EM051O1R			EM051O2R			EM051O3R			EM051O4R			100	140
	40													
51	EF051O1R			EF051O2R			EF051O3R			EF051O4R			100	130
		30												
52				EF052O2R			EF052O3R			EF052O4R			225	550
					325									
53, 63	EM053O1R													225
	225													
53, 63	EF053O1R													275
		275												

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex		
53										EM053O4R				25
										25				
53				EF053O2R			EF053O3R			EF053O4R				320
				120				150			50			
54	EF054O1R			EF054O2R			EF054O3R			EF054O4R				500
		170			150			70			110			
54	EM054O1R									EM054O4R				985
55										EE055O4R				45
												45		
55	EM055O1R													280
	280													
55	EF055O1R			EF055O2R			EF055O3R			EF055O4R				1135
		325			305			375			130			
56	EM056O1R			EM056O2R			EM056O3R			EM056O4R				175
	50			50			50			25				
56				EF056O2R			EF056O3R			EF056O4R				130
					50			50			30			
57, 58	EM057O1R			EM057O2R			EM057O3R			EM057O4R				320
	80			80			80			80				
57, 58	EF057O1R			EF057O2R			EF057O3R			EF057O4R				400
		90			110			110			90			
59, 581	EM059O1R									EM059O4R				280
	100									180				



**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex		
59, 581	EF059O1R			EF059O2R			EF059O3R			EF059O4R			150	200
		50												
60										EE060O4R				50
												50		
60	EM060O1R													45
	45													
60	EF060O1R			EF060O2R			EF060O3R			EF060O4R			20	40
		10			10									
61	EM061O1R			EM061O2R			EM061O3R			EM061O4R			190	330
	140													
61	EF061O1R			EF061O2R			EF061O3R			EF061O4R				785
		60			225			250			250			
62										EE062O4R				100
												100		
62	EM062O1R													285
	285													
62	EF062O1R			EF062O2R			EF062O3R			EF062O4R			250	650
		150			250									
63										EM063O4R				15
										15				
63				EF063O2R			EF063O3R			EF063O4R				250
					125			75			50			
64, 65	EE064O1R									EE064O4R				475
			400									75		

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex		
64, 65	EF064O1R			EF064O2R			EF064O3R			EF064O4R			330	770
		165			275									
66	EM066O1R			EM066O2R			EM066O3R			EM066O4R				785
	315			260			155			55				
66	EF066O1R			EF066O2R			EF066O3R			EF066O4R				630
		135			165			200			130			
67	EM067O1R			EM067O2R			EM067O3R			EM067O4R				800
	290			275			155			80				
67	EF067O1R			EF067O2R			EF067O3R			EF067O4R				635
		100			155			190			190			
68, 681	EM068O1R									EM068O4R				505
	375									130				
68				EF068O2R			EF068O3R			EF068O4R				540
					210			230			100			
69, 84	EM069O1R			EM069O2R			EM069O3R			EM069O4R				235
	75			80			40			40				
69, 84				EF069O2R			EF069O3R			EF069O4R				360
					200			100			60			
70				EF070O2R			EF070O3R			EF070O4R				810
					350			260			200			
70,	EE070O1R									EE070O4R				440
			400									40		
71, 72, 73, 711	EE071O1R									EE071O4R				1050
			860									190		

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex		
71				EF071O2R			EF071O3R			EF071O4R			195	195
72				EF072O2R			EF072O3R			EF072O4R			80	80
73				EF073O2R			EF073O3R			EF073O4R			40	40
74, 741	EE074O1R													325
74, 741										EM074O4R				60
74				EF074O2R			EF074O3R			EF074O4R			125	125
75, 751	EE075O1R													650
75, 751										EM075O4R				80
75, 751				EF075O2R			EF075O3R			EF075O4R			600	600
76	EM076O1R			EM076O2R			EM076O3R							280
76				EF076O2R			EF076O3R			EF076O4R				570
77, 78, 771	EE077O1R													750
77, 78, 771										EM077O4R				80

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex	Antlered	Antler- less	Either Sex		
77, 78, 771				EF077O2R			EF077O3R			EF077O4R				245
					125			70			50			
79	EM079O1R			EM079O2R			EM079O3R							365
	165			100			100							
79	EF079O1R			EF079O2R			EF079O3R			EF079O4R				325
		50			100			75			100			
80, 81	EM080O1R									EM080O4R				900
	850									50				
80				EF080O2R			EF080O3R			EF080O4R				225
					5			5			215			
81				EF081O2R			EF081O3R			EF081O4R				235
					5			5			225			
82	EE082O1R									EE082O4R				375
			300									75		
82	EF082O1R			EF082O2R			EF082O3R			EF082O4R				465
		25			200			200			40			
85, 140, 851 except Bosque del Oso SWA	EE085O1R									EE085O4R				250
			100									150		

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex		
85, 140, 851 except Bosque del Oso SWA				EF085O2R			EF085O3R			EF085O4R				120
					40			40			40			
86, 691, 861	EE086O1R									EE086O4R				240
86, 691, 861				EF086O2R			EF086O3R			EF086O4R			375	375
104	EM104O1R			EM104O2R			EM104O3R			EM104O4R			85	115
	30													
131										EM131O4R				60
										60				
131				EF131O2R			EF131O3R			EF131O4R			250	250
133, 134, 141, 142										EM133O4R				30
										30				
161										EE161O4R				100
												100		
161							EF161O3R			EF161O4R				390
								260			130			
171										EE171O4R				60
												60		

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex		
181				EF181O2R			EF181O3R			EF181O4R				620
					190			240			190			
191	EM191O1R			EM191O2R			EM191O3R			EM191O4R			300	350
	50													
191				EF191O2R			EF191O3R			EF191O4R			100	100
201	EF201O1R			EF201O2R			EF201O3R			EF201O4R				155
		30			55			30			40			
214										EM214O4R				50
										50				
214				EF214O2R			EF214O3R			EF214O4R			400	400
231										EM231O4R				60
										60				
231				EF231O2R			EF231O3R			EF231O4R			250	250
371	EE371O1R									EE371O4R				265
			155									110		
371	EF371O1R			EF371O2R			EF371O3R			EF371O4R				430
		110			75			130			115			
391	EM391O1R			EM391O2R			EM391O3R			EM391O4R			60	60
411				EF411O2R			EF411O3R			EF411O4R			100	200
					100									
421				EF421O2R			EF421O3R			EF421O4R			1100	1100

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex		
444										EE444O4R				140
											140			
444				EF444O2R			EF444O3R			EF444O4R			565	565
461	EM461O1R			EM461O2R			EM461O3R			EM461O4R			60	60
461	EF461O1R			EF461O2R			EF461O3R			EF461O4R			50	50
471										EE471O4R				25
											25			
471				EF471O2R			EF471O3R			EF471O4R			45	45
481	EM481O1R			EM481O2R			EM481O3R			EM481O4R			200	270
	70													
481				EF481O2R			EF481O3R			EF481O4R			200	200
500	EM500O1R			EM500O2R			EM500O3R			EM500O4R			150	250
	100													
500				EF500O2R			EF500O3R			EF500O4R			350	350
501	EM501O1R			EM501O2R			EM501O3R			EM501O4R			135	170
	35													
501				EF501O2R			EF501O3R			EF501O4R			200	200
511	EM511O1R									EM511O4R				175
	75									100				

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex		
511	EF511O1R			EF511O2R			EF511O3R			EF511O4R			100	130
		30												
521 north of West Muddy Creek and east of Colo 133				EF521O2R			EF521O3R			EF521O4R			700	700
521 south of West Muddy Creek and west of Paonia Reservoir				EF521S2R			EF521S3R			EF521S4R			650	650
551										EE551O4R				20
												20		
551	EM551O1R													70
	70													
551	EF551O1R			EF551O2R			EF551O3R			EF551O4R				660
		120			240			250			50			
561	EM561O1R			EM561O2R			EM561O3R			EM561O4R				105



**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**B. Regular Rifle Elk Seasons**

- 1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.**

Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)				
	Hunt Code			Hunt Code			Hunt Code			Hunt Code				
	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex		
	30			30			30			15				
561				EF561O2R			EF561O3R			EF561O4R				80
					30			30			20			
681				EF681O2R			EF681O3R			EF681O4R				335
					160			125			50			
711				EF711O2R			EF711O3R			EF711O4R			170	275
											105			
741				EE741O2R			EE741O3R			EE741O4R			70	70
851 Bosque del Oso SWA only	EM851O1R			EM851O2R			EM851O3R			EM851O4R				15
	5			5			5							
851 Bosque del Oso SWA only							EF851O3R							5
								5						
851 Bosque del Oso SWA only Youth Only				EE851K2R			EE851K3R							4
						2			2					

#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS															
B. Regular Rifle Elk Seasons															
1. Separate and Combined Rifle Seasons, Dates, Units (as described in Chapter 0 of these regulations), Limited License Numbers or Unlimited Licenses as shown by hunt code.															
Unit(s)	1 <sup>st</sup> Season (Separate Limited Elk) Season Dates: 10/15/2016 – 10/19/2016 Unless Otherwise Shown			2 <sup>nd</sup> Season (Combined) Season Dates: 10/22/2016 – 10/30/2016 Unless Otherwise Shown			3 <sup>rd</sup> Season (Combined) Season Dates: 11/05/2016 – 11/13/2016 Unless Otherwise Shown			4 <sup>th</sup> Season (Combined) Season Dates: 11/16/2016 – 11/20/2016 Unless Otherwise Shown			Float Total (2015)	Total Licenses (2015)	
	License #s (2015)			License #s (2015)			License #s (2015)			License #s (2015)					
	Hunt Code			Hunt Code			Hunt Code			Hunt Code					
	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex	Antlered	Antler-less	Either Sex			
Totals	13290	9090	7490	1020	9000	35	715	7115	485	4330	7125	3600	25480	88775	



**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

- All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates Concurrent with 1 <sup>st</sup> Season (Separate Limited Elk) 10/15/2016 – 10/19/2016			Season Dates Concurrent with 2 <sup>nd</sup> Season (Combined) 10/22/2016 – 10/30/2016			Season Dates Concurrent with 3 <sup>rd</sup> Season (Combined) 11/05/2016 – 11/13/2016			Season Dates Concurrent with 4 <sup>th</sup> Season (Combined) 11/16/2016 – 11/20/2016			Float Total (2015)	Other Season Dates					Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex			Hunt Code	Date Open-Date Closed	Antlered	Antlerless	
1														EF001P5R	08/15/2016-01/15/2017		10		10
3, 4, 5, 214, 301, 441	EE003P1R													EF003P5R	10/22/2016-11/30/2016		850		1250
			400																
6, 16, 17, 161, 171	EE006P1R																		150
			150																
6, 16, 17, 161, 171				EF006P2R										EF006P5R	08/15/2016-09/30/2016		350		400
					50														
6							EF006P3R			EF006P4R									20
								10			10								
7, 8														EF007P5R	09/01/2016-01/31/2017		200		200
9														EF009P5R	09/01/2016-01/31/2017		145		145

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

- All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates Concurrent with 1 <sup>st</sup> Season (Separate Limited Elk) 10/15/2016 – 10/19/2016			Season Dates Concurrent with 2 <sup>nd</sup> Season (Combined) 10/22/2016 – 10/30/2016			Season Dates Concurrent with 3 <sup>rd</sup> Season (Combined) 11/05/2016 – 11/13/2016			Season Dates Concurrent with 4 <sup>th</sup> Season (Combined) 11/16/2016 – 11/20/2016			Float Total (2015)	Other Season Dates					Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex		Hunt Code	Date Open-Date Closed	Antlered	Antlerless	Either Sex	
10														EF010P5R	08/15/2016-01/15/2017		125		125
11, 12, 13, 23, 24, 25, 26, 33, 34, 131, 211, 231	EE011P1R																		
			700																
11, 12, 13, 23, 24, 211														EF011P5R	10/01/2016-11/30/2016		800		800
14, 214, 441														EF014P5R	12/01/2016-12/31/2016		300		300
15	EE015P1R			EE015P2R			EE015P3R			EE015P4R				EF015P5R	11/21/2016-01/31/2017		300		600
			75			75			75			75							
16							EF016P3R			EF016P4R									20
								10			10								
17							EF017P3R			EF017P4R									20

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

- All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates Concurrent with 1 <sup>st</sup> Season (Separate Limited Elk) 10/15/2016 – 10/19/2016			Season Dates Concurrent with 2 <sup>nd</sup> Season (Combined) 10/22/2016 – 10/30/2016			Season Dates Concurrent with 3 <sup>rd</sup> Season (Combined) 11/05/2016 – 11/13/2016			Season Dates Concurrent with 4 <sup>th</sup> Season (Combined) 11/16/2016 – 11/20/2016			Float Total (2015)	Other Season Dates					Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex		Hunt Code	Date Open-Date Closed	Antlered	Antlerless	Either Sex	
								10			10								
18	EF018P1R			EF018P2R			EF018P3R			EF018P4R			240						240
18, 181	EE018P1R									EE018P4R									720
			360									360							
19														EF019P5R	09/01/2016-01/31/2017		150		150
20														EF020P5R	09/01/2016-01/31/2017		500		500
21, 22, 30, 31, 32	EE021P1R																		125
			125																
22, 31, 32														EF022P5R	10/15/2016-12/31/2016		400		400
23, 24														EF023P5R	12/01/2016-12/31/2016		50		50

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- b. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates Concurrent with 1 <sup>st</sup> Season (Separate Limited Elk) 10/15/2016 – 10/19/2016			Season Dates Concurrent with 2 <sup>nd</sup> Season (Combined) 10/22/2016 – 10/30/2016			Season Dates Concurrent with 3 <sup>rd</sup> Season (Combined) 11/05/2016 – 11/13/2016			Season Dates Concurrent with 4 <sup>th</sup> Season (Combined) 11/16/2016 – 11/20/2016			Float Total (2015)	Other Season Dates					Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex		Hunt Code	Date Open-Date Closed	Antlered	Antlerless	Either Sex	
25, 26, 231														EF025P5R	08/15/2016-01/15/2017		400		400
27	EF027P1R			EF027P2R			EF027P3R			EF027P4R			25						50
		25																	
27	EE027P1R									EE027P4R									200
			100									100							
28, 37	EF028P1R			EF028P2R			EF028P3R			EF028P4R			440						440
28, 37	EE028P1R									EE028P4R									440
			220									220							
29														EF029P5R	09/01/2016-01/31/2017		80		80

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
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	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex			Hunt Code	Date Open- Date Closed	Antlered	Antlerless	
33										EE033P4R				EF033P5R	12/01/2016-01/31/2017		100		125
												25							
34														EF034P5R	08/15/2016-01/15/2017		50		50
35														EF035P5R	08/15/2016-01/15/2017		100		100
35, 36, 361	EE035P1R																		30
			30																
36, 361														EF036P5R	08/15/2016-01/15/2017		65		65
38	EE038P1R													EF038P5R	09/01/2016-01/31/2017		150		160
			10																
39														EF039P5R	09/01/2016-01/31/2017		50		50



**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
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	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex			Hunt Code	Date Open-Date Closed	Antlered	Antlerless	
40														EF040P5R	09/01/2016-11/30/2016		375		375
41, 42, 52, 411, 421, 521	EE041P1R									EE041P4R									475
			330									145							
41														EF041P5R	09/01/2016-01/31/2017		275		275
43														EF043P5R	08/15/2016-01/15/2017		150		150
43, 471	EE043P1R																		10
			10																

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
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	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex			Hunt Code	Date Open-Date Closed	Antlered	Antlerless	
44														EF044P5R	08/15/2016-01/15/2017		125		125
44, 45, 47, 444	EE044P1R																		75
			75																
45														EF045P5R	08/15/2016-01/15/2017		50		50
46														EF046P5R	09/01/2016-01/31/2017		40		40
47														EF047P5R	08/15/2016-01/15/2017		75		75
50														EF050P5R	09/01/2016-01/31/2017		30		30
51														EF051P5R	09/01/2016-01/31/2017		175		175
52														EF052P5R	12/01/2016-01/31/2017		175		175

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
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	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex		Hunt Code	Date Open-Date Closed	Antlered	Antlerless	Either Sex	
53, 63	EE053P1R									EE053P4R									150
			85									65							
53, 63 -Delta County only, 521 - South of Colo 133 and west of Somerset														EF053P5R	12/01/2016-01/31/2017		125		125
54	EE054P1R									EE054P4R									90
			25									65							

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
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	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex		Hunt Code	Date Open- Date Closed	Antlered	Antlerless	Either Sex	
54 - area														EF054P5R	-		50		50

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

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Unit	Season Dates Concurrent with 1 <sup>st</sup> Season (Separate Limited Elk) 10/15/2016 – 10/19/2016			Season Dates Concurrent with 2 <sup>nd</sup> Season (Combined)  10/22/2016 – 10/30/2016			Season Dates Concurrent with 3 <sup>rd</sup> Season (Combined)  11/05/2016 – 11/13/2016			Season Dates Concurrent with 4 <sup>th</sup> Season (Combined)  11/16/2016 – 11/20/2016			Float Total (2015)	Other Season Dates					Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex			Hunt Code	Date Open- Date Closed	Antlered	Antlerless	
bounded on the N by South Castle Creek, CR 730, Carbon Creek and Squaw Gulch; on the E by Colo 135; on S by U.S. 50; on W by Gunnison River, Antelope Creek, CR 818, CR 727 and USFS Trail															08/27/2016-11/20/2016				

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

- All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
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Unit	Season Dates Concurrent with 1 <sup>st</sup> Season (Separate Limited Elk) 10/15/2016 – 10/19/2016			Season Dates Concurrent with 2 <sup>nd</sup> Season (Combined) 10/22/2016 – 10/30/2016			Season Dates Concurrent with 3 <sup>rd</sup> Season (Combined) 11/05/2016 – 11/13/2016			Season Dates Concurrent with 4 <sup>th</sup> Season (Combined) 11/16/2016 – 11/20/2016			Float Total (2015)	Other Season Dates					Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex		Hunt Code	Date Open-Date Closed	Antlered	Antlerless	Either Sex	
56														EF056P5R	09/01/2016-01/31/2017		70		70
57, 58														EF057P5R	09/01/2016-01/31/2017		250		250
59, 581	EE059P1R																		80
59, 581			80											EF059P5R	09/01/2016-01/31/2017		200		200
60	EE060P1R									EE060P4R				EF060P5R	09/01/2016-12/31/2016		50		70
			10									10							
61														EF061P5R	12/15/2016-01/15/2017		125		125
62	EE062P1R									EE062P4R									150
			75									75							

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- b. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates Concurrent with 1 <sup>st</sup> Season (Separate Limited Elk) 10/15/2016 – 10/19/2016			Season Dates Concurrent with 2 <sup>nd</sup> Season (Combined) 10/22/2016 – 10/30/2016			Season Dates Concurrent with 3 <sup>rd</sup> Season (Combined) 11/05/2016 – 11/13/2016			Season Dates Concurrent with 4 <sup>th</sup> Season (Combined) 11/16/2016 – 11/20/2016			Float Total (2015)	Other Season Dates					Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex		Hunt Code	Date Open-Date Closed	Antlered	Antlerless	Either Sex	
62				EF062P2R			EF062P3R			EF062P4R				EF062P5R	12/01/2016-12/31/2016		60		300
													240						
63 - West of Hwy 92														EF063P5R	08/15/2016-11/20/2016		225		225
64, 65	EE064P1R									EE064P4R									215
			130									85							
64				EF064P2R			EF064P3R			EF064P4R			50	EF064P5R	12/01/2016-12/31/2016				50
65														EF065P5R	10/15/2016-11/30/2016		425		425
68														EF068P5R	09/01/2016-12/31/2016		15		15
69, 84														EF069P5R	09/01/2016-01/31/2017		425		425
70	EE070P1R									EE070P4R									280
			220									60							
70				EF070P2R			EF070P3R			EF070P4R			500	EF070P5R			200		700

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

- All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates Concurrent with 1 <sup>st</sup> Season (Separate Limited Elk) 10/15/2016 – 10/19/2016			Season Dates Concurrent with 2 <sup>nd</sup> Season (Combined) 10/22/2016 – 10/30/2016			Season Dates Concurrent with 3 <sup>rd</sup> Season (Combined) 11/05/2016 – 11/13/2016			Season Dates Concurrent with 4 <sup>th</sup> Season (Combined) 11/16/2016 – 11/20/2016			Float Total (2015)	Other Season Dates					Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex		Hunt Code	Date Open-Date Closed	Antlered	Antlerless	Either Sex	
															12/15/2016-12/31/2016				
71, 72, 73, 711	EE071P1R									EE071P4R									150
			120									30							
72, 711														EF072P5R	09/01/2016-09/30/2016		100		100
73 - South of Colo 184 and US 160														EF073P5R	09/01/2016-10/14/2016		75		75
74, 741	EE074P1R									EE074P4R									35
			15									20							



**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

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Unit	permission to hunt															Float Total (2015)	Other Season Dates					Total (2015)
	Season Dates Concurrent with 1 <sup>st</sup> Season (Separate Limited Elk) 10/15/2016 – 10/19/2016			Season Dates Concurrent with 2 <sup>nd</sup> Season (Combined)  10/22/2016 – 10/30/2016			Season Dates Concurrent with 3 <sup>rd</sup> Season (Combined)  11/05/2016 – 11/13/2016			Season Dates Concurrent with 4 <sup>th</sup> Season (Combined)  11/16/2016 – 11/20/2016												
	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)												
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex		Hunt Code	Date Open- Date Closed	Antlered	Antlerless	Either Sex				
74 - all private lands in La Plata County, and 75 - all private lands west of Florida River and north of US 160, and all private lands south of US 160														EF074P5R	09/01/2016-01/15/2017		350		350			
75, 751,										EE075P4R									25			
77, 78, 771	EE077P1R									EE077P4R				EF077P5R	09/01/2016-09/30/2016		40		115			
			50									25										

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

- All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates Concurrent with 1 <sup>st</sup> Season (Separate Limited Elk) 10/15/2016 – 10/19/2016			Season Dates Concurrent with 2 <sup>nd</sup> Season (Combined) 10/22/2016 – 10/30/2016			Season Dates Concurrent with 3 <sup>rd</sup> Season (Combined) 11/05/2016 – 11/13/2016			Season Dates Concurrent with 4 <sup>th</sup> Season (Combined) 11/16/2016 – 11/20/2016			Float Total (2015)	Other Season Dates					Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex		Hunt Code	Date Open-Date Closed	Antlered	Antlerless	Either Sex	
79														EF079P5R	09/01/2016-01/31/2017		20		20
80														EF080P5R	09/01/2016-01/31/2017		30		30
81														EF081P5R	09/01/2016-01/31/2017		35		35
82	EE082P1R													EE082P5R-see #257.5 - special restrictions	09/01/2016-11/30/2016			40	55
			15																
83	EE083P1R									EE083P4R									150
			75									75							
83				EF083P2R			EF083P3R			EF083P4R									140
					50			75			15								
85, 140, 851	EE085P1R																		300
			300																
85, 140, 851														EF085P5R	10/10/2016-11/30/2015		300		300
85, 140, 851														EF085P6R	12/01/2016-12/31/2015		375		375

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

- All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates Concurrent with 1 <sup>st</sup> Season (Separate Limited Elk) 10/15/2016 – 10/19/2016			Season Dates Concurrent with 2 <sup>nd</sup> Season (Combined) 10/22/2016 – 10/30/2016			Season Dates Concurrent with 3 <sup>rd</sup> Season (Combined) 11/05/2016 – 11/13/2016			Season Dates Concurrent with 4 <sup>th</sup> Season (Combined) 11/16/2016 – 11/20/2016			Float Total (2015)	Other Season Dates					Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex			Hunt Code	Date Open-Date Closed	Antlered	Antlerless	
86, 691, 861														EF086P5R	09/01/2016-01/31/2017		600		600
86, 691, 861	EE086P1R																		
			55																55
104, 105, 106,														EF104P5R	09/01/2016-01/31/2017		300		300
131				EF131P2R			EF131P3R			EF131P4R			200	EF131P5R	11/21/2016-01/31/2017		200		400
161							EF161P3R			EF161P4R									20
								10			10								
171							EF171P3R			EF171P4R									20
								10			10								
181	EF181P1R			EF181P2R			EF181P3R			EF181P4R			240						240
191														EF191P5R	09/01/2016-01/31/2017		150		150
231				EE231P2R			EE231P3R			EE231P4R			75						75

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- b. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates Concurrent with 1 <sup>st</sup> Season (Separate Limited Elk) 10/15/2016 – 10/19/2016			Season Dates Concurrent with 2 <sup>nd</sup> Season (Combined) 10/22/2016 – 10/30/2016			Season Dates Concurrent with 3 <sup>rd</sup> Season (Combined) 11/05/2016 – 11/13/2016			Season Dates Concurrent with 4 <sup>th</sup> Season (Combined) 11/16/2016 – 11/20/2016			Float Total (2015)	Other Season Dates					Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex			Hunt Code	Date Open-Date Closed	Antlered	Antlerless	
371	EF371P1R			EF371P2R			EF371P3R			EF371P4R			165						165
371	EE371P1R									EE371P4R								220	
			110									110							
39- all portions within Jefferson County, 391.														EF391P5R	09/01/2016-01/31/2017		275		275
411														EF411P5R	12/01/2016-01/31/2017		140		140
421														EF421P5R	09/01/2016-01/03/2017		400		400
444														EF444P5R	08/15/2016-01/15/2017		300		300

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

- All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates Concurrent with 1 <sup>st</sup> Season (Separate Limited Elk) 10/15/2016 – 10/19/2016			Season Dates Concurrent with 2 <sup>nd</sup> Season (Combined)  10/22/2016 – 10/30/2016			Season Dates Concurrent with 3 <sup>rd</sup> Season (Combined)  11/05/2016 – 11/13/2016			Season Dates Concurrent with 4 <sup>th</sup> Season (Combined)  11/16/2016 – 11/20/2016			Float Total (2015)	Other Season Dates					Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex			Hunt Code	Date Open- Date Closed	Antlered	Antlerless	
461														EF461P5R	09/01/2016-01/31/2017		50		50
471														EF471P5R	08/15/2016-01/15/2017		10		10
481														EF481P5R	09/01/2016-01/31/2017		90		90
500														EF500P5R	09/01/2016-01/31/2017		20		20
501														EF501P5R	09/01/2016-01/31/2017		30		30
511	EE511P1R																		10
511														EF511P5R	09/01/2016-01/31/2017		200		200
682, 791 – see #257.5 - special restriction														EF682P5R	08/15/2016 - 02/28/2017		150		150

**#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS**

**C. Private Land Only Elk Seasons**

**1. Private Land Only Season Dates, Units (as described in Chapter 0 of these regulations), and Limited Licenses.**

- a. All applicants for "Private Land Only" licenses must obtain permission to hunt from at least one private landowner within the game management unit prior to applying for a license.
- b. Private land only licenses are valid on all private land within the game management unit upon which the license holder has permission to hunt.

Unit	Season Dates Concurrent with 1 <sup>st</sup> Season (Separate Limited Elk) 10/15/2016 – 10/19/2016			Season Dates Concurrent with 2 <sup>nd</sup> Season (Combined)  10/22/2016 – 10/30/2016			Season Dates Concurrent with 3 <sup>rd</sup> Season (Combined)  11/05/2016 – 11/13/2016			Season Dates Concurrent with 4 <sup>th</sup> Season (Combined)  11/16/2016 – 11/20/2016			Float Total (2015)	Other Season Dates					Total (2015)
	Licenses (2015)			Licenses (2015)			Licenses (2015)			Licenses (2015)						Licenses (2015)			
	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex	Antlered	Antlerless	Either Sex			Hunt Code	Date Open- Date Closed	Antlered	Antlerless	
682, 791 - see #257.5 - special restrictions														EM682P6R	08/15/2016-02/28/2017	100			100
711														EF711P5R	10/15/2016-11/20/2016		25		25
741														EF741P5R	09/01/2016-01/15/2017		350		350
751 south of US 160														EF751P5R	12/01/2016-01/15/2017		100		100
TOTALS	0	25	3985	0	100	75	0	125	75	0	65	1595	2175			100	13580	40	21940

#257 - RIFLE AND ASSOCIATED METHODS ELK SEASONS - ANY LAWFUL METHOD OF TAKE PERMITTED DURING THESE SEASONS D. San Luis Valley Game Damage Private Land Only Antlered Elk Seasons				
Units	Hunt Code	Date Open-Date Closed	Licenses (2016)	Total (2016)
682, 791 - see #257.5 - special restrictions	EM682P5R	05/15/2016-07/31/2016	100	<b>100</b>

**E. Late Elk Seasons**

1. Late Season Hunt, Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.					
Unit	Hunt Code	Date Open	Date Closed	Licenses (2015)	
				Antlered	Antlerless
1	EF001L1R	12/01/2016	12/31/2016		10
2, 201	EF002L1R	12/01/2016	12/31/2016		25
3, 301	EF003L1R	12/01/2016	12/31/2016		300
7, 8	EF007L1R	12/03/2016	12/14/2016		40
9	EF009L1R	10/15/2016	11/30/2016		60
10	EF010L1R	12/01/2016	12/31/2016		175
11	EF011L1R	12/01/2016	12/31/2016		100
13	EF013L1R	12/01/2016	12/31/2016		100
18	EF018L1R	11/26/2016	12/04/2016		90
19	EF019L1R	12/03/2016	12/14/2016		40
20	EM020L1R	11/26/2016	12/07/2016	60	
20	EF020L1R	11/26/2016	12/07/2016		30
20	EM020L2R	01/07/2017	01/18/2017	60	
20 - Those portions bounded on the north by the Little Thompson River; on the east by US 287, on the south by Colo 66 (Ute Hwy) and US 36; and on the west by Boulder CR 71N (Blue Mountain Road), Larimer CR 37E, Lonestar Rd, then Stagecoach Trail N at the intersection of Lonestar Rd and Stagecoach Trail.	EF020L3R	08/15/2016	01/31/2017		100
22	EF022L1R	12/01/2016	12/31/2016		100
26	EF026L1R	12/01/2016	01/15/2017		60
27	EF027L1R	11/26/2016	12/04/2016		80
28, 37	EF028L1R	11/26/2016	12/04/2016		220
30	EF030L1R	12/15/2016	01/15/2017		
31	EF031L1R	12/15/2016	01/15/2017		300
35, 36	EF035L1R	11/26/2016 12/15/2016	12/04/2016 01/15/2017		150
38 Jefferson County ONLY	EF038L1R	12/01/2016	01/31/2017		75
50	EF050L1R	12/31/2016	01/08/2017		75
61	EF061L1R	12/03/2016	12/11/2016		50
68	EF068L1R	12/01/2016	12/31/2016		100
70	EF070L1R	12/03/2016	12/11/2016		
79	EF079L1R	12/01/2016	12/31/2016		5
80	EF080L1R	12/01/2016	12/31/2016		5
81	EF081L1R	12/01/2016	12/31/2016		5
85, 140, 851, except the Bosque del Oso State Wildlife Area	EF085L1R	01/01/2017	01/31/2017		175
128	EF128L1R	09/01/2016	01/31/2017		500
133, 134, 141	EF133L1R	10/15/2016	01/31/2017		45



1. Late Season Hunt, Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.					
Unit	Hunt Code	Date Open	Date Closed	Licenses (2015)	
				Antlered	Antlerless
142	EF142L1R	10/15/2016	01/31/2017		25
181	EF181L1R	11/26/2016	12/04/2016		60
191	EF191L1R	12/03/2016	12/14/2016		40
211	EF211L1R	12/01/2016	12/31/2016		50
361	EF361L1R	11/26/2016	12/04/2016		50
371	EF371L1R	11/26/2016	12/04/2016		110
500	EF500L1R	12/31/2016	01/08/2017		60
501	EF501L1R	12/31/2016	01/08/2017		30
512 See special restrictions	EF512L1R	10/01/2016	01/31/2017		30
591	EF591L1R	10/01/2016	01/31/2017		25
681	EF681L1R	12/01/2016	12/31/2016		50
851 - Bosque del Oso SWA ONLY	EF851L1R	11/26/2016	12/04/2016		20
851 - Bosque del Oso SWA ONLY	EF851L2R	12/10/2016	12/18/2016		20
851 - Bosque del Oso SWA ONLY	EF851L3R	12/24/2016	01/01/2017		25
<b>TOTALS</b>				<b>120</b>	<b>3730</b>

#### #257.5 - SPECIAL RESTRICTIONS

##### A. Unit 512 - Air Force Academy

Hunters must apply in person, no later than May 31 annually to participate in a random drawing to be placed on a priority list of hunters. Applications along with a non-refundable application fee not to exceed \$10.00 will be accepted at the Academy's Outdoor Recreation Center, Building 5136 - Community Center Drive, AFA, Colorado Springs.

The first 15 hunters drawn will be placed on the list and will be notified of their placement by June 15 annually. When elk are available to be hunted, up to 4 hunters will be called. After obtaining a license, paying a fee not to exceed \$30.00 to the Academy and receiving a safety briefing, hunters will be escorted on the hunt. Hunters may decline one opportunity to hunt and hold their place on the list. Hunts will continue when possible until (30) antlerless elk have been taken.

##### B. Units 82, 682 and 791 – San Luis Valley Damage Elk Hunts

1. The purpose of these hunts is to provide flexibility in managing damage by elk and maintain landowners' rights to determine who may enter their property. Most license vouchers may be issued to friends and family of the landowner. Opportunities for non-associated public hunters may exist and will be selected from a list of interested hunters.
2. License vouchers may be transferred one time only, and shall only be transferred by the landowner to the hunter that will use the voucher to purchase the license. Third-party brokering of landowner vouchers is not permitted. Violation of this subsection shall invalidate the applicable landowner voucher and any license purchased with it.
3. Public hunters must apply no later than July 15 annually, to participate in a random drawing to be placed on a priority list of hunters. Applications will be accepted at the Monte Vista Service Center at 0722 S Rd. 1 E, Monte Vista.

4. Hunters drawn will be placed on the list and the top 10 hunters on the list will be notified of their placement no later than August 15 annually. When elk are available to be hunted, up to 4 hunters will be called. Hunters may decline one opportunity to hunt and hold their place on the list. Hunts will be conducted on an as-needed basis to alleviate game damage.

C. Units 80, 82, and 83 – San Luis Valley US Fish and Wildlife Refuge Permits

1. Starting in 2016, the United States Fish and Wildlife Service (USFWS) will allow a limited number of elk hunters access to hunt on the Alamosa, Baca, and Monte Vista National Wildlife Refuges. To be eligible for an access permit, hunters must hold one of the following elk licenses in either GMU 80, 82, or 83:

- a. Either-sex archery;
- b. Antlered muzzleloader;
- c. Antlered or either-sex first rifle;
- d. Antlered or either-sex fourth rifle;
- e. Any limited antlerless license.

2. To be entered into the drawing for the 2016 hunting seasons, eligible hunters must email the following address starting the day after left-over license day:

[montevista.wildlife@state.co.us](mailto:montevista.wildlife@state.co.us).

left-over license day. Permits for Monte Vista Service Center via a random drawing on August 17, 2016, held under the direct supervision of the area wildlife manager.

Emailed entries will only be accepted for five days after these three refuges will then be issued at the drawing on August 17, 2016, held under

**ARTICLE X - PRONGHORN**

**#261 - ARCHERY PRONGHORN SEASONS ONLY LAWFUL HAND HELD BOWS MAY BE USED TO HUNT OR TAKE PRONGHORN DURING THE FOLLOWING SEASONS:**

**A. Regular Archery Pronghorn Seasons**

1. Archery Season Dates, Units (as described in Chapter 0 of these regulations), Limited licenses.						
Unit	Hunt Code	Date Open	Date Closed	License Types and Numbers (2015)		
				Unlimited Buck or Either Sex	Limited Buck Only	Limited Doe Only
1, 7, 8, 9, 14, 15, 19, 20, 22, 23, 24, 25, 26, 29, 31, 32, 33, 34, 35, 36, 38, 39, 40, 42, 43, 44, 45, 46, 47, 48, 51, 52, 53, 54, 55, 56, 59, 60, 61, 63, 64, 65, 69, 71, 72, 73, 74, 75, 76, 77, 78, 84, 85, 86, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 104, 105, 106, 107, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 191, 231, 361, 371, 421, 444, 461, 471, 481, 511, 521, 561, 591, 691, 711, 741, 751, 771, 851 except Bosque del Oso SWA, 861, 951	AE000U1A	08/15/2016 and 09/01/2016	08/31/2016 and 09/20/2016	Unlimited Buck and Either Sex		
3, 301	AM003O1A	08/15/2016	09/20/2016		110	
3, 301	AF003O1A	09/01/2016	09/20/2016			25
4, 5	AM004O1A	08/15/2016	09/20/2016		40	
4, 5	AF004O1A	09/01/2016	09/20/2016			10
6, 16, 17, 161, 171	AM006O1A	08/15/2016	09/20/2016		70	
6, 16, 17, 161, 171	AF006O1A	09/01/2016	09/20/2016			20
11	AM011O1A	08/15/2016	09/20/2016		15	
11	AF011O1A	09/01/2016	09/20/2016			10
12, 211	AM012O1A	08/15/2016	09/20/2016		5	
12, 211	AF012O1A	09/01/2016	09/20/2016			5
13	AM013O1A	08/15/2016	09/20/2016		35	
13	AF013O1A	09/01/2016	09/20/2016			10
18, 27, 28, 37, 181	AM018O1A	08/15/2016	09/20/2016		20	
18, 27, 28, 37, 181	AF018O1A	09/01/2016	09/20/2016			10
49, 50, 500, 501	AM049O1A	08/15/2016	09/20/2016		30	
49, 50, 500, 501	AF049O1A	09/01/2016	09/20/2016			10
57, 58, 581	AM057O1A	08/15/2016	09/20/2016		25	
57, 58, 581	AF057O1A	09/01/2016	09/20/2016			10
66	AM066O1A	08/15/2016	09/20/2016		1	
67	AM067O1A	08/15/2016	09/20/2016		10	
68, 681 - West of Co Rd 46AA and west of the divide between the Saguache Creek drainage and Kerber Creek drainage, 682	AM068O1A	08/15/2016	09/20/2016		5	

1. Archery Season Dates, Units (as described in Chapter 0 of these regulations), Limited licenses.						
Unit	Hunt Code	Date Open	Date Closed	License Types and Numbers (2015)		
				Unlimited Buck or Either Sex	Limited Buck Only	Limited Doe Only
79, 791	AM079O1A	08/15/2016	09/20/2016		5	
80	AM080O1A	08/15/2016	09/20/2016		5	
81	AM081O1A	08/15/2016	09/20/2016		6	
82, 681 - East of Co Rd 46AA and east of the divide between the Saguache Creek drainage and Kerber Creek drainage	AM082O1A	08/15/2016	09/20/2016		20	
82, 681 - East of Co Rd 46AA and east of the divide between the Saguache Creek drainage and Kerber Creek drainage	AF082O1A	09/01/2016	09/20/2016			10
87	AM087O1A	08/15/2016	09/20/2016		55	
87	AF087O1A	09/01/2016	09/20/2016			20
88	AM088O1A	08/15/2016	09/20/2016		45	
88	AF088O1A	09/01/2016	09/20/2016			20
131	AM131O1A	08/15/2016	09/20/2016		5	
131	AF131O1A	09/01/2016	09/20/2016			5
201, 2	AM201O1A	08/15/2016	09/20/2016		5	
201	AF201O1A	09/01/2016	09/20/2016			5
214, 441	AM214O1A	08/15/2016	09/20/2016		10	
214, 441	AF214O1A	09/01/2016	09/20/2016			10
551	AM551O1A	08/15/2016	09/20/2016		2	
			<b>TOTALS</b>		<b>524</b>	<b>180</b>

**B. Private Land Only Pronghorn Season**

**1. Archery - Pronghorn, Dates, Units (as described in Chapter 0 of these regulations), Limited Licenses.**

Unit	Hunt Code	Date Open	Date Closed	License Types and Numbers (2015)		
				Buck	Doe	Either Sex
83	AM083P1A	08/15/2016	09/20/2016	5		
			<b>TOTALS</b>	<b>5</b>		

**#261.5 - MUZZLE-LOADING FIREARMS (RIFLE AND SMOOTHBORE MUSKET) PRONGHORN SEASON - ONLY LAWFUL MUZZLE-LOADING FIREARMS MAY BE USED DURING THIS FOLLOWING SEASON:**

## A. Regular Seasons

1. Muzzle-loading, Pronghorn, Dates, Units (as described in Chapter 0 of these regulations), and Licenses.

Unit(s)	Hunt Code	Date Open	Date Closed	Licenses Types and Numbers (2015)	
				Buck	Doe
1, 2, 201	AM001O1M	09/21/2016	09/29/2016	5	
1, 201	AF001O1M	09/21/2016	09/29/2016		5
3, 4, 5, 13, 131, 214, 301, 441	AM003O1M	09/21/2016	09/29/2016	15	
3, 4, 5, 13, 131, 214, 301, 441	AF003O1M	09/21/2016	09/29/2016		10
6, 16, 17, 161, 171	AM006O1M	09/21/2016	09/29/2016	20	
6, 16, 17, 161, 171	AF006O1M	09/21/2016	09/29/2016		10
7, 8	AM007O1M	09/21/2016	09/29/2016	10	
7, 8	AF007O1M	09/21/2016	09/29/2016		5
9, 191	AM009O1M	09/21/2016	09/29/2016	10	
9, 191	AF009O1M	09/21/2016	09/29/2016		5
11	AM011O1M	09/21/2016	09/29/2016	10	
11	AF011O1M	09/21/2016	09/29/2016		10
12, 211	AM012O1M	09/21/2016	09/29/2016	5	
12, 211	AF012O1M	09/21/2016	09/29/2016		5
18, 27, 28, 37, 181	AM018O1M	09/21/2016	09/29/2016	25	
18, 27, 28, 37, 181	AF018O1M	09/21/2016	09/29/2016		20
48, 56, 481	AM048O1M	09/21/2016	09/29/2016	10	
48, 56, 481	AF048O1M	09/21/2016	09/29/2016		5
50, 57, 58, 501, 581	AM050O1M	09/21/2016	09/29/2016	10	
50, 57, 58, 501, 581	AF050O1M	09/21/2016	09/29/2016		5
59, 591	AM059O1M	09/21/2016	09/29/2016	5	
59, 591	AF059O1M	09/21/2016	09/29/2016		5
66	AM066O1M	09/21/2016	09/29/2016	1	
67	AM067O1M	09/21/2016	09/29/2016	5	
68, 79, 80, 81, 82, 83, 681, 682, 791	AM068O1M	09/21/2016	09/29/2016	10	
69, 84, 85, 86, 691, 861	AM069O1M	09/21/2016	09/29/2016	70	
69, 84, 85, 86, 691, 861	AF069O1M	09/21/2016	09/29/2016		80
87, 88, 89, 90, 95, 951	AM087O1M	09/21/2016	09/29/2016	30	
87, 88, 89, 90, 95, 951	AF087O1M	09/21/2016	09/29/2016		30
93, 97, 98, 101, 102	AM093O1M	09/21/2016	09/29/2016	10	
99, 100	AM099O1M	09/21/2016	09/29/2016	10	
99, 100	AF099O1M	09/21/2016	09/29/2016		10
104, 105	AM104O1M	09/21/2016	09/29/2016	40	
104, 105	AF104O1M	09/21/2016	09/29/2016		60
106, 107, 109	AM106O1M	09/21/2016	09/29/2016	30	
106, 107, 109	AF106O1M	09/21/2016	09/29/2016		30
110, 111, 118, 119, 123, 124	AM110O1M	09/21/2016	09/29/2016	100	
110, 111, 118, 119, 123, 124	AF110O1M	09/21/2016	09/29/2016		100
112, 113, 114, 115	AM112O1M	09/21/2016	09/29/2016	60	
112, 113, 114, 115	AF112O1M	09/21/2016	09/29/2016		40
116, 117, 122, 127	AM116O1M	09/21/2016	09/29/2016	50	
116, 117, 122, 127	AF116O1M	09/21/2016	09/29/2016		50

Unit(s)	Hunt Code	Date Open	Date Closed	Licenses Types and Numbers (2015)	
				Buck	Doe
120, 121, 125, 126	AM120O1M	09/21/2016	09/29/2016	50	
120, 121, 125, 126	AF120O1M	09/21/2016	09/29/2016		50
128, 129, 133, 134, 135, 140, 141, 142, 147	AM128O1M	09/21/2016	09/29/2016	70	
128, 129, 133, 134, 135, 140, 141, 142, 147	AF128O1M	09/21/2016	09/29/2016		40
130, 136, 137, 138, 143, 144, 146	AM130O1M	09/21/2016	09/29/2016	50	
130, 136, 137, 138, 143, 144, 146	AF130O1M	09/21/2016	09/29/2016		50
132, 139, 145	AM132O1M	09/21/2016	09/29/2016	20	
132, 139, 145	AF132O1M	09/21/2016	09/29/2016		20
551	AM551O1M	09/21/2016	09/29/2016	2	
			<b>TOTALS</b>	<b>733</b>	<b>645</b>

## #262 - RIFLE AND ASSOCIATED METHODS PRONGHORN SEASONS

### A. Regular Rifle Pronghorn Seasons

1. Regular Rifle Season Dates, Units (as described in Chapter 0 of these regulations), Licenses.

Unit(s)	Hunt Code	Date Open	Date Closed	License Type and #'s (2015)	
				Buck	Doe
3, 301	AM003O1R	10/01/2016	10/07/2016	255	
3, 301	AF003O1R	10/01/2016	10/07/2016		70
4, 5	AM004O1R	10/01/2016	10/07/2016	80	
4, 5	AF004O1R	10/01/2016	10/07/2016		55
6	AM006O1R	10/01/2016	10/07/2016	15	
6	AF006O1R	10/01/2016	10/07/2016		10
7	AM007O1R	10/01/2016	10/07/2016	10	
7	AF007O1R	10/01/2016	10/07/2016		5
8	AM008O1R	10/01/2016	10/07/2016	10	
8	AF008O1R	10/01/2016	10/07/2016		5
11	AM011O1R	10/01/2016	10/07/2016	60	
11	AF011O1R	10/01/2016	10/07/2016		80
12, 211	AM012O1R	10/01/2016	10/07/2016	15	
12, 211	AF012O1R	10/01/2016	10/07/2016		10
13	AM013O1R	10/01/2016	10/07/2016	30	
13	AF013O1R	10/01/2016	10/07/2016		25
16, 17, 171	AM016O1R	10/01/2016	10/07/2016	35	
16, 17, 171	AF016O1R	10/01/2016	10/07/2016		10
18, 27, 28, 37, 181	AM018O1R	10/01/2016	10/07/2016	75	
18, 27, 28, 37, 181	AF018O1R	10/01/2016	10/07/2016		80
48, 56, 481	AM048O1R	10/01/2016	10/07/2016		
48, 56, 481	AF048O1R	10/01/2016	10/07/2016		
50, 501	AM050O1R	10/01/2016	10/07/2016	20	
50, 501	AF050O1R	10/01/2016	10/07/2016		5
57, 58, 581	AM057O1R	10/01/2016	10/07/2016	30	
57, 58, 581	AF057O1R	10/01/2016	10/07/2016		10
59, 591	AM059O1R	10/01/2016	10/07/2016	10	
59, 591	AF059O1R	10/01/2016	10/07/2016		5
66	AM066O1R	10/01/2016	10/07/2016	2	
67	AM067O1R	10/01/2016	10/07/2016	20	
68, 681 - West of Co Rd 46AA and west of the divide between the Saguache Creek drainage and Kerber Creek drainage, 682	AM068O1R	10/01/2016	10/07/2016	10	
69, 84, 85, 86, 691, 861	AM069O1R	10/01/2016	10/07/2016	165	
69, 84, 85, 86, 691, 861	AF069O1R	10/01/2016	10/07/2016		325
79, 791	AM079O1R	10/01/2016	10/07/2016	20	
80	AM080O1R	10/01/2016	10/07/2016	10	
81	AM081O1R	10/01/2016	10/07/2016	25	

Unit(s)	Hunt Code	Date Open	Date Closed	License Type and #'s (2015)	
				Buck	Doe
82, 681 - East of Co Rd 46AA and east of the divide between the Saguache Creek drainage and Kerber Creek drainage	AM082O1R	10/01/2016	10/07/2016	100	
82, 681 - East of Co Rd 46AA and east of the divide between the Saguache Creek drainage and Kerber Creek drainage	AF082O1R	10/01/2016	10/07/2016		30
87	AM087O1R	10/01/2016	10/07/2016	330	
87	AF087O1R	10/01/2016	10/07/2016		130
88	AM088O1R	10/01/2016	10/07/2016	90	
88	AF088O1R	10/01/2016	10/07/2016		85
89	AM089O1R	10/01/2016	10/07/2016	75	
89	AF089O1R	10/01/2016	10/07/2016		80
90	AM090O1R	10/01/2016	10/07/2016	15	
90	AF090O1R	10/01/2016	10/07/2016		10
93	AM093O1R	10/01/2016	10/07/2016	10	
95	AM095O1R	10/01/2016	10/07/2016	40	
95	AF095O1R	10/01/2016	10/07/2016		40
97	AM097O1R	10/01/2016	10/07/2016	15	
98	AM098O1R	10/01/2016	10/07/2016	10	
99	AM099O1R	10/01/2016	10/07/2016	100	
99	AF099O1R	10/01/2016	10/07/2016		80
100	AM100O1R	10/01/2016	10/07/2016	40	
100	AF100O1R	10/01/2016	10/07/2016		30
101	AM101O1R	10/01/2016	10/07/2016	10	
102	AM102O1R	10/01/2016	10/07/2016	15	
104	AM104O1R	10/01/2016	10/07/2016	75	
104	AF104O1R	10/01/2016	10/07/2016		100
105	AM105O1R	10/01/2016	10/07/2016	300	
105	AF105O1R	10/01/2016	10/07/2016		360
106	AM106O1R	10/01/2016	10/07/2016	175	
106	AF106O1R	10/01/2016	10/07/2016		150
107	AM107O1R	10/01/2016	10/07/2016	100	
107	AF107O1R	10/01/2016	10/07/2016		50
109	AM109O1R	10/01/2016	10/07/2016	20	
109	AF109O1R	10/01/2016	10/07/2016		20
110	AM110O1R	10/01/2016	10/07/2016	80	
110	AF110O1R	10/01/2016	10/07/2016		80
111	AM111O1R	10/01/2016	10/07/2016	125	
111	AF111O1R	10/01/2016	10/07/2016		100
112, 113, 114, 115	AM112O1R	10/01/2016	10/07/2016	400	
112, 113, 114, 115	AF112O1R	10/01/2016	10/07/2016		400
116, 117, 122, 127	AM116O1R	10/01/2016	10/07/2016	400	



Unit(s)	Hunt Code	Date Open	Date Closed	License Type and #'s (2015)	
				Buck	Doe
116, 117, 122, 127	AF116O1R	10/01/2016	10/07/2016		450
118	AM118O1R	10/01/2016	10/07/2016	210	
118	AF118O1R	10/01/2016	10/07/2016		170
119	AM119O1R	10/01/2016	10/07/2016	245	
119	AF119O1R	10/01/2016	10/07/2016		190
120, 121, 125, 126	AM120O1R	10/01/2016	10/07/2016	450	
120, 121, 125, 126	AF120O1R	10/01/2016	10/07/2016		350
123	AM123O1R	10/01/2016	10/07/2016	100	
123	AF123O1R	10/01/2016	10/07/2016		80
124	AM124O1R	10/01/2016	10/07/2016	220	
124	AF124O1R	10/01/2016	10/07/2016		160
128	AM128O1R	10/01/2016	10/07/2016	105	
128	AF128O1R	10/01/2016	10/07/2016		135
130, 146	AM130O1R	10/01/2016	10/07/2016	20	
130, 146	AF130O1R	10/01/2016	10/07/2016		25
132, 139, 145	AM132O1R	10/01/2016	10/07/2016	200	
132, 139, 145	AF132O1R	10/01/2016	10/07/2016		400
133	AM133O1R	10/01/2016	10/07/2016	90	
133	AF133O1R	10/01/2016	10/07/2016		135
134	AM134O1R	10/01/2016	10/07/2016	90	
134	AF134O1R	10/01/2016	10/07/2016		135
135	AM135O1R	10/01/2016	10/07/2016	90	
135	AF135O1R	10/01/2016	10/07/2016		100
136, 143	AM136O1R	10/01/2016	10/07/2016	100	
136, 143	AF136O1R	10/01/2016	10/07/2016		80
137, 138, 144	AM137O1R	10/01/2016	10/07/2016	150	
137, 138, 144	AF137O1R	10/01/2016	10/07/2016		200
140, 147	AM140O1R	10/01/2016	10/07/2016	90	
140, 147	AF140O1R	10/01/2016	10/07/2016		135
142	AM142O1R	10/01/2016	10/07/2016	20	
142	AF142O1R	10/01/2016	10/07/2016		10
161	AM161O1R	10/01/2016	10/07/2016	18	
161	AF161O1R	10/01/2016	10/07/2016		10
201, 2	AM201O1R	10/08/2016	10/14/2016	40	
201	AF201O1R	10/08/2016	10/14/2016		25
214, 441	AM214O1R	10/01/2016	10/07/2016	15	
214, 441	AF214O1R	10/01/2016	10/07/2016		10
551	AM551O1R	10/01/2016	10/07/2016	2	
951	AM951O1R	10/01/2016	10/07/2016	40	
951	AF951O1R	10/01/2016	10/07/2016		40
<b>TOTALS</b>				<b>5727</b>	<b>5285</b>

**B. Late Rifle Pronghorn Seasons**

1. Late Rifle Season Dates, Units (as described in Chapter 0 of these regulations), Licenses.

Unit(s)	Hunt Code	Date Open	Date Closed	Licenses (2015)	
				Buck	Doe
9, 191	AF009L1R	11/01/2016	12/31/2016		70
97	AF097L1R	12/01/2016	12/31/2016		10
105	AF105L1R	12/01/2016	12/31/2016		90
110, 111, 118, 119, 123, 124	AF110L1R	12/03/2016	12/11/2016		500
112, 113, 114, 115	AF112L1R	12/03/2016	12/11/2016		100
116, 117, 122, 127	AF116L1R	12/01/2016	12/31/2016		500
120, 121, 125, 126	AF120L1R	12/03/2016	12/11/2016		150
130, 146	AF130L1R	12/01/2016	12/31/2016		25
136, 143	AF136L1R	12/01/2016	12/31/2016		200
137, 138, 144	AF137L1R	12/01/2016	12/31/2016		400
<b>TOTALS</b>					<b>2045</b>

**C. Private Land Only Pronghorn Seasons**

1. Private Land Only, Pronghorn, Dates, Units (as described in Chapter 0 of these regulations), Licenses.

Unit	Hunt Code	Date Open	Date Closed	Licenses (2015)	
				Male	Female
3, 301	AM003P5R	10/01/2016	10/16/2016	340	
3, 301	AF003P5R	10/01/2016	10/16/2016		190
4, 5	AM004P5R	10/01/2016	10/16/2016	35	
4, 5	AF004P5R	10/01/2016	10/16/2016		70
7	AM007P1R	10/01/2016	10/07/2016	10	
7	AF007P1R	10/01/2016	10/07/2016		15
8	AM008P1R	10/01/2016	10/07/2016	15	
8	AF008P1R	10/01/2016	10/07/2016		15
9, 191	AM009P1R	10/01/2016	10/07/2016	70	
9, 191	AF009P1R	10/01/2016	10/07/2016		70
13	AM013P5R	10/01/2016	10/16/2016	40	
13	AF013P5R	10/01/2016	10/16/2016		60
23	AM023P5R	10/01/2016	10/16/2016	25	
23	AF023P5R	10/01/2016	10/16/2016		35
79 - East of Rio Grande Canal, 791	AF079P5R	08/15/2016	12/31/2016		20
80	AM080P1R	10/01/2016	10/07/2016		
82, 681 - East of Co Rd 46AA and east of the divide between the Saguache Creek drainage and Kerber Creek drainage	AF082P5R	09/14/2016	09/28/2016		25
83	AM083P1R	10/01/2016	10/07/2016	6	
87	AF087P1R	10/01/2016	10/07/2016		70
87	AF087P5R	11/01/2016	12/31/2016		190

Unit	Hunt Code	Date Open	Date Closed	Licenses (2015)	
				Male	Female
88	AF088P1R	10/01/2016	10/07/2016		50
88	AF088P5R	11/01/2016	12/31/2016		60
128, 129, 133, 134, 135, 140, 141, 147	AF128P5R	12/01/2016	12/05/2016		200
129	AM129P1R	10/01/2016	10/07/2016	30	
129	AF129P1R	10/01/2016	10/07/2016		30
130, 146	AM130P1R	10/01/2016	10/07/2016	90	
130, 146	AF130P1R	10/01/2016	10/07/2016		75
130, 146	AF130P5R	12/01/2016	12/31/2016		75
131	AM131P1R	10/01/2016	10/07/2016	5	
131	AF131P1R	10/01/2016	10/07/2016		5
132, 139, 145	AF132P5R	12/01/2016	12/31/2016		400
136, 143	AM136P1R	10/01/2016	10/07/2016	170	
136, 143	AF136P1R	10/01/2016	10/07/2016		140
137, 138, 144	AM137P1R	10/01/2016	10/07/2016	210	
137, 138, 144	AF137P1R	10/01/2016	10/07/2016		170
141	AM141P1R	10/01/2016	10/07/2016	55	
141	AF141P1R	10/01/2016	10/07/2016		45
214, 441	AM214P5R	10/01/2016	10/16/2016	25	
214, 441	AF214P5R	10/01/2016	10/16/2016		25
			<b>TOTALS</b>	<b>1126</b>	<b>2035</b>

**#263 - 269 VACANT**

#### **ARTICLE XI - MOOSE**

#### **#270 - MOOSE SEASONS, LICENSES, AND SPECIAL RESTRICTIONS**

##### **A. Archery Moose Season**

##### **1. Archery Season Dates, Units, and Limited Licenses**

Unit(s)	Hunt Code	Open Date	Close Date
1, 201	ME001O1A	09/10/2016	09/25/2016
6 except within 1/4 mile of Hwy 14 in Jackson County from Cameron Pass west to USFS Road 740 at Gould	MM006O1A	09/10/2016	09/25/2016
6 except within 1/4 mile of Hwy 14 in Jackson County from Cameron Pass west to USFS Road 740 at Gould	MF006O1A	09/10/2016	09/25/2016
7, 8, 191 except within 1/4 mile of Hwy 14	MM007O1A	09/10/2016	09/25/2016
7, 8, 191 except within 1/4 mile of Hwy 14	MF007O1A	09/10/2016	09/25/2016
12, 23, 24	MM012O1A	09/10/2016	09/25/2016
12, 23, 24	MF012O1A	09/10/2016	09/25/2016
14	MM014O1A	09/10/2016	09/25/2016
14	MF014O1A	09/10/2016	09/25/2016
15, 27	MM015O1A	09/10/2016	09/25/2016
15, 27	MF015O1A	09/10/2016	09/25/2016
16	MM016O1A	09/10/2016	09/25/2016
16	MF016O1A	09/10/2016	09/25/2016
17	MM017O1A	09/10/2016	09/25/2016

Unit(s)	Hunt Code	Open Date	Close Date
17	MF017O1A	09/10/2016	09/25/2016
18, 181	MM018O1A	09/10/2016	09/25/2016
18, 181	MF018O1A	09/10/2016	09/25/2016
18 - Those portions bounded on the north by the Continental Divide; on the east by the divide between Willow Creek and East Fork of Troublesome drainages and the divide between Corral Creek and Troublesome Creek drainages; on the south by Round Gulch; and on the west by the main fork of Troublesome Creek and Sheep Creek	MM018S1A	09/10/2016	09/25/2016
19 except within 1/4 mile of Hwy 14	MM019O1A	09/10/2016	09/25/2016
19 except within 1/4 mile of Hwy 14	MF019O1A	09/10/2016	09/25/2016
20, 29 except within 1/4 mile of the high waterline of Brainard Lake from the beginning of archery season until the US Forest Service gate closes on Brainard Lake Road.	MM020O1A	09/10/2016	09/25/2016
20, 29 except within 1/4 mile of the high waterline of Brainard Lake from the beginning of archery season until the US Forest Service gate closes on Brainard Lake Road.	MF020O1A	09/10/2016	09/25/2016
28	MM028O1A	09/10/2016	09/25/2016
28	MF028O1A	09/10/2016	09/25/2016
36, 361	MM036O1A	09/10/2016	09/25/2016
37, 371	MM037O1A	09/10/2016	09/25/2016
37, 371	MF037O1A	09/10/2016	09/25/2016
38	MM038O1A	09/10/2016	09/25/2016
38	MF038O1A	09/10/2016	09/25/2016
39, 46	MM039O1A	09/10/2016	09/25/2016
39, 46	MF039O1A	09/10/2016	09/25/2016
41, 42, 52, 411, 421, 521	MM041O1A	09/10/2016	09/25/2016
41, 42, 421	MF041O1A	09/10/2016	09/25/2016
43	MM043O1A	09/10/2016	09/25/2016
44, 45	MM044O1A	09/10/2016	09/25/2016
48, 55, 56, 481, 551, 561	MM048O1A	09/10/2016	09/25/2016
49, 50, 500, 501	MM049O1A	09/10/2016	09/25/2016
49, 50, 500, 501	MF049O1A	09/10/2016	09/25/2016
52, 411, 521	MF052O1A	09/10/2016	09/25/2016
65	MM065O1A	09/10/2016	09/25/2016
66	MM066O1A	09/10/2016	09/25/2016
66	MF066O1A	09/10/2016	09/25/2016
67	MM067O1A	09/10/2016	09/25/2016
67	MF067O1A	09/10/2016	09/25/2016
68, 79, 681	MM068O1A	09/10/2016	09/25/2016

Unit(s)	Hunt Code	Open Date	Close Date
74, 75	MM074O1A	09/10/2016	09/25/2016
76	MM076O1A	09/10/2016	09/25/2016
76, 77, 751 Weminuche Wilderness Only	MM076S1A	09/10/2016	09/25/2016
161	MM161O1A	09/10/2016	09/25/2016
161	MF161O1A	09/10/2016	09/25/2016
171 except within 1/4 mile of Hwy 14 in Jackson County from Cameron Pass west to USFS Road 740 at Gould	MM171O1A	09/10/2016	09/25/2016
171 except within 1/4 mile of Hwy 14 in Jackson County from Cameron Pass west to USFS Road 740 at Gould	MF171O1A	09/10/2016	09/25/2016
191 except within 1/4 mile of Hwy 14	MF191O1A	09/10/2016	09/25/2016

**B. Muzzle-loading firearms (rifle and smoothbore musket) seasons.**

1. Muzzle-loading, Moose, Dates, Units, Licenses

Unit	Hunt Code	Open Date	Close Date
1, 201	ME001O1M	09/10/2016	09/18/2016
6 except within 1/4 mile of Hwy 14 in Jackson County from Cameron Pass west to USFS Road 740 at Gould	MM006O1M	09/10/2016	09/18/2016
6 except within 1/4 mile of Hwy 14 in Jackson County from Cameron Pass west to USFS Road 740 at Gould	MF006O1M	09/10/2016	09/18/2016
7, 8, 191 except within 1/4 mile of Hwy 14	MM007O1M	09/10/2016	09/18/2016
7, 8, 191 except within 1/4 mile of Hwy 14	MF007O1M	09/10/2016	09/18/2016
12, 23, 24	MM012O1M	09/10/2016	09/18/2016
12, 23, 24	MF012O1M	09/10/2016	09/18/2016
14	MM014O1M	09/10/2016	09/18/2016
14	MF014O1M	09/10/2016	09/18/2016
15, 27	MM015O1M	09/10/2016	09/18/2016
15, 27	MF015O1M	09/10/2016	09/18/2016
16	MM016O1M	09/10/2016	09/18/2016
16	MF016O1M	09/10/2016	09/18/2016
17	MM017O1M	09/10/2016	09/18/2016
17	MF017O1M	09/10/2016	09/18/2016
18, 181	MM018O1M	09/10/2016	09/18/2016
18, 181	MF018O1M	09/10/2016	09/18/2016
18 - Those portions bounded on the north by the Continental Divide; on the east by the divide between Willow Creek and East Fork of Troublesome drainages and the divide between Corral Creek and Troublesome Creek drainages; on the south by Round Gulch; and on the west by the main fork of Troublesome Creek and Sheep Creek	MM018S1M	09/10/2016	09/18/2016
19 except within 1/4 mile of Hwy 14	MM019O1M	09/10/2016	09/18/2016
19 except within 1/4 mile of Hwy 14	MF019O1M	09/10/2016	09/18/2016

Unit	Hunt Code	Open Date	Close Date
20, 29 except within 1/4 mile of the high waterline of Brainard Lake from the beginning of archery season until the US Forest Service gate closes on Brainard Lake Road.	MM020O1M	09/10/2016	09/18/2016
20, 29 except within 1/4 mile of the high waterline of Brainard Lake from the beginning of archery season until the US Forest Service gate closes on Brainard Lake Road.	MF020O1M	09/10/2016	09/18/2016
28	MM028O1M	09/10/2016	09/18/2016
28	MF028O1M	09/10/2016	09/18/2016
36, 361	MM036O1M	09/10/2016	09/18/2016
37, 371	MM037O1M	09/10/2016	09/18/2016
37, 371	MF037O1M	09/10/2016	09/18/2016
38	MM038O1M	09/10/2016	09/18/2016
38	MF038O1M	09/10/2016	09/18/2016
39, 46	MM039O1M	09/10/2016	09/18/2016
39, 46	MF039O1M	09/10/2016	09/18/2016
41, 42, 52, 411, 421, 521	MM041O1M	09/10/2016	09/18/2016
41, 42, 421	MF041O1M	09/10/2016	09/18/2016
43	MM043O1M	09/10/2016	09/18/2016
44, 45	MM044O1M	09/10/2016	09/18/2016
48, 55, 56, 481, 551, 561	MM048O1M	09/10/2016	09/18/2016
49, 50, 500, 501	MM049O1M	09/10/2016	09/18/2016
49, 50, 500, 501	MF049O1M	09/10/2016	09/18/2016
52, 411, 521	MF052O1M	09/10/2016	09/18/2016
65	MM065O1M	09/10/2016	09/18/2016
66	MM066O1M	09/10/2016	09/18/2016
66	MF066O1M	09/10/2016	09/18/2016
67	MM067O1M	09/10/2016	09/18/2016
67	MF067O1M	09/10/2016	09/18/2016
68, 79, 681	MM068O1M	09/10/2016	09/18/2016
74, 75	MM074O1M	09/10/2016	09/18/2016
76	MM076O1M	09/10/2016	09/18/2016
76, 77, 751 Weminuche Wilderness Only	MM076S1M	09/10/2016	09/18/2016
161	MM161O1M	09/10/2016	09/18/2016
161	MF161O1M	09/10/2016	09/18/2016
171 except within 1/4 mile of Hwy 14 in Jackson County from Cameron Pass west to USFS Road 740 at Gould	MM171O1M	09/10/2016	09/18/2016
171 except within 1/4 mile of Hwy 14 in Jackson County from Cameron Pass west to USFS Road 740 at Gould	MF171O1M	09/10/2016	09/18/2016
191 except within 1/4 mile of Hwy 14	MF191O1M	09/10/2016	09/18/2016

#### B. Regular Rifle Seasons

Unit	Hunt Code	Open Date	Close Date
1, 201	ME001O1R	10/01/2016	10/14/2016

Unit	Hunt Code	Open Date	Close Date
6 except within 1/4 mile of Hwy 14 in Jackson County from Cameron Pass west to USFS Road 740 at Gould	MM006O1R	10/01/2016	10/14/2016
6 except within 1/4 mile of Hwy 14 in Jackson County from Cameron Pass west to USFS Road 740 at Gould	MF006O1R	10/01/2016	10/14/2016
7, 8, 191 except within 1/4 mile of Hwy 14	MM007O1R	10/01/2016	10/14/2016
7, 8, 191 except within 1/4 mile of Hwy 14	MF007O1R	10/01/2016	10/14/2016
12, 23, 24	MM012O1R	10/01/2016	10/14/2016
12, 23, 24	MF012O1R	10/01/2016	10/14/2016
14	MM014O1R	10/01/2016	10/14/2016
14	MF014O1R	10/01/2016	10/14/2016
15, 27	MM015O1R	10/01/2016	10/14/2016
15, 27	MF015O1R	10/01/2016	10/14/2016
16	MM016O1R	10/01/2016	10/14/2016
16	MF016O1R	10/01/2016	10/14/2016
17	MM017O1R	10/01/2016	10/14/2016
17	MF017O1R	10/01/2016	10/14/2016
18, 181	MM018O1R	10/01/2016	10/14/2016
18, 181	MF018O1R	10/01/2016	10/14/2016
18 - Those portions bounded on the north by the Continental Divide; on the east by the divide between Willow Creek and East Fork of Troublesome drainages and the divide between Corral Creek and Troublesome Creek drainages; on the south by Round Gulch; and on the west by the main fork of Troublesome Creek and Sheep Creek	MM018S1R	10/01/2016	10/14/2016
19 except within 1/4 mile of Hwy 14	MM019O1R	10/01/2016	10/14/2016
19 except within 1/4 mile of Hwy 14	MF019O1R	10/01/2016	10/14/2016
20, 29 except within 1/4 mile of the high waterline of Brainard Lake from the beginning of archery season until the US Forest Service gate closes on Brainard Lake Road.	MM020O1R	10/01/2016	10/14/2016
20, 29 except within 1/4 mile of the high waterline of Brainard Lake from the beginning of archery season until the US Forest Service gate closes on Brainard Lake Road.	MF020O1R	10/01/2016	10/14/2016
28	MM028O1R	10/01/2016	10/14/2016
28	MF028O1R	10/01/2016	10/14/2016
36, 361	MM036O1R	10/01/2016	10/14/2016
37, 371	MM037O1R	10/01/2016	10/14/2016
37, 371	MF037O1R	10/01/2016	10/14/2016
38	MM038O1R	10/01/2016	10/14/2016
38	MF038O1R	10/01/2016	10/14/2016
39, 46	MM039O1R	10/01/2016	10/14/2016
39, 46	MF039O1R	10/01/2016	10/14/2016
41, 42, 52, 411, 421, 521	MM041O1R	10/01/2016	10/14/2016
41, 42, 421	MF041O1R	10/01/2016	10/14/2016
43	MM043O1R	10/01/2016	10/14/2016
44, 45	MM044O1R	10/01/2016	10/14/2016

Unit	Hunt Code	Open Date	Close Date
48, 55, 56, 481, 551, 561	MM048O1R	10/01/2016	10/14/2016
49, 50, 500, 501	MM049O1R	10/01/2016	10/14/2016
49, 50, 500, 501	MF049O1R	10/01/2016	10/14/2016
52, 411, 521	MF052O1R	10/01/2016	10/14/2016
65	MM065O1R	10/01/2016	10/14/2016
66	MM066O1R	10/01/2016	10/14/2016
66	MF066O1R	10/01/2016	10/14/2016
67	MM067O1R	10/01/2016	10/14/2016
67	MF067O1R	10/01/2016	10/14/2016
68, 79, 681	MM068O1R	10/01/2016	10/14/2016
74, 75	MM074O1R	10/01/2016	10/14/2016
76	MM076O1R	10/01/2016	10/14/2016
76, 77, 751 Weminuche Wilderness Only	MM076S1R	10/01/2016	10/14/2016
161	MM161O1R	10/01/2016	10/14/2016
161	MF161O1R	10/01/2016	10/14/2016
171 except within 1/4 mile of Hwy 14 in Jackson County from Cameron Pass west to USFS Road 740 at Gould	MM171O1R	10/01/2016	10/14/2016
171 except within 1/4 mile of Hwy 14 in Jackson County from Cameron Pass west to USFS Road 740 at Gould	MF171O1R	10/01/2016	10/14/2016
191 except within 1/4 mile of Hwy 14	MF191O1R	10/01/2016	10/14/2016

#### D. Moose License Numbers

1. Moose license numbers will be set as resident and nonresident antlered and antlerless licenses by Game Management Unit. For the Moose Seasons the following numbers of resident and nonresident licenses will be issued:

Units	2015 Resident Antlered Licenses	2015 Resident Antlerless Licenses	2015 Nonresident Antlered Licenses	2015 Nonresident Antlerless Licenses	2015 Resident Either Sex Licenses
1, 201	0	0	0	0	1
6	11	15	3	3	
7, 8, 191 except within 1/4 mile of Hwy 14	7	21	2	4	
12, 23, 24	3	4	0	0	
14	3	5	0	0	
15, 27	3	3	0	0	
16	7	4	0	0	
17	4	11	1	1	
18, 181	13	14	2	2	



Units	2015 Resident Antlered Licenses	2015 Resident Antlerless Licenses	2015 Nonresident Antlered Licenses	2015 Nonresident Antlerless Licenses	2015 Resident Either Sex Licenses
18 (Those portions bounded on the north by the Continental Divide; on the east by the divide between Willow Creek and East Fork of Troublesome drainages and the divide between Corral Creek and Troublesome Creek drainages; on the south by Round Gulch; and on the west by the main fork of Troublesome Creek and Sheep Creek	1	0	0	0	
19 except within 1/4 mile of Hwy 14	4	15	0	0	
20, 29 except within 1/4 mile of the high waterline of Brainard Lake from the beginning of archery season until the US Forest Service gate closes on Brainard Lake Road.	3	4	0	1	
28	8	8	2	1	
36, 361	2	0	0	0	
37, 371	4	4	0	0	
38	1	2	0	0	
39, 46	3	5	0	0	
41, 42, 52, 411, 421, 521	9	0	0	0	
41, 42, 421	0	18	0	3	
43					
44, 45	1	0	0	0	
49, 50, 500, 501					
48, 55, 56, 481, 551, 561	1	0	0	0	
52, 411, 521	0	9	0	0	
65	1	0	0	0	
66	2	1	0	0	
67	2	1	0	0	
68, 79, 681	1	0	0	0	

Units	2015 Resident Antlered Licenses	2015 Resident Antlerless Licenses	2015 Nonresident Antlered Licenses	2015 Nonresident Antlerless Licenses	2015 Resident Either Sex Licenses
74, 75	1	0	0	0	
76	2	0	2	0	
76, 77, 751 Weminuche Wilderness Only	4	0	0	0	
161	7	3	0	0	
171	6	16	1	2	
191 except within 1/4 mile of Hwy 14	0	2	0	0	
<b>TOTALS</b>	<b>114</b>	<b>166</b>	<b>13</b>	<b>16</b>	<b>1</b>

E. Allocation of Licenses Between Seasons

1. Allocation of these licenses will float between the moose seasons in accordance with the hunt code chosen by successful applicants.

F. Special Restrictions

1. All moose licensees shall complete and return a harvest questionnaire provided by the Division within 30 days after the close of their hunting season. Any moose licensee who does not complete and return the mandatory questionnaire as required shall not be considered for any future moose license.
2. All moose harvested through hunting shall be submitted for inspection to an employee of the Division on or before the 5th working day after the taking thereof. Any licensee who takes an antlered moose shall personally present the head, with antlers attached, to any Division office. Any licensee who takes an antlerless moose shall personally present the head to any Division office. Moose heads must be unfrozen when presented for inspection. If not unfrozen, the Division may retain heads as necessary for thawing sufficient to extract the incisor teeth. A mandatory check report shall be completed at the time of inspection.
3. At the time of the mandatory check, the Division shall be authorized to extract and retain the incisor teeth.

**Special Seasons**

**ARTICLE XII - SPECIAL HUNTING SEASONS/LICENSES FOR BIG GAME**

**#271 - BIG GAME ANIMALS CAUSING DAMAGE AND BIG GAME POPULATIONS OVER OBJECTIVE**

A. Special Population Management Seasons for Big Game Ungulates

1. The Director shall have the authority to establish special management seasons for antlerless or female big game ungulates in specific game management units or portions thereof which significantly exceed the population objective, when the anticipated harvest from the current year's archery, muzzle-loading and regular rifle seasons did not occur. Provided further that the Director shall have the authority to establish these hunts between November 16 and February 28, to specify a time period for each of these hunts but not to exceed ten days each, and shall authorize hunters to use designated unfilled big game licenses for these hunts and units.

2. The Director shall have the authority to allocate antlerless deer and/or elk licenses on existing Ranching for Wildlife properties located in game management units where deer or elk populations significantly exceed the population objective. These licenses shall be in addition to the number of licenses allocated to each ranch pursuant to the Cooperative Agreement established in #210(A)(2). The additional allocation and use of the antlerless licenses provided for in this section shall be in the same proportion, by species (not sex), as established in the ranch's respective Cooperative Agreement and subject to the following provisions:
  - a. No ranch shall be required to accept any additional antlerless licenses.
  - b. The public allocation of such additional antlerless licenses shall only be offered to hunters who have successfully drawn antlered, either-sex or antlerless licenses for the same species on the ranch. Public hunters who choose to purchase one additional antlerless license from the Division shall be required to use the additional license during the season established for the license for which they drew. No more than one additional antlerless license will be available to any public hunter.

B. Special Game Damage Seasons for Big Game Ungulates

1. The Director shall have the authority to establish special hunting seasons for big game ungulates, between August 15 and February 28, when necessary to control damage to property. Seasons shall be for the taking of antlerless or female animals unless the Director has determined that the taking of antlered animals is necessary in order to alleviate the damage.
  - a. Game damage hunts are limited to a maximum of 50 licenses per species per Game Management Unit or 30 percent of the antlerless, either-sex, or doe licenses issued for the DAU (whichever is greater), unless a distribution management plan establishing a different percentage has been approved by the Parks and Wildlife Commission or additional permits are approved by the Director or his designee.
  - b. On private lands and Russell Lakes, Rio Grande and Higel State Wildlife Areas, the Area Wildlife Manager (AWM) is authorized to conduct these seasons based upon the following criteria:
    1. The AWM finds that such a season would be consistent with the distribution management plan approved by the Parks and Wildlife Commission.
    2. When there is no approved distribution management plan, the AWM finds that a season will reduce or eliminate damage for which the Division is liable, and that holding a season would be desirable considering
      - aa. The species and number of animals involved.
      - bb. The number of animals that would have to be removed to reduce or eliminate damage.
      - cc. The location of the damage problem.
      - dd. The type and extent of damage.

- ee. The time of year and its relationship to the life history of the animals.
  - ff. The length of time such damage will continue without big game removal.
  - gg. Management closures, hunting seasons and other public use.
  - hh. The effect on population objectives for the GMU and DAU.
  - ii. Whether landowner operations (e.g., harvesting) or critical wildlife biological activities (e.g., fawning) would be interrupted.
  - jj. Safety risks.
  - kk. Any other pertinent factors.
- 3. The Area Wildlife Manager shall provide the landowner with special application forms for distribution to individuals of their choice. Participants shall submit the completed application form with payment to the Division office indicated on the application.
  - 4. In the event the landowner cannot secure enough people to effect an adequate harvest the Division can assist in locating individuals.
- c. The Division shall
    - 1. Verify that damage or conflicts are occurring or can reasonably be anticipated to occur.
    - 2. Designate what area shall be open to hunting.
    - 3. Determine the manner of hunting that will be permitted.
    - 4. Determine the number of hunters allowed to hunt in each designated area.
  - d. Hunting will be done under the direction of a District Wildlife Manager, following approval by the owner of land where such damage is occurring.
  - e. Hunters shall hunt in designated areas and on the dates indicated on the license.
    - 1. A map or a written description of the designated area open to hunting (which would include, but would not be limited to landowner(s) name, game management unit, township, range and section(s) and/or identification of landmarks such as roads, rivers, or fence lines which coincide with boundaries), will be provided to each licensed hunter by the Division.
  - f. Any person who purchases a license for a game damage season shall be required to complete a Division harvest survey form and return it to the Area office that is nearest the location of the hunt no later than 5 days after the season ends.

C. Special Game Damage Licenses for Bear and Mountain Lion

1. The Director shall have the authority to establish special hunting licenses for mountain lion and bear, which allow for take in excess of the otherwise applicable limited license numbers or quotas, when necessary to control damage to private property.
  - a. AWMs are authorized to issue these bear and mountain lion licenses to address specific animals determined after an investigation to be causing damage to private property.
    1. Bear or mountain lion licenses above the established limited license numbers or quota for the area may be issued only where necessary to take specific animals determined after an investigation to be causing damage to private property.
    2. Bear hunting authorized under this provision will be conducted between September 2 and the end of the fourth regular rifle season annually.
    3. Mountain lion hunting authorized under this provision will be conducted during established lion seasons.
    4. Licenses will be issued only if licenses are not otherwise available for purchase under standard license distribution methods or where mountain lion quotas have been reached in the area.
    5. License will be restricted by manner of take, period of time within the dates specified above, and location within the GMU(s) or DAU(s) in question as necessary to ensure the offending animal is appropriately targeted.
    6. Hunting will be conducted under the direction of a District Wildlife Manager.
  - b. Any person who purchases a license shall be required to complete a Division harvest survey form and return it to the Area office that is nearest the location of the hunt no later than 5 days after the end of the hunting period authorized by the license.
  - c. Bear and mountain lion taken pursuant to a license issued under this provision shall not be counted against the annual bag and possession limit for the species in question.
- D. Special Hunting Season In Game Management Unit 20 For Cow Elk Normally Not Available For Harvest During Regular Or Late Big Game Seasons:
  1. Season dates, license types, permit numbers will be established by the Director or his designee.
  2. The Division will designate the area open to hunting, manner of take, and season dates which are necessary to achieve its population management objective for this population of elk. Hunting shall occur only during the designated time periods indicated on the hunter's license and only in those areas specifically designated on the map provided by the Division. Special Unit 20 cow elk hunts shall be established based on the following criteria: (a) the hunt does not fall within the criteria established for game damage hunts; (b) snow ground cover and/or other conditions favor are expected to favor successful hunting; (c) elk must be available to hunters in portions of Unit 20 which are open to

hunter access; and (d) no special season will be created under this regulation which would extend beyond February 15th.

3. Eligible hunters will be selected in the following priority: a) from the list of hunters who applied for a Unit 20 limited elk license and were unsuccessful; and b) from a new list of hunters established by the Division Northeast Regional office pursuant to notice in local newspapers. Such list will be established on a first-come, first-served basis.
4. Individuals who participate in this special hunt may also participate in any other season for elk if otherwise eligible to do so.

## **#272 BIG GAME DISEASE/ANIMAL HEALTH SEASONS**

1. Special Hunting Seasons for Disease Management in Big Game
  - a. The Director shall have the authority to establish special hunting seasons for big game, when hunting harvest has not been adequate to reduce the incidence of disease, to reduce emigration of infected animals, or to otherwise control expansion of the disease.
    1. No more than 200 licenses per species shall be issued annually per Game Management Unit (GMU) unless authorized by the Director
    2. Seasons shall be for the taking of antlerless or female animals unless the Director has authorized the issuance of male (antlered) licenses. No more than 10% of the licenses shall be issued for male (antlered) animals unless authorized by the Director.
    3. Licenses will be valid only in the unit(s) specified on the license. Licenses may be restricted to specific properties or areas as determined by the Area Wildlife Manager.
    4. License fees may be reduced when authorized by the Director, when necessary to ensure sufficient hunter participation, provided that no license is to be sold for less than \$5.00. License fees shall be set to ensure recovery of the cost of the retail and system agent commissions.
    5. Multiple carcass tags may be issued with each license, as authorized by the Director. Provided further that the payment of separate license fees shall be required if licenses for more than one species are to be sold.
    6. Any licensee who takes deer or elk during any such season for the purpose of Chronic Wasting Disease (CWD) management shall submit the head from all animals taken when required to do so as a condition of the license, to the testing site specified at the time the license is issued, within 5 days after harvest. Hunters must complete the special survey tag available at any head collection site and attach it to the animal's head. Antlers and capes from harvested deer may be removed by hunters before submitting heads for sampling.

## **ARTICLE XIII - VACANT**

## **ARTICLE XIV - VACANT**

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00811

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

Colorado Parks and Wildlife (406 Series, Wildlife)

**on 01/13/2016**

2 CCR 406-2

**CHAPTER W-2 - BIG GAME**

The above-referenced rules were submitted to this office on 01/19/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 26, 2016 16:30:01

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Regulatory Agencies

### **Agency**

Division of Real Estate

### **CCR number**

4 CCR 725-7

### **Rule title**

4 CCR 725-7 COMMUNITY ASSOCIATION MANAGERS 1 - eff 03/01/2016

### **Effective date**

03/01/2016



**[THIS PAGE NOT FOR PUBLICATION]**  
**DEPARTMENT OF REGULATORY AGENCIES**  
**DIVISION OF REAL ESTATE**  
**COMMUNITY ASSOCIATION MANAGERS**  
**4 CCR 725-7**

**NOTICE OF PROPOSED PERMANENT RULEMAKING HEARING**  
**January 5, 2016**

**A RULES: LICENSE QUALIFICATIONS, APPLICATIONS & EXAMINATIONS**

Pursuant to and in compliance with Title 12, Article 61 and Title 24, Article 4, C.R.S. as amended, notice of proposed rulemaking is hereby given, including notice to the Attorney General of the State of Colorado and to all persons who have requested to be advised of the intention of the Director of the Division of Real Estate ("Director") to promulgate rules, or to amend, repeal or repeal and re-enact the present rules related to community association managers.

**STATEMENT OF BASIS**

The statutory basis for the rules titled Rules Regarding Community Association Managers is Part 10 of Title 12, Article 61, Colorado Revised Statutes, as amended.

**STATEMENT OF PURPOSE**

The purpose of this rule is to effectuate the legislative directive to promulgate necessary and appropriate rules in conformity with the state statutes of the Community Association Managers Practice Act.

**SPECIFIC PURPOSE OF THIS RULEMAKING**

The specific purpose of this rule is to promulgate rules with respect to the requirements for the licensing examination and ensures that community association managers are familiar with current regulations.

**Proposed New, Amended and Repealed Rules**

[Deleted material shown ~~struck through~~, new material shown ALL CAPS. Rules, or portions of rules, which are unaffected are reproduced. Readers are advised to obtain a copy of the complete rules of the Director at [www.dora.colorado.gov/dre](http://www.dora.colorado.gov/dre)

## **A RULES – LICENSE QUALIFICATIONS, APPLICATIONS AND EXAMINATIONS**

### **A-5) Community Association Manager license examination expiration and application requirements.**

The CAM license examination is made up of two parts, a general portion and a Colorado law portion. An applicant holding a credential pursuant to § 12-61-1003(5)(a)(I)(D), C.R.S., must sit for and successfully pass both portions of the examination. If the applicant fails one or both parts of the examination, the applicant may retake the failed portion(s). A passing score for the Colorado law portion of the examination is valid for one year only. If an applicant holds a credential pursuant to § 12-61-1003(5)(a)(I)(A),(B), OR (C), C.R.S., and has maintained said credential in good standing, such applicant need only sit for and successfully pass the Colorado law portion of the examination. If the applicant fails the Colorado law portion, the applicant may retake the failed portion. An application received by the Division must be accompanied by the statutory fee, proof of completion of the required credential and proof of successful completion of the required portion(s) of the examination. A passing score on the Colorado law portion of the examination must be obtained within the year prior to the application being received by the Division.

**[THIS PAGE NOT FOR PUBLICATION]**

**A hearing on the above subject matter will be held on Wednesday, January 5, 2016, at the Colorado Division of Real Estate, 1560 Broadway, Suite 1250-C, Denver, Colorado 80202 beginning at 10:00 a.m.**

Any interested person may participate in the rule making through submission of written data, views and arguments to the Division of Real Estate. Persons are requested to submit data, views and arguments to the Division of Real Estate in writing no less than three (3) days prior to the hearing date and time set forth above. However, all data, views and arguments submitted prior to or at the rulemaking hearing or prior to the closure of the rulemaking record (if different from the date and time of hearing), shall be considered.

Please be advised that the rule being considered is subject to further changes and modifications after public comment and formal hearing.

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00787

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

Division of Real Estate

**on 01/05/2016**

4 CCR 725-7

**COMMUNITY ASSOCIATION MANAGERS**

The above-referenced rules were submitted to this office on 01/06/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 14, 2016 13:12:07

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Public Health and Environment

### **Agency**

Water Quality Control Commission (1002 Series)

### **CCR number**

5 CCR 1002-32

### **Rule title**

5 CCR 1002-32 REGULATION NO. 32 - CLASSIFICATIONS AND NUMERIC  
STANDARDS FOR ARKANSAS RIVER BASIN 1 - eff 03/01/2016

### **Effective date**

03/01/2016

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**  
**WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-32**

**REGULATION NO. 32**  
**CLASSIFICATIONS AND NUMERIC STANDARDS**  
**FOR**  
**ARKANSAS RIVER BASIN**

**32.1 AUTHORITY**

These regulations are promulgated pursuant to section 25-8-101 et seq. C.R.S., as amended, and in particular, 25-8-203 and 25-8-204.

**32.2 PURPOSE**

These regulations establish classifications and numeric standards for the Arkansas River, including all tributaries and standing bodies of water as indicated in section 32.6. The classifications identify the actual beneficial uses of the water. The numeric standards are assigned to determine the allowable concentrations of various parameters. Discharge permits will be issued by the Water Quality Control Division to comply with basic, narrative, and numeric standards and control regulations so that all discharges to waters of the state protect the classified uses. (See Regulation No. 31, section 31.14). It is intended that these and all other stream classifications and numeric standards be used in conjunction with and be an integral part of Regulation No. 31 Basic Standards and Methodologies for Surface Water.

**32.3 INTRODUCTION**

These regulations and tables present the classifications and numeric standards assigned to stream segments listed in the attached tables (See section 32.6). As additional stream segments are classified and numeric standards for designated parameters are assigned for this drainage system, they will be added to or replace the numeric standards in the tables in section 32.6. Any additions or revisions of classifications or numeric standards can be accomplished only after public hearing by the Commission and proper consideration of evidence and testimony as specified by the statute and the "Basic Standards and Methodologies for Surface Water".

**32.4 DEFINITIONS**

See the Colorado Water Quality Control Act and the codified water quality regulations for definitions.

**32.5 BASIC STANDARDS**

(1) TEMPERATURE

All waters of the Arkansas River Basin are subject to the following standard for temperature. (Discharges regulated by permits, which are within the permit limitations, shall not be subject to enforcement proceedings under this standard). Temperature shall maintain a normal pattern of diurnal and seasonal fluctuations with no abrupt changes and shall have no increase in temperature of a magnitude, rate, and duration deemed deleterious to the resident aquatic life. This standard shall not be interpreted or applied in a manner inconsistent with section 25-8-104, C.R.S.

(2) QUALIFIERS

See Basic Standards and Methodologies for Surface Water for a listing of organic standards at 31.11 and metal standards found at 31.16 Table III. The column in the tables headed "Water + Fish" are presumptively applied to all aquatic life class 1 streams which also have a water supply classification, and are applied to aquatic life class 2 streams which also have a water supply classification, on a case-by-case basis as shown in the Tables 32.6. The column in the tables at 31.11 and 31.16 Table III headed "Fish Ingestion" is presumptively applied to all aquatic life class 1 streams which do not have a water supply classification, and are applied to aquatic life class 2 streams which do not have a water supply classification, on a case-by-case basis as shown in Tables 32.6.

(3) URANIUM

- (a) All waters of the Arkansas River Basin are subject to the following basic standard for uranium, unless otherwise specified by a water quality standard applicable to a particular segment. However, discharges of uranium regulated by permits which are within these permit limitations shall not be a basis for enforcement proceedings under this basic standard.
- (b) Uranium levels in surface waters shall be maintained at the lowest practicable level.
- (c) In no case shall uranium levels in waters assigned a water supply classification be increased by any cause attributable to municipal, industrial, or agricultural discharges so as to exceed 16.8-30 µg/l or naturally-occurring concentrations (as determined by the State of Colorado), whichever is greater.
  - (i) The first number in the 16.8-30 ug/l range is a strictly health-based value, based on the Commission's established methodology for human health-based standards. The second number in the range is a maximum contaminant level, established under the federal Safe Drinking Water Act that has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range. Water bodies will be considered in attainment of this standard, and not included on the Section 303(d) List, so long as the existing ambient quality does not exceed the second number in the range.

(4) NUTRIENTS

Prior to May 31, 2022, interim nutrient values will be considered for adoption only in the limited circumstances defined at 31.17(e). These circumstances include headwaters, Direct Use Water Supply (DUWS) Lakes and Reservoirs, and other special circumstances determined by the Commission. Additionally, prior to May 31, 2017, only total phosphorus and chlorophyll a will be considered for adoption. After May 31, 2017, total nitrogen will be considered for adoption per the circumstances outlined in 31.17(e).

Prior to May 31, 2022, nutrient criteria will be adopted for headwaters on a segment by segment basis for the Arkansas River Basin. Moreover, pursuant to 31.17(e) nutrient standards will only be adopted for waters upstream of all permitted domestic wastewater treatment facilities discharging prior to May 31, 2012 or with preliminary effluent limits requested prior to May 31, 2012, and any non-domestic facilities subject to Regulation 85 effluent limits and discharging prior to May 31, 2012. The following is a list of all permitted domestic wastewater treatment facilities

discharging prior to May 31, 2012 or with preliminary effluent limits requested prior to May 31, 2012, and any non-domestic facilities subject to Regulation 85 effluent limits and discharging prior to May 31, 2012 in the Arkansas River Basin:

Segment	Permittee	Facility name	Permit No.
COARUA02b	Leadville MHC LLC	Lake Fork MHP	COG588060
COARUA03	Buena Vista Sanitation District	Buena Vista San Dist WWTF	CO0045748
COARUA03	Salida City of	Salida WWTF	CO0040339
COARUA04a	Fremont Sanitation District	Rainbow Park WWTF	CO0039748
COARUA05	Young Life Campaign Inc	Frontier Ranch	CO0034304
COARUA05	Moose Haven Condominiums	Moose Haven Condominiums	CO0047279
COARUA05	Mountain View Villages Water & Sanitation District	Mountain View Villages	CO0048372
COARUA06	Leadville Sanitation District	Leadville San Dist WWTF	CO0021164
COARUA12a	Mount Princeton Hot Springs Resort	Mount Princeton Hot Springs Resort WWTF	COG588017
COARUA12a	Christian Mission Concerns	Silver Cliff Ranch	COG588102
COARUA12b	Monarch Mountain Lodge	Garfield WWTF	CO0028444
COARUA12b	PowderMonarch LLC	Monarch Ski Area	CO0031399
COARUA14d	Penrose Sanitation District	Penrose WWTF	CO0046523
COARUA14d	Royal Gorge Company of Colorado	Royal Gorge	CO0029033
COARUA21a	Cripple Creek City of	Cripple Creek WWTF	CO0039900
COARUA23	Victor City of	Victor WWTF	CO0024201
COARMA04a; COARMA04g	Pueblo West Metro District	Pueblo West Metro District WWTF	CO0040789
COARMA04c	Sunset Metropolitan District	Ellicott Springs WWTF	CO0047252
COARMA04c	Woodmen Hills Metropolitan District	Woodmen Hills Metro Dist WWTF	CO0047091
COARMA04d	Avondale Water and Sanitation District	Avondale and Fort Reynolds WWTF	CO0021075
COARMA04f	Cherokee Metropolitan District	Cherokee Metropolitan District WRF	COX048348
COARMA09	Colorado City Metropolitan District	Colorado City Metro Dist WWTF	CO0021121
COARMA13b	Cucharas Sanitation and Water District	Cucharas WWTF	CO0043745
COARMA14	La Veta Town of	La Veta WWTF	CO0032409
COARMA14	City of Walsenburg	Walsenburg City of	CO0020745
COARFO02a	Fountain Sanitation District	Fountain Sanitation District WWTF	CO0020532
COARFO02a	Colorado Springs Utilities	Las Vegas Street WWTF	CO0026735
COARFO02a	Security Sanitation District	Security Sanitation District WWTF	CO0024392
COARFO02a	Widefield Water and Sanitation District	Widefield WSD WWTF	CO0021067
COARFO04	Academy Water and Sanitation District	Academy Water and San Dist WWTF	COG589020
COARFO04	Broadmoor Park Properties	Broadmoor Park Properties	COG589021
COARFO04	Academy School Dist 20	Edith Welford Elem School	CO0048429
COARFO04	Lower Fountain Metropolitan Sewage Disposal District	HDTRWRF	CO0000005
COARFO06	Colorado Springs Utilities	J D Phillips Water Reclamation Facility	CO0046850
COARFO06	Tri-Lakes Wastewater Treatment Facility	Tri-Lakes WWTF	CO0020435
COARFO06	Donala Water and Sanitation District	Upper Monument Crk Reg WWTF	CO0042030
COARLA01a	Pueblo City of	James R Dilorio WRF	CO0026646



Segment	Permittee	Facility name	Permit No.
COARLA01a	Meadowbrook MHP LLC	Meadowbrook MHP	COG588022
COARLA01b	Crowley County Correctional	Crowley Correctional Facility	CO0046795
COARLA01b	Colorado Dept of Corrections	Fort Lyon Correctional Facility WWTF	CO0046311
COARLA01b	Colorado Dept of Corrections	Fort Lyon Correctional Facility WWTF	CO0048801
COARLA01b	Fowler Town of	Fowler WWTF	CO0021571
COARLA01b	Las Animas City of	Las Animas WWTF	CO0040690
COARLA01b	North La Junta Sanitation District	North La Junta San Dist WWTF	CO0039519
COARLA01b	Rocky Ford City of	Rocky Ford WWTF	CO0023850
COARLA02a	Boone Town of	Boone WWTF	COG589116
COARLA02a	Calhan Town of	Calhan WWTF	COG589018
COARLA02a	Country Host Motel	Country Host Motel	COG589038
COARLA02a	Crowley Town of	Crowley WWTF	CO0041599
COARLA02a	Eads Town of	Eads WWTF	COG589016
COARLA02a	Limon, Town of	Limon WWTF	COG589023
COARLA02a	Simla Town of	Simla WWTF	COG589031
COARLA02a	Springfield Town of	Springfield WWTF	COG589102
COARLA02a	Colorado Dept of Corrections	Trinidad Correctional Facility	CO0046094
COARLA02b	La Junta City of	La Junta WWTF	CO0021261
COARLA05b	Trinidad City of	Trinidad WWTF	CO0024015
COARLA05b; COARLA06a	Cokedale Town of	Cokedale WWTF	CO0048461
COARLA07	Hoehne School District R-3	Hoehne School	COG588110
COARLA07	Trinidad City of	Trinidad WWTF	CO0031232
Unclassified	Colorado Dept of Natural Resources	Arkansas Point WWTF	COG589008
Unclassified	Manzanola, Town of	Manzanola WWTF	COG589012
Unclassified	Wiley Sanitation District	Wiley San Dist WWTF	COG589007

Prior to May 31, 2022:

- For segments located entirely above these facilities, nutrient standards apply to the entire segment.
- For segments with portions downstream of these facilities, *nutrient standards apply only above these facilities*. A footnote was added to the total phosphorus and chlorophyll a standards in these segments. The footnote references the table of qualified facilities at 32.5(4).
- For segments located entirely below these facilities, nutrient standards do not apply.

A footnote was added to the total phosphorus and chlorophyll a standards in lakes segments as nutrients standards apply only to lakes and reservoirs larger than 25 acres surface area.

## 32.6 TABLES

### (1) Introduction

The numeric standards for various parameters in this regulation and in the tables in Appendix 32-1 were assigned by the Commission after a careful analysis of the data presented on actual stream conditions and on actual and potential water uses.

Numeric standards are not assigned for all parameters listed in the tables attached to Regulation No. 31. If additional numeric standards are found to be needed during future periodic reviews, they can be assigned by following the proper hearing procedures.

**(2) Abbreviations:**

(a) The following abbreviations are used in this regulation and in the tables in Appendix 32-1:

°C	=	degrees Celsius
CL	=	cold lake temperature tier
CLL	=	cold large lake temperature tier
CS-I	=	cold stream temperature tier one
CS-II	=	cold stream temperature tier two
D.O.	=	dissolved oxygen
DM	=	daily maximum temperature
DUWS	=	direct use water supply
E. coli	=	Escherichia coli
mg/l	=	milligrams per liter
MWAT	=	maximum weekly average temperature
OW	=	outstanding waters
SSE	=	site-specific equation
sp	=	spawning
t	=	total
tr	=	trout
T	=	total recoverable
TVS	=	table value standard
ug/l	=	micrograms per liter
UP	=	use-protected
WS	=	water supply
WS-I	=	warm stream temperature tier one
WS-II	=	warm stream temperature tier two
WS-III	=	warm stream temperature tier three
WL	=	warm lake temperature tier

(b) In addition, the following abbreviations are used:

Fe(ch)	=	WS
Mn(ch)	=	WS
SO <sub>4</sub>	=	WS

These abbreviations mean: For all surface waters with an actual water supply use, the less restrictive of the following two options shall apply as numerical standards, as specified in the Basic Standards and Methodologies at 31.16 Table II and III:

- (i) existing quality as of January 1, 2000; or
- (ii)
 

Iron	=	300 µg/l (dissolved)
Manganese	=	50µg/l (dissolved)
SO <sub>4</sub>	=	250 mg/l

For all surface waters with a “water supply” classification that are not in actual use as a water supply, no water supply standards are applied for iron, manganese or sulfate, unless the Commission determines as the result of a site-specific rulemaking hearing that such standards are appropriate.

(c) Temporary Modification for Water + Fish Chronic Arsenic Standard

- (i) The temporary modification for chronic arsenic standards applied to segments with an arsenic standard of 0.02 µg/l that has been set to protect the Water+Fish qualifier is listed in the temporary modification and qualifiers column as As(ch)=hybrid.
- (ii) For discharges existing on or before 6/1/2013, the temporary modification is: As(ch)=current condition, expiring on 12/31/2021.
- (iii) For new or increased discharges commencing on or after 6/1/2013, the temporary modification is: As(ch)=0.02-3.0 µg/l (Trec), expiring on 12/31/2021.
  - (a) The first number in the range is the health-based water quality standard previously adopted by the Commission for the segment.
  - (b) The second number in the range is a technology based value established by the Commission for the purpose of this temporary modification.
  - (c) Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an “end-of-pipe” discharge level more restrictive than the second number in the range.

**(3) Table Value Standards**

In certain instances in the tables in Appendix 32-1, the designation “TVS” is used to indicate that for a particular parameter a “table value standard” has been adopted. This designation refers to numerical criteria set forth in the Basic Standards and Methodologies for Surface Water. The criteria for which the TVS are applicable are on the following table.

TABLE VALUE STANDARDS (Concentrations in ug/l unless noted)	
PARAMETER <sup>(1)</sup>	TABLE VALUE STANDARDS <sup>(2)(3)</sup>
Aluminum (Trec)	<p>Acute = <math>e^{(1.3695[\ln(\text{hardness})]+1.8308)}</math></p> <p>pH equal to or greater than 7.0</p> <p>Chronic=<math>e^{(1.3695[\ln(\text{hardness})]-0.1158)}</math></p> <p>pH less than 7.0</p> <p>Chronic= <math>e^{(1.3695[\ln(\text{hardness})]-0.1158)}</math> or 87, whichever is more stringent</p>
Ammonia <sup>(4)</sup>	Cold Water

TABLE VALUE STANDARDS  
(Concentrations in ug/l unless noted)

PARAMETER <sup>(1)</sup>	TABLE VALUE STANDARDS <sup>(2)(3)</sup>
	$acute = \frac{0.275}{1 + 10^{7.204 - pH}} + \frac{39.0}{1 + 10^{pH - 7.204}}$ $chronic = \left[ \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right] * MIN(2.85, 1.45 * 10^{0.028(25 - T)})$ <p>Warm Water</p> $acute = \frac{0.411}{1 + 10^{7.204 - pH}} + \frac{58.4}{1 + 10^{pH - 7.204}}$ $chronic (Apr 1 - Aug 31) = \left[ \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right] * MIN(2.85, 1.45 * 10^{0.028(25 - T)})$ $chronic (Sep 1 - Mar 31) = \left[ \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right] * 1.45 * 10^{0.028 * (25 - MAX(T, 7))}$
Cadmium	<p>Acute = <math>(1.136672 - [\ln(\text{hardness}) \times (0.041838)]) \times e^{0.9151[\ln(\text{hardness})] - 3.1485}</math></p> <p>Acute(Trout) = <math>(1.136672 - [\ln(\text{hardness}) \times (0.041838)]) \times e^{0.9151[\ln(\text{hardness})] - 3.6236}</math></p> <p>Chronic = <math>(1.101672 - [\ln(\text{hardness}) \times (0.041838)]) \times e^{0.7998[\ln(\text{hardness})] - 4.4451}</math></p>
Chromium III <sup>(5)</sup>	<p>Acute = <math>e^{(0.819[\ln(\text{hardness})] + 2.5736)}</math></p> <p>Chronic = <math>e^{(0.819[\ln(\text{hardness})] + 0.5340)}</math></p>
Chromium VI <sup>(5)</sup>	<p>Acute = 16</p> <p>Chronic = 11</p>
Copper	<p>Acute = <math>e^{(0.9422[\ln(\text{hardness})] - 1.7408)}</math></p> <p>Chronic = <math>e^{(0.8545[\ln(\text{hardness})] - 1.7428)}</math></p>
Lead	<p>Acute = <math>(1.46203 - [\ln(\text{hardness}) * (0.145712)]) * e^{(1.273[\ln(\text{hardness})] - 1.46)}</math></p> <p>Chronic = <math>(1.46203 - [\ln(\text{hardness}) * (0.145712)]) * e^{(1.273[\ln(\text{hardness})] - 4.705)}</math></p>

**TABLE VALUE STANDARDS**  
(Concentrations in ug/l unless noted)

PARAMETER <sup>(1)</sup>	TABLE VALUE STANDARDS <sup>(2)(3)</sup>
Manganese	Acute = $e^{(0.3331[\ln(\text{hardness})]+6.4676)}$ Chronic = $e^{(0.3331 [\ln(\text{hardness})]+5.8743)}$
Nickel	Acute = $e^{(0.846[\ln(\text{hardness})]+2.253)}$ Chronic = $e^{(0.846[\ln(\text{hardness})]+0.0554)}$
Selenium <sup>(6)</sup>	Acute = 18.4 Chronic = 4.6
Silver	Acute = $\frac{1}{2}e^{(1.72[\ln(\text{hardness})]-6.52)}$ Chronic = $e^{(1.72[\ln(\text{hardness})]-9.06)}$ Chronic(Trout) = $e^{(1.72[\ln(\text{hardness})]-10.51)}$

Temperature

TEMPERATURE TIER	TIER CODE	SPECIES EXPECTED TO BE PRESENT	APPLICABLE MONTHS	TEMPERATURE STANDARD (°C)	
				MWAT	DM
Cold Stream Tier 1	CS-I	brook trout, cutthroat trout	June – Sept.	17.0	21.7
			Oct. – May	9.0	13.0
Cold Stream Tier 2	CS-II	Other cold-water species	April – Oct.	18.3	23.9
			Nov. – March	9.0	13.0
Cold Lakes	CL	brook trout, brown trout, cutthroat trout, lake trout, rainbow trout, Arctic grayling, sockeye salmon	April – Dec.	17.0	21.2
			Jan. – March	9.0	13.0
Cold Large Lakes (>100 acres surface area)	CLL	rainbow trout, brown trout, lake trout	April – Dec.	18.3	23.8
			Jan. – March	9.0	13.0
Warm Stream Tier 1	WS-I	common shiner, Johnny darter, orangethroat darter	March – Nov.	24.2	29.0
			Dec. – Feb.	12.1	14.5
Warm Stream Tier 2	WS-II	brook stickleback, central stoneroller, creek chub, longnose dace, Northern redbelly dace, finescale dace, razorback sucker, white sucker	March – Nov.	27.5	28.6
			Dec. – Feb.	13.8	14.3

**TABLE VALUE STANDARDS**  
(Concentrations in ug/l unless noted)

PARAMETER<sup>(1)</sup>

TABLE VALUE STANDARDS<sup>(2)(3)</sup>

	Warm Stream Tier 3	WS-III	all other warm-water species	March – Nov.	28.7	31.8
				Dec. – Feb.	14.3	15.9
	Warm Lakes	WL	black crappie, bluegill, common carp, gizzard shad, golden shiner, largemouth bass, Northern pike, pumpkinseed, sauger, smallmouth bass, spottail shiner, striped bass, tiger muskellunge, walleye, wiper, white bass, white crappie, yellow perch	April – Dec.	26.3	29.5
				Jan. – March	13.2	14.8

Uranium

Acute = e<sup>(1.1021[ln(hardness)]+2.7088)</sup>

Chronic = e<sup>(1.1021[ln(hardness)]+2.2382)</sup>

Zinc

Acute = 0.978\*e<sup>(0.9094[ln(hardness)]+0.9095)</sup>

Chronic = 0.986\*e<sup>(0.9094[ln(hardness)]+0.6235)</sup>

**TABLE VALUE STANDARDS - FOOTNOTES**

- (1) Metals are stated as dissolved unless otherwise specified.
- (2) Hardness values to be used in equations are in mg/l as calcium carbonate and shall be no greater than 400 mg/L, except for aluminum for which hardness shall be no greater than 220 mg/L. The hardness values used in calculating the appropriate metal standard should be based on the lower 95 per cent confidence limit of the mean hardness value at the periodic low flow criteria as determined from a regression analysis of site-specific data. Where insufficient site-specific data exists to define the mean hardness value at the periodic low flow criteria, representative regional data shall be used to perform the regression analysis. Where a regression analysis is not appropriate, a site-specific method should be used. In calculating a hardness value, regression analyses should not be extrapolated past the point that data exist.
- (3) Both acute and chronic numbers adopted as stream standards are levels not to be exceeded more than once every three years on the average.

- (4) For acute conditions the default assumption is that salmonids could be present in cold water segments and should be protected, and that salmonids do not need to be protected in warm water segments. For chronic conditions, the default assumptions are that early life stages could be present all year in cold water segments and should be protected. In warm water segments the default assumption is that early life stages are present and should be protected only from April 1 through August 31. These assumptions can be modified by the commission on a site-specific basis where appropriate evidence is submitted.
  - (5) Unless the stability of the chromium valence state in receiving waters can be clearly demonstrated, the standard for chromium should be in terms of chromium VI. In no case can the sum of the instream levels of Hexavalent and Trivalent Chromium exceed the water supply standard of 50 ug/l total chromium in those waters classified for domestic water use.
  - (6) Selenium is a bioaccumulative metal and subject to a range of toxicity values depending upon numerous site-specific variables.
  - (7) E.coli criteria and resulting standards for individual water segments, are established as indicators of the potential presence of pathogenic organisms. Standards for E. coli are expressed as a two-month geometric mean. Site-specific or seasonal standards are also two-month geometric means unless otherwise specified.
  - (8) All phosphorus standards are based upon the concentration of total phosphorus.
  - (9) The pH standards of 6.5 (or 5.0) and 9.0 are an instantaneous minimum and maximum, respectively to be applied as effluent limits. In determining instream attainment of water quality standards for pH, appropriate averaging periods may be applied, provided that beneficial uses will be fully protected.
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#### **(4) Assessment Criteria**

The following criteria shall be used when assessing whether a specified waterbody is in attainment of the specified standard.

- (a) Middle Arkansas Segment 4a, Wildhorse Creek, Se(ac)=2376, Se(ch)=2110: Selenium Assessment Location
  - Wildhorse Creek above Pesthouse Gulch: 38.296478, -104.649201
- (b) Middle Arkansas Segment 4g, Pesthouse Gulch, Se(ac)=389, Se(ch)=369: Selenium Assessment Location
  - Pesthouse above No Name: 38.309568, -104.672244
- (c) Middle Arkansas Segment 6b, St. Charles River, Se(ac)=173, Se(ch)=50: Selenium Assessment Locations

Determinations of attainment of the chronic and acute selenium standards will be based on the 85<sup>th</sup> and 95<sup>th</sup> percentile, respectively of all available data from the segment. The selenium assessment locations are:

- SC-5: St. Charles River approximately one mile downstream of the confluence with Edson Arroyo.
  - SC-6-US: St. Charles River upstream of the confluence with Thomkins Arroyo and the Comanche discharge.
  - SC-7: Approximately 2 miles upstream of the Bessemer Canal crossing.
  - SC-8: Immediately upstream of the Bessemer Canal crossing.
  - SC-9: St. Charles River downstream of where the river flows under U.S. Highway 50, approximately 3 miles upstream of the confluence with the Arkansas River.
- (d) Middle Arkansas Segment 20, Pueblo Reservoir: Chlorophyll a Assessment Location
- Site 7b (USGS Site 381602104435200): Near the dam and the south outlet works.

#### **(5) Stream Classifications and Water Quality Standards Tables**

The stream classifications and water quality standards tables in Appendix 32-1 are incorporated herein by reference.

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#### **32.55 STATEMENT OF BASIS AND PURPOSE REGARDING THE ADOPTION OF NON-SUBSTANTIVE CHANGES TO THE CLASSIFICATION AND NIMEIRC STANDARDS FOR THE ARKANSAS RIVER BASIN, JANUARY 11, 2016 RULEMAKING; EFFECTIVE DATE MARCH 1, 2016**

The provisions of C.R.S. 25-8-202(1)(i) and 25-8-401(2) provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

#### **BASIS AND PURPOSE**

The Commission, in a public rulemaking hearing adopted extensive changes to the format of this regulation. The Commission does not intend to change any existing designations, use classifications or standards, or the implementation of any standards as the result of changing the format.

This rulemaking was in response to longstanding issues with managing the information contained in the standards tables. The changes made in this hearing reflect a change from storing the information in word processing documents to storing the information in a relational database. This change in platform will provide better consistency, facilitate error checking as well as a more readable format for the standards tables. Storing the information in a database allows it to be used more efficiently by other programs in the Division.

While it was the Commission's intent not to change the substantive meaning of the regulations in this rulemaking, in cases where there was ambiguity the revised regulation reflects the Commission's interpretation of the previous format based on Regulation #31 (the Basic Standards and Methodologies for Surface Water ) and the experience of the Commission and its staff.

**Overall format changes:** The new format displays parameters by name, rather than by period table element abbreviations. The section formerly titled "Temporary Modifications and Qualifiers" does not



appear in the new format. Instead, there is a separate section for qualifiers, and an “Other” section. Temporary modifications, variances and other footnotes are displayed in the “Other” section. Many items that were formerly in the “Temporary Modifications and Qualifiers” column will be displayed in the “Other” column and will have a different appearance or modified wording, although the information is substantively the same. Each footnote in the “Other” section is preceded by a heading that indicates where the footnote applies:

- Footnotes regarding a use classification will begin with the heading “Classification...”
- Footnotes regarding the antidegradation designation begin with the heading “Designation...”
- Footnotes that relate to a particular standard begin with the name of the parameter, for example “Selenium(chronic)=...”

Also, since there is more room for information within each segment, footnotes “B” and “C” were replaced with the full text in each segment where these footnotes were applied. Footnote “A” was maintained because the text is too long to be displayed in the “Other” section for each segment where it applies.

Constraints of the new format: Some adjustments were made to the way that data is displayed in order to be compatible with the functions of the Standards Database. Database organization requires that information which relates to multiple standards must be attached to each individual parameter. For example, a segment with a temporary modification listed for “all parameters” in the old format will have a temporary modification listed for each individual parameter in the new format. There are also spacing constraints in the new format, which require some information to be moved either to the “other” box on the new format, or moved out of the segment entirely and into another location in the regulation.

Clarification of changes: The shift to a database organizational structure required consistency in the way each data element is addressed. To insure that data is stored and displayed correctly, the following changes were made.

- The “type” of temporary modification is no longer displayed in the segment tables, since they have no regulatory effect and have been inconsistently displayed.
- In the old format, waters that had a reviewable antidegradation designation were identified by the absence of either “UP” or “OW” in the designation column. These segments now display the word “reviewable” under the designation heading. There needed to be a value in the designation column for every segment.
- Dissolved standards are not specifically noted as dissolved in the new format. All metals standards are dissolved unless noted with a “T” or a “t”. For example, a manganese standard in the old format of “WS(dis)” is displayed as “WS” in the new format.
- A new footnote 7 was added to clarify that although E. coli is listed in the “chronic” column, the standard is a two-month geometric mean rather than a 30-day average. The language of footnote 7 was taken from Regulation 31, Table 1, footnote 7.
- A new footnote 8 was added to indicate that all phosphorus standards are based upon the concentration of total phosphorus. In the old format, individual phosphorus standards were noted as “total” in some basins and not others.
- A new footnote 9 was added to clarify that although pH is listed in the “acute” column, the standard is not applied as a 1-day average. The language of footnote 7 was taken from Regulation 31, Table 1, footnote 3.

- Physical and Biological Parameters: Some parameters are not specifically identified in the old format segment tables as acute or chronic. The new format requires that each parameter is placed in either the acute or chronic column. Specifically, these parameters and the basis for being identified as acute or chronic are as follows:
  - pH (acute) – Regulation #31, Table 1, footnote 3
  - E. Coli (chronic) – Regulation #31, Table 1, footnote 7
  - D.O. (chronic) – Regulation #31, Table 1, footnote 1
  - cyanide (acute) – Regulation #31, Table 2
  - sulfide (chronic) - Regulation #31, Table 2
  - nitrate (acute) - Regulation #31, Table 2
  - nitrite (chronic) – not specified in Regulation #31. Nitrite has been implemented as a 30-day average standard in permits and assessments.
  - chloride (chronic) Regulation #31, Table 2
  - boron (chronic) - Regulation #31, Table 2
  - sulfate (chronic) Regulation #31, Table 2

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-32**

**REGULATION NO. 32  
CLASSIFICATIONS AND NUMERIC STANDARDS  
FOR  
ARKANSAS RIVER BASIN**

**APPENDIX 32-1  
Stream Classifications and Water Quality Standards Tables**

Effective 03/01/2016

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

1a. All streams and wetlands within Mount Massive and Collegiate Peaks Wilderness areas.						
COARUA01A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
OW	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	--- 6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	--- 7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0 ---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	--- 150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	--- 126	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
	Ammonia	TVS	TVS	Manganese	TVS	TVS
	Boron	---	0.75	Manganese	---	WS
	Chloride	---	250	Mercury	---	0.01(t)
	Chlorine	0.019	0.011	Molybdenum	---	160(T)
	Cyanide	0.005	---	Nickel	TVS	TVS
	Nitrate	10	---	Selenium	TVS	TVS
	Nitrite	---	0.05	Silver	TVS	TVS(tr)
	Phosphorus	---	0.11	Uranium	---	---
	Sulfate	---	WS	Zinc	TVS	TVS
	Sulfide	---	0.002			
1b. Mainstem of the East Fork of the Arkansas River from its source to a point immediately above the confluence with Birdseye Gulch.						
COARUA01B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Aq Life Cold 1	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	--- 6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	--- 7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0 ---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	--- 150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	--- 126	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
	Ammonia	TVS	TVS	Manganese	TVS	TVS
	Boron	---	---	Manganese	---	WS
	Chloride	---	250	Mercury	---	0.01(t)
	Chlorine	0.019	0.011	Molybdenum	---	210(T)
	Cyanide	0.005	---	Nickel	TVS	TVS
	Nitrate	10	---	Selenium	TVS	TVS
	Nitrite	---	0.05	Silver	TVS	TVS(tr)
	Phosphorus	---	0.11	Uranium	---	---
	Sulfate	---	WS	Zinc	TVS	TVS
	Sulfide	---	0.002			
Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021						

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

2a. Mainstem of the East Fork of the Arkansas River and the Arkansas River from a point immediately above the confluence with Birdseye Gulch to a point immediately above the confluence with the California Gulch.						
COARUA02A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic		Iron	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Manganese	TVS
		Chloride	---	250	Manganese	---
		Chlorine	0.019	0.011	Mercury	0.01(t)
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	10	---	Nickel	160(T)
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	0.11	Silver	TVS
		Sulfate	---	WS	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
2b. Mainstem of the Arkansas River from a point immediately above California Gulch to a point immediately above the confluence with Lake Fork.						
COARUA02B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable*	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	SSE*
		pH	6.5 - 9.0	---	Cadmium	---
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	100(T)
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic		Copper	TVS
		Ammonia	TVS	TVS	Iron	1000(T)
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	0.01(t)
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	160(T)
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	SSE*
					Zinc	---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

2c. Mainstem of the Arkansas River from a point immediately above the confluence with the Lake Fork to a point immediately above the confluence with Lake Creek.					
COARUA02C	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable*	Aq Life Cold 1	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	SSE*
Other:		pH	6.5 - 9.0	Cadmium	SSE*
*Designation: 9/30/00 Base-line does not apply *Cadmium(acute) = 1.136672- (ln(hardness)*0.041838)*e^(0.9151*ln(hardness)- 3.6236) *Cadmium(chronic) = (1.101672- [ln(hardness)*0.041838])*e^(0.7998[ln hardness]- 3.1725) *Zinc(acute) = 0.978*e^(0.8537[ln(hardness)]+2.2178) *Zinc(chronic) = 0.986*e^(0.8537[ln(hardness)] +2.0469)		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	50(T)
		E. Coli (per 100 mL)	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS
		acute	chronic	Iron	---
		Ammonia	TVS	Lead	TVS
		Boron	---	Manganese	TVS
		Chloride	250	Manganese	WS
		Chlorine	0.019	Mercury	---
		Cyanide	0.005	Molybdenum	---
		Nitrate	10	Nickel	TVS
		Nitrite	---	Selenium	TVS
		Phosphorus	---	Silver	TVS
		Sulfate	WS	Uranium	---
		Sulfide	---	Zinc	SSE*
			0.002	Zinc	---
3. Mainstem of the Arkansas River from a point immediately above the confluence with the Lake Creek to the Chaffee/Fremont County line.					
COARUA03	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
		Inorganic (mg/L)		Iron	---
		acute	chronic	Iron	1000(T)
		Ammonia	TVS	Lead	TVS
		Boron	---	Manganese	TVS
		Chloride	250	Manganese	WS
		Chlorine	0.019	Mercury	---
		Cyanide	0.005	Molybdenum	---
		Nitrate	10	Nickel	TVS
		Nitrite	---	Selenium	TVS
		Phosphorus	---	Silver	TVS
		Sulfate	WS	Uranium	---
		Sulfide	---	Zinc	TVS
			0.002		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

4a. Mainstem of the Arkansas River from the Chaffee/Fremont County Line to a point immediately above Highway 115 bridge, due east of Florence.									
COARUA04A	Classifications	Physical and Biological				Metals (ug/L)			
Designation	Agriculture	DM		MWAT		acute		chronic	
Reviewable	Aq Life Cold 1	Temperature °C	11/1 - 3/31	CS-II	CS-II	Aluminum	---	---	
	Recreation E	Temperature °C	4/1 - 10/31	24.8	22.1	Arsenic	340	0.02(T)	
	Water Supply					Beryllium	---	---	
Qualifiers:		acute		chronic		Cadmium	TVS(tr)	TVS	
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		D.O. (mg/L)	---	6.0		Chromium III	50(T)	TVS	
		D.O. (spawning)	---	7.0		Chromium VI	TVS	TVS	
		pH	6.5 - 9.0	---		Copper	TVS	TVS	
		chlorophyll a (mg/m²)	---	---		Iron	---	WS	
		E. Coli (per 100 mL)	---	126		Iron	---	1000(T)	
						Lead	TVS	TVS	
		Inorganic (mg/L)				Manganese	TVS	TVS	
		acute		chronic		Manganese	---	WS	
		Ammonia	TVS	TVS		Mercury	---	0.01(t)	
		Boron	---	0.75		Molybdenum	---	160(T)	
		Chloride	---	250		Nickel	TVS	TVS	
		Chlorine	0.019	0.011		Selenium	TVS	TVS	
		Cyanide	0.005	---		Silver	TVS	TVS(tr)	
		Nitrate	10	---		Uranium	---	---	
		Nitrite	---	0.05		Zinc	TVS	TVS	
		Phosphorus	---	---					
		Sulfate	---	WS					
		Sulfide	---	0.002					
4b. Mainstem of the Arkansas River from a point immediately above Highway 115 bridge, due east of Florence, to the inlet of Pueblo Reservoir.									
COARUA04B	Classifications	Physical and Biological				Metals (ug/L)			
Designation	Agriculture	DM		MWAT		acute		chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II		Aluminum	---	---	
	Recreation E	acute		chronic		Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	5.0		Beryllium	---	---	
Qualifiers:		pH	6.5 - 9.0	---		Cadmium	TVS	TVS	
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		chlorophyll a (mg/m²)	---	---		Chromium III	50(T)	TVS	
		E. Coli (per 100 mL)	---	126		Chromium VI	TVS	TVS	
		Inorganic (mg/L)				Copper	TVS	TVS	
		acute		chronic		Iron	---	WS	
		Ammonia	TVS	TVS		Iron	---	1000(T)	
		Boron	---	0.75		Lead	TVS	TVS	
		Chloride	---	250		Manganese	TVS	TVS	
		Chlorine	0.019	0.011		Manganese	---	WS	
		Cyanide	0.005	---		Mercury	---	0.01(t)	
		Nitrate	10	---		Molybdenum	---	160(T)	
		Nitrite	---	0.5		Nickel	TVS	TVS	
		Phosphorus	---	---		Selenium	TVS	TVS	
		Sulfate	---	WS		Silver	TVS	TVS	
		Sulfide	---	0.002		Uranium	---	---	
						Zinc	TVS	TVS	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

5. All tributaries to the Arkansas River, including wetlands, from the source to immediately below the confluence with Brown's Creek, except for specific listings in segments 6 through 12b.					
COARUA05	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
<b>Qualifiers:</b>		D.O. (spawning)	7.0	Cadmium	TVS(tr)
<b>Other:</b>		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150*	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS
Expiration Date of 12/31/2021				Iron	---
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 32.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11*	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		
6. Mainstem of California Gulch, including all tributaries, from the source to the confluence with the Arkansas River. Mainstem of St. Kevin's Gulch from the source to the confluence with Tennessee Creek.					
COARUA06	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Recreation N			Aluminum	---
<b>Qualifiers:</b>		acute	chronic	Arsenic	---
<b>Other:</b>		D.O. (mg/L)	---	Beryllium	---
		pH	---	Cadmium	---
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	---
		E. Coli (per 100 mL)	630	Chromium VI	---
		Inorganic (mg/L)		Copper	---
		acute	chronic	Iron	---
		Ammonia	---	Lead	---
		Boron	---	Manganese	---
		Chloride	---	Mercury	---
		Chlorine	---	Molybdenum	---
		Cyanide	---	Nickel	---
		Nitrate	---	Selenium	---
		Nitrite	---	Silver	---
		Phosphorus	---	Uranium	---
		Sulfate	---	Zinc	---
		Sulfide	---		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

7. Mainstem of Evans Gulch from the source to the confluence with the Arkansas River.						
COARUA07	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

8a. Mainstem of Iowa Gulch from the source to the ASARCO water supply intake.						
COARUA08A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

8b. Mainstem of Iowa Gulch from a point immediately below the ASARCO water supply intake to a point immediately below the headgate of the Paddock #1 Ditch (Iowa Ditch).						
<b>COARUA08B</b>	<b>Classifications</b>	<b>Physical and Biological</b>			<b>Metals (ug/L)</b>	
<b>Designation</b>	Agriculture	<b>DM</b>	<b>MWAT</b>		<b>acute</b>	<b>chronic</b>
UP	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	<b>acute</b>	<b>chronic</b>		Arsenic	340
<b>Qualifiers:</b>		D.O. (mg/L)	---	6.0	Beryllium	---
<b>Other:</b>		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Temporary Modification(s):		pH	6.5 - 9.0	---	Chromium III	TVS
Cadmium(chronic) = 1.6		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
temperature(DM) = No acute standard	11/1 - 3/31	E. Coli (per 100 mL)	---	126	Chromium VI	TVS
temperature(MWAT) = 14	11/1 - 3/31				Copper	TVS
Zinc(chronic) = 505		<b>Inorganic (mg/L)</b>			Iron	---
Expiration Date of 12/31/2017		<b>acute</b>	<b>chronic</b>		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	---	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

9. Mainstem of Iowa Gulch from a point immediately below the headgate of the Paddock #1 Ditch (Iowa Ditch) to the confluence with the Arkansas River.						
<b>COARUA09</b>	<b>Classifications</b>	<b>Physical and Biological</b>			<b>Metals (ug/L)</b>	
<b>Designation</b>	Agriculture	<b>DM</b>	<b>MWAT</b>		<b>acute</b>	<b>chronic</b>
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	<b>acute</b>	<b>chronic</b>		Arsenic	340
<b>Qualifiers:</b>		D.O. (mg/L)	---	6.0	Beryllium	---
<b>Other:</b>		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		<b>Inorganic (mg/L)</b>			Iron	---
		<b>acute</b>	<b>chronic</b>		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

10. Mainstem of Lake Creek, including all tributaries and wetlands, from the source to the confluence with the Arkansas River, except for the specific listing in segment 11.						
COARUA10	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	14.6
					10.6	
					Iron	---
					WS	
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	TVS(tr)	
		Sulfate	---	WS	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
					TVS	TVS

11. Mainstem of South Fork of Lake Creek, including all tributaries and wetlands, from the source to the confluence with Lake Creek.						
COARUA11	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	750
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	5.0-9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	100(T)
					Copper	TVS
					TVS	TVS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	160(T)
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	100	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	TVS	TVS(tr)
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
					TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

12a. Mainstem of Chalk Creek from the source to the confluence with the Arkansas River.							
COARUA12A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 32.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).		pH	6.5 - 9.0	---	Chromium III	50(T)	
		chlorophyll a (mg/m²)	---	150*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

12b. Mainstem of Cottonwood Creek (Chaffee County), from the source to the confluence with the Arkansas River; South Fork of the Arkansas, including all tributaries and wetlands, from the National Forest boundary to the confluence with the Arkansas River.							
COARUA12B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 32.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).		pH	6.5 - 9.0	---	Chromium III	50(T)	
		chlorophyll a (mg/m²)	---	150*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

13. All tributaries to the Arkansas River, including wetlands, which are on National Forest lands, from the confluence with Brown's Creek to the inlet to Pueblo Reservoir, except for specific listings in segments 12b, 14a, 14c and 15-27.

COARUA13	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
Expiration Date of 12/31/2021					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

14a. Mainstem of Big Red Creek, Little Red Creek, and Rush Creek and Hardscrabble Creek from their sources to their confluence with the Arkansas River.

COARUA14A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS	TVS
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury	---	0.01(t)
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS
		Nitrite	---	0.5	Uranium	---	---
		Phosphorus	---	0.17	Zinc	TVS	TVS
		Sulfate	---	---			
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# Upper Arkansas River Basin

14b. All tributaries to the Arkansas River, including wetlands, which are not on National Forest lands, from the confluence with Brown's Creek to the Chaffee/Fremont County line, except for the specific listing in segment 12b.

COARUA14B	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM		MWAT	acute		chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	---	
	Recreation E	acute		chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
					Iron	---	WS	
		Inorganic (mg/L)			Iron	---	1000(T)	
		acute		chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	0.11	Uranium	---	---	
		Sulfate	---	WS	Zinc	TVS	TVS	
		Sulfide	---	0.002				

14c. Mainstems of North and South Hardscrabble Creeks, including all tributaries and wetlands, from their sources to their confluences.

COARUA14C	Classifications	Physical and Biological				Metals (ug/L)			
Designation	Agriculture	DM		MWAT		acute		chronic	
Reviewable	Aq Life Cold 1	Temperature °C	10/31 - 5/31	CS-I	CS-I	Aluminum	---	---	
	Recreation E	Temperature °C	6/30 - 9/30	22.1	17	Arsenic	340	0.02(T)	
	Water Supply					Beryllium	---	---	
Qualifiers:		acute		chronic		Cadmium	TVS(tr)	TVS	
Other:		D.O. (mg/L)	---	6.0		Chromium III	50(T)	TVS	
		D.O. (spawning)	---	7.0		Chromium VI	TVS	TVS	
		pH	6.5 - 9.0	---		Copper	TVS	TVS	
		chlorophyll a (mg/m²)	---	150		Iron	---	WS	
		E. Coli (per 100 mL)	---	126		Iron	---	1000(T)	
						Lead	TVS	TVS	
		Inorganic (mg/L)				Manganese	TVS	TVS	
		acute		chronic		Manganese	---	WS	
		Ammonia	TVS	TVS		Mercury	---	0.01(t)	
		Boron	---	0.75		Molybdenum	---	160(T)	
		Chloride	---	250		Nickel	TVS	TVS	
		Chlorine	0.019	0.011		Selenium	TVS	TVS	
		Cyanide	0.005	---		Silver	TVS	TVS(tr)	
		Nitrate	10	---		Uranium	---	---	
		Nitrite	---	0.05		Zinc	TVS	TVS	
		Phosphorus	---	0.11					
		Sulfate	---	WS					
		Sulfide	---	0.002					

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

14d. All tributaries to the Arkansas River, including wetlands, which are not on National Forest lands, from the Chaffee/Fremont County line to the inlet to Pueblo Reservoir, except for specific listings in segments 14a, 14c and 15-27.

COARUA14D	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	---	100(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	100(T)
Other:  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 32.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).		D.O. (spawning)	---	7.0	Cadmium	---	10(T)
		pH	6.5 - 9.0	---	Chromium III	---	100(T)
		chlorophyll a (mg/m²)	---	150*	Chromium VI	---	100(T)
		E. Coli (per 100 mL)	---	126	Copper	---	200(T)
					Iron	---	---
		Inorganic (mg/L)			Lead	---	100(T)
		acute		chronic	Manganese	---	---
		Ammonia	---	---	Mercury	---	---
		Boron	---	0.75	Molybdenum	---	160(T)
		Chloride	---	---	Nickel	---	200(T)
		Chlorine	---	---	Selenium	---	20(T)
		Cyanide	0.2	---	Silver	---	---
		Nitrate	100	---	Uranium	---	---
		Nitrite	---	10	Zinc	---	2000(T)
		Phosphorus	---	0.11*			
		Sulfate	---	---			
Sulfide	---	---					

15. Mainstem of Grape Creek, including all tributaries and wetlands, from the source to the outlet of De Weese Reservoir, except for specific listings in segment 25. Mainstems of Texas, Badger, Hayden, Hamilton, Stout, and Big Cottonwood Creeks, including all tributaries and wetlands, from their sources to their confluences with the Arkansas River. Mainstem of Newlin Creek from the National Forest boundary to the City of Florence water diversion.

COARUA15	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute		chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
Sulfide	---	0.002					

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

16a. Mainstem of Middle Tallahassee Creek, including all tributaries and wetlands, from the source to the intersection with Road 23.						
COARUA16A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
					Iron	---
		Inorganic (mg/L)			Lead	TVS
		acute	chronic		Manganese	TVS
		Ammonia	TVS	TVS	Manganese	---
		Boron	---	0.75	Mercury	---
		Chloride	---	250	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	10	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11	Zinc	TVS
		Sulfate	---	WS		
		Sulfide	---	0.002		

16b. Mainstem of North Tallahassee Creek, South Tallahassee Creek, Middle Tallahassee Creek, and Tallahassee Creek from their sources to a point immediately below their confluence with South Tallahassee Creek, except for the specific listing in segment 16a.						
COARUA16B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
					Iron	---
		Inorganic (mg/L)			Lead	TVS
		acute	chronic		Manganese	TVS
		Ammonia	TVS	TVS	Manganese	---
		Boron	---	0.75	Mercury	---
		Chloride	---	250	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	10	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11	Zinc	TVS
		Sulfate	---	WS		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

16c. Mainstem of Tallahassee Creek from a point immediately below the confluence with South Tallahassee Creek to the confluence with the Arkansas River.						
COARUA16C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
17a. Mainstem of Cottonwood Creek (Fremont County), including all tributaries and wetlands, from the source to a point immediately below the confluence with North Waugh Creek.						
COARUA17A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

17b. Mainstem of Cottonwood Creek (Fremont county), including all tributaries and wetlands, from a point immediately below the confluence with North Waugh Creek to the intersection with F6 Road.						
COARUA17B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

17c. Mainstem of Cottonwood Creek from F6 Road to the confluence with Currant Creek.						
COARUA17C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

18. Mainstem of Carrant Creek (Park County), including all tributaries and wetlands, from the source to the confluence with Tallahassee Creek, except for the specific listings in 17a, 17b, and 17c.						
COARUA18	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
19. Mainstem of Fourmile Creek, including all tributaries and wetlands, from the source to immediately below the confluence with High Creek.						
COARUA19	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# Upper Arkansas River Basin

See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

21a. Mainstem of Cripple Creek from the source to a point 1.5 miles upstream of the confluence with Fourmile Creek.						
COARUA21A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS(sa)	TVS(ela)	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11*	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

21b. Mainstem of Cripple Creek from a point 1.5 miles upstream to the confluence with Fourmile Creek.						
COARUA21B	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS(sp)	TVS(elp)	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	---	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

22a. Mainstem of Arequa Gulch from the source to the confluence with Cripple Creek.							
COARUA22A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	11000	11000
	Recreation N	acute	chronic	Arsenic	340	100(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	---
Other:	D.O. (spawning)	---	7.0	Cadmium	TVS	TVS	
	pH	6.0 - 9.0	---	Chromium III	TVS	TVS	
	chlorophyll a (mg/m²)	---	---	Chromium III	---	100(T)	
	E. Coli (per 100 mL)	---	630	Chromium VI	TVS	TVS	
				Copper	TVS	TVS	
	Inorganic (mg/L)			Iron	---	1000(T)	
	acute			chronic	Lead	TVS	TVS
	Ammonia	TVS	TVS	Manganese	5903	3674	
	Boron	---	0.75	Mercury	---	0.01(t)	
	Chloride	---	---	Molybdenum	---	160(T)	
	Chlorine	0.019	0.011	Nickel	TVS	TVS	
	Cyanide	0.005	---	Selenium	TVS	TVS	
	Nitrate	100	---	Silver	TVS	TVS	
	Nitrite	---	0.05	Uranium	---	---	
	Phosphorus	---	0.11	Zinc	3500	600	
	Sulfate	---	---				
	Sulfide	---	0.002				
	22b. Squaw Gulch from the source to the confluence with Cripple Creek.						
	COARUA22B	Classifications	Physical and Biological			Metals (ug/L)	
	Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation N	acute	chronic	Arsenic	---	200(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	---
Other:	D.O. (spawning)	---	7.0	Cadmium	---	50(T)	
	pH	6.5 - 9.0	---	Chromium III	---	1000(T)	
	chlorophyll a (mg/m²)	---	---	Chromium VI	---	1000(T)	
	E. Coli (per 100 mL)	---	630	Copper	---	500(T)	
				Iron	---	---	
	Inorganic (mg/L)			Lead	---	100(T)	
	acute			chronic	Manganese	---	---
	Ammonia	---	---	Mercury	---	10(T)	
	Boron	---	5.0	Molybdenum	---	160(T)	
	Chloride	---	---	Nickel	---	---	
	Chlorine	---	---	Selenium	---	50(T)	
	Cyanide	0.2	---	Silver	---	---	
	Nitrate	100	---	Uranium	---	---	
	Nitrite	---	10	Zinc	---	25000(T)	
	Phosphorus	---	0.11				
	Sulfate	---	---				
	Sulfide	---	---				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

23. Mainstem of Wilson Creek (Teller County), including all tributaries and wetlands, from the source to the confluence with Fourmile Creek.						
COARUA23	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 32.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	---	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	0.11*	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
24. Mainstem of East and West Beaver Creeks, including all tributaries and wetlands, from the source to the confluence with Beaver Creek; mainstem of Beaver Creek from the source to the point of diversion to Brush Hollow Reservoir.						
COARUA24	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

25. Mainstem of Cottonwood Creek (Custer County) from the headwaters to Section 23, T20S, R65W.						
COARUA25	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

26. Mainstem of Beaver Creek from the point of diversion for Brush Hollow Reservoir to the confluence with the Arkansas River.						
COARUA26	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
					Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Manganese	TVS
		Chloride	---	---	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	100	---	Selenium	TVS
		Nitrite	---	0.5	Silver	TVS
		Phosphorus	---	0.17	Uranium	---
		Sulfate	---	---	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

27. Mainstem of Eightmile Creek, including all tributaries and wetlands, from the source to the mouth of Phantom Canyon.						
COARUA27	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
		28. All lakes and reservoirs within the Mount Massive and Collegiate Peaks Wilderness areas.				
COARUA28	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.025*	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
		*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

29. All lakes and reservoirs tributary to the Arkansas River from the source to immediately below the confluence with Brown's Creek, except for specific listings in segments 28 and 30.						
COARUA29	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	CL	CL	---	---	Aluminum
	Recreation E	acute	chronic	340	0.02(T)	Arsenic
	Water Supply	---	6.0	---	---	Beryllium
Qualifiers:		---	7.0	TVS(tr)	TVS	Cadmium
Other:		6.5 - 9.0	---	50(T)	TVS	Chromium III
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		---	8*	TVS	TVS	Chromium VI
		---	126	TVS	TVS	Copper
				---	WS	Iron
		Inorganic (mg/L)		---	1000(T)	Iron
		acute	chronic	TVS	TVS	Lead
		TVS	TVS	TVS	TVS	Manganese
		---	0.75	---	WS	Manganese
		---	250	---	0.01(t)	Mercury
		0.019	0.011	---	160(T)	Molybdenum
		0.005	---	TVS	TVS	Nickel
		10	---	TVS	TVS	Selenium
		---	0.05	TVS	TVS(tr)	Silver
		---	0.025*	---	---	Uranium
		---	WS	TVS	TVS	Zinc
		---	0.002			
30. Turquoise Reservoir, Clear Creek Reservoir, Twin Lakes and Mt. Elbert Forebay.						
COARUA30	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	CLL	CLL	---	---	Aluminum
	Recreation E	acute	chronic	340	0.02	Arsenic
	Water Supply	---	6.0	---	---	Beryllium
Qualifiers:		---	7.0	TVS(tr)	TVS	Cadmium
Other:		6.5 - 9.0	---	50(T)	TVS	Chromium III
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		---	8*	TVS	TVS	Chromium VI
		---	126	TVS	TVS	Copper
				---	WS	Iron
		Inorganic (mg/L)		---	1000(T)	Iron
		acute	chronic	TVS	TVS	Lead
		TVS	TVS	TVS	TVS	Manganese
		---	0.75	---	WS	Manganese
		---	250	---	0.01(t)	Mercury
		0.019	0.011	---	160(T)	Molybdenum
		0.005	---	TVS	TVS	Nickel
		10	---	TVS	TVS	Selenium
		---	0.05	TVS	TVS(tr)	Silver
		---	0.025*	---	---	Uranium
		---	WS	TVS	TVS	Zinc
		---	0.002			

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

31. All lakes and reservoirs tributary to the Arkansas River which are on National Forest lands, from the confluence with Brown's Creek to the inlet to Pueblo Reservoir, except for specific listings in segments 32 and 34-40.						
COARUA31	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	---	Manganese	---	WS
		Chloride	---	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	---	Silver	TVS	TVS(tr)
		Phosphorus	---	Uranium	---	---
		Sulfate	---	Zinc	TVS	TVS
		Sulfide	---			
32. All lakes and reservoirs tributary to the South Fork of the Arkansas from the source to the confluence with the Arkansas River.						
COARUA32	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	---	Manganese	---	WS
		Chloride	---	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	---	Silver	TVS	TVS(tr)
		Phosphorus	---	Uranium	---	---
		Sulfate	---	Zinc	TVS	TVS
		Sulfide	---			

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

33. All lakes and reservoirs tributary to the Arkansas River which are not on National Forest lands, from the confluence with Brown's Creek to the inlet to Pueblo Reservoir, except for specific listings in segments 32 and 34-40.

COARUA33	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 2	CL,CLL	CL,CLL	Temperature °C	---	---	
	Recreation E	acute	chronic				
	Water Supply	---	6.0	D.O. (mg/L)	---	---	
<b>Qualifiers:</b>		---	7.0	D.O. (spawning)	TVS(tr)	TVS	
<b>Other:</b>		6.5 - 9.0	---	pH	50(T)	TVS	
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		---	8*	chlorophyll a (ug/L)	TVS	TVS	
		---	126	E. Coli (per 100 mL)	TVS	TVS	
		<b>Inorganic (mg/L)</b>			---	WS	
					---	1000(T)	
		acute	chronic				
		TVS	TVS	Ammonia	TVS	TVS	
		---	0.75	Boron	---	WS	
		---	250	Chloride	---	0.01(t)	
		0.019	0.011	Chlorine	---	160(T)	
		0.005	---	Cyanide	TVS	TVS	
		10	---	Nitrate	TVS	TVS	
		---	0.05	Nitrite	TVS	TVS(tr)	
		---	0.025*	Phosphorus	---	---	
		---	WS	Sulfate	TVS	TVS	
		---	0.002	Sulfide			

34. All lakes and reservoirs tributary to the mainstems of Texas, Badger, Hayden, Hamilton, Stout, and Big Cottonwood Creeks from their sources to their confluences with the Arkansas River. All lakes and reservoirs tributary to the mainstem of Grape Creek from the source to the outlet of DeWeese Reservoir, except for the specific listing in segment 35.

COARUA34	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	CL	CL	Temperature °C	---	---	
	Recreation E	acute	chronic				
	Water Supply	---	6.0	D.O. (mg/L)	---	---	
<b>Qualifiers:</b>		---	7.0	D.O. (spawning)	TVS(tr)	TVS	
<b>Other:</b>		6.5 - 9.0	---	pH	50(T)	TVS	
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		---	8*	chlorophyll a (ug/L)	TVS	TVS	
		---	126	E. Coli (per 100 mL)	TVS	TVS	
		<b>Inorganic (mg/L)</b>			---	WS	
					---	1000(T)	
		acute	chronic				
		TVS	TVS	Ammonia	TVS	TVS	
		---	0.75	Boron	---	WS	
		---	250	Chloride	---	0.01(t)	
		0.019	0.011	Chlorine	---	160(T)	
		0.005	---	Cyanide	TVS	TVS	
		10	---	Nitrate	TVS	TVS	
		---	0.05	Nitrite	TVS	TVS(tr)	
		---	0.025*	Phosphorus	---	---	
		---	WS	Sulfate	TVS	TVS	
		---	0.002	Sulfide			

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

35. DeWeese Reservoir.									
COARUA35	Classifications	Physical and Biological				Metals (ug/L)			
Designation	Agriculture		DM	MWAT		acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	1/1 - 3/31	CLL	CLL	Aluminum	---	---	
	Recreation E	Temperature °C	4/1 - 12/31	CLL	21.3	Arsenic	340	0.02(T)	
	Water Supply					Beryllium	---	---	
Qualifiers:			acute	chronic		Cadmium	TVS(tr)	TVS	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		D.O. (mg/L)		---	6.0	Chromium III	50(T)	TVS	
		D.O. (spawning)		---	7.0	Chromium VI	TVS	TVS	
		pH		6.5 - 9.0	---	Copper	TVS	TVS	
		chlorophyll a (ug/L)		---	8*	Iron	---	WS	
		E. Coli (per 100 mL)		---	126	Iron	---	1000(T)	
						Lead	TVS	TVS	
						Manganese	TVS	TVS	
				acute	chronic	Manganese	---	WS	
		Ammonia		TVS	TVS	Mercury	---	0.01(t)	
		Boron		---	0.75	Molybdenum	---	160(T)	
		Chloride		---	250	Nickel	TVS	TVS	
		Chlorine		0.019	0.011	Selenium	TVS	TVS	
		Cyanide		0.005	---	Silver	TVS	TVS(tr)	
		Nitrate		10	---	Uranium	---	---	
		Nitrite		---	0.05	Zinc	TVS	TVS	
		Phosphorus		---	0.025*				
		Sulfate		---	WS				
		Sulfide		---	0.002				
		36. All lakes and reservoirs tributary to the mainstem of Currant Creek (Park County) from the source to the confluence with Tallahassee Creek, except lakes and reservoirs tributary to Cottonwood Creek (Fremont County) from a point immediately below the confluence with North Waugh Creek to the intersection with F6 Road. All lakes and reservoirs tributary to the mainstem of Middle Tallahassee Creek from the source to the intersection with Road 23.							
		COARUA36	Classifications	Physical and Biological				Metals (ug/L)	
Designation	Agriculture		DM	MWAT		acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C		CL	CL	Aluminum	---	---	
	Recreation E		acute	chronic		Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)		---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)		---	7.0	Cadmium	TVS(tr)	TVS	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH		6.5 - 9.0	---	Chromium III	50(T)	TVS	
		chlorophyll a (ug/L)		---	8*	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)		---	126	Copper	TVS	TVS	
						Iron	---	WS	
						Iron	---	1000(T)	
				acute	chronic	Lead	TVS	TVS	
		Ammonia		TVS	TVS	Manganese	TVS	TVS	
		Boron		---	0.75	Manganese	---	WS	
		Chloride		---	250	Mercury	---	0.01(t)	
		Chlorine		0.019	0.011	Molybdenum	---	160(T)	
		Cyanide		0.005	---	Nickel	TVS	TVS	
		Nitrate		10	---	Selenium	TVS	TVS	
		Nitrite		---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus		---	0.025*	Uranium	---	---	
		Sulfate		---	WS	Zinc	TVS	TVS	
		Sulfide		---	0.002				

36. All lakes and reservoirs tributary to the mainstem of Currant Creek (Park County) from the source to the confluence with Tallahassee Creek, except lakes and reservoirs tributary to Cottonwood Creek (Fremont County) from a point immediately below the confluence with North Waugh Creek to the intersection with F6 Road. All lakes and reservoirs tributary to the mainstem of Middle Tallahassee Creek from the source to the intersection with Road 23.

COARUA36	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute		chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
<b>Other:</b>  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.025*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

37. All lakes and reservoirs tributary to the mainstem of Fourmile Creek from the source to the confluence with the Arkansas River. This segment includes Wrights Reservoir.						
COARUA37	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CL,CLL	CL,CLL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
		chlorophyll a (ug/L)	8*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	126	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	0.75	Manganese	---	WS
		Chloride	250	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	0.05	Silver	TVS	TVS(tr)
		Phosphorus	0.025*	Uranium	---	---
		Sulfate	WS	Zinc	TVS	TVS
		Sulfide	0.002			

\*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.  
\*Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.

38. All lakes and reservoirs tributary to the mainstem of East and West Beaver Creeks from the source to the confluence with Beaver Creek. This segment includes Skagway and Bison Reservoirs.						
COARUA38	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CL,CLL	CL,CLL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---	---
	DUWS*	D.O. (spawning)	7.0	Cadmium	TVS(tr)	TVS
Qualifiers:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
Other:		chlorophyll a (ug/L)	8*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	126	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	0.75	Manganese	---	WS
		Chloride	250	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	0.05	Silver	TVS	TVS(tr)
		Phosphorus	0.025*	Uranium	---	---
		Sulfate	WS	Zinc	TVS	TVS
		Sulfide	0.002			

\*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.  
\*Classification: Bison Reservoir = DUWS  
\*Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Arkansas River Basin

39. All lakes and reservoirs tributary to the mainstem of Eightmile Creek from the source to the mouth of Phantom Canyon.						
COARUA39	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	Copper	TVS	TVS
		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	Lead	TVS	TVS
		Boron	---	Manganese	TVS	TVS
		Chloride	---	Manganese	---	WS
		Chlorine	0.019	Mercury	---	0.01(t)
		Cyanide	0.005	Molybdenum	---	160(T)
		Nitrate	10	Nickel	TVS	TVS
		Nitrite	---	Selenium	TVS	TVS
		Phosphorus	---	Silver	TVS	TVS(tr)
		Sulfate	---	Uranium	---	---
		Sulfide	---	Zinc	TVS	TVS
			0.002			
40. Brush Hollow Reservoir.						
COARUA40	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	WL	WL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	Cadmium	TVS	TVS
Other:		chlorophyll a (ug/L)	---	Chromium III	50(T)	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		E. Coli (per 100 mL)	---	Chromium VI	TVS	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	Iron	---	1000(T)
		Boron	---	Lead	TVS	TVS
		Chloride	---	Manganese	TVS	TVS
		Chlorine	0.019	Manganese	---	WS
		Cyanide	0.005	Mercury	---	0.01(t)
		Nitrate	10	Molybdenum	---	160(T)
		Nitrite	---	Nickel	TVS	TVS
		Phosphorus	---	Selenium	TVS	TVS
		Sulfate	---	Silver	TVS	TVS
		Sulfide	---	Uranium	---	---
			0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

1. All tributaries, including wetlands, to the Arkansas River within the Sangre de Cristo, Greenhorn, and Spanish Peaks Wilderness Areas.						
COARMA01	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	---	Manganese	---	WS
		Chloride	---	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	---	Silver	TVS	TVS(tr)
		Phosphorus	---	Uranium	---	---
		Sulfate	---	Zinc	TVS	TVS
		Sulfide	---			
2. Mainstem of the Arkansas River from the outlet of Pueblo Reservoir to a point immediately above the confluence with Wildhorse/Dry Creek Arroyo.						
COARMA02	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CS-II	CS-II	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	---	Manganese	---	WS
		Chloride	---	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	---	Silver	TVS	TVS(tr)
		Phosphorus	---	Uranium	---	---
		Sulfate	---	Zinc	TVS	TVS
		Sulfide	---			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

3. Mainstem of the Arkansas River from a point immediately above the confluence with Wildhorse/Dry Creek Arroyo to a point immediately above the confluence with Fountain Creek.						
COARMA03	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Arsenic(chronic) = hybrid		Inorganic (mg/L)			Copper	TVS
Expiration Date of 12/31/2021		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Iron	1000(T)
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	0.01(t)
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	---	Selenium	26.3
		Sulfate	---	WS	Silver	TVS(tr)
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

4a. Mainstem of Wildhorse Creek from the source to the confluence with the Arkansas River.						
COARMA04A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	100(T)
		acute	chronic		Copper	TVS
		Ammonia	TVS	TVS	Iron	TVS
		Boron	---	0.75	Iron	1000(T)
		Chloride	---	---	Lead	---
		Chlorine	0.019	0.011	Manganese	TVS
		Cyanide	0.005	---	Mercury	---
		Nitrate	100	---	Molybdenum	0.01(t)
		Nitrite	---	0.05	Molybdenum	---
		Phosphorus	---	0.17*	Nickel	160(T)
		Sulfate	---	---	Selenium	---
		Sulfide	---	0.002	Nickel	TVS
					Selenium	2376*
					Silver	2110*
					Silver	TVS
					Uranium	TVS
					Uranium	---
					Zinc	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

4b. Mainstem of Rock Creek, Salt Creek and Peck Creek from their sources to the confluence with the Arkansas River.							
COARMA04B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
Other:  Temporary Modification(s): Ammonia(ac/ch) = current conditions Arsenic(ac/ch) = current conditions Boron(chronic) = current conditions Cadmium(ac/ch) = current conditions Chlorine(ac/ch) = current conditions chlorophyll a (mg/m²)(chronic) = current conditions Chromium III(chronic) = current conditions Chromium III(ac/ch) = current conditions Chromium VI(ac/ch) = current conditions Copper(ac/ch) = current conditions Cyanide(acute) = current conditions D.O. (mg/L)(chronic) = current conditions E. Coli (per 100 mL)(chronic) = current conditions Iron(chronic) = current conditions Lead(ac/ch) = current conditions Manganese(ac/ch) = current conditions Mercury(chronic) = current conditions Molybdenum(chronic) = current conditions Nickel(ac/ch) = current conditions Nitrate(acute) = current conditions Nitrite(chronic) = current conditions pH(acute) = current conditions Phosphorus(chronic) = current conditions Selenium(ac/ch) = current conditions Silver(ac/ch) = current conditions Sulfide(chronic) = current conditions Zinc(ac/ch) = current conditions Expiration Date of 12/31/2018		pH	6.5 - 9.0	---	Cadmium	TVS	
		chlorophyll a (mg/m²)	---	150	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	---	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Mercury	---	0.01(t)
		Cyanide	0.005	---	Molybdenum	---	160(T)
		Nitrate	100	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Selenium	TVS	TVS
		Phosphorus	---	0.17	Silver	TVS	TVS
		Sulfate	---	---	Uranium	---	---
		Sulfide	---	0.002	Zinc	TVS	TVS
				</			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

4c. Mainstem of Chico Creek, including all tributaries and wetlands, from the source to the confluence with the Arkansas River, except for specific listings in segment 4f.						
<b>COARMA04C</b>	<b>Classifications</b>	<b>Physical and Biological</b>			<b>Metals (ug/L)</b>	
<b>Designation</b>	Agriculture		<b>DM</b>	<b>MWAT</b>	<b>acute</b>	<b>chronic</b>
<b>Reviewable</b>	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E		<b>acute</b>	<b>chronic</b>	Arsenic	340
<b>Qualifiers:</b>		D.O. (mg/L)	---	5.0	Beryllium	---
<b>Other:</b>		pH	6.5 - 9.0	---	Cadmium	TVS
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 32.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		<b>Inorganic (mg/L)</b>			Chromium VI	TVS
			<b>acute</b>	<b>chronic</b>	Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.5	Selenium	TVS
		Phosphorus	---	0.17*	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

4d. All tributaries, including wetlands, to the Arkansas River and Pueblo Reservoir from the inlet to Pueblo Reservoir to the Colorado Canal headgate, except for specific listings in the Fountain Creek Subbasin and in segments 4a, 4b, 4c and 4e through 18b.							
COARMA04D		Classifications		Physical and Biological		Metals (ug/L)	
Designation	Agriculture		DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	---	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	100(T)
Other:  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 32.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).		pH	6.5 - 9.0	---	Cadmium	---	10(T)
		chlorophyll a (mg/m²)	---	150*	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)
		Inorganic (mg/L)			Chromium VI	---	100(T)
			acute	chronic	Copper	---	200(T)
		Ammonia	---	---	Iron	---	---
		Boron	---	0.75	Lead	---	100(T)
		Chloride	---	---	Manganese	---	---
		Chlorine	---	---	Mercury	---	---
		Cyanide	0.2	---	Molybdenum	---	160(T)
		Nitrate	100	---	Nickel	---	200(T)
		Nitrite	---	10	Selenium	---	20(T)
		Phosphorus	---	0.17*	Silver	---	---
		Sulfate	---	---	Uranium	---	---
Sulfide	---	---	Zinc	---	2000(T)		
4e. Golf Course Wash							
COARMA04E		Classifications		Physical and Biological		Metals (ug/L)	
Designation	Agriculture		DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	100(T)
Other:		pH	6.5 - 9.0	---	Cadmium	---	10(T)
		chlorophyll a (mg/m²)	---	150	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)
		Inorganic (mg/L)			Chromium VI	---	100(T)
			acute	chronic	Copper	---	200(T)
		Ammonia	TVS	TVS	Iron	---	---
		Boron	---	0.75	Lead	---	100(T)
		Chloride	---	---	Manganese	---	---
		Chlorine	---	---	Mercury	---	---
		Cyanide	0.2	---	Molybdenum	---	160(T)
		Nitrate	100	---	Nickel	---	200(T)
		Nitrite	---	10	Selenium	1797	1769
		Phosphorus	---	0.17	Silver	---	---
		Sulfate	---	---	Uranium	---	---
Sulfide	---	---	Zinc	---	2000(T)		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

4f. Mainstem of Black Squirrel Creek, including all tributaries and wetlands, from just below Highway 94 to Squirrel Creek Road.							
COARMA04F	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---	
	Recreation P	acute	chronic	Arsenic	---	100(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
Other:  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 32.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).		pH	6.5 - 9.0	---	Cadmium	---	
		chlorophyll a (mg/m²)	---	150*	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	205	Chromium VI	---	100(T)
		Inorganic (mg/L)		Copper	---	200(T)	
		acute	chronic	Iron	---	---	
		Ammonia	---	---	Lead	---	100(T)
		Boron	---	0.75	Manganese	---	200(T)
		Chloride	---	---	Mercury	---	---
		Chlorine	---	---	Molybdenum	---	160(T)
		Cyanide	0.2	---	Nickel	---	200(T)
		Nitrate	100	---	Selenium	---	20(T)
		Nitrite	---	10	Silver	---	---
		Phosphorus	---	0.17*	Uranium	---	---
		Sulfate	---	---	Zinc	---	2000(T)
		Sulfide	---	---			

4g. Mainstem of Pesthouse Gulch, from the source to the confluence with Wildhorse Creek.							
COARMA04G	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	---	100(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
Other:  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 32.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 32.5(4). *Selenium(acute) = See selenium assessment location at 32.6(4). *Selenium(chronic) = See selenium assessment location at 32.6(4).		pH	6.5 - 9.0	---	Cadmium	---	
		chlorophyll a (mg/m²)	---	150*	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	---	100(T)
		Inorganic (mg/L)		Copper	---	200(T)	
		acute	chronic	Iron	---	---	
		Ammonia	---	---	Lead	---	100(T)
		Boron	---	0.75	Manganese	---	200(T)
		Chloride	---	---	Mercury	---	---
		Chlorine	---	---	Molybdenum	---	160(T)
		Cyanide	0.2	---	Nickel	---	200(T)
		Nitrate	100	---	Selenium	389*	369*
		Nitrite	---	10	Silver	---	---
		Phosphorus	---	0.17*	Uranium	---	---
		Sulfate	---	---	Zinc	---	2000(T)
		Sulfide	---	---			

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

5a. Mainstem of the Saint Charles River, including all tributaries and wetlands, from the source to the San Isabel National Forest boundary.						
COARMA05A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

5b. Mainstem of the Saint Charles River, including all tributaries and wetlands, from the San Isabel National Forest boundary to a point immediately above the CF&I diversion canal near Burnt Mill.						
COARMA05B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

6a. Mainstem of the Saint Charles River from a point immediately above the CF&I diversion canal near Burnt Mill to a point immediately upstream of the confluence with Edson Arroyo.							
COARMA06A	Classifications		Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 32.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).		chlorophyll a (mg/m²)	---	150*	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)			Copper	TVS	TVS
			acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	---	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	160(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.17*	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS
		Sulfide	---	0.002	Uranium	---	---
					Zinc	TVS	TVS

6b. Mainstem of the Saint Charles River from the confluence with Edson Arroyo to the confluence with the Arkansas River.							
COARMA06B	Classifications		Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
Recreation E		acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>	
Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---	
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:  Temporary Modification(s): temperature(DM/MWAT) = "current conditions" Expiration Date of 6/30/2017  \*Selenium(acute) = See selenium assessment location at 32.6(4). \*Selenium(chronic) = See selenium assessment location at 32.6(4).		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)	TVS
E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS		
Inorganic (mg/L)			Copper	TVS	TVS		
	acute	chronic	Iron	---	WS		
Ammonia	TVS	TVS	Iron	---	1000(T)		
Boron	---	0.75	Lead	TVS	TVS		
Chloride	---	250	Manganese	TVS	TVS		
Chlorine	---	0.011	Manganese	---	WS		
Cyanide	0.005	---	Mercury	---	0.01(t)		
Nitrate	10	---	Molybdenum	---	160(T)		
Nitrite	---	0.05	Nickel	TVS	TVS		
Phosphorus	---	---	Selenium	173\*	50\*		
Sulfate	---	WS	Silver	TVS	TVS		
Sulfide	---	0.002	Uranium	---	---		
			Zinc	TVS	TVS		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

7a. Mainstem of Greenhorn Creek, including all tributaries and wetlands, from the source to the San Isabel National Forest boundary, except for specific listings in segment 1. Mainstem of Graneros Creek, from the source to the San Isabel National Forest boundary, except for specific listings in segment 1. All tributaries to Muddy Creek, including wetlands, from the source to the San Isabel National Forest boundary.

COARMA07A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

7b. Mainstem of Greenhorn Creek, including all tributaries and wetlands, from the San Isabel National Forest boundary to a point immediately below the Greenhorn Highline (Hayden Supply Ditch) diversion dam. Mainstem of Graneros Creek below the San Isabel National Forest boundary. Muddy Creek, including all tributaries and wetlands, from the San Isabel National Forest boundary to 232/Bondurant Road.

COARMA07B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

8. Deleted.						
COARMA08	Classifications	Physical and Biological		Metals (ug/L)		
Designation		DM	MWAT	acute	chronic	
Qualifiers:		acute	chronic			
Other:						
		Inorganic (mg/L)				
		acute	chronic			
9. Mainstem of Greenhorn Creek, from a point immediately below the Greenhorn Highline (Hayden Supply Ditch) diversion dam, to the confluence with the Saint Charles River.						
COARMA09	Classifications	Physical and Biological		Metals (ug/L)		
Designation		DM	MWAT	acute	chronic	
UP	Agriculture					
	Aq Life Warm 2	Temperature °C	WS-II	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	Cadmium	TVS	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	50(T)	TVS
Temporary Modification(s):		E. Coli (per 100 mL)	---	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		Inorganic (mg/L)		Copper	TVS	TVS
Expiration Date of 12/31/2021		acute	chronic	Iron	---	WS
		Ammonia	TVS	Iron	---	1000(T)
		Boron	---	Lead	TVS	TVS
		Chloride	---	Manganese	TVS	TVS
		Chlorine	0.019	Manganese	---	WS
		Cyanide	0.005	Mercury	---	0.01(t)
		Nitrate	10	Molybdenum	---	160(T)
		Nitrite	---	Nickel	TVS	TVS
		Phosphorus	---	Selenium	TVS	TVS
		Sulfate	---	Silver	TVS	TVS(tr)
		Sulfide	---	Uranium	---	---
				Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

10. Mainstem of Sixmile Creek from the source to the confluence with the Arkansas River.						
COARMA10	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic		Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.5	Selenium	TVS
		Phosphorus	---	0.17	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

11a. Mainstem of the Huerfano River including all tributaries and wetlands, from the source to 570 Road near Malachite, except for the specific listings in segment 1. Pass Creek, including all tributaries and wetlands, from the source to 565 Road. Muddy Creek, including all tributaries and wetlands, from the source to a point immediately below the confluence with Bruff Creek, except for the specific listings in segment 1. Mainstem of Turkey Creek (in Huerfano County) from the source to 620 Road, except for the specific listings in segment 1.						
COARMA11A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021		Inorganic (mg/L)			Iron	---
		acute	chronic		Iron	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Manganese	TVS
		Chloride	---	250	Manganese	---
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	10	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	0.11	Silver	TVS
		Sulfate	---	WS	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

11b. Mainstem of the Huerfano River, including all tributaries and wetlands, from 570 Road near Malachite to Highway 69 at Badito, except for the specific listings in segment 1, 11a and 17.						
COARMA11B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
			acute	chronic	Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
12. Mainstem of Huerfano River from Highway 69 at Badito to the confluence with the Arkansas River.						
COARMA12	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
		D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
					Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
			acute	chronic	Iron	---
		Ammonia	TVS	TVS	Lead	1000(T)
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	0.01(t)
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.5	Selenium	TVS
		Phosphorus	---	0.17	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

13a. All tributaries, including wetlands, to the Cucharas River within the San Isabel National Forest boundaries, except for the specific listings in segment 1. Mainstem of the Cucharas River, from the source to a point immediately above the confluence with Middle Creek, except for the specific listings in segment 1. Wahatoya Creek, including all tributaries and wetlands, from the source to the confluence with the Cucharas River, except for the specific listings in segment 1. All tributaries to Middle Creek, including wetlands, from the source to a point immediately below the confluence of North and South Middle Creeks.

COARMA13A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
Expiration Date of 12/31/2021					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute		chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

13b. Mainstem of the Cucharas River from a point immediately above the confluence with Middle Creek to the point of diversion for the Walsenburg public water supply. All tributaries, including wetlands, to the Cucharas River from the San Isabel National Forest boundary to the point of diversion for the Walsenburg public water supply, except for specific listings in Segment 13a. Mainstem of Middle Creek, including all tributaries and wetlands, from a point immediately below the confluence of North and South Middle Creeks to the confluence with the Cucharas River.

COARMA13B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 32.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).  <							

All metals are dissolved unless otherwise noted.

D.O. = dissolved oxygen

T = total recoverable

DM = daily maximum

t = total

MWAT = maximum weekly average temperature

tr = trout

See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

14. Mainstem of the Cucharas River from the point of diversion for the Walsenburg public water supply to the outlet of Cucharas Reservoir.						
COARMA14	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
	*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 32.5(4).	chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	TVS
	*Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).	E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.5	Selenium	TVS
		Phosphorus	---	0.17*	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

15. Mainstem of Cucharas River from the outlet of Cucharas Reservoir to the confluence with the Huerfano River.						
COARMA15	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	---	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	---
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	---
		acute	chronic	Copper	---	200(T)
		Ammonia	---	---	Iron	---
		Boron	---	0.75	Lead	---
		Chloride	---	---	Manganese	---
		Chlorine	---	---	Mercury	---
		Cyanide	0.2	---	Molybdenum	---
		Nitrate	100	---	Nickel	---
		Nitrite	---	10	Selenium	---
		Phosphorus	---	---	Silver	---
		Sulfate	---	---	Uranium	---
		Sulfide	---	---	Zinc	---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

16. Deleted.					
COARMA16	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Qualifiers:		acute	chronic		
Other:		Inorganic (mg/L)			
		acute	chronic		
17. All tributaries to Apache Creek, including wetlands, from the source to a point immediately below the confluence of North and South Apache Creeks, except for the specific listings in segment 1. All tributaries, including wetlands, to the Huerfano River above the confluence with the Cucharas River that are within the San Isabel National Forest boundaries, except for the specific listings in segment 1 and 11a.					
COARMA17	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Reviewable	Agriculture	CS-I	CS-I	Aluminum	---
	Aq Life Cold 1	acute	chronic	Arsenic	340
	Recreation E	---	6.0	Beryllium	---
	Water Supply	D.O. (spawning)	7.0	Cadmium	TVS(tr)
Qualifiers:		pH	6.5 - 9.0	Chromium III	50(T)
Other:		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium VI	TVS
Temporary Modification(s):		E. Coli (per 100 mL)	126	Copper	TVS
Arsenic(chronic) = hybrid		Inorganic (mg/L)		Iron	---
Expiration Date of 12/31/2021		acute	chronic	Iron	1000(T)
		Ammonia	TVS	Lead	TVS
		Boron	---	Manganese	TVS
		Chloride	250	Manganese	---
		Chlorine	0.019	Mercury	0.01(t)
		Cyanide	0.005	Molybdenum	---
		Nitrate	10	Nickel	TVS
		Nitrite	---	Selenium	TVS
		Phosphorus	0.11	Silver	TVS(tr)
		Sulfate	---	Uranium	---
		Sulfide	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

18a Mainstem of Boggs Creek from the source to Pueblo Reservoir.							
COARMA18A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute		chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)			Copper	TVS	TVS
		acute	chronic	Iron	---	WS	
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	160(T)
		Nitrite	---	0.5	Nickel	TVS	TVS
		Phosphorus	---	0.17	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	---	---
					Zinc	TVS	TVS
		18b. Turkey Creek (Pueblo County) from U.S. Highway 50 to Pueblo Reservoir. Unnamed tributary to Arkansas River, that flows from the south and whose confluence with the Arkansas River is located at 38.267623, -104.668298. Mainstem of Rush Creek (Pueblo County) from the source to the confluence with the Arkansas River.					
COARMA18B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute		chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)			Copper	TVS	TVS
		acute	chronic	Iron	---	WS	
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	160(T)
		Nitrite	---	0.5	Nickel	TVS	TVS
		Phosphorus	---	0.17	Selenium	2498	2344
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	---	---
					Zinc	TVS	TVS
		Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021					

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

19. All lakes and reservoirs tributary to the Arkansas River within the Sangre de Cristo, Greenhorn, and Spanish Peaks Wilderness areas.						
COARMA19	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
		chlorophyll a (ug/L)	8*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	126	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	0.75	Manganese	---	WS
		Chloride	250	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	0.05	Silver	TVS	TVS(tr)
		Phosphorus	0.025*	Uranium	---	---
		Sulfate	WS	Zinc	TVS	TVS
		Sulfide	0.002			

\*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.  
\*Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.

20. Pueblo Reservoir.						
COARMA20	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CLL	CLL	Aluminum	---	---
	Recreation E	CLL	23.6	Arsenic	340	0.02(T)
	Water Supply	acute	chronic	Beryllium	---	---
	DUWS	D.O. (mg/L)	6.0	Cadmium	TVS(tr)	TVS
Qualifiers:		D.O. (spawning)	7.0	Chromium III	50(T)	TVS
Other:		pH	6.5 - 9.0	Chromium VI	TVS	TVS
		chlorophyll a (ug/L)	5*	Copper	TVS	TVS
		E. Coli (per 100 mL)	126	Iron	---	WS
				Iron	---	1000(T)
				Lead	TVS	TVS
		Inorganic (mg/L)		Manganese	TVS	TVS
		acute	chronic	Manganese	---	WS
		Ammonia	TVS	Mercury	---	0.01(t)
		Boron	0.75	Molybdenum	---	160(T)
		Chloride	250	Nickel	TVS	TVS
		Chlorine	0.019	Selenium	TVS	TVS
		Cyanide	0.005	Silver	TVS	TVS(tr)
		Nitrate	10	Uranium	---	---
		Nitrite	0.05	Zinc	TVS	TVS
		Phosphorus	---			
		Sulfate	WS			
		Sulfide	0.002			

\*chlorophyll a (ug/L)(chronic) = See assessment location at 32.6(4).

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

21. All lakes and reservoirs tributary to Chico Creek from the source to the confluence with the Arkansas River.					
COARMA21	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	Cadmium	TVS(tr)
Other:		chlorophyll a (ug/L)	20*	Chromium III	50(T)
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		E. Coli (per 100 mL)	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS
		acute	chronic	Iron	---
		Ammonia	TVS	Iron	1000(T)
		Boron	0.75	Lead	TVS
		Chloride	250	Manganese	TVS
		Chlorine	0.019	Manganese	---
		Cyanide	0.005	Mercury	0.01(t)
		Nitrate	10	Molybdenum	160(T)
		Nitrite	0.5	Nickel	TVS
		Phosphorus	0.083*	Selenium	TVS
		Sulfate	WS	Silver	TVS(tr)
		Sulfide	0.002	Uranium	---
				Zinc	TVS
22. All lakes and reservoirs tributary to the Saint Charles River from the source to a point immediately above the CF&I diversion canal near Burnt Mill.					
COARMA22	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	8*	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	---
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.025*	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

23. All lakes and reservoirs tributary to Greenhorn Creek from the source to a point immediately below the Greenhorn Highline (Hayden Supply Ditch) diversion dam, except for specific listings in segment 19. All lakes and reservoirs tributary to Graneros Creek from the source to the San Isabel National Forest boundary, except for specific listings in segment 19. All lakes and reservoirs tributary to Muddy Creek from the source to 232/Bondurant Road. Beckwith Reservoir.

COARMA23	Classifications	Physical and Biological		Metals (ug/L)				
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
	DUWS*	D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Qualifiers:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Classification: DUWS Applies only to Beckwith Reservoir *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
				Iron	---	WS		
		Inorganic (mg/L)		Iron	---	1000(T)		
				acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	0.025*	Uranium	---	---	
		Sulfate	---	WS	Zinc	TVS	TVS	
		Sulfide	---	0.002				

24. All lakes and reservoirs tributary to the Huerfano River from the source to Highway 69 at Badito, except for the specific listings in segment 19. All lakes and reservoirs tributary to the Huerfano River above the confluence with the Cucharas River that are within the San Isabel National Forest boundaries, except for the specific listings in segment 19.

COARMA24	Classifications	Physical and Biological		Metals (ug/L)				
Designation	Agriculture	DM	MWAT	acute		chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
				Iron	---	WS		
		Inorganic (mg/L)		Iron	---	1000(T)		
				acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	0.025*	Uranium	---	---	
		Sulfate	---	WS	Zinc	TVS	TVS	
		Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

25. All lakes and reservoirs tributary to the Cucharas River from the source to the point of diversion for the Walsenburg public water supply, except for the specific listings in segment 19. Huajatolla Reservoirs and Diagre Reservoir						
COARMA25	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM		MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
					Iron	---
		Inorganic (mg/L)			Lead	TVS
			acute	chronic	Manganese	TVS
		Ammonia	TVS	TVS	Manganese	---
		Boron	---	0.75	Mercury	---
		Chloride	---	250	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	10	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.025*	Zinc	TVS
		Sulfate	---	WS		
		Sulfide	---	0.002		
26. ,Horseshoe Lake, Martin Lake (Ohem Lake) and Walsenburg Lower Town Lake..						
COARMA26	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM		MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	1/1 - 3/31	CLL	Aluminum	---
	Recreation E	Temperature °C	4/1 - 12/31	CLL *	Arsenic	340
	Water Supply	Temperature °C	4/1 - 12/31	CLL *	Beryllium	---
	DUWS	Temperature °C		CL*	Cadmium	TVS(tr)
Qualifiers:					Chromium III	50(T)
Other:			acute	chronic	Chromium VI	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Temperature(4/1 - 12/31) = Horseshoe (MWAT=18.8) *Temperature(4/1 - 12/31) = Martin (MWAT=21.7) *Temperature = Walsenburg (MWAT=CL)		D.O. (mg/L)	---	6.0	Copper	TVS
		D.O. (spawning)	---	7.0	Iron	---
		pH	6.5 - 9.0	---	Iron	---
		chlorophyll a (ug/L)	---	8*	Lead	TVS
		E. Coli (per 100 mL)	---	126	Manganese	TVS
					Manganese	---
					Mercury	---
		Inorganic (mg/L)			Molybdenum	---
			acute	chronic	Nickel	TVS
		Ammonia	TVS	TVS	Selenium	TVS
		Boron	---	0.75	Silver	TVS
		Chloride	---	250	Uranium	---
		Chlorine	0.019	0.011	Zinc	TVS
		Cyanide	0.005	---		
		Nitrate	10	---		
		Nitrite	---	0.05		
		Phosphorus	---	0.025*		
		Sulfate	---	WS		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
 T = total recoverable

D.O. = dissolved oxygen  
 DM = daily maximum

t = total  
 tr = trout

MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

27. Teller Reservoir						
COARMA27	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CLL	CLL	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS(tr)
		Phosphorus	---	0.025*	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

\*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.  
\*Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.

28. Valco Ponds and Runyon/Fountain Lake.						
COARMA28	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WL	WL	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS(tr)
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Iron	1000(T)
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.5	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS(tr)
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Fountain Creek Basin

1a. Mainstem of Fountain Creek, including all tributaries and wetlands, from the source to a point immediately above the confluence with Monument Creek, except for specific listings in segment 1b.

COARF001A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS
Expiration Date of 12/31/2021				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

1b. Severy Creek and all tributaries from the source to a point just upstream of where US Forest Service Road 330 crosses the stream.

COARF001B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
OW	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Fountain Creek Basin

2a. Mainstem of Fountain Creek from a point immediately above the confluence with Monument Creek to a point immediately above the State Highway 47 Bridge.								
COARFO02A	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>		
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---		
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS		
Other:		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)		
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS		
		Inorganic (mg/L)		Copper	TVS			
		acute		chronic	Iron	---		
		Ammonia	TVS	TVS	Iron	---		
		Boron	---	0.75	Lead	TVS		
		Chloride	---	250	Manganese	TVS		
		Chlorine	0.019	0.011	Manganese	---		
		Cyanide	0.005	---	Mercury	---		
		Nitrate	10	---	Molybdenum	---		
		Nitrite	---	0.5	Nickel	TVS		
		Phosphorus	---	---	Selenium	TVS		
		Sulfate	---	290	Silver	TVS		
		Sulfide	---	0.002	Uranium	---		
				Zinc	TVS			
		2b. Mainstem of Fountain Creek from a point immediately above the State Highway 47 Bridge to the confluence with the Arkansas River.						
		COARFO02B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>		
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---		
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS		
Other:		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)		
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS		
		Inorganic (mg/L)		Copper	TVS			
		acute		chronic	Iron	---		
		Ammonia	TVS	TVS	Iron	---		
		Boron	---	0.75	Lead	TVS		
		Chloride	---	250	Manganese	TVS		
		Chlorine	0.019	0.011	Manganese	---		
		Cyanide	0.005	---	Mercury	---		
		Nitrate	10	---	Molybdenum	---		
		Nitrite	---	0.5	Nickel	TVS		
		Phosphorus	---	---	Selenium	42.3		
		Sulfate	---	485	Silver	TVS		
		Sulfide	---	0.002	Uranium	---		
				Zinc	TVS			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Fountain Creek Basin

3a. All tributaries to Fountain Creek which are within the boundaries of National Forest or Air Force Academy lands, including all wetlands, from a point immediately above the confluence with Monument Creek to the confluence with the Arkansas River, except for the mainstem of Monument Creek in the Air Force Academy lands and specific listings in segment 3b.

COARF003A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
<b>Qualifiers:</b>		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
<b>Other:</b>		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
Expiration Date of 12/31/2021					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

3b. Bear Creek, and all tributaries, from the source to a point immediately upstream of Gold Camp Road.

COARF003B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
<b>Qualifiers:</b>		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
<b>Other:</b>		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
Expiration Date of 12/31/2021					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Fountain Creek Basin

4. All tributaries to Fountain Creek which are not within the boundaries of National Forest or Air Force Academy lands, including all wetlands, from a point immediately above the confluence with Monument Creek to the confluence with the Arkansas River, except for specific listings in segments 5 and 6.								
COARFO04	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>		
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---		
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS		
Other:  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 32.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).		chlorophyll a (mg/m²)	---	150*	Chromium III	50(T)		
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
		Inorganic (mg/L)		Copper	TVS	TVS		
		acute	chronic	Iron	---	WS		
		Ammonia	TVS	TVS	Iron	---	1000(T)	
		Boron	---	0.75	Lead	TVS	TVS	
		Chloride	---	250	Manganese	TVS	TVS	
		Chlorine	0.019	0.011	Manganese	---	WS	
		Cyanide	0.005	---	Mercury	---	0.01(t)	
		Nitrate	10	---	Molybdenum	---	160(T)	
		Nitrite	---	0.5	Nickel	TVS	TVS	
		Phosphorus	---	0.17*	Selenium	TVS	TVS	
		Sulfate	---	WS	Silver	TVS	TVS	
		Sulfide	---	0.002	Uranium	---	---	
					Zinc	TVS	TVS	
		5. Marshland on Nash Property (60 acres at 13030 Old Pueblo Road, El Paso County) located in Section 28 T16S R65W; Jimmy Camp Creek from the irrigation diversion east of Old Pueblo Road to its confluence with Fountain Creek; unnamed tributary from the boundary of Fort Carson to the confluence with Fountain Creek; located in S1/2, SW1/4, Section 6 and N1/2, NW1/4, Section 7, T16S, R65W.						
		COARFO05	Classifications	Physical and Biological			Metals (ug/L)	
		Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---		
	Recreation N	acute	chronic	Arsenic	340	100(T)		
		D.O. (mg/L)	---	5.0	Beryllium	---		
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS		
Other:		chlorophyll a (mg/m²)	---	---	Chromium III	TVS		
		E. Coli (per 100 mL)	---	630	Chromium III	---	100(T)	
		Inorganic (mg/L)		Chromium VI	TVS	TVS		
		acute	chronic	Copper	TVS	TVS		
		Ammonia	TVS	TVS	Iron	---	1000(T)	
		Boron	---	0.75	Lead	TVS	TVS	
		Chloride	---	---	Manganese	TVS	TVS	
		Chlorine	0.019	0.011	Mercury	---	0.01(t)	
		Cyanide	0.005	---	Molybdenum	---	160(T)	
		Nitrate	100	---	Nickel	TVS	TVS	
		Nitrite	---	0.5	Selenium	TVS	TVS	
		Phosphorus	---	0.17	Silver	TVS	TVS	
		Sulfate	---	---	Uranium	---	---	
		Sulfide	---	0.002	Zinc	TVS	TVS	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Fountain Creek Basin

6. Mainstem of Monument Creek, from the boundary of National Forest lands to the confluence with Fountain Creek.						
COARFO06	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	---	TVS*
		acute	chronic	Copper	TVS*	---
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Iron	1000(T)
		Chloride	---	250	Lead	TVS
		Chlorine	0.019	0.011	Manganese	TVS
		Cyanide	0.005	---	Manganese	WS
		Nitrate	10	---	Mercury	0.01(t)
		Nitrite	---	0.5	Molybdenum	160(T)
		Phosphorus	---	0.17*	Nickel	TVS
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS

\*chlorophyll a (mg/m<sup>2</sup>)(chronic) = applies only above the facilities listed at 32.5(4).  
 \*Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).  
 \*Copper(acute) = Copper BLM –based Fixed Monitoring Benchmark (FMB)  
 Copper FMBa = 28.4µg/L for a subsegment of Monument Creek from immediately above the Tri-Lakes Wastewater Treatment Facility to the North Gate Boulevard Bridge.  
 \*Copper(chronic) = Copper BLM –based Fixed Monitoring Benchmark (FMB)  
 Copper FMBc = 17.8µg/L for a subsegment of Monument Creek from immediately above the Tri-Lakes Wastewater Treatment Facility to the North Gate Boulevard Bridge.

7a. Pikeview Reservoir, Willow Springs Pond #1, and Willow Springs Pond #2.						
COARFO07A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Water + Fish Standards Apply		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
Other:		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	1000(T)
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	WS
		Cyanide	0.005	---	Mercury	0.01(t)
		Nitrate	10	---	Molybdenum	160(T)
		Nitrite	---	0.5	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Fountain Creek Basin

7b. Prospect Lake, Quail Lake, and Monument Lake.						
COARFO07B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
UP	Aq Life Warm 2	WL	WL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
<b>Qualifiers:</b>		D.O. (mg/L)	---	5.0	Beryllium	---
<b>Fish Ingestion Standards Apply</b>		pH	6.5 - 9.0	---	Cadmium	TVS
<b>Other:</b>		chlorophyll a (ug/L)	---	20*	Chromium III	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic		Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.5	Selenium	TVS
		Phosphorus	---	0.083*	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
8. All lakes and reservoirs tributary to the mainstem of Fountain Creek from the source to a point immediately above the confluence with Monument Creek, except for specific listings in segment 9.						
COARFO08	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
<b>Qualifiers:</b>		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
<b>Other:</b>		pH	6.5 - 9.0	---	Chromium III	50(T)
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic		Iron	WS
		Ammonia	TVS	TVS	Lead	---
		Boron	---	0.75	TVS	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	WS
		Nitrate	10	---	TVS	---
		Nitrite	---	0.05	TVS	0.01(t)
		Phosphorus	---	0.025*	Molybdenum	---
		Sulfate	---	WS	Nickel	160(T)
		Sulfide	---	0.002	Selenium	TVS
					Silver	TVS
					TVS(tr)	---
					Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Fountain Creek Basin

9. North Catamount Reservoir, South Catamount Reservoir, and Crystal Creek Reservoir.						
COARFO09	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CLL	CLL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---	---
	DUWS*	D.O. (spawning)	7.0	Cadmium	TVS(tr)	TVS
Qualifiers:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
Other:		chlorophyll a (ug/L)	8*	Chromium VI	TVS	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Classification: All reservoirs=DUWS *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		E. Coli (per 100 mL)	126	Copper	TVS	TVS
		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	Lead	TVS	TVS
		Boron	0.75	Manganese	TVS	TVS
		Chloride	250	Manganese	---	WS
		Chlorine	0.019	Mercury	---	0.01(t)
		Cyanide	0.005	Molybdenum	---	160(T)
		Nitrate	10	Nickel	TVS	TVS
		Nitrite	0.05	Selenium	TVS	TVS
		Phosphorus	0.025*	Silver	TVS	TVS(tr)
		Sulfate	WS	Uranium	---	---
		Sulfide	0.002	Zinc	TVS	TVS
10. All lakes and reservoirs tributary to Fountain Creek which are within the boundaries of National Forest or Air Force Academy lands from a point immediately above the confluence with Monument Creek to the confluence with the Arkansas River, except for specific listings in Segment 11. This segment includes Rampart Reservoir.						
COARFO10	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CL,CLL	CL,CLL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---	---
	DUWS*	D.O. (spawning)	7.0	Cadmium	TVS(tr)	TVS
Qualifiers:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
Other:		chlorophyll a (ug/L)	8*	Chromium VI	TVS	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Classification: Rampart Reservoir = DUWS *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		E. Coli (per 100 mL)	126	Copper	TVS	TVS
		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	Lead	TVS	TVS
		Boron	0.75	Manganese	TVS	TVS
		Chloride	250	Manganese	---	WS
		Chlorine	0.019	Mercury	---	0.01(t)
		Cyanide	0.005	Molybdenum	---	160(T)
		Nitrate	10	Nickel	TVS	TVS
		Nitrite	0.05	Selenium	TVS	TVS
		Phosphorus	0.025*	Silver	TVS	TVS(tr)
		Sulfate	WS	Uranium	---	---
		Sulfide	0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Fountain Creek Basin

11. AFA Non Potable Reservoir #1 and all lakes and reservoirs tributary to Fountain Creek from a point immediately above the confluence with Monument Creek to the confluence with the Arkansas River, excluding lakes and reservoirs within the boundaries of the National Forest and other lakes on Air Force Academy lands and the specific listings in segments 7a and 7b.

COARFO11	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Warm 2	Temperature °C	WL WL	Aluminum	--- ---
	Recreation E		acute chronic	Arsenic	340 0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	--- 5.0	Beryllium	--- ---
Qualifiers:		pH	6.5 - 9.0 ---	Cadmium	TVS TVS
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	--- 20*	Chromium III	50(T) TVS
		E. Coli (per 100 mL)	--- 126	Chromium VI	TVS TVS
		Inorganic (mg/L)		Copper	TVS TVS
			acute chronic	Iron	--- WS
		Ammonia	TVS TVS	Iron	--- 1000(T)
		Boron	--- 0.75	Lead	TVS TVS
		Chloride	--- 250	Manganese	TVS TVS
		Chlorine	0.019 0.011	Manganese	--- WS
		Cyanide	0.005 ---	Mercury	--- 0.01(t)
		Nitrate	10 ---	Molybdenum	--- 160(T)
		Nitrite	--- 0.5	Nickel	TVS TVS
		Phosphorus	--- 0.083*	Selenium	TVS TVS
		Sulfate	--- WS	Silver	TVS TVS
		Sulfide	--- ---	Uranium	--- ---
				Zinc	TVS TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

1a. Mainstem of the Arkansas River from a point immediately above the confluence with Fountain Creek to immediately above the Colorado Canal headgate near Avondale.							
COARLA01A	Classifications	Physical and Biological				Metals (ug/L)	
Designation	Agriculture	DM		MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	1/1 - 11/30	WS-II	WS-II	Aluminum	---
	Recreation E	Temperature °C	12/1 - 12/31	21.5	20.7	Arsenic	340
	Water Supply					Beryllium	---
Qualifiers:		acute		chronic		Cadmium	TVS
Other:		D.O. (mg/L)	---	5.0		Chromium III	50(T)
Temporary Modification(s):		pH	6.5 - 9.0	---		Chromium VI	TVS
Selenium(ac/ch) = existing quality		chlorophyll a (mg/m²)	---	---		Copper	TVS
Sulfate(chronic) = existing quality		E. Coli (per 100 mL)	---	126		Iron	---
Expiration Date of 6/30/2016		Inorganic (mg/L)				Iron	---
		acute		chronic		Lead	TVS
		Ammonia	TVS	TVS		Manganese	TVS
		Boron	---	0.75		Manganese	---
		Chloride	---	250		Mercury	---
		Chlorine	0.019	0.011		Molybdenum	---
		Cyanide	0.005	---		Nickel	TVS
		Nitrate	10	---		Selenium	19.1
		Nitrite	---	0.5		Silver	TVS
		Phosphorus	---	---		Uranium	---
		Sulfate	---	329		Zinc	TVS
		Sulfide	---	0.002			
1b. Mainstem of the Arkansas River from the Colorado Canal headgate to the inlet to John Martin Reservoir.							
COARLA01B	Classifications	Physical and Biological				Metals (ug/L)	
Designation	Agriculture	DM		MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II		Aluminum	---
	Recreation E		acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	5.0		Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---		Cadmium	TVS
Water + Fish Standards Apply		chlorophyll a (mg/m²)	---	---		Chromium III	50(T)
Other:		E. Coli (per 100 mL)	---	126		Chromium VI	TVS
Temporary Modification(s):		Inorganic (mg/L)				Copper	TVS
Arsenic(chronic) = hybrid		acute		chronic		Iron	---
Expiration Date of 12/31/2021		Ammonia	TVS	TVS		Iron	---
Selenium(chronic) = "current conditions"		Boron	---	0.75		Lead	TVS
Expiration Date of 6/30/2016		Chloride	---	250		Manganese	TVS
		Chlorine	0.019	0.011		Manganese	---
		Cyanide	0.005	---		Mercury	---
		Nitrate	10	---		Molybdenum	---
		Nitrite	---	0.5		Nickel	TVS
		Phosphorus	---	---		Selenium	TVS
		Sulfate	---	902		Silver	TVS
		Sulfide	---	0.002		Uranium	---
						Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

1c. Mainstem of the Arkansas River from the outlet of John Martin Reservoir to the Colorado/Kansas border.								
COARLA01C	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---		
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS		
Water + Fish Standards Apply		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)		
Other:		E. Coli (per 100 mL)	---	126	Chromium VI	TVS		
Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		Inorganic (mg/L)		Copper	TVS	TVS		
		acute	chronic	Iron	---	WS		
		Ammonia	TVS	TVS	Iron	---	1000(T)	
		Boron	---	0.75	Lead	TVS	TVS	
		Chloride	---	250	Manganese	TVS	190	
		Chlorine	0.019	0.011	Manganese	---	TVS	
		Cyanide	0.005	---	Mercury	---	0.01(t)	
		Nitrate	10	---	Molybdenum	---	160(T)	
		Nitrite	---	0.5	Nickel	TVS	TVS	
		Phosphorus	---	---	Selenium	TVS	TVS	
		Sulfate	---	1900	Silver	TVS	TVS	
		Sulfide	---	0.002	Uranium	---	---	
					Zinc	TVS	TVS	
		2a. All tributaries to the Arkansas River, including wetlands, from the Colorado Canal headgate to the Colorado/Kansas border except for specific listings in segments 2b, 2c, 3a through 9b, and Middle Arkansas Basin listings.						
		COARLA02A	Classifications	Physical and Biological			Metals (ug/L)	
		Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---		
	Recreation N	acute	chronic	Arsenic	---	0.02-10(T) <sup>A</sup>		
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---		
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	5.0(T)		
Other:		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)		
*Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).		E. Coli (per 100 mL)	---	630	Chromium VI	50(T)		
		Inorganic (mg/L)		Copper	---	200(T)		
		acute	chronic	Iron	---	WS		
		Ammonia	---	---	Lead	50(T)	100(T)	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	2.0(t)	---	
		Chlorine	---	---	Molybdenum	---	160(T)	
		Cyanide	0.2	---	Nickel	---	100(T)	
		Nitrate	10	---	Selenium	---	20(T)	
		Nitrite	---	1.0	Silver	---	100(T)	
		Phosphorus	---	0.17*	Uranium	---	---	
		Sulfate	---	WS	Zinc	---	2000(T)	
		Sulfide	---	0.05				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

2b. King Arroyo.							
COARLA02B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	---	200(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
Livestock Watering Only		pH	6.5 - 9.0	---	Cadmium	---	
Other:  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 32.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).		chlorophyll a (mg/m²)	---	150*	Chromium III	TVS	
		E. Coli (per 100 mL)	---	126	Chromium III	---	1000(T)
		Inorganic (mg/L)		Chromium VI	---	1000(T)	
		acute	chronic	Copper	---	500(T)	
		Ammonia	---	---	Iron	---	---
		Boron	---	5.0	Lead	---	100(T)
		Chloride	---	---	Manganese	---	---
		Chlorine	---	---	Mercury	---	10(t)
		Cyanide	0.2	---	Molybdenum	---	160(T)
		Nitrate	100	---	Nickel	---	---
		Nitrite	---	10	Selenium	---	50(T)
		Phosphorus	---	0.17*	Silver	---	---
		Sulfate	---	---	Uranium	---	---
		Sulfide	---	---	Zinc	---	25000(T)
		2c. Mainstem of Wildhorse Creek, including all tributaries, from a point immediately below US Highway 287 in Kit Carson to the confluence with Big Sandy Creek.					
COARLA02C	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---	
	Recreation N	acute	chronic	Arsenic	---	100(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
Other:		pH	6.5 - 9.0	---	Cadmium	---	
		chlorophyll a (mg/m²)	---	---	Chromium III	TVS	
		E. Coli (per 100 mL)	---	630	Chromium III	---	
		Inorganic (mg/L)		Chromium VI	---		
		acute	chronic	Copper	---		
		Ammonia	---	---	Iron	---	
		Boron	---	0.75	Lead	---	
		Chloride	---	---	Manganese	---	
		Chlorine	---	---	Mercury	---	
		Cyanide	0.2	---	Molybdenum	---	
		Nitrate	100	---	Nickel	---	
		Nitrite	---	10	Selenium	---	
		Phosphorus	---	0.17	Silver	---	
		Sulfate	---	---	Uranium	---	
		Sulfide	---	---	Zinc	---	

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

3a. Mainstem of the Apishapa River, including all tributaries and wetlands, from the source to I-25, except for specific listings in Middle Arkansas segment 1 and Lower Arkansas segments 3b and 3c.					
COARLA03A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS
Expiration Date of 12/31/2021				Iron	---
temperature(DM/MWAT) = "current conditions"		Inorganic (mg/L)		Iron	1000(T)
Expiration Date of 6/30/2016		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	---
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS
		Phosphorus	0.11	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		
3b. Mainstem of West Torino Canyon Creek, North Fork, Middle Fork and mainstem of Trujillo Creek, Mitotes Canyon Creek, Luis Canyon Creek, Wheeler Canyon Creek, Mauricio Canyon Creek, Daisy Canyon Creek, Adobe Canyon Creek, Gonzales Canyon Creek, Frio Canyon Creek, Borrego Canyon Creek, Munoz Canyon Creek, William Canyon Creek and Castro Canyon Creek, including all tributaries, from their sources to their confluences with the Apishapa River, except for the specific listings in Middle Arkansas segment 1.					
COARLA03B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	Cadmium	5.0(T)
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	50(T)
Temporary Modification(s):		E. Coli (per 100 mL)	630	Chromium VI	50(T)
temperature(DM/MWAT) = "current conditions"		Inorganic (mg/L)		Copper	200(T)
Expiration Date of 6/30/2016		acute	chronic	Iron	---
		Ammonia	0.5	Lead	50(T)
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	2.0(T)
		Chlorine	---	Mercury	---
		Cyanide	0.2	Molybdenum	---
		Nitrate	10	Nickel	---
		Nitrite	1.0	Selenium	---
		Phosphorus	0.17	Silver	100(T)
		Sulfate	WS	Uranium	---
		Sulfide	0.05	Zinc	---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

3c. The mainstem of Jarosa Canyon Creek including all tributaries from the source to the confluence with the Apishapa River.						
COARLA03C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
4a. Mainstem of the Apishapa River from I-25 to the confluence with the Arkansas River. Mainstem of Timpas Creek from the source to the Arkansas River.						
COARLA04A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic	Iron	---	
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.5	Nickel	TVS
		Phosphorus	---	0.17	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

4b. Mainstem of Lorencito Canyon, from the source to the confluence with the Purgatoire River.						
COARLA04B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150	Chromium III	TVS
temperature (DM/MWAT) = "current conditions"		E. Coli (per 100 mL)	---	126	Chromium III	---
Expiration Date of 6/30/2016		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	4.0	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.5	Selenium	TVS
		Phosphorus	---	0.17	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
5a. Mainstem of the North Fork of the Purgatoire River, including all tributaries and wetlands, from the source to a point immediately below the confluence with Guajatoyah Creek; mainstem of the Middle Fork of the Purgatoire River, including all tributaries and wetlands, from the source to the Bar Ni Ranch Road at Stonewall Gap; Mainstem of the South Fork of the Purgatoire River, including all tributaries and wetlands, from the source to Tercio.						
COARLA05A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	4.0	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

5b. Mainstem of the North Fork of the Purgatoire River, including all tributaries and wetlands, from a point immediately below the confluence with Guajatoyah Creek to the confluence with the Purgatoire River. Mainstem of the Middle Fork of the Purgatoire River from the Bar Ni Ranch Road at Stonewall Gap to the confluence with the North Fork of the Purgatoire River. Mainstem of the South Fork of the Purgatoire River from Tercio to the confluence with the Purgatoire River. Mainstem of the Purgatoire River to Trinidad Lake. Mainstem of Long Canyon Creek from the source to Trinidad Reservoir.

COARLA05B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150*	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
Expiration Date of 12/31/2021					Iron	---	WS
temperature(DM/MWAT) = "current conditions"		Inorganic (mg/L)			Iron	---	1000(T)
Expiration Date of 6/30/2016		acute		chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
*chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 32.5(4).		Boron	---	4.0	Manganese	---	WS
*Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

5c. Purgatoire mainstem from Trinidad Lake outlet works to I-25. Mainstem of Raton Creek from the source to the confluence of Purgatoire River.

COARLA05C	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150*	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
Expiration Date of 12/31/2021					Iron	---	WS
temperature(DM/MWAT) = "current conditions"		Inorganic (mg/L)			Iron	---	1000(T)
Expiration Date of 6/30/2016		acute		chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
*chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 32.5(4).		Boron	---	2.0	Manganese	---	WS
*Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

6a.All tributaries to the Purgatoire River, including all wetlands, from the source to Interstate 25, except for specific listings in segments 4b, 5a, 5b, 5c and 6b.						
COARLA06A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
UP	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	100(T)
<b>Qualifiers:</b>		D.O. (mg/L)	---	6.0	Beryllium	100(T)
<b>Other:</b>		D.O. (spawning)	---	7.0	Cadmium	10(T)
Temporary Modification(s):		pH	6.5 - 9.0	---	Chromium III	TVS
temperature(DM/MWAT) = "current conditions"		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	100(T)
Expiration Date of 6/30/2016		E. Coli (per 100 mL)	---	126	Chromium VI	100(T)
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 32.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).		Inorganic (mg/L)			Copper	200(T)
		acute	chronic		Iron	---
		Ammonia	---	---	Lead	100(T)
		Boron	---	4.0	Manganese	---
		Chloride	---	---	Mercury	---
		Chlorine	---	---	Molybdenum	160(T)
		Cyanide	0.2	---	Nickel	200(T)
		Nitrate	100	---	Selenium	20(T)
		Nitrite	---	10	Silver	---
		Phosphorus	---	0.11*	Uranium	---
		Sulfate	---	---	Zinc	2000(T)
		Sulfide	---	---		
6b.Wet Canyon and all tributaries, including wetlands, from the source to the confluence with the Purgatoire River.						
COARLA06B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
UP	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	4.0(T)
<b>Qualifiers:</b>		D.O. (spawning)	---	7.0	Cadmium	5.0(T)
<b>Other:</b>		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	100(T)
temperature(DM/MWAT) = "current conditions"		E. Coli (per 100 mL)	---	126	Copper	200(T)
Expiration Date of 6/30/2016		Inorganic (mg/L)			Iron	WS
		acute	chronic		Lead	50(T)
		Ammonia	---	---	Manganese	WS
		Boron	---	2.0	Mercury	2.0(t)
		Chloride	---	250	Molybdenum	160(T)
		Chlorine	---	---	Nickel	100(T)
		Cyanide	0.2	---	Selenium	20(T)
		Nitrate	10	---	Silver	100(T)
		Nitrite	---	1.0	Uranium	---
		Phosphorus	---	0.11	Zinc	2000(T)
		Sulfate	---	WS		
		Sulfide	---	0.05		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

7. Mainstem of the Purgatoire River from Interstate 25 to the confluence with the Arkansas River.						
COARLA07	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic		Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.5	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

8. Mainstem of Ricardo Creek, including all tributaries and wetlands, which are within Colorado (Costilla and Las Animas Counties), mainstem of the Canadian River, including all tributaries, wetlands, lakes and reservoirs.						
COARLA08	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

9a. Mainstems of Adobe, Buffalo, Cheyenne, Clay, Gageby, Horse, Two Butte, Wildhorse and Wolf Creeks from their sources to their confluences with the Arkansas River. Mainstems of Chacuacho Creek, San Francisco Creek, Trinchera Creek and Van Bremer Arroyo from their sources to their confluences with the Purgatoire River. Mainstem of Willow Creek from Highway 287 to the confluence with the Arkansas River. Mainstem of Big Sandy Creek from the source to the El Paso/Elbert county line. Mainstem of South Rush Creek from the source to the confluence with Rush Creek. Mainstem of Middle Rush Creek from the source to the confluence with North Rush Creek. North Rush Creek from the source to the confluence with South Rush Creek. Mainstem of Rush Creek to the Lincoln County Line. Mainstem of Antelope Creek from the source to the confluence with Rush Creek; the West May Valley drain from the Fort Lyon Canal to the confluence with the Arkansas River.

COARLA09A	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute		chronic		
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---	
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS	
Other:		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)	TVS	
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
		Inorganic (mg/L)			Copper	TVS	TVS	
		acute			chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---	1000(T)	
		Boron	---	0.75	Lead	TVS	TVS	
		Chloride	---	250	Manganese	TVS	TVS	
		Chlorine	0.019	0.011	Manganese	---	WS	
		Cyanide	0.005	---	Mercury	---	0.01(t)	
		Nitrate	10	---	Molybdenum	---	160(T)	
		Nitrite	---	0.5	Nickel	TVS	TVS	
		Phosphorus	---	0.17	Selenium	TVS	TVS	
		Sulfate	---	WS	Silver	TVS	TVS	
		Sulfide	---	0.002	Uranium	---	---	
					Zinc	TVS	TVS	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

9b. Mainstem of Apache Creek from the source to the confluence with the North Rusk Creek. Mainstem of Breckenridge Creek from the source to the confluence with Horse Creek. Mainstem of Little Horse Creek from the source to the confluence with Horse Creek. Mainstem of Bob Creek from the source to Meredith Reservoir. Mainstem of Big Sandy Creek within Prowers County. Mainstem of Rule Creek from the Bent/Las Animas county line to John Martin Reservoir. Mainstem of Muddy Creek from the south boundary of the Setchfield State Wildlife Area to the confluence with Rule Creek. Mainstem of Caddoa Creek from CC Road to the confluence with the Arkansas River. Mainstem of Cat Creek from the source to the confluence with Clay Creek. Mainstem of Mustang Creek from the source to the confluence with Apishapa River. Mainstem of Chicosa Creek from the source to the Arkansas River. Mainstem of Smith Canyon from the Otero/Las Animas county line to the confluence with the Purgatoire River. Mainstem of Mud Creek from V Road to the confluence with the Arkansas River. Mainstems of Frijole Creek and Luning Arroyo from their sources to their confluences with the Purgatoire River. Mainstem of Blackwell Arroyo from its source to the confluence with Luning Arroyo. Mainstem of San Isidro Creek from the source to the confluence with San Francisco Creek.

COARLA09B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02-10(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)			Copper	TVS	TVS
			acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	160(T)
		Nitrite	---	0.5	Nickel	TVS	TVS
		Phosphorus	---	0.17	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS
		Sulfide	---	0.002	Uranium	---	---
					Zinc	TVS	TVS

9c. Deleted.

COARLA9C	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Qualifiers:		acute	chronic		
Other:					
		Inorganic (mg/L)			
		acute	chronic		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

10. Two Buttes Reservoir, Two Buttes Pond, Hasty Lake, Holbrook Reservoir, Burchfield Lake, Nee-Skah (Queens) Reservoir, Adobe Creek Reservoir, Neeso Pah Reservoir, Nee Noshe Reservoir; Nee Gronda Reservoir.

COARLA10	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Warm 1	WL	WL	Temperature °C	---	---	
	Recreation E	acute	chronic				
	Water Supply	---	5.0	D.O. (mg/L)	---	---	
Qualifiers:		6.5 - 9.0	---	pH	TVS	TVS	
Other:		---	---	chlorophyll a (mg/m <sup>2</sup> )	50(T)	TVS	
		---	126	E. Coli (per 100 mL)	TVS	TVS	
		Inorganic (mg/L)			TVS	TVS	
		acute	chronic		---	WS	
		TVS	TVS	Ammonia	---	1000(T)	
		---	0.75	Boron	TVS	TVS	
		---	250	Chloride	TVS	TVS	
		0.019	0.011	Chlorine	---	WS	
		0.005	---	Cyanide	---	0.01(t)	
		10	---	Nitrate	---	160(T)	
		---	0.05	Nitrite	TVS	TVS	
		---	---	Phosphorus	TVS	TVS	
		---	WS	Sulfate	TVS	TVS(tr)	
		---	0.002	Sulfide	---	---	
				Zinc	TVS	TVS	

11. John Martin Reservoir.

COARLA11	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Warm 1	WL	WL	Temperature °C	---	---	
	Recreation E	acute	chronic				
	Water Supply	---	5.0	D.O. (mg/L)	---	---	
Qualifiers:		6.5 - 9.0	---	pH	TVS	TVS	
Other:		---	---	chlorophyll a (mg/m <sup>2</sup> )	50(T)	TVS	
		---	126	E. Coli (per 100 mL)	TVS	TVS	
		Inorganic (mg/L)			TVS	TVS	
		acute	chronic		---	WS	
		TVS	TVS	Ammonia	---	1000(T)	
		---	0.75	Boron	TVS	TVS	
		---	250	Chloride	TVS	TVS	
		0.019	0.011	Chlorine	---	0.01(t)	
		0.005	---	Cyanide	---	160(T)	
		10	---	Nitrate	TVS	TVS	
		---	0.5	Nitrite	TVS	TVS	
		---	---	Phosphorus	TVS	TVS	
		---	WS	Sulfate	---	---	
		---	0.002	Sulfide	TVS	TVS	
				Zinc	TVS	TVS	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

12. Lake Henry, Lake Meridith.						
<b>COARLA12</b>	<b>Classifications</b>	<b>Physical and Biological</b>			<b>Metals (ug/L)</b>	
<b>Designation</b>	Agriculture	<b>DM</b>	<b>MWAT</b>		<b>acute</b>	<b>chronic</b>
Reviewable	Aq Life Warm 1	WL	WL	Aluminum	---	---
	Recreation E	<b>acute</b>	<b>chronic</b>	Arsenic	340	7.6(T)
<b>Qualifiers:</b>		D.O. (mg/L)	---	5.0	Beryllium	---
<b>Other:</b>		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		<b>Inorganic (mg/L)</b>		100(T)	Chromium VI	TVS
		<b>acute</b>	<b>chronic</b>	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.5	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
13. American Crystal Reservoir, Chancellor Ponds, Horse Creek Reservoir, Hugo Ponds, Jim Davis Pond, John Robertson Ponds, Karval Lake, Kinney Lake, Kissel Pond, La Junta Kids Pond, Las Animas Kids Pond, Mayhem Pond, Merit Lake, Olney Springs Pond, Otero Pond, Pursley Ponds, Ranch Reservoir, Reynolds Gravel Pit, Pyan Ponds, Thurston Reservoir, Turks Pond, Ramah Reservoir.						
<b>COARLA13</b>	<b>Classifications</b>	<b>Physical and Biological</b>			<b>Metals (ug/L)</b>	
<b>Designation</b>	Agriculture	<b>DM</b>	<b>MWAT</b>		<b>acute</b>	<b>chronic</b>
Reviewable	Aq Life Warm 1	WL	WL	Aluminum	---	---
	Recreation E	<b>acute</b>	<b>chronic</b>	Arsenic	340	7.6(T)
<b>Qualifiers:</b>		D.O. (mg/L)	---	5.0	Beryllium	---
<b>Other:</b>		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		<b>Inorganic (mg/L)</b>		100(T)	Chromium VI	TVS
		<b>acute</b>	<b>chronic</b>	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.5	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

14. All lakes and reservoirs tributary to the Apishapa River from the source to I-25, except for specific listings in Middle Arkansas segment 19.					
COARLA14	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	---	6.0	Beryllium	---
Qualifiers:		---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	Copper	TVS
		Inorganic (mg/L)		Iron	---
		acute	chronic	Iron	1000(T)
		Ammonia	TVS	Lead	TVS
		Boron	---	Manganese	TVS
		Chloride	---	Manganese	---
		Chlorine	0.019	Mercury	---
		Cyanide	0.005	Molybdenum	---
		Nitrate	10	Nickel	TVS
		Nitrite	---	Selenium	TVS
		Phosphorus	---	Silver	TVS(tr)
		Sulfate	---	Uranium	---
		Sulfide	---	Zinc	TVS
			0.002		
15. All lakes and reservoirs tributary to the mainstem of the North Fork of the Purgatoire River from the source to a point immediately below the confluence with Guajatomah Creek. All lakes and reservoirs tributary to the Middle Fork of the Purgatoire River from the source to the USGS gage at Stonewall mainstem of the South Fork of the Purgatoire River, from the source to Tercio. Monument Lake, North Lake, Trinidad Lake, Long Canyon Reservoir and Lake Dorothy.					
COARLA15	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	CLL*	CLL *	Arsenic	340
	Water Supply			Beryllium	---
	DUWS*	acute	chronic	Cadmium	TVS(tr)
Qualifiers:		D.O. (mg/L)	---	Chromium III	50(T)
Other:		D.O. (spawning)	---	Chromium VI	TVS
Temporary Modification(s): temperature(DM/MWAT) = "current conditions" Expiration Date of 6/30/2016  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Classification: DUWS Applies only to Monument Lake and North Lake *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Temperature = Trinidad Reservoir (CLL)		pH	6.5 - 9.0	Copper	TVS
		chlorophyll a (ug/L)	---	Iron	---
		E. Coli (per 100 mL)	---	Iron	1000(T)
		Inorganic (mg/L)		Lead	TVS
		acute	chronic	Manganese	TVS
		Ammonia	TVS	Manganese	---
		Boron	---	Mercury	---
		Chloride	---	Molybdenum	---
		Chlorine	0.019	Nickel	TVS
		Cyanide	0.005	Selenium	TVS
		Nitrate	10	Silver	TVS(tr)
		Nitrite	---	Uranium	---
		Phosphorus	---	Zinc	TVS
		Sulfate	---		
		Sulfide	---		
			0.002		

All metals are dissolved unless otherwise noted.

T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

16. All lakes and reservoirs tributary to the Purgatoire River from the source to I-25, except for the specific listings in segment 15 and 17.						
COARLA16	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Cold 2	Temperature °C	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	---	100(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	---
Temporary Modification(s):		pH	6.5 - 9.0	---	Chromium III	TVS
temperature(DM/MWAT) = "current conditions"		chlorophyll a (ug/L)	---	8*	Chromium III	---
Expiration Date of 6/30/2016		E. Coli (per 100 mL)	---	126	Chromium VI	---
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.					Copper	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	---	
		Ammonia	---	Manganese	---	
		Boron	---	Mercury	---	
		Chloride	---	Molybdenum	---	
		Chlorine	---	Nickel	---	
		Cyanide	0.2	Selenium	---	
		Nitrate	100	Silver	---	
		Nitrite	---	Uranium	---	
		Phosphorus	---	Zinc	---	
		Sulfate	---			
Sulfide	---					
17.All lakes and reservoirs tributary to Wet Canyon, from the source to the confluence with the Purgatoire River.						
COARLA17	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Cold 2	Temperature °C	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	---	0.02-10(T) ^
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	5.0(T)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (ug/L)	---	8*	Chromium VI	50(T)
temperature(DM/MWAT) = "current conditions"		E. Coli (per 100 mL)	---	126	Copper	---
Expiration Date of 6/30/2016					Iron	---
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		Inorganic (mg/L)			Lead	50(T)
		acute	chronic	Manganese	---	
		Ammonia	---	Mercury	2.0(t)	
		Boron	---	Molybdenum	---	
		Chloride	---	Nickel	---	
		Chlorine	---	Selenium	---	
		Cyanide	0.2	Silver	100(T)	
		Nitrate	10	Uranium	---	
		Nitrite	---	Zinc	---	
		Phosphorus	---			
		Sulfate	---			
		Sulfide	---			

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

18. All lakes and reservoirs tributary to Ricardo Creek, which are within Colorado (Costilla and Las Animas Counties). All lakes and reservoirs tributary to the Canadian River.						
COARLA18	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	Copper	TVS	TVS
		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	Lead	TVS	TVS
		Boron	---	Manganese	TVS	TVS
		Chloride	---	Manganese	---	WS
		Chlorine	0.019	Mercury	---	0.01(t)
		Cyanide	0.005	Molybdenum	---	160(T)
		Nitrate	10	Nickel	TVS	TVS
		Nitrite	---	Selenium	TVS	TVS
		Phosphorus	---	Silver	TVS	TVS(tr)
		Sulfate	---	Uranium	---	---
		Sulfide	---	Zinc	TVS	TVS
			0.002			
19. All lakes and reservoirs tributary to the Arkansas River, except for specific listings in segments 10-18 and Middle Arkansas Basin segments 19-28.						
COARLA19	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	WL	WL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	Cadmium	TVS	TVS
Other:		chlorophyll a (ug/L)	---	Chromium III	50(T)	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		E. Coli (per 100 mL)	---	Chromium VI	TVS	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	Iron	---	1000(T)
		Boron	---	Lead	TVS	TVS
		Chloride	---	Manganese	TVS	TVS
		Chlorine	0.019	Manganese	---	WS
		Cyanide	0.005	Mercury	---	0.01(t)
		Nitrate	10	Molybdenum	---	160(T)
		Nitrite	---	Nickel	TVS	TVS
		Phosphorus	---	Selenium	TVS	TVS
		Sulfate	---	Silver	TVS	TVS(tr)
		Sulfide	---	Uranium	---	---
			0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cimarron River Basin

1. Mainstem of the Cimarron River, including all tributaries and wetlands, in Las Animas, Baca, and Prowers Counties, except for the specific listing in segment 2.						
COARCI01	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation N	acute	chronic	Arsenic	---	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	---
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	630	Chromium III	---
		Inorganic (mg/L)		---	Chromium VI	100(T)
		acute	chronic	Copper	---	200(T)
		Ammonia	---	---	Iron	---
		Boron	---	0.75	Lead	---
		Chloride	---	---	Manganese	---
		Chlorine	---	---	Mercury	---
		Cyanide	0.2	---	Molybdenum	---
		Nitrate	100	---	Nickel	---
		Nitrite	---	10	Selenium	---
		Phosphorus	---	0.17	Silver	---
		Sulfate	---	---	Uranium	---
		Sulfide	---	---	Zinc	---
						2000(T)
2. Mainstem of North Carrizo Creek from the source to the Colorado/Oklahoma state line; mainstems of East and West Carrizo Creek, to the confluence with North Carrizo Creek; mainstems of Cottonwood Creek and Tecolote Creek to the confluence with West Carrizo Creek, Fitzer Pond.						
COARCI02	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)		---	Chromium VI	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.5	Selenium	TVS
		Phosphorus	---	0.17	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
						TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cimarron River Basin

3. All lakes and reservoirs tributary to the Cimarron River.						
COARCI03	Classifications	Physical and Biological			Metals (ug/L)	
Designation		DM	MWAT		acute	chronic
UP	Agriculture	WL	WL	Aluminum	---	---
	Aq Life Warm 2			Arsenic	340	7.6(T)
	Recreation E	acute	chronic	Beryllium	---	---
Qualifiers:		D.O. (mg/L)	5.0	Cadmium	TVS	TVS
Fish Ingestion Standards Apply		pH	6.5 - 9.0	Chromium III	TVS	TVS
Other:		chlorophyll a (ug/L)	20*	Chromium III	---	100(T)
		E. Coli (per 100 mL)	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	Lead	TVS	TVS
		Boron	---	Manganese	TVS	TVS
		Chloride	---	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	100	Selenium	TVS	TVS
		Nitrite	---	Silver	TVS	TVS
		Phosphorus	---	Uranium	---	---
		Sulfate	---	Zinc	TVS	TVS
		Sulfide	---			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

## **STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS – FOOTNOTES**

- A) Whenever a range of standards is listed and referenced to this footnote, the first number in the range is a strictly health-based value, based on the Commission's established methodology for human health-based standards. The second number in the range is a maximum contaminant level, established under the federal Safe Drinking Water Act that has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range. Water bodies will be considered in attainment of this standard, and not included on the Section 303(d) List, so long as the existing ambient quality does not exceed the second number in the range.

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00758

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

**Water Quality Control Commission (1002 Series)**

**on 01/11/2016**

**5 CCR 1002-32**

**REGULATION NO. 32 - CLASSIFICATIONS AND NUMERIC STANDARDS FOR ARKANSAS  
RIVER BASIN**

The above-referenced rules were submitted to this office on 01/12/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 28, 2016 14:04:31

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General



## **Permanent Rules Adopted**

### **Department**

Department of Public Health and Environment

### **Agency**

Water Quality Control Commission (1002 Series)

### **CCR number**

5 CCR 1002-32

### **Rule title**

5 CCR 1002-32 REGULATION NO. 32 - CLASSIFICATIONS AND NUMERIC  
STANDARDS FOR ARKANSAS RIVER BASIN 1 - eff 06/30/2016

### **Effective date**

06/30/2016

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**  
**WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-32**

**REGULATION NO. 32**  
**CLASSIFICATIONS AND NUMERIC STANDARDS**  
**FOR**  
**ARKANSAS RIVER BASIN**

....

**32.56 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016**

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

**BASIS AND PURPOSE**

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2017, to determine whether the temporary modification should be modified, eliminated or extended. Temporary modifications of standards on twelve segments were reviewed.

The Commission took no action on the temporary modifications on the following segments.

Middle Arkansas segment 6b (Lower St Charles River): Temporary modification of the temperature standard. The Commission made no change to the expiration date of 6/30/2017 as the original time allotment was deemed adequate to resolve the uncertainty.

The Commission deleted the temporary modifications on the following segments.

Lower Arkansas segments 3a, 3b, 4b, 5b, 5c, 6a, 6b, 15, 16 and 17: Temporary modification of the temperature standard. The Commission deleted these temporary modifications because they were no longer needed.

The Commission extended the expiration date of temporary modifications on the following segments.

Lower Arkansas segment 1a: Temporary modification of the selenium and sulfate standard. The Commission extended the expiration dates to 12/31/2018 to allow time for the City of Pueblo to pursue a discharger-specific variance (DSV). The Commission reviewed Pueblo's plan for resolving the uncertainty with the underlying standard and found that the remaining uncertainty (the details of the DSV) can be resolved in this time even though all the facets of source control and treatment optimization will not be resolved in this timeframe. The two major tasks for the Division and Pueblo are to develop the Alternative Effluent Limit and to fully articulate the compliance schedule.

The Commission found that keeping the “existing quality” temporary modification in place will not allow any increased impact on the uses of the stream in segment 1a or in waters located downstream. The Commission also notes that if, due to unforeseen circumstances, the City of Pueblo and the Division anticipate that they will be unable to complete the work by January 2018 (to meet the June hearing schedule), an extension of the temporary modification can be considered in the temporary modification rulemaking hearings in December 2016 or December 2017.

The Commission added temporary modifications on the following segment.

Upper Arkansas segment 8b (lower Iowa Gulch): Temporary modification of the temperature, cadmium (chronic) and zinc (chronic) standards: The Commission made no change to the expiration date of 12/31/2017, but expanded the temporary modification to include an acute zinc standard of 754 ug/L, with the same expiration date. Resurrection Mining Company provided data predicting a compliance issue associated with its permitted discharge on segment 8b and there is still uncertainty as to the appropriate acute and chronic standard for segment 8b. The acute value is equal to the 95<sup>th</sup> percentile of the same data set presented to calculate the chronic temporary modification in the 2013 Basin Hearing. It is understood that Resurrection Mining Company will collect and evaluate additional data during the temporary modification period to better define the uses and appropriate acute and chronic water quality standards for segment 8b.

#### PARTIES TO THE RULEMAKING HEARING

1. City of Delta
2. Resurrection Mining Company
3. U.S. Energy Corp.
4. City of Pueblo
5. Peabody Sage Creek Mining and Seneca Coal Company
6. Climax Molybdenum Company
7. Rio Grande Silver
8. City of Colorado Springs and Colorado Springs Utilities
9. Tri-State Generation and Transmission Association, Inc.
10. High Country Conservation Advocates
11. U.S. Environmental Protection Agency
12. Colorado Parks and Wildlife
13. Town of Crested Butte and Coal Creek Watershed Coalition
14. Public Service Company of Colorado

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-32**

**REGULATION NO. 32  
CLASSIFICATIONS AND NUMERIC STANDARDS  
FOR  
ARKANSAS RIVER BASIN**

**APPENDIX 32-1  
Stream Classifications and Water Quality Standards Tables**

Effective 06/30/2016

# Upper Arkansas River Basin

8b. Mainstem of Iowa Gulch from a point immediately below the ASARCO water supply intake to a point immediately below the headgate of the Paddock #1 Ditch (Iowa Ditch).							
COARUA08B	Classifications		Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute		chronic
UP	Aq Life Cold 2		Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E		acute	chronic		Arsenic	340
Qualifiers:			D.O. (mg/L)	---	6.0	Beryllium	---
Other:			D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Temporary Modification(s):			pH	6.5 - 9.0	---	Chromium III	TVS
Cadmium(chronic) = 1.6			chlorophyll a (mg/m²)	---	150	Chromium III	---
temperature(DM) = No acute standard			E. Coli (per 100 mL)	---	126	Chromium VI	TVS
11/1 - 3/31						Copper	TVS
temperature(MWAT) = 14						Iron	---
11/1 - 3/31			Inorganic (mg/L)			Lead	TVS
Zinc(chronic) = 505			acute	chronic		Manganese	TVS
Zinc(acute) = 754			Ammonia	TVS	TVS	Mercury	---
Expiration Date of 12/31/2017			Boron	---	0.75	Molybdenum	---
			Chloride	---	---	Nickel	TVS
			Chlorine	0.019	0.011	Selenium	TVS
			Cyanide	---	---	Silver	TVS
			Nitrate	100	---	Uranium	---
			Nitrite	---	0.05	Zinc	TVS
			Phosphorus	---	0.11		TVS
			Sulfate	---	---		
			Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle Arkansas River Basin

6b. Mainstem of the Saint Charles River from the confluence with Edson Arroyo to the confluence with the Arkansas River.							
COARMA06B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT				
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	
Other:  Temporary Modification(s): temperature(DM/MWAT) = "current conditions"  Expiration Date of 6/30/2017  *Selenium(acute) = See selenium assessment location at 32.6(4). *Selenium(chronic) = See selenium assessment location at 32.6(4).		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)	
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)			Copper	TVS	TVS
			acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	---	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	160(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	---	Selenium	173*	50*
		Sulfate	---	WS	Silver	TVS	TVS
		Sulfide	---	0.002	Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

## Lower Arkansas River Basin

1a. Mainstem of the Arkansas River from a point immediately above the confluence with Fountain Creek to immediately above the Colorado Canal headgate near Avondale.									
COARLA01A	Classifications	Physical and Biological				Metals (ug/L)			
Designation	Agriculture	DM		MWAT	acute		chronic		
UP	Aq Life Warm 2	Temperature °C	1/1 - 11/30	WS-II	WS-II	Aluminum	---	---	
	Recreation E	Temperature °C	12/1 - 12/31	21.5	20.7	Arsenic	340	0.02-10(T) <sup>A</sup>	
	Water Supply					Beryllium	---	---	
Qualifiers:		acute		chronic	Cadmium	TVS	TVS		
Other:  Temporary Modification(s): Selenium(ac/ch) = existing quality Sulfate(chronic) = existing quality Expiration Date of 12/31/2018		D.O. (mg/L)		---	5.0	Chromium III	50(T)	TVS	
		pH		6.5 - 9.0		---	Chromium VI	TVS	TVS
		chlorophyll a (mg/m³)		---		---	Copper	TVS	TVS
		E. Coli (per 100 mL)		---		126	Iron	---	WS
		Inorganic (mg/L)				Iron	---	2800(T)	
		acute		chronic	Lead	TVS	TVS		
		Ammonia		TVS	TVS	Manganese	TVS	TVS	
		Boron		---	0.75	Manganese	---	WS	
		Chloride		---	250	Mercury	---	0.01(t)	
		Chlorine		0.019	0.011	Molybdenum	---	160(T)	
		Cyanide		0.005	---	Nickel	TVS	TVS	
		Nitrate		10	---	Selenium	19.1	14.1	
		Nitrite		---	0.5	Silver	TVS	TVS	
		Phosphorus		---	---	Uranium	---	---	
		Sulfate		---	329	Zinc	TVS	TVS	
		Sulfide		---	0.002				
		1b. Mainstem of the Arkansas River from the Colorado Canal headgate to the inlet to John Martin Reservoir.							
COARLA01B	Classifications	Physical and Biological				Metals (ug/L)			
Designation	Aq Life Warm 2	DM		MWAT	acute		chronic		
UP	Agriculture	Temperature °C	WS-II	WS-II	Aluminum	---	---		
	Recreation E	acute		chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)		---	5.0	Beryllium	---	---	
Qualifiers:		pH		6.5 - 9.0	---	Cadmium	TVS	TVS	
Water + Fish Standards Apply		chlorophyll a (mg/m³)		---	---	Chromium III	50(T)	TVS	
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021 Selenium(chronic) = "current conditions" Expiration Date of 6/30/2016		E. Coli (per 100 mL)		---	126	Chromium VI	TVS	TVS	
		Inorganic (mg/L)				Copper	TVS	TVS	
		acute		chronic	Iron	---	WS		
		Ammonia		TVS	TVS	Iron	---	1950(T)	
		Boron		---	0.75	Lead	TVS	TVS	
		Chloride		---	250	Manganese	TVS	TVS	
		Chlorine		0.019	0.011	Manganese	---	WS	
		Cyanide		0.005	---	Mercury	---	0.01(t)	
		Nitrate		10	---	Molybdenum	---	160(T)	
		Nitrite		---	0.5	Nickel	TVS	TVS	
		Phosphorus		---	---	Selenium	TVS	TVS	
		Sulfate		---	902	Silver	TVS	TVS	
		Sulfide		---	0.002	Uranium	---	---	
						Zinc	TVS	TVS	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

3a. Mainstem of the Apishapa River, including all tributaries and wetlands, from the source to I-25, except for specific listings in Middle Arkansas segment 1 and Lower Arkansas segments 3b and 3c.					
COARLA03A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS
Expiration Date of 12/31/2021		Inorganic (mg/L)		Iron	---
		acute		Iron	1000(T)
		chronic		Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		
3b. Mainstem of West Torino Canyon Creek, North Fork, Middle Fork and mainstem of Trujillo Creek, Mitotes Canyon Creek, Luis Canyon Creek, Wheeler Canyon Creek, Mauricio Canyon Creek, Daisy Canyon Creek, Adobe Canyon Creek, Gonzales Canyon Creek, Frio Canyon Creek, Borrego Canyon Creek, Munoz Canyon Creek, William Canyon Creek and Castro Canyon Creek, including all tributaries, from their sources to their confluences with the Apishapa River, except for the specific listings in Middle Arkansas segment 1.					
COARLA03B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	Cadmium	5.0(T)
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	50(T)
		E. Coli (per 100 mL)	630	Chromium VI	50(T)
		Inorganic (mg/L)		Copper	200(T)
		acute		Iron	---
		chronic		Lead	50(T)
		Ammonia	0.5	Manganese	---
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	2.0(T)
		Chlorine	---	Mercury	---
		Cyanide	0.2	Molybdenum	160(T)
		Nitrate	10	Nickel	100(T)
		Nitrite	1.0	Selenium	20(T)
		Phosphorus	0.17	Silver	100(T)
		Sulfate	WS	Uranium	---
		Sulfide	0.05	Zinc	2000(T)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

4b. Mainstem of Lorencito Canyon, from the source to the confluence with the Purgatoire River.						
COARLA04B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:	pH	6.5 - 9.0	---	Cadmium	TVS	TVS
	chlorophyll a (mg/m²)	---	150	Chromium III	TVS	100(T)
	E. Coli (per 100 mL)	---	126	Chromium III	---	TVS
	Inorganic (mg/L)			Chromium VI	TVS	TVS
	acute	chronic	Copper	TVS	TVS	
	Ammonia	TVS	TVS	Iron	---	1000(T)
	Boron	---	4.0	Lead	TVS	TVS
	Chloride	---	---	Manganese	TVS	TVS
	Chlorine	0.019	0.011	Mercury	---	0.01(t)
	Cyanide	0.005	---	Molybdenum	---	160(T)
	Nitrate	100	---	Nickel	TVS	TVS
	Nitrite	---	0.5	Selenium	TVS	TVS
	Phosphorus	---	0.17	Silver	TVS	TVS
	Sulfate	---	---	Uranium	---	---
	Sulfide	---	0.002	Zinc	TVS	TVS
	5b.Mainstem of the North Fork of the Purgatoire River, including all tributaries and wetlands, from a point immediately below the confluence with Guajatoyah Creek to the confluence with the Purgatoire River. Mainstem of the Middle Fork of the Purgatoire River from the Bar Ni Ranch Road at Stonewall Gap to the confluence with the North Fork of the Purgatoire River. Mainstem of the South Fork of the Purgatoire River from Tercio to the confluence with the Purgatoire River. Mainstem of the Purgatoire River to Trinidad Lake. Mainstem of Long Canyon Creek from the source to Trinidad Reservoir.					
COARLA05B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:	pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
	chlorophyll a (mg/m²)	---	150*	Chromium VI	TVS	TVS
	E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
	Inorganic (mg/L)			Iron	---	WS
	acute	chronic	Iron	---	1000(T)	
	Ammonia	TVS	TVS	Lead	TVS	TVS
	Boron	---	4.0	Manganese	TVS	TVS
	Chloride	---	250	Manganese	---	WS
	Chlorine	0.019	0.011	Mercury	---	0.01(t)
	Cyanide	0.005	---	Molybdenum	---	160(T)
	Nitrate	10	---	Nickel	TVS	TVS
	Nitrite	---	0.05	Selenium	TVS	TVS
	Phosphorus	---	0.11*	Silver	TVS	TVS(tr)
	Sulfate	---	WS	Uranium	---	---
	Sulfide	---	0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

5c. Purgatoire mainstem from Trinidad Lake outlet works to I-25. Mainstem of Raton Creek from the source to the confluence of Purgatoire River.							
COARLA05C	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 32.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).		pH	6.5 - 9.0	---	Chromium III	50(T)	
		chlorophyll a (mg/m²)	---	150*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	2.0	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			
		6a.All tributaries to the Purgatoire River, including all wetlands, from the source to Interstate 25, except for specific listings in segments 4b, 5a, 5b, 5c and 6b.					
COARLA06A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	---	100(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	
Other:  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 32.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).		D.O. (spawning)	---	7.0	Cadmium	---	
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m²)	---	150*	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	---	100(T)
					Copper	---	200(T)
		Inorganic (mg/L)			Iron	---	---
		acute	chronic	Lead	---	100(T)	
		Ammonia	---	---	Manganese	---	---
		Boron	---	4.0	Mercury	---	---
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	---	---	Nickel	---	200(T)
		Cyanide	0.2	---	Selenium	---	20(T)
		Nitrate	100	---	Silver	---	---
		Nitrite	---	10	Uranium	---	---
		Phosphorus	---	0.11*	Zinc	---	2000(T)
		Sulfate	---	---			
		Sulfide	---	---			

6a.All tributaries to the Purgatoire River, including all wetlands, from the source to Interstate 25, except for specific listings in segments 4b, 5a, 5b, 5c and 6b.							
COARLA06A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT	acute	chronic	
UP	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation E		acute	chronic	Arsenic	100(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	100(T)	
<div>Other:</div> <div>*chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 32.5(4).</div> <div>*Phosphorus(chronic) = applies only above the facilities listed at 32.5(4).</div>		D.O. (spawning)	---	7.0	Cadmium	10(T)	
		pH	6.5 - 9.0	---	Chromium III	TVS	
		chlorophyll a (mg/m²)	---	150*	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	---	100(T)
					Copper	---	200(T)
		Inorganic (mg/L)			Iron	---	---
			acute	chronic	Lead	---	100(T)
		Ammonia	---	---	Manganese	---	---
		Boron	---	4.0	Mercury	---	---
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	---	---	Nickel	---	200(T)
		Cyanide	0.2	---	Selenium	---	20(T)
		Nitrate	100	---	Silver	---	---
		Nitrite	---	10	Uranium	---	---
		Phosphorus	---	0.11*	Zinc	---	2000(T)
		Sulfate	---	---			
		Sulfide	---	---			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

6b.Wet Canyon and all tributaries, including wetlands, from the source to the confluence with the Purgatoire River.							
COARLA06B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	---	0.02-10(T) <sup>A</sup>	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	4.0(T)
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	5.0(T)	---
Other:	pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
	chlorophyll a (mg/m²)	---	150	Chromium VI	50(T)	100(T)	
	E. Coli (per 100 mL)	---	126	Copper	---	200(T)	
				Iron	---	WS	
	Inorganic (mg/L)			Lead	50(T)	100(T)	
	acute	chronic	Manganese	---	WS		
	Ammonia	---	---	Mercury	2.0(t)	---	
	Boron	---	2.0	Molybdenum	---	160(T)	
	Chloride	---	250	Nickel	---	100(T)	
	Chlorine	---	---	Selenium	---	20(T)	
	Cyanide	0.2	---	Silver	100(T)	---	
	Nitrate	10	---	Uranium	---	---	
	Nitrite	---	1.0	Zinc	---	2000(T)	
	Phosphorus	---	0.11				
	Sulfate	---	WS				
	Sulfide	---	0.05				
	15. All lakes and reservoirs tributary to the mainstem of the North Fork of the Purgatoire River from the source to a point immediately below the confluence with Guajatoyah Creek. All lakes and reservoirs tributary to the Middle Fork of the Purgatoire River from the source to the USGS gage at Stonewall mainstem of the South Fork of the Purgatoire River, from the source to Tercio. Monument Lake, North Lake, Trinidad Lake, Long Canyon Reservoir and Lake Dorothy.						
COARLA15	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	
	DUWS*	Temperature °C	CLL*	CLL *	Arsenic	340	0.02(T)
	Recreation E				Beryllium	---	---
	Water Supply	acute	chronic	Cadmium	TVS(tr)	TVS	
Qualifiers:		D.O. (mg/L)	---	6.0	Chromium III	50(T)	TVS
Other:	D.O. (spawning)	---	7.0	Chromium VI	TVS	TVS	
	pH	6.5 - 9.0	---	Copper	TVS	TVS	
	chlorophyll a (ug/L)	---	8*	Iron	---	WS	
	E. Coli (per 100 mL)	---	126	Iron	---	1000(T)	
				Lead	TVS	TVS	
	Inorganic (mg/L)			Manganese	TVS	TVS	
	acute	chronic	Manganese	---	WS		
	Ammonia	TVS	TVS	Mercury	---	0.01(t)	
	Boron	---	0.75	Molybdenum	---	160(T)	
	Chloride	---	250	Nickel	TVS	TVS	
	Chlorine	0.019	0.011	Selenium	TVS	TVS	
	Cyanide	0.005	---	Silver	TVS	TVS(tr)	
	Nitrate	10	---	Uranium	---	---	
	Nitrite	---	0.05	Zinc	TVS	TVS	
	Phosphorus	---	0.025*				
	Sulfate	---	WS				
	Sulfide	---	0.002				
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Classification: DUWS Applies only to Monument Lake and North Lake *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Temperature = Trinidad Reservoir (CLL)							

15. All lakes and reservoirs tributary to the mainstem of the North Fork of the Purgatoire River from the source to a point immediately below the confluence with Guajatomay Creek. All lakes and reservoirs tributary to the Middle Fork of the Purgatoire River from the source to the USGS gage at Stonewall mainstem of the South Fork of the Purgatoire River, from the source to Tercio. Monument Lake, North Lake, Trinidad Lake, Long Canyon Reservoir and Lake Dorothy.

COARLA15	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture			DM	MWAT			
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	---	
	DUWS*	Temperature °C	CLL*	CLL *	Arsenic	340	0.02(T)	
	Recreation E				Beryllium	---	---	
	Water Supply			acute	chronic	Cadmium	TVS(tr)	TVS
Qualifiers:		D.O. (mg/L)	---	6.0	Chromium III	50(T)	TVS	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Classification: DUWS Applies only to Monument Lake and North Lake *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Temperature = Trinidad Reservoir (CLL)		D.O. (spawning)	---	7.0	Chromium VI	TVS	TVS	
		pH	6.5 - 9.0	---	Copper	TVS	TVS	
		chlorophyll a (ug/L)	---	8*	Iron	---	WS	
		E. Coli (per 100 mL)	---	126	Iron	---	1000(T)	
					Lead	TVS	TVS	
		Inorganic (mg/L)			Manganese	TVS	TVS	
				acute	chronic	Manganese	---	WS
		Ammonia	TVS	TVS	Mercury	---	0.01(t)	
		Boron	---	0.75	Molybdenum	---	160(T)	
		Chloride	---	250	Nickel	TVS	TVS	
		Chlorine	0.019	0.011	Selenium	TVS	TVS	
		Cyanide	0.005	---	Silver	TVS	TVS(tr)	
		Nitrate	10	---	Uranium	---	---	
		Nitrite	---	0.05	Zinc	TVS	TVS	
		Phosphorus	---	0.025*				
		Sulfate	---	WS				
Sulfide	---	0.002						

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #32 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Arkansas River Basin

16. All lakes and reservoirs tributary to the Purgatoire River from the source to I-25, except for the specific listings in segment 15 and 17.							
COARLA16	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Cold 2	Temperature °C	CL	CL	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	---	100(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		D.O. (spawning)	---	7.0	Cadmium	---	
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (ug/L)	---	8*	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	---	100(T)
					Copper	---	200(T)
		Inorganic (mg/L)			Iron	---	---
		acute			chronic	Lead	---
		Ammonia	---	---	Manganese	---	---
		Boron	---	0.75	Mercury	---	---
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	---	---	Nickel	---	200(T)
		Cyanide	0.2	---	Selenium	---	20(T)
		Nitrate	100	---	Silver	---	---
		Nitrite	---	10	Uranium	---	---
		Phosphorus	---	0.025*	Zinc	---	2000(T)
Sulfate	---	---					
Sulfide	---	---					

17. All lakes and reservoirs tributary to Wet Canyon, from the source to the confluence with the Purgatoire River.							
COARLA17	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Cold 2	Temperature °C	CL	CL	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	---	0.02-10(T) A	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	5.0(T)	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Chromium III	50(T)	
		chlorophyll a (ug/L)	---	8*	Chromium VI	50(T)	100(T)
		E. Coli (per 100 mL)	---	126	Copper	---	200(T)
					Iron	---	WS
		Inorganic (mg/L)			Lead	50(T)	100(T)
		acute			chronic	Manganese	---
		Ammonia	---	---	Mercury	2.0(t)	---
		Boron	---	0.75	Molybdenum	---	160(T)
		Chloride	---	250	Nickel	---	100(T)
		Chlorine	---	---	Selenium	---	20(T)
		Cyanide	0.2	---	Silver	---	100(T)
		Nitrate	10	---	Uranium	---	---
		Nitrite	---	0.05	Zinc	---	2000(T)
		Phosphorus	---	0.025*			
		Sulfate	---	WS			
Sulfide	---	0.05					

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 32.6 for details on TVS, TVS(tr), WS, temperature standards.

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00515

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

**Water Quality Control Commission (1002 Series)**

**on 01/11/2016**

**5 CCR 1002-32**

**REGULATION NO. 32 - CLASSIFICATIONS AND NUMERIC STANDARDS FOR ARKANSAS  
RIVER BASIN**

The above-referenced rules were submitted to this office on 01/12/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 28, 2016 14:04:04

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Public Health and Environment

### **Agency**

Water Quality Control Commission (1002 Series)

### **CCR number**

5 CCR 1002-33

### **Rule title**

5 CCR 1002-33 REGULATION NO. 33 - CLASSIFICATIONS AND NUMERIC  
STANDARDS FOR UPPER COLORADO RIVER BASIN AND NORTH PLATTE RIVER  
(PLANNING REGION 12) 1 - eff 03/01/2016

### **Effective date**

03/01/2016

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**  
**WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-33**

**REGULATION NO. 33**  
**CLASSIFICATIONS AND NUMERIC STANDARDS**  
**FOR**  
**UPPER COLORADO RIVER BASIN AND**  
**NORTH PLATTE RIVER (PLANNING REGION 12)**

**33.1    AUTHORITY**

These regulations are promulgated pursuant to section 25-8-101 et seq. C.R.S., as amended, and in particular, 25-8-203 and 25-8-204.

**33.2    PURPOSE**

These regulations establish classifications and numeric standards for the Colorado River, the Yampa River, and the North Platte River, including all tributaries and standing bodies of water as indicated in section 33.6. The classifications identify the actual beneficial uses of the water. The numeric standards are assigned to determine the allowable concentrations of various parameters. Discharge permits will be issued by the Water Quality Control Division to comply with basic, narrative, and numeric standards and control regulations so that all discharges to waters of the state protect the classified uses. (See section 31.14). It is intended that these and all other stream classifications and numeric standards be used in conjunction with and be an integral part of Regulation No. 31 Basic Standards and Methodologies for Surface Water.

**33.3    INTRODUCTION**

These regulations and tables present the classifications and numeric standards assigned to stream segments listed in the attached tables (See section 33.6). As additional stream segments are classified and numeric standards for designated parameters are assigned for this drainage system, they will be added to or replace the numeric standards in the tables in section 33.6. Any additions or revisions of classifications or numeric standards can be accomplished only after public hearing by the Commission and proper consideration of evidence and testimony as specified by the statute and the Basic Standards and Methodologies for Surface Water.

**33.4    DEFINITIONS**

See the Colorado Water Quality Control Act and the codified water quality regulations for definitions.

**33.5    BASIC STANDARDS**

**(1)    TEMPERATURE**

All waters of Region 12 are subject to the following standard for temperature. (Discharges regulated by permits, which are within the permit limitations, shall not be subject to enforcement proceedings under this standard). Temperature shall maintain a normal pattern of diurnal and seasonal fluctuations with no abrupt changes and shall have no increase in temperature of a magnitude, rate, and duration deemed deleterious to the resident aquatic life. This standard shall not be interpreted or applied in a manner inconsistent with section 25-8-104, C.R.S.

(2) QUALIFIERS

See Basic Standards and Methodologies for Surface Water for a listing of organic standards at 31.11 and metal standards found at 31.16 Table III. The column in the tables headed "Water Fish" are presumptively applied to all Aquatic Life class 1 streams and are applied to Aquatic Life class 2 streams on a case-by-case basis as shown in the tables in 33.6. The column in the tables at 31.11 headed "Fish Ingestion" is presumptively applied to all Aquatic Life class 1 streams which do not have a water supply classification, and are applied to Aquatic Life class 2 streams which do not have a water supply classification, on a case-by-case basis as shown in Tables 33.6.

(3) URANIUM

- (a) All waters of the Upper Colorado River Basin, are subject to the following basic standard for uranium, unless otherwise specified by a water quality standard applicable to a particular segment. However, discharges of uranium regulated by permits which are within these permit limitations shall not be a basis for enforcement proceedings under this basic standard.
- (b) Uranium level in surface waters shall be maintained at the lowest practicable level.
- (c) In no case shall uranium levels in waters assigned a water supply classification be increased by any cause attributable to municipal, industrial, or agricultural discharges so as to exceed 16.8-30 ug/l or naturally-occurring concentrations (as determined by the State of Colorado), whichever is greater.
  - (i) The first number in the 16.8-30 ug/l range is a strictly health-based value, based on the Commission's established methodology for human health-based standards. The second number in the range is a maximum contaminant level, established under the federal Safe Drinking Water Act that has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range. Water bodies will be considered in attainment of this standard, and not included on the Section 303(d) List, so long as the existing ambient quality does not exceed the second number in the range.

(4) NUTRIENTS

Prior to May 31, 2022, interim nutrient values will be considered for adoption only in the limited circumstances defined at 31.17(e). These circumstances include headwaters, Direct Use Water Supply (DUWS) Lakes and Reservoirs, and other special circumstances determined by the Commission. Additionally, prior to May 31, 2017, only total phosphorus and chlorophyll a will be considered for adoption. After May 31, 2017, total nitrogen will be considered for adoption per the circumstances outlined in 31.17(e).

Prior to May 31, 2022, nutrient criteria will be adopted for headwaters on a segment by segment basis for the Upper Colorado and North Platte River Basins. Moreover, pursuant to 31.17(e) nutrient standards will only be adopted for waters upstream of all permitted domestic wastewater treatment facilities discharging prior to May 31, 2012 or with preliminary effluent limits requested prior to May 31, 2012, and any non-domestic facilities subject to Regulation 85 effluent limits and discharging prior to May 31, 2012. The following is a list of all permitted domestic wastewater treatment facilities discharging prior to May 31, 2012 or with preliminary effluent limits requested



prior to May 31, 2012, and any non-domestic facilities subject to Regulation 85 effluent limits and discharging prior to May 31, 2012 in the Upper Colorado and North Platte River Basins:

Segment	Permittee	Facility name	Permit No.
COUCUC03	Colorado Dept of Transportation	Grizzly Creek Res Area WWTF	COG588067
COUCUC03	Rock Gardens MHP	Rock Gardens MHP & Campground	COG588083
COUCUC03	Colorado Dept of Transportation	Hanging Lake Res Area WWTF	COG588076
COUCUC03	Colorado Dept of Transportation	Bair Ranch Rest Area	COG588075
COUCUC03	Hermes Group	Two Rivers Village Metro Dist WWTF	COG588070
COUCUC03	Roundup River Ranch	Roundup River Ranch WWTF	COG588116
COUCUC03	Hot Sulphur Springs Town of	Hot Sulphur Springs WWTF	COG588084
COUCUC03	Allegient Management	Ouray Ranch Homeowners Assn WWTF	COG588041
COUCUC06a	C Lazy U Ranch Holdings LLC % Triton Investment Co	C Lazy U Ranch, INC.	COG588072
COUCUC06b	Three Lakes Water and Sanitation District	Willow Creek Lagoons	CO0037681
COUCUC07b	Kremmling Sanitation District	Kremmling Sanitation Dist WWTF	CO0048437
COUCUC10a	Winter Park Water and Sanitation District	Winter Park WSD WWTF	CO0026051
COUCUC10a	Young Life Campaign Inc	Crooked Creek Ranch	CO0045411
COUCUC10a	Colorado Mountain Resort Investors LLC	Devil's Thumb Ranch	CO0046566
COUCUC10a	Tabernash Meadows WSD	Tabernash Meadows WSD WWTF	CO0045501
COUCUC10c	Fraser Town of	Upper Fraser Valley TP	CO0040142
COUCUC10c	Granby Sanitation District	Granby Sanitation District	CO0020699
COUCBL02a	Upper Blue Sanitation Dist	Iowa Hill Water Reclamation	CO0045420
COUCBL08	Dundee Realty USA LLC	Arapahoe Basin Ski Area	CO0023876
COUCBL13	Copper Mountain Consolidated Metro Dist	Copper Mtn Cons Metro District	CO0021598
COUCBL17	Silverthorne/Dillon Joint Sewer Authority	Blue River WWTF	CO0020826
COUCBL22	Frisco Sanitation District	Frisco Sanitation District WWTF	CO0020451
COUCBL22	Snake River WWTF	Summit County Snake River WWTP	CO0029955
COUCBL22	Upper Blue Sanitation District	Farmers Korner WWTF	CO0021539
COUCEA02	Red Cliff Town of	Red Cliff Town of WWTP	CO0021385
COUCEA08	Eagle River WSD	Vail WWTF	CO0021369
COUCEA09a	Eagle River Water & Sanitation Dist	Avon WWTP	CO0024431
COUCEA09a	Eagle River Water & San Dist	Edwards WWTF	CO0037311
COUCEA09b	Eagle Town of	Eagle Town of WWTP	CO0048241
COUCEA09b	Gypsum Town of	Gypsum Town of WWTF	CO0048830
COUCRF03a	Aspen Consolidated Sanitation District	Aspen Consolidated San District	CO0026387
COUCRF03a	Woody Creek Mobile HOA	Woody Creek Mobile Home Park	COG588103
COUCRF03a	Aspen Village Inc c/o Independence Environmental Services	Aspen Village, INC.	COG588085
COUCRF03a	Riversbend HOA	Riverbend Apartments	COG588066
COUCRF03a	Independence Environmental Services	Lazy Glen Homeowners Assoc.	COG588049
COUCRF03a	Basalt SD	Basalt Sanitation District	COG588063
COUCRF03a	Ranch at Roaring Fork c/o	Ranch at Roaring Fork HOA	COG588051

Segment	Permittee	Facility name	Permit No.
	Independence Environmental Services		
COUCRF03a	Carbondale Town of	Carbondale Town of	COG588050
COUCRF03a	Roaring Fork Water and San District	Roaring Fork WSD WWTF	CO0044750
COUCRF03a	Spring Valley SD	Spring Valley SD WWTF	CO0046124
COUCRF03a	Oak Meadows Service Company	Oak Meadows WWTF	CO0045802
COUCRF03c	Sunlight Inc	Sunlight, INC.	CO0038598
COUCRF03c	Mid Valley Metro District	Mid Valley Metro Dist WWTF	COG588105
COUCRF03c	Blue Creek Ranch LLC	Blue Creek Ranch	COG588074
COUCRF03c	H Lazy F LLC	H Lazy F MHP WWTF	COG588035
COUCRF03c	El Rocko Mobile Home Park	El Rocko MHP	COG588029
COUCRF04	Snowmass WSD	Snowmass WSD	CO0023086
COUCRF08	Sopris Engineering LLC	Redstone Castle WWTF	COG588115
COUCRF08	Redstone WSD	Redstone WSD WWTF	CO0046370
COUCNP05b	Walden Town of	Walden Town of WWTF	CO0020788
COUCYA02a	Yampa Town of	Yampa WWTF	CO0030635
COUCYA02a	Routt County	Milner Community WWTF	CO0047449
COUCYA02c	Hayden Town of	Hayden Town WWTF	CO0040959
COUCYA02c	Steamboat Springs City of	Steamboat Springs, City of	CO0020834
COUCYA03	Whiteman School	Whiteman School	CO0031062
COUCYA04	Routt County Phippsburg/Dept of Envir Hlth	Routt CO for Phippsburg Comm WWTF	COG589026
COUCYA07	Oak Creek Town of	Oak Creek, Town of	CO0041106
COUCYA022	Morrison Creek Metropolitan Water and Sanitation District	Morrison Creek Metro WWTF	CO0022969
COUCYA022	Steamboat Lake Water and Sanitation Dist	Steamboat Lake Water & Sanitation Dist WWTF	CO0035556

Prior to May 31, 2022:

- For segments located entirely above these facilities, nutrient standards apply to the entire segment.
- For segments with portions downstream of these facilities, *nutrient standards only apply above these facilities*. A footnote was added to the total phosphorus and chlorophyll a standards in these segments. The footnote references the table of qualified facilities at 33.5(4).
- For segments located entirely below these facilities, nutrient standards do not apply.

A footnote was added to the total phosphorus and chlorophyll a standards in lakes segments as nutrients standards apply only to lakes and reservoirs larger than 25 acres surface area.

### 33.6 TABLES

#### (1) Introduction

The numeric standards for various parameters in this regulation and in the tables in Appendix 33-1 were assigned by the Commission after a careful analysis of the data presented on actual stream conditions and on actual and potential water uses.

Numeric standards are not assigned for all parameters listed in the tables attached to 31.16. If additional numeric standards are found to be needed during future periodic reviews, they can be assigned by following the proper hearing procedures.

(2) Abbreviations:

(a) The following abbreviations are used in this regulation and in the tables in Appendix 33-1:

°C	=	degrees celsius
CL	=	cold lake temperature tier
CLL	=	cold large lake temperature tier
CS-I	=	cold stream temperature tier one
CS-II	=	cold stream temperature tier two
DM	=	daily maximum
DUWS	=	direct use water supply
D.O.	=	dissolved oxygen
mg/l	=	milligrams per liter
MWAT	=	maximum weekly average temperature
OW	=	outstanding waters
sc	=	sculpin
sp	=	spawning
SSE	=	site-specific equation
T	=	total recoverable
t	=	total
tr	=	trout
TVS	=	table value standard
ug/l	=	micrograms per liter
UP	=	use-protected
WAT	=	weekly average temperature
WL	=	warm lake temperature tier
WS	=	water supply
WS-I	=	warm stream temperature tier one
WS-II	=	warm stream temperature tier two
WS-III	=	warm stream temperature tier three
WS-IV	=	warm stream temperature tier four

(b) In addition, the following abbreviations were used:

Fe(ch)	=	WS
Mn(ch)	=	WS
SO <sub>4</sub>	=	WS

These abbreviations mean: For all surface waters with an actual Water Supply use, the less restrictive of the following two options shall apply as numerical standards, as specified in the Basic Standards and Methodologies at 31.16 Table II and III:

(i) existing quality as of January 1, 2000; or

(ii)	Iron	=	300 µg/l (dissolved)
	Manganese	=	50 µg/l (dissolved)
	SO <sub>4</sub>	=	250 mg/l

For all surface waters with a “water supply” classification that are not in actual use as a water supply, no water supply standards are applied for iron, manganese or sulfate, unless the Commission determines as the result of a site-specific rulemaking hearing that such standards are appropriate.

(c) Temporary Modification for Water + Fish Chronic Arsenic Standard

- (i) The temporary modification for chronic arsenic standards applied to segments with an arsenic standard of 0.02 ug/l that has been set to protect the Water+Fish qualifier is listed in the temporary modification and qualifiers column as As(ch)=hybrid.
- (ii) For discharges existing on or before 6/1/2013, the temporary modification is: As(ch)=current condition, expiring on 12/31/2021.
- (iii) For new or increased discharges commencing on or after 6/1/2013, the temporary modification is: As(ch)=0.02-3.0 ug/l (Trec), expiring on 12/31/2021.
  - (a) The first number in the range is the health-based water quality standard previously adopted by the Commission for the segment.
  - (b) The second number in the range is a technology based value established by the Commission for the purpose of this temporary modification.
  - (c) Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an “end-of-pipe” discharge level more restrictive than the second number in the range.

(3) Table Value Standards

In certain instances in the tables in Appendix 33-1, the designation "TVS" is used to indicate that for a particular parameter a "table value standard" has been adopted. This designation refers to numerical criteria set forth in the Basic Standards and Methodologies for Surface Water. The criteria for which the TVS are applicable are on the following table.

**TABLE VALUE STANDARDS**  
(Concentrations in ug/l unless noted)

PARAMETER <sup>(1)</sup>	TABLE VALUE STANDARDS <sup>(2)(3)</sup>
Aluminum (Trec)	Acute = $e^{(1.3695[\ln(\text{hardness})]+1.8308)}$ pH equal to or greater than 7.0 Chronic = $e^{(1.3695[\ln(\text{hardness})]-0.1158)}$ pH less than 7.0 Chronic = $e^{(1.3695[\ln(\text{hardness})]-0.1158)}$ or 87, whichever is more stringent
Ammonia <sup>(4)</sup>	Cold Water = (mg/l as N)Total $acute = \frac{0.275}{1 + 10^{7.204 - pH}} + \frac{39.0}{1 + 10^{pH - 7.204}}$ $chronic = \left[ \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right] * MIN(2.85, 1.45 * 10^{0.028(25 - T)})$

	<p>Warm Water = (mg/l as N)Total</p> $acute = \frac{0.411}{1 + 10^{7.204 - pH}} + \frac{58.4}{1 + 10^{pH - 7.204}}$ $chronic \text{ (Apr 1 - Aug 31)} = \left[ \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right] * MIN \left( 2.85, 1.45 * 10^{0.028(25 - T)} \right)$ $chronic \text{ (Sep 1 - Mar 31)} = \left[ \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right] * 1.45 * 10^{0.028 * (25 - MAX(T, 7))}$					
Cadmium	<p>Acute = <math>(1.136672 - [\ln(\text{hardness}) \times (0.041838)]) \times e^{0.9151[\ln(\text{hardness})] - 3.1485}</math></p> <p>Acute(Trout) = <math>(1.136672 - [\ln(\text{hardness}) \times (0.041838)]) \times e^{0.9151[\ln(\text{hardness})] - 3.6236}</math></p> <p>Chronic = <math>(1.101672 - [\ln(\text{hardness}) \times (0.041838)]) \times e^{0.7998[\ln(\text{hardness})] - 4.4451}</math></p>					
Chromium III <sup>(5)</sup>	<p>Acute = <math>e^{(0.819[\ln(\text{hardness})] + 2.5736)}</math></p> <p>Chronic = <math>e^{(0.819[\ln(\text{hardness})] + 0.5340)}</math></p>					
Chromium VI <sup>(5)</sup>	<p>Acute = 16</p> <p>Chronic = 11</p>					
Copper	<p>Acute = <math>e^{(0.9422[\ln(\text{hardness})] - 1.7408)}</math></p> <p>Chronic = <math>e^{(0.8545[\ln(\text{hardness})] - 1.7428)}</math></p>					
Lead	<p>Acute = <math>(1.46203 - [(\ln \text{ hardness}) * (0.145712)]) * e^{(1.273[\ln(\text{hardness})] - 1.46)}</math></p> <p>Chronic = <math>(1.46203 - [(\ln \text{ hardness}) * (0.145712)]) * e^{(1.273[\ln(\text{hardness})] - 4.705)}</math></p>					
Manganese	<p>Acute = <math>e^{(0.3331[\ln(\text{hardness})] + 6.4676)}</math></p> <p>Chronic = <math>e^{(0.3331[\ln(\text{hardness})] + 5.8743)}</math></p>					
Nickel	<p>Acute = <math>e^{(0.846[\ln(\text{hardness})] + 2.253)}</math></p> <p>Chronic = <math>e^{(0.846[\ln(\text{hardness})] + 0.0554)}</math></p>					
Selenium <sup>(6)</sup>	<p>Acute = 18.4</p> <p>Chronic = 4.6</p>					
Silver	<p>Acute = <math>1/2e^{(1.72[\ln(\text{hardness})] - 6.52)}</math></p> <p>Chronic = <math>e^{(1.72[\ln(\text{hardness})] - 9.06)}</math></p> <p>Chronic(Trout) = <math>e^{(1.72[\ln(\text{hardness})] - 10.51)}</math></p>					
Temperature	TEMPERATURE TIER	TIER CODE	SPECIES EXPECTED TO BE PRESENT	APPLICABLE MONTHS	TEMPERATURE STANDARD (°C)	
					(MWAT)	(DM)
	Cold Stream Tier I	CS-I	brook trout, cutthroat trout	June – Sept.	17.0	21.7
				Oct. – May	9.0	13.0
	Cold Stream Tier II	CS-II	all other cold-water species	April – Oct.	18.3	23.9
				Nov. – March	9.0	13.0
	Cold Lake	CL	brook trout, brown trout, cutthroat trout, lake trout, rainbow trout, Arctic grayling, sockeye salmon	April – Dec.	17.0	21.2
				Jan. – March	9.0	13.0
	Cold Large Lake (>100)	CLL	brown trout, lake trout, rainbow trout	April – Dec.	18.3	23.8
				Jan. – March	9.0	13.0
	Warm Stream Tier I	WS-I	common shiner, Johnny darter, orangethroat darter	March – Nov.	24.2	29.0
				Dec. – Feb.	12.1	14.5
	Warm Stream Tier II	WS-II	brook stickleback, central stoneroller, creek chub, longnose dace, Northern redbelly dace, finescale dace, razorback sucker, white sucker	March – Nov.	27.5	28.6
				Dec. – Feb.	13.8	14.3
		WS-III		March – Nov.	28.7	31.8

	Warm Stream Tier III		all other warm-water species	Dec. – Feb.	14.3	15.9
	Warm Lakes	WL	yellow perch, walleye, pumpkinseed, smallmouth bass, striped bass, white bass, largemouth bass, bluegill, spottail shiner, Northern pike, tiger muskellunge, black crappie, common carp, gizzard shad, sauger, white crappie, wiper.	April – Dec.	26.3	29.5
				Jan. – March	13.2	14.8
Uranium	Acute= e <sup>(1.1021[ln(hardness)]+2.7088)</sup> Chronic= e <sup>(1.1021[ln(hardness)]+2.2382)</sup>					
Zinc	Acute = 0.978*e <sup>(0.9094[ln(hardness)]+0.9095)</sup> Chronic = 0.986*e <sup>(0.9094[ln(hardness)]+0.6235)</sup> if hardness less than 102 mg/l CaCO <sub>3</sub> Chronic (sculpin) = e <sup>(2.140[ln(hardness)]-5.084)</sup>					

TABLE VALUE STANDARDS - FOOTNOTES

- (1) *Metals are stated as dissolved unless otherwise specified.*
- (2) *Hardness values to be used in equations are in mg/l as calcium carbonate and shall be no greater than 400 mg/L, except for aluminum for which hardness shall be no greater than 220 mg/L. The hardness values used in calculating the appropriate metal standard should be based on the lower 95 percent confidence limit of the mean hardness value at the periodic low flow criteria as determined from a regression analysis of site-specific data. Where insufficient site-specific data exists to define the mean hardness value at the periodic low flow criteria, representative regional data shall be used to perform the regression analysis. Where a regression analysis is not appropriate, a site-specific method should be used. In calculating a hardness value, regression analyses should not be extrapolated past the point that data exist.*
- (3) *Both acute and chronic numbers adopted as stream standards are levels not to be exceeded more than once every three years on the average.*
- (4) *For acute conditions the default assumption is that salmonids could be present in cold water segments and should be protected, and that salmonids do not need to be protected in warm water segments. For chronic conditions, the default assumptions are that early life stages could be present all year in cold water segments and should be protected. In warm water segments the default assumption is that early life stages are present and should be protected only from April 1 through August 31. These assumptions can be modified by the Commission on a site-specific basis where appropriate evidence is submitted.*
- (5) *Unless the stability of the chromium valence state in receiving waters can be clearly demonstrated, the standard for chromium should be in terms of chromium VI. In no case can the sum of the instream levels of Hexavalent and Trivalent Chromium exceed the water supply standard of 50 ug/l total chromium in those waters classified for domestic water use.*
- (6) *Selenium is a bioaccumulative metal and subject to a range of toxicity values depending upon numerous site-specific variables.*
- (7) *E.coli criteria and resulting standards for individual water segments, are established as indicators of the potential presence of pathogenic organisms. Standards for E. coli are expressed as a two-month geometric mean. Site-specific or seasonal standards are also two-month geometric means unless otherwise specified.*
- (8) *All phosphorus standards are based upon the concentration of total phosphorus.*

- (9) *The pH standards of 6.5 (or 5.0) and 9.0 are an instantaneous minimum and maximum, respectively to be applied as effluent limits. In determining instream attainment of water quality standards for pH, appropriate averaging periods may be applied, provided that beneficial uses will be fully protected.*
- 

(4) Assessment Criteria

The following criteria shall be used when assessing whether a specified waterbody is in attainment of the specified standard.

(a) Yampa River Segment 13d, Dry Creek: Iron Assessment Thresholds and Locations

Mar-Apr, Fe(ch) = 3040(Trec), snowmelt season median values

May-Feb, Fe(ch) = 1110(Trec), no-snowmelt season median values

Assessment locations:

- Seneca II-W Stream Site 7 on Hubbertson Gulch (WSH7): located in the middle reaches of Hubbertson Gulch
- Seneca II-W Flume Site 1 on Hubbertson Gulch (WSHF1): located on Hubbertson Gulch just upstream of its confluence with Dry Creek
- Seneca II-W Stream Site 5 on Dry Creek (WSD5): located in the middle reaches of Dry Creek

(b) Yampa River Segment 13e, Sage Creek: Iron Assessment Thresholds and Locations

Fe(ch) = 1250(Trec), median of all data

Assessment locations:

- Yoast Stream Site 2 on Sage Creek (YSS2): located upstream of the west border of Section 18, T5N, R87W

Fe(ch) = 1000(Trec), median of all data

Assessment locations:

- Seneca II-W Stream Site 3 on Sage Creek (WSSF3): located downstream of the west border of Section 18, T5N, R87W

(c) Yampa River Segment 13b: Iron Assessment Thresholds and Locations

Middle Creek-

Mar-Jun, Fe(ch) = 2090(Trec), median of all data

Jul-Feb, Fe(ch) = 1000 (Trec)

Foidel Creek, Fe(ch) = 1000(Trec), median of all data

Assessment locations:

- Middle Creek Site G-MC-2/Site 29: located at N40° 23' 48.3", W106° 58' 47.0"
- Foidel Creek Site 14: located at N40° 33' 48.6", W107° 08' 63.5"
- Foidel Creek Site 8: located at N40° 21' 55.7", W107° 02' 43.6"
- Foidel Creek Site 900: located at N40° 23' 24.7", W106° 59' 40.9"

(5) Stream Classifications and Water Quality Standards Tables

The stream classifications and water quality standards tables in Appendix 33-1 are incorporated herein by reference.

....

**33.54 STATEMENT OF BASIS AND PURPOSE REGARDING THE ADOPTION OF NON-SUBSTANTIVE CHANGES TO THE CLASSIFICATION AND NUMEIRC STANDARDS FOR UPPER COLORADO RIVER BASIN AND NORTH PLATTE RIVER (PLANNING REGION 12), JANUARY 11, 2016 RULEMAKING; EFFECTIVE DATE MARCH 1, 2016**

The provisions of C.R.S. 25-8-202(1)(i) and 25-8-401(2) provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

**BASIS AND PURPOSE**

The Commission, in a public rulemaking hearing adopted extensive changes to the format of this regulation. The Commission does not intend to change any existing designations, use classifications or standards, or the implementation of any standards as the results of changing the format.

This rulemaking was in response to longstanding issues with managing the information contained in the standards tables. The changes made in this hearing reflect a change from storing the information in word processing documents to storing the information in a relational database. This change in platform will provide better consistency, facilitate error checking as well as a more readable format for the standards tables. Storing the information in a database allows it to be used more efficiently by other programs in the Division.

While it was the Commission's intent not to change the substantive meaning of the regulations in this rulemaking, in cases where there was ambiguity the revised regulation reflects the Commission's interpretation of the previous format based on Regulation #31 (the Basic Standards and Methodologies for Surface Water ) and the experience of the Commission and its staff.

Overall format changes: The new format displays parameters by name, rather than by period table element abbreviations. The section formerly titled "Temporary Modifications and Qualifiers" does not appear in the new format. Instead, there is a separate section for qualifiers, and an "Other" section. Temporary modifications, variances and other footnotes are displayed in the "Other" section. Many items that were formerly in the "Temporary Modifications and Qualifiers" column will be displayed in the "Other" column and will have a different appearance or modified wording, although the information is substantively the same. Each footnote in the "Other" section is preceded by a heading that indicates where the footnote applies:

- Footnotes regarding a use classification will begin with the heading "Classification..."



- Footnotes regarding the antidegradation designation begin with the heading “Designation...”
- Footnotes that relate to a particular standard begin with the name of the parameter, for example “Selenium(chronic)= ...”

Also, since there is more room for information within each segment, footnotes “B” and “C” were replaced with the full text in each segment where these footnotes were applied. Footnote “A” was maintained because the text is too long to be displayed in the “Other” section for each segment where it applies. Footnote “D” was changed to footnote “B” and was maintained because the text is too long to be displayed in the “Other” section.

Constraints of the new format: Some adjustments were made to the way that data is displayed in order to be compatible with the functions of the Standards Database. Database organization requires that information which relates to multiple standards must be attached to each individual parameter. For example, a segment with a temporary modification listed for “all parameters” in the old format will have a temporary modification listed for each individual parameter in the new format. There are also spacing constraints in the new format, which require some information to be moved either to the “other” box on the new format, or moved out of the segment entirely and into another location in the regulation.

Clarification of changes: The shift to a database organizational structure required consistency in the way each data element is addressed. To insure that data is stored and displayed correctly, the following changes were made

- The “type” of temporary modification is no longer displayed in the segment tables, since they have no regulatory effect and have been inconsistently displayed.
- In the old format, waters that had a reviewable antidegradation designation were identified by the absence of either “UP” or “OW” in the designation column. These segments now display the word “reviewable” under the designation heading. There needed to be a value in the designation column for every segment.
- Dissolved standards are not specifically noted as dissolved in the new format. All metals standards are dissolved unless noted with a “T” or a “t”. For example, a manganese standard in the old format of “WS(dis)” is displayed as “WS” in the new format.
- A new footnote 7 was added to clarify that although E. coli is listed in the “chronic” column, the standard is a two-month geometric mean rather than a 30-day average. The language of footnote 7 was taken from Regulation 31, Table 1, footnote 7.
- A new footnote 8 was added to indicate that all phosphorus standards are based upon the concentration of total phosphorus. In the old format, individual phosphorus standards were noted as “total” in some basins and not others.
- A new footnote 9 was added to clarify that although pH is listed in the “acute” column, the standard is not applied as a 1-day average. The language of footnote 7 was taken from Regulation 31, Table 1, footnote 3.
- Physical and Biological Parameters: Some parameters are not specifically identified in the old format segment tables as acute or chronic. The new format requires that each parameter is placed in either the acute or chronic column. Specifically, these parameters and the basis for being identified as acute or chronic are as follows:
  - pH (acute) – Regulation #31, Table 1, footnote 3
  - E. Coli (chronic) – Regulation #31, Table 1, footnote 7

- D.O. (chronic) – Regulation #31, Table 1, footnote 1
- cyanide (acute) – Regulation #31, Table 2
- sulfide (chronic) - Regulation #31, Table 2
- nitrate (acute) - Regulation #31, Table 2
- nitrite (chronic) – not specified in Regulation #31. Nitrite has been implemented as a 30-day average standard in permits and assessments.
- chloride (chronic) Regulation #31, Table 2
- boron (chronic) - Regulation #31, Table 2
- sulfate (chronic) Regulation #31, Table 2
- The footnote on Blue River Segment 13 was modified to reduce the text to less than 200 characters, which is the maximum that can be included in the segment. Text longer than 200 characters has to be moved to a footnote outside the segment table (either at the front of the regulation or following the segment tables). The text change is as follows:
 

“Any water quality based effluent shall not cause or contribute to exceedances of water quality standards adopted to protect downstream uses.”

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-33**

**REGULATION NO. 33  
CLASSIFICATIONS AND NUMERIC STANDARDS  
FOR  
UPPER COLORADO RIVER BASIN AND  
NORTH PLATTE RIVER (PLANNING REGION 12)**

**APPENDIX 33-1  
Stream Classifications and Water Quality Standards Tables**

Effective 03/01/2016

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Colorado River Basin

1. Mainstem of the Colorado River, including all tributaries and wetlands, within Rocky Mountain National Park, or which flow into Rocky Mountain National Park.								
COUCUC01	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT	acute	chronic		
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---		
	Recreation E		acute	chronic	Arsenic	340		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)		
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS		
		E. Coli (per 100 mL)	---	126	Copper	TVS		
					Iron	---		
		Inorganic (mg/L)			Iron	---		
			acute	chronic	Lead	TVS		
		Ammonia	TVS	TVS	Manganese	TVS		
		Boron	---	0.75	Manganese	---		
		Chloride	---	250	Mercury	---		
		Chlorine	0.019	0.011	Molybdenum	---		
		Cyanide	0.005	---	Nickel	TVS		
		Nitrate	10	---	Selenium	TVS		
		Nitrite	---	0.05	Silver	TVS		
		Phosphorus	---	0.11	Uranium	---		
		Sulfate	---	WS	Zinc	TVS		
		Sulfide	---	0.002	Zinc	---		
		2. Mainstem of the Colorado River, including all tributaries and wetlands within, or flowing into Arapahoe National Recreation Area.						
		COUCUC02	Classifications	Physical and Biological			Metals (ug/L)	
		Designation	Agriculture		DM	MWAT	acute	chronic
		Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
Recreation E			acute	chronic	Arsenic	340		
Water Supply	D.O. (mg/L)		---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)		
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS		
		E. Coli (per 100 mL)	---	126	Copper	TVS		
					Iron	---		
		Inorganic (mg/L)			Iron	---		
			acute	chronic	Lead	TVS		
		Ammonia	TVS	TVS	Manganese	TVS		
		Boron	---	0.75	Manganese	---		
		Chloride	---	250	Mercury	---		
		Chlorine	0.019	0.011	Molybdenum	---		
		Cyanide	0.005	---	Nickel	TVS		
		Nitrate	10	---	Selenium	TVS		
		Nitrite	---	0.05	Silver	TVS		
		Phosphorus	---	0.11	Uranium	---		
		Sulfate	---	WS	Zinc	TVS		
		Sulfide	---	0.002	Zinc	---		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Colorado River Basin

3. Mainstem of the Colorado River from the outlet of Lake Granby to the confluence with Roaring Fork River.						
COUCUC03	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT		
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 33.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
			acute	chronic	Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11*	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002	Zinc	---
		4. All tributaries to the Colorado River, including all wetlands, from the outlet of Lake Granby to the confluence with the Roaring Fork River, which are on National Forest lands, except for those tributaries included in Segments 1 and 2, and specific listings in Segments 8, 9 and 10a.				
COUCUC04	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
			acute	chronic	Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Colorado River Basin

5. Deleted.					
COUCUC05	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Qualifiers:		acute	chronic		
Other:					
		Inorganic (mg/L)			
		acute	chronic		
6a. All tributaries to the Colorado River, including all wetlands, from the source to a point immediately above the confluence with the Blue River and Muddy Creek, which are not on National Forest lands, except for specific listings in Segments 1, 2, 4, 5, 6b, 6c, 8, 9 and 10a-c.					
COUCUC06A	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Reviewable	Agriculture				
	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150*	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	205	Copper	TVS
Expiration Date of 12/31/2021				Iron	---
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 33.5(4).		Inorganic (mg/L)		Iron	---
*Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).		acute	chronic	Lead	TVS
	Ammonia	TVS	TVS	Manganese	TVS
	Boron	---	0.75	Manganese	---
	Chloride	---	250	Mercury	---
	Chlorine	0.019	0.011	Molybdenum	---
	Cyanide	0.005	---	Nickel	TVS
	Nitrate	10	---	Selenium	TVS
	Nitrite	---	0.05	Silver	TVS
	Phosphorus	---	0.11*	Uranium	---
	Sulfate	---	WS	Zinc	TVS
	Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Colorado River Basin

6b. Mainstem of un-named tributary from the headwaters (Sec 32, T3N, R76W) to Willow Creek Reservoir Road (Section 8, T2N, R76W).					
COUCUC06B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2 Recreation N	Temperature °C	CS-II	CS-II	Aluminum
Qualifiers:		acute	chronic	Arsenic	340
		D.O. (mg/L)	6.0	Beryllium	100(T)
Other:		D.O. (spawning)	7.0	Cadmium	10(T)
		pH	6.5 - 9.0	Chromium III	100(T)
*Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	100(T)
		E. Coli (per 100 mL)	630	Copper	200(T)
		Inorganic (mg/L)		Iron	---
				Lead	100(T)
		acute	chronic	Manganese	200(T)
		Ammonia	---	Mercury	---
		Boron	0.75	Molybdenum	160(T)
		Chloride	---	Nickel	200(T)
		Chlorine	---	Selenium	20(T)
		Cyanide	0.2	Silver	---
		Nitrate	100	Uranium	---
		Nitrite	0.05	Zinc	2000(T)
		Phosphorus	0.11*		
		Sulfate	---		
		Sulfide	0.002		

6c. Mainstem of un-named tributary to Willow Creek from the Willow Creek Reservoir Rd (Sec. 8, T2N, R76W) to the confluence with Willow Creek (Sec. 17, T2N, R76W).					
COUCUC06C	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2 Recreation N	Temperature °C	CS-II	CS-II	Aluminum
Qualifiers:		acute	chronic	Arsenic	340
		D.O. (mg/L)	6.0	Beryllium	100(T)
Other:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	100(T)
		E. Coli (per 100 mL)	630	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS
				Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Mercury	0.01(t)
		Chloride	---	Molybdenum	160(T)
		Chlorine	0.019	Nickel	TVS
		Cyanide	0.005	Selenium	TVS
		Nitrate	100	Silver	TVS(tr)
		Nitrite	0.05	Uranium	---
		Phosphorus	---	Zinc	TVS
		Sulfate	---		
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Colorado River Basin

7a. All tributaries to the Colorado River, including all wetlands, from a point immediately above the confluence with the Blue River and Muddy Creek to a point immediately below the confluence with the Roaring Fork River, which are not on National Forest lands, except for specific listings in Segment 7b, 7c and in the Blue River, Eagle River, and Roaring Fork River basins.

COUCUC07A		Classifications		Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation N	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	630	Copper	TVS	TVS
Expiration Date of 12/31/2021					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

7b. Mainstem of Muddy Creek, including all tributaries and wetlands, from the outlet of Wolford Mountain Reservoir to the confluence with the Colorado River; mainstems of Rock Creek, Deep Creek, Sheephorn Creek, Sweetwater Creek and the Piney River, including all tributaries and wetlands, from their sources to their confluences with the Colorado River, which are not on National Forest lands.

COUCUC07B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Qualifiers:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
<b>Other:</b>  Temporary Modification(s):  Arsenic(chronic) = hybrid  Expiration Date of 12/31/2021  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 33.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
					Iron	---	1000(T)
			Inorganic (mg/L)		Lead	TVS	TVS
			acute	chronic	Manganese	TVS	TVS
		Ammonia	TVS	TVS	Manganese	---	WS
		Boron	---	0.75	Mercury	---	0.01(t)
		Chloride	---	250	Molybdenum	---	160(T)
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	10	---	Silver	TVS	TVS(tr)
		Nitrite	---	0.05	Uranium	---	---
		Phosphorus	---	0.11*	Zinc	TVS	TVS
		Sulfate	---	WS	Zinc	---	TVS(sc)
		Sulfide	---	0.002			

\*chlorophyll a (mg/m<sup>2</sup>)(chronic) = applies only above the facilities listed at 33.5(4).  
 \*Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Colorado River Basin

7c. Mainstem of Muddy Creek from the source to a point immediately below the confluence with Eastern Gulch as well as all tributaries to and wetlands of Muddy Creek from the source to the outlet of Wolford Mountain Reservoir, except for listings in Segment 4. The mainstems of Derby, Blacktail, Cabin, and Red Dirt Creeks (all below Wolford Mountain Reservoir), including all tributaries and wetlands, from their sources to their confluences with the Colorado River, except for listings in Segment 4.

COUCUC07C	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute		chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation N	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	630	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
					Lead	TVS	TVS
					Manganese	TVS	TVS
					Manganese	---	WS
					Mercury	---	0.01(t)
					Molybdenum	---	160(T)
					Nickel	TVS	TVS
					Selenium	TVS	TVS
					Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

8. Mainstem of the Williams Fork River, including all tributaries and wetlands from the source to the confluence with the Colorado River, except for those tributaries listed in Segment 9.

COUCUC08	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute		chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *Iron(chronic) = Point of compliance at Aspen Canyon Ranch well. *Manganese(chronic) = Point of compliance at Aspen Canyon Ranch well.		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS*
		Inorganic (mg/L)			Iron	---	1000(T)
					Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS*
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	190(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002	Zinc	---	TVS(sc)

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Colorado River Basin

9. All tributaries to the Colorado and Fraser Rivers, including all wetlands, within the Never Summer, Indian Peaks, Byers, Vasquez, Eagles Nest and Flat Tops Wilderness Areas.						
COUCUC09	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
					Lead	TVS
					Manganese	TVS
					Manganese	---
					Mercury	---
					Molybdenum	---
					Nickel	TVS
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS
		10a. Mainstem of the Fraser River from the source to a point immediately below the Rendezvous Bridge. All tributaries to the Fraser River, including wetlands, from the source to the confluence with the Colorado River, except for those tributaries included in Segment 9.				
COUCUC10A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 33.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	150*	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
					Lead	TVS
					Manganese	TVS
					Manganese	---
					Mercury	---
					Molybdenum	---
					Nickel	TVS
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS
					Zinc	---

10a. Mainstem of the Fraser River from the source to a point immediately below the Rendezvous Bridge. All tributaries to the Fraser River, including wetlands, from the source to the confluence with the Colorado River, except for those tributaries included in Segment 9.

COUCUC10A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 33.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).		chlorophyll a (mg/m²)	---	150*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002	Zinc	---	TVS(sc)

Temporary Modification(s):  
 Arsenic(chronic) = hybrid  
 Expiration Date of 12/31/2021  
 \*chlorophyll a (mg/m<sup>2</sup>)(chronic) = applies only above the facilities listed at 33.5(4).  
 \*Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Colorado River Basin

10b. Mainstem of the Fraser River from a point immediately below the Rendezvous Bridge to a point immediately below the Hammond Ditch.						
COUCUC10B	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	CS-II	CS-II	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS	TVS
Expiration Date of 12/31/2021		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	Lead	TVS	TVS
		Boron	0.75	Manganese	TVS	TVS
		Chloride	250	Manganese	---	WS
		Chlorine	0.019	Mercury	---	0.01(t)
		Cyanide	0.005	Molybdenum	---	160(T)
		Nitrate	10	Nickel	TVS	TVS
		Nitrite	0.05	Selenium	TVS	TVS
		Phosphorus	---	Silver	TVS	TVS(tr)
		Sulfate	WS	Uranium	---	---
		Sulfide	0.002	Zinc	TVS	TVS
				Zinc	---	TVS(sc)

10c. Mainstem of the Fraser River from a point immediately below the Hammond Ditch to the confluence with the Colorado River.						
COUCUC10C	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	CS-II	CS-II	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS	TVS
Expiration Date of 12/31/2021		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	Lead	TVS	TVS
		Boron	0.75	Manganese	TVS	TVS
		Chloride	250	Manganese	---	WS
		Chlorine	0.019	Mercury	---	0.01(t)
		Cyanide	0.005	Molybdenum	---	160(T)
		Nitrate	10	Nickel	TVS	TVS
		Nitrite	0.05	Selenium	TVS	TVS
		Phosphorus	---	Silver	TVS	TVS(tr)
		Sulfate	WS	Uranium	---	---
		Sulfide	0.002	Zinc	TVS	TVS
				Zinc	---	TVS(sc)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Colorado River Basin

11. All lakes and reservoirs within Rocky Mountain National Park and within the Never Summer, Indian Peaks, Byers, Vasquez, Eagles Nest and Flat Tops Wilderness Areas.						
COUCUC11	Classifications	Physical and Biological			Metals (ug/L)	
Designation		DM	MWAT		acute	chronic
OW	Agriculture	CL,CLL	CL,CLL	Aluminum	---	---
	Aq Life Cold 1			Arsenic	340	0.02(T)
	Recreation E	acute	chronic	Beryllium	---	---
	Water Supply			Cadmium	TVS(tr)	TVS
Qualifiers:				Chromium III	50(T)	TVS
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	Chromium VI	TVS	TVS
		chlorophyll a (ug/L)	---	Copper	TVS	TVS
		E. Coli (per 100 mL)	---	Iron	---	WS
				Iron	---	1000(T)
		Inorganic (mg/L)		Lead	TVS	TVS
		acute	chronic	Manganese	TVS	TVS
		Ammonia	TVS	Manganese	---	WS
		Boron	---	Mercury	---	0.01(t)
		Chloride	---	Molybdenum	---	160(T)
		Chlorine	0.019	Nickel	TVS	TVS
		Cyanide	0.005	Selenium	TVS	TVS
		Nitrate	10	Silver	TVS	TVS(tr)
		Nitrite	---	Uranium	---	---
		Phosphorus	---	Zinc	TVS	TVS
		Sulfate	---			
		Sulfide	---			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Colorado River Basin

12. Lakes and reservoirs within Arapahoe National Recreation Area, including Grand Lake, Shadow Mountain Lake and Lake Granby.								
COUCUC12	Classifications	Physical and Biological				Metals (ug/L)		
Designation	Agriculture			DM	MWAT	acute		chronic
Reviewable	Aq Life Cold 1	Temperature °C	4/1 - 12/31	CL,CLL*	19.3* <sup>B</sup>	Aluminum	---	---
	Recreation E	Temperature °C	4/1 - 12/31	CL,CLL*	19.6* <sup>B</sup>	Arsenic	340	0.02(T)
	Water Supply	Temperature °C		CL,CLL	CL,CLL	Beryllium	---	---
	DUWS*					Cadmium	TVS(tr)	TVS
Qualifiers:		clarity	7/1 - 9/30	---	4*	Chromium III	50(T)	TVS
Other:		clarity		---	narrative*	Chromium VI	TVS	TVS
	*chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 33.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.	D.O. (mg/L)		---	6.0	Copper	TVS	TVS
	*Classification: DUWS Applies only to Grand Lake	D.O. (spawning)		---	7.0	Iron	---	WS
	*Phosphorus(chronic) = applies only above the facilities listed at 33.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.	pH	6.5 - 9.0	---		Iron	---	1000(T)
	*clarity(chronic) = July through September Grand Lake Clarity =4 meter secchi disk depth, effective January 1, 2017.	chlorophyll a (ug/L)		---	8*	Lead	TVS	TVS
	*clarity(chronic) = For Grand Lake, the highest level of clarity attainable, consistent with the exercise of established water rights, the protection of aquatic life, and protection of water quality throughout the Three Lakes system.	E. Coli (per 100 mL)		---	126	Manganese	TVS	TVS
	*Temperature(4/1 - 12/31) = Shadow Mtn Res (MWAT=19.3)					Manganese	---	WS
	*Temperature(4/1 - 12/31) = Lake Granby (MWAT=19.6)	Inorganic (mg/L)				Mercury	---	0.01(t)
				acute	chronic	Molybdenum	---	160(T)
		Ammonia		TVS	TVS	Nickel	TVS	TVS
		Boron		---	0.75	Selenium	TVS	TVS
		Chloride		---	250	Silver	TVS	TVS(tr)
		Chlorine	0.019		0.011	Uranium	---	---
		Cyanide	0.005		---	Zinc	TVS	TVS
		Nitrate		10	---			
		Nitrite		---	0.05			
		Phosphorus		---	0.025*			
		Sulfate		---	WS			
		Sulfide		---	0.002			

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

## Upper Colorado River Basin

13. All lakes and reservoirs tributary to the Colorado River from the boundary of Rocky Mountain National Park and Arapahoe National Recreation Area to a point immediately below the confluence with the Roaring Fork River, except for specific listings in Upper Colorado Segments 11 and 12 and the Blue and Eagle River subbasins.

COUCUC13	Classifications	Physical and Biological				Metals (ug/L)			
Designation	Agriculture			DM	MWAT	acute		chronic	
Reviewable	Aq Life Cold 1	Temperature °C	4/1 - 12/31	CLL*	21.3* <sup>B</sup>	Aluminum	---	---	
	Recreation E	Temperature °C	4/1 - 12/31	CLL*	21.6* <sup>B</sup>	Arsenic	340	0.02(T)	
	Water Supply	Temperature °C		CL,CLL	CL,CLL	Beryllium	---	---	
	DUWS*					Cadmium	TVS(tr)	TVS	
Qualifiers:		D.O. (mg/L)		---	6.0	Chromium III	50(T)	TVS	
<b>Other:</b>  *chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 33.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Classification: *DUWS Applies only to Ute Creek Res  *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Temperature(4/1 - 12/31) = Wolford Mtn Res (MWAT=21.3) *Temperature(4/1 - 12/31) = Williams Fork Res (MWAT=21.6)		D.O. (spawning)		---	7.0	Chromium VI	TVS	TVS	
		pH		6.5 - 9.0	---		Copper	TVS	TVS
		chlorophyll a (ug/L)			---	8*	Iron	---	WS
		E. Coli (per 100 mL)			---	126	Iron	---	1000(T)
							Lead	TVS	TVS
		Inorganic (mg/L)					Manganese	TVS	TVS
				acute	chronic		Manganese	---	WS
		Ammonia		TVS	TVS		Mercury	---	0.01(t)
		Boron		---	0.75		Molybdenum	---	160(T)
		Chloride		---	250		Nickel	TVS	TVS
		Chlorine		0.019	0.011		Selenium	TVS	TVS
		Cyanide		0.005	---		Silver	TVS	TVS(tr)
		Nitrate		10	---		Uranium	---	---
		Nitrite		---	0.05		Zinc	TVS	TVS
		Phosphorus		---	0.025*				
		Sulfate		---	WS				
		Sulfide		---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Blue River Basin

1. Mainstem of the Blue River from the source to the confluence with French Gulch.

COUCBL01	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	0.02(T)
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS
Expiration Date of 12/31/2021				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002	Zinc	TVS(sc)

2a. Mainstem of the Blue River from the confluence with French Gulch to a point one half mile below Summit County Road 3.

COUCBL02A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	0.02(T)
Qualifiers:		D.O. (spawning)	7.0	Cadmium	4
Other:		pH	6.5 - 9.0	Chromium III	TVS
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 33.5(4).		chlorophyll a (mg/m <sup>2</sup> )	150*	Chromium VI	TVS
*Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).		E. Coli (per 100 mL)	126	Copper	TVS
*Zinc(acute) = e^(1.25 (ln(hard)+0.799))				Iron	WS
*Zinc(chronic) = e^(1.25 (ln(hard)+0.799))		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11*	Uranium	---
		Sulfate	WS	Zinc	SSE*
		Sulfide	0.002		SSE*

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Blue River Basin

2b. Mainstem of the Blue River from a point one half mile below Summit County Road 3 to the confluence with the Swan River.						
COUCBL02B	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	SSE*
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021		Inorganic (mg/L)		Iron	---	WS
*Cadmium(acute) = 1/2e^(1.0166(ln(hard)-3.132))		acute	chronic	Iron	---	1000(T)
*Cadmium(chronic) = 1/2e^(1.0166(ln(hard)-3.132))		Ammonia	TVS	TVS	Lead	TVS
*Zinc(acute) = e^(0.9805(ln(hard)+1.402))		Boron	---	0.75	Manganese	TVS
*Zinc(chronic) = e^(0.9805(ln(hard)+1.402))		Chloride	---	250	Manganese	---
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	0.01(t)
		Nitrate	10	---	Nickel	---
		Nitrite	---	0.05	Selenium	160(T)
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	WS	Silver	TVS(tr)
		Sulfide	---	0.002	Uranium	---
					Zinc	SSE*
						SSE*

2c. Mainstem of the Blue River from the confluence with the Swan River to Dillon Reservoir.						
COUCBL02C	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Manganese	TVS
		Chloride	---	250	Manganese	---
		Chlorine	0.019	0.011	Mercury	0.01(t)
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	10	---	Nickel	160(T)
		Nitrite	---	0.05	Selenium	---
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	WS	Silver	TVS(tr)
		Sulfide	---	0.002	Uranium	---
					Zinc	---
					Zinc	TVS(sc)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Blue River Basin

3. Deleted.					
COUCBL03	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Qualifiers:		acute	chronic		
Other:					
		Inorganic (mg/L)			
		acute	chronic		
4a. All direct tributaries to Dillon Reservoir and all tributaries and wetlands in the Blue River drainage above Dillon Reservoir, except for specific listings in Segments 1, 2a, 2b, 4b, 5, 6, and 10-14.					
COUCBL04A	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Reviewable	Agriculture				
	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	Copper	TVS
Expiration Date of 12/31/2021				Iron	---
		Inorganic (mg/L)		Iron	---
		acute	chronic	Lead	TVS
	Ammonia	TVS	TVS	Manganese	TVS
	Boron	---	0.75	Manganese	---
	Chloride	---	250	Mercury	---
	Chlorine	0.019	0.011	Molybdenum	---
	Cyanide	0.005	---	Nickel	TVS
	Nitrate	10	---	Selenium	TVS
	Nitrite	---	0.05	Silver	TVS
	Phosphorus	---	0.11	Uranium	---
	Sulfate	---	WS	Zinc	TVS
	Sulfide	---	0.002	Zinc	---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Blue River Basin

4b. North Fork of the Swan River, including all tributaries and wetlands, from the source to the confluence with the Swan River.									
COUCBL04B	Classifications	Physical and Biological			Metals (ug/L)				
Designation	Agriculture		DM	MWAT		acute	chronic		
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---		
	Recreation E		acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS		
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS		
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS		
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS		
					Iron	---	WS		
		Inorganic (mg/L)			Iron	---	1000(T)		
			acute	chronic	Lead	TVS	TVS		
		Ammonia	TVS	TVS	Manganese	TVS	TVS		
		Boron	---	0.75	Manganese	---	WS		
		Chloride	---	250	Mercury	---	0.01(t)		
		Chlorine	0.019	0.011	Molybdenum	---	160(T)		
		Cyanide	0.005	---	Nickel	TVS	TVS		
		Nitrate	10	---	Selenium	TVS	TVS		
		Nitrite	---	0.05	Silver	TVS	TVS(tr)		
		Phosphorus	---	0.11	Uranium	---	---		
		Sulfate	---	WS	Zinc	TVS	TVS		
		Sulfide	---	0.002	Zinc	---	TVS(sc)		
		5. Mainstem of Soda Creek from the source to Dillon Reservoir.							
		COUCBL05	Classifications	Physical and Biological			Metals (ug/L)		
		Designation	Agriculture		DM	MWAT		acute	chronic
		Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
Recreation E			acute	chronic	Arsenic	340	0.02(T)		
Water Supply	D.O. (mg/L)		---	6.0	Beryllium	---	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS		
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS		
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS		
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS		
					Iron	---	WS		
		Inorganic (mg/L)			Iron	---	1000(T)		
			acute	chronic	Lead	TVS	TVS		
		Ammonia	TVS	TVS	Manganese	TVS	TVS		
		Boron	---	0.75	Manganese	---	WS		
		Chloride	---	250	Mercury	---	0.01(t)		
		Chlorine	0.019	0.011	Molybdenum	---	160(T)		
		Cyanide	0.005	---	Nickel	TVS	TVS		
		Nitrate	10	---	Selenium	TVS	TVS		
		Nitrite	---	0.05	Silver	TVS	TVS(tr)		
		Phosphorus	---	0.11	Uranium	---	---		
		Sulfate	---	WS	Zinc	TVS	TVS		
		Sulfide	---	0.002					

5. Mainstem of Soda Creek from the source to Dillon Reservoir.							
COUCBL05	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
					Iron	---	1000(T)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Blue River Basin

6a. Mainstem of the Snake River, including all tributaries and wetlands from the source to Dillon Reservoir, except for specific listings in Segments 6b, 7, 8 and 9.

COUCBL06A	Classifications	Physical and Biological			Metals (ug/L)		
Designation		DM	MWAT		acute	chronic	
UP	Agriculture						
	Aq Life Cold 1	CS-I	CS-I	Temperature °C	---	---	
	Recreation E	acute	chronic				
Water Supply				D.O. (mg/L)	---	6.0	
				D.O. (spawning)	---	7.0	
				pH	6.5 - 9.0	---	
<b>Qualifiers:</b>  <b>Other:</b>  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 33.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).				chlorophyll a (mg/m <sup>2</sup> )	---	150*	
				E. Coli (per 100 mL)	---	126	
				Inorganic (mg/L)			
					acute	chronic	
				Ammonia	TVS	TVS	
				Boron	---	0.75	
				Chloride	---	250	
				Chlorine	0.019	0.011	
				Cyanide	0.005	---	
				Nitrate	10	---	
				Nitrite	---	0.05	
				Phosphorus	---	0.11*	
				Sulfate	---	WS	
				Sulfide	---	0.002	

6b. Mainstem of Camp Creek, including all tributaries and wetlands from the source to confluence with the Snake River.

COUCBL06B	Classifications	Physical and Biological			Metals (ug/L)		
Designation		DM	MWAT		acute	chronic	
Reviewable	Agriculture						
	Aq Life Cold 1	CS-I	CS-I	Temperature °C	---	---	
	Recreation E	acute	chronic				
Water Supply				D.O. (mg/L)	---	6.0	
				D.O. (spawning)	---	7.0	
				pH	6.5 - 9.0	---	
<b>Qualifiers:</b>  <b>Other:</b>  *Zinc(acute) = 0.978*e <sup>0.8537(ln Hardness)+1.5227</sup> *Zinc(chronic) = 0.986*e <sup>0.8537(ln Hardness)+1.3519</sup>				chlorophyll a (mg/m <sup>2</sup> )	---	150	
				E. Coli (per 100 mL)	---	126	
				Inorganic (mg/L)			
					acute	chronic	
				Ammonia	TVS	TVS	
				Boron	---	0.75	
				Chloride	---	250	
				Chlorine	0.019	0.011	
				Cyanide	0.005	---	
				Nitrate	10	---	
				Nitrite	---	0.05	
				Phosphorus	---	0.11	
				Sulfate	---	WS	
				Sulfide	---	0.002	

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Blue River Basin

7. Mainstem of Peru Creek, including all tributaries and wetlands from the source to the confluence with the Snake River, except for specific listing in Segment 8.						
COUCBL07	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Aq Life Cold 1	DM	MWAT	acute	chronic	
UP	Recreation N	Temperature °C	CS-I	CS-I	Aluminum	---
Qualifiers:		acute	chronic	Arsenic	340	7.6(T)
Other:	D.O. (mg/L)	---	6.0	Beryllium	---	---
	D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
	pH	6.5 - 9.0	---	Chromium III	TVS	TVS
	chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS	TVS
	E. Coli (per 100 mL)	---	630	Copper	TVS	TVS
				Iron	---	1000(T)
	Inorganic (mg/L)		Lead	TVS	TVS	
	acute	chronic	Manganese	TVS	TVS	
	Ammonia	TVS	TVS	Mercury	---	0.01(t)
	Boron	---	---	Molybdenum	---	---
	Chloride	---	---	Nickel	TVS	TVS
	Chlorine	0.019	0.011	Selenium	TVS	TVS
	Cyanide	0.005	---	Silver	TVS	TVS(tr)
	Nitrate	---	---	Uranium	---	---
	Nitrite	---	0.05	Zinc	TVS	TVS
	Phosphorus	---	0.11			
	Sulfate	---	---			
	Sulfide	---	0.002			
8. Mainstem of Keystone Gulch, including all tributaries and wetlands from the source to the confluence with the Snake River. Mainstem of Chihuahua Creek including all tributaries, and wetlands from the source to the confluence with Peru Creek. Mainstem of the North Fork of the Snake River, including all tributaries and wetlands from the source to the confluence with the Snake River. Mainstem of Jones Gulch, including all tributaries and wetlands from the source to the confluence with the Snake River.						
COUCBL08	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:	pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
	chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium VI	TVS	TVS
	E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
				Iron	---	WS
	Inorganic (mg/L)		Iron	---	1000(T)	
	acute	chronic	Lead	TVS	TVS	
	Ammonia	TVS	TVS	Manganese	---	TVS
	Boron	---	0.75	Manganese	TVS	WS
	Chloride	---	250	Mercury	---	0.01(t)
	Chlorine	0.019	0.011	Molybdenum	---	160(T)
	Cyanide	0.005	---	Nickel	TVS	TVS
	Nitrate	10	---	Selenium	TVS	TVS
	Nitrite	---	0.05	Silver	TVS	TVS(tr)
	Phosphorus	---	0.11*	Uranium	---	---
	Sulfate	---	WS	Zinc	TVS	TVS
	Sulfide	---	0.002	Zinc	---	TVS(sc)
	*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 33.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).					

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Blue River Basin

9. Mainstem of Deer Creek, including all tributaries and wetlands from the source to the confluence with the Snake River.						
COUCBL09	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture Aq Life Cold 1 Recreation E Water Supply	DM	MWAT	acute	chronic	
Reviewable		CS-I	CS-I	Aluminum	---	---
		acute	chronic	Arsenic	340	0.02(T)
Qualifiers:	D.O. (mg/L)	---	6.0	Beryllium	---	---
	D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:	pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
	chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS	TVS
	E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
				Iron	---	WS
	Inorganic (mg/L)			Iron	---	1000(T)
	acute	chronic		Lead	TVS	TVS
	Ammonia	TVS	TVS	Manganese	TVS	TVS
	Boron	---	0.75	Manganese	---	WS
	Chloride	---	250	Mercury	---	0.01(t)
	Chlorine	0.019	0.011	Molybdenum	---	160(T)
	Cyanide	0.005	---	Nickel	TVS	TVS
	Nitrate	10	---	Selenium	TVS	TVS
	Nitrite	---	0.05	Silver	TVS	TVS(tr)
	Phosphorus	---	0.11	Uranium	---	---
	Sulfate	---	WS	Zinc	TVS	TVS
	Sulfide	---	0.002			
10. Mainstem of French Gulch including all tributaries and wetlands from the source to a point 1.5 miles below Lincoln.						
COUCBL10	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture Aq Life Cold 1 Recreation E Water Supply	DM	MWAT	acute	chronic	
Reviewable		CS-I	CS-I	Aluminum	---	---
		acute	chronic	Arsenic	340	0.02(T)
Qualifiers:	D.O. (mg/L)	---	6.0	Beryllium	---	---
	D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:	pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
	chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS	TVS
	E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
				Iron	---	WS
	Inorganic (mg/L)			Iron	---	1000(T)
	acute	chronic		Lead	TVS	TVS
	Ammonia	TVS	TVS	Manganese	TVS	TVS
	Boron	---	0.75	Manganese	---	WS
	Chloride	---	250	Mercury	---	0.01(t)
	Chlorine	0.019	0.011	Molybdenum	---	160(T)
	Cyanide	0.005	---	Nickel	TVS	TVS
	Nitrate	10	---	Selenium	TVS	TVS
	Nitrite	---	0.05	Silver	TVS	TVS(tr)
	Phosphorus	---	0.11	Uranium	---	---
	Sulfate	---	WS	Zinc	TVS	TVS
	Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Blue River Basin

11. Mainstem of French Gulch from a point 1.5 miles below Lincoln to the confluence with the Blue River.

COUCBL11	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
UP	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation P	acute		chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	---
<b>Other:</b>  *Cadmium(acute) = existing quality *Cadmium(chronic) = existing quality *Lead(acute) = existing quality *Lead(chronic) = existing quality *Zinc(acute) = existing quality *Zinc(chronic) = existing quality		D.O. (spawning)	---	7.0	Cadmium	EQ*	EQ*
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m²)	---	150	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	205	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute		chronic	Lead	EQ*	EQ*
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury	---	0.01(t)
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS(tr)
		Nitrite	---	0.05	Uranium	---	---
		Phosphorus	---	0.11	Zinc	EQ*	EQ*
		Sulfate	---	---			
		Sulfide	---	0.002			

12. Mainstem of Illinois Gulch and Fredonia Gulch from their source to their confluence with the Blue River.

COUCBL12	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute chronic			
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation P	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	205	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
					Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Blue River Basin

13. Mainstem of Tenmile Creek from the Climax Parshall Flume to a point immediately above the confluence of West Tenmile Creek and all tributaries and wetlands from the source of Tenmile Creek to a point immediately above the confluence with West Tenmile Creek, except for the specific listing in Segment 15.						
COUCBL13	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation P		acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:  *Any water quality based effluent limit shall not cause or contribute to exceedances of water quality standards adopted to protect downstream uses. *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 33.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m²)	---	150*	Chromium III	---
		E. Coli (per 100 mL)	---	205	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)		Iron	---	
			acute	chronic	Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11*	Zinc	TVS
		Sulfate	---	---	Zinc	---
		Sulfide	---	0.002		

14. Mainstem of Tenmile Creek, including all tributaries and wetlands from a point immediately above the confluence with West Tenmile Creek to Dillon Reservoir, except for the specific listing in Segment 16.						
COUCBL14	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021 Molybdenum(chronic) = current conditions Expiration Date of 12/31/2016  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 33.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	150*	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)		Iron	---	
			acute	chronic	Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11*	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002	Zinc	---

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Blue River Basin

15. Mainstem of Clinton Creek from the source to the confluence with Tenmile Creek.

COUCBL15	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	210(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

16. All tributaries to the Blue River, including all wetlands, within the Eagles Nest and Ptarmigan Peak Wilderness Areas.

COUCBL16	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
OW	Aq Life Cold 1	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Blue River Basin

17. Mainstem of the Blue River from the outlet of Dillon Reservoir to the confluence with the Colorado River.

COUCBL17	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	0.02(T)
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002	Zinc	TVS(sc)

18. All tributaries to the Blue River, including all wetlands, from the outlet of Dillon Reservoir to the outlet of Green Mountain Reservoir, except for the specific listing in Segment 16.

COUCBL18	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	0.02(T)
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002	Zinc	TVS(sc)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Blue River Basin

19. All tributaries to the Blue River, including all wetlands, from the outlet of Green Mountain Reservoir to the confluence with the Colorado River, except for specific listings in Segment 20.

COUCBL19	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	630	Copper	TVS
				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

20. Mainstems of Elliot Creek and Spruce Creek including all tributaries and wetlands, from their sources to the confluence with the Blue River.

COUCBL20	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	630	Copper	TVS
				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Blue River Basin

21. All lakes and reservoirs within the Eagles Nest and Ptarmigan Peak Wilderness Areas.

COUCBL21	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
OW	Agriculture				
	Aq Life Cold 1	CL,CLL	CL,CLL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply			Beryllium	0.02(T)
Qualifiers:		D.O. (mg/L)	---	6.0	
Other:		D.O. (spawning)	---	7.0	
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	
		chlorophyll a (ug/L)	---	8*	
		E. Coli (per 100 mL)	---	126	
		Inorganic (mg/L)		Iron	---
				Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	TVS	TVS
		Boron	---	0.75	WS
		Chloride	---	250	0.01(t)
		Chlorine	0.019	0.011	160(T)
		Cyanide	0.005	---	Nickel
		Nitrate	10	---	Selenium
		Nitrite	---	0.05	Silver
		Phosphorus	---	0.025*	Uranium
		Sulfate	---	WS	Zinc
		Sulfide	---	0.002	TVS

22. Dillon Reservoir and all lakes and reservoirs in the Blue River drainage above Dillon Reservoir, except for specific listings in Segment 21.

COUCBL22	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Reviewable	Agriculture				
	Aq Life Cold 1	CL,CLL	CL,CLL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply			Beryllium	0.02(T)
Qualifiers:		D.O. (mg/L)	---	6.0	
Other:		D.O. (spawning)	---	7.0	
Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 33.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Classification: DUWS Applies only to Goose Pasture Tam *Phosphorus(chronic) = 0.0074 mg/l for Dillon Reservoir in the top 15 meters of the water column for the months of July, August, September & October. Additional total phosphorus or Chla standards adopted for this segment do not apply to Dillon Reservoir. *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	
		chlorophyll a (ug/L)	---	8*	
		E. Coli (per 100 mL)	---	126	
		Inorganic (mg/L)		Iron	---
				Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	TVS	TVS
		Boron	---	0.75	WS
		Chloride	---	250	0.01(t)
		Chlorine	0.019	0.011	160(T)
		Cyanide	0.005	---	Nickel
		Nitrate	10	---	Selenium
		Nitrite	---	0.05	Silver
		Phosphorus	---	0.0074*	Uranium
		Phosphorus	---	0.025*	Zinc
		Sulfate	---	WS	TVS
		Sulfide	---	0.002	

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Blue River Basin

23. All lakes and reservoirs in the Blue River drainage below Dillon Reservoir, except for specific listings in Segment 21.

COUCBL23	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL,CLL	CL,CLL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (ug/L)	8*	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	---
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.025*	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

\*chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 33.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.  
\*Phosphorus(chronic) = applies only above the facilities listed at 33.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Eagle River Basin

1. All tributaries and wetlands to the Eagle River system within the Gore Range - Eagles Nest and Holy Cross Wilderness Area.

COUCEA01	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
OW*	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	0.02(T)
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS
Expiration Date of 12/31/2021				Iron	WS
*Designation: Consistent with the provisions of section 25-8-104 C.R.S. the OW designation shall not apply with respect to the Homestake Water Project of the Cities of Aurora and Colorado Springs.		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002	Zinc	TVS(sc)

2. Mainstem of the Eagle River from the source to the compressor house bridge at Belden.

COUCEA02	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	0.02(T)
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	TVS
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 33.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).		chlorophyll a (mg/m <sup>2</sup> )	150*	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11*	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002	Zinc	TVS(sc)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Eagle River Basin

3. All tributaries to the Eagle River, including wetlands, from the source to the compressor house bridge at Belden, except for the specific listing in Segment 4 and those waters included in Segment 1.

COUCEA03	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
Expiration Date of 12/31/2021					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002	Zinc	---	TVS(sc)

4. Mainstem of Homestake Creek from the confluence of the East Fork to the confluence with the Eagle River.

COUCEA04	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Qualifiers:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Other:  Temporary Modification(s):  Arsenic(chronic) = hybrid  Expiration Date of 12/31/2021		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002	Zinc	---	TVS(sc)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Eagle River Basin

5a Mainstem of the Eagle River from the compressor house bridge at Belden to a point immediately above the Highway 24 Bridge near Tigiwon Road.					
COUCEA05A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable*	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr) SSE*
Other:		pH	6.5 - 9.0 ---	Chromium III	50(T) TVS
*Designation: 9/30/00 Baseline does not apply *Cadmium(chronic) = (1.101672-[ln(hardness)*(0.041838)])* e^(0.7998 [ln (hardness)]-3.1725) *Copper(acute) = 0.96*e^0.9801[ln(hardness)] - 1.1073 *Copper(chronic) = 0.96*e^0.5897[ln(hardness)] - 0.0053 *Zinc(acute) = 0.978*e^0.8537[ln(hardness)]+2.1302 *Zinc(chronic) = 0.986*e^0.8537[ln(hardness)]+1.9593		chlorophyll a (mg/m²)	---	Chromium VI	TVS TVS
		E. Coli (per 100 mL)	---	Copper	---
			126	Copper	SSE* ---
		Inorganic (mg/L)		Iron	---
				Iron	---
				Lead	TVS TVS
		Ammonia	TVS TVS	Manganese	TVS TVS
		Boron	---	Manganese	---
		Chloride	---	Mercury	---
		Chlorine	0.019 0.011	Molybdenum	---
		Cyanide	0.005 ---	Nickel	TVS TVS
		Nitrate	10 ---	Selenium	TVS TVS
		Nitrite	---	Silver	TVS TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	---	Zinc	---
		Sulfide	---	Zinc	SSE* ---
			0.002		

5b. Mainstem of the Eagle River from a point immediately above the Highway 24 Bridge near Tigiwon Road to a point immediately above the confluence with Martin Creek.					
COUCEA05B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable*	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr) SSE*
Other:		pH	6.5 - 9.0 ---	Chromium III	50(T) TVS
Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *Designation: 9/30/00 Baseline does not apply *Cadmium(chronic) = (1.101672-[ln(hardness)*(0.041838)])* e^(0.7998 [ln (hardness)]-3.1725) *Copper(acute) = 0.96*e^0.9801[ln(hardness)]-1.5865 *Copper(chronic) = 0.96*e^0.5897[ln(hardness)]-0.4845 *Zinc(acute) = 0.978*e^0.8537[ln(hardness)]+2.1302 from 1/1 - 4/30 0.978*e^0.8537[ln(hardness)]+1.4189 from 5/1 - 12/31 *Zinc(chronic) = 0.986*e^0.8537[ln(hardness)]+1.9593 from 1/1 - 4/30 0.986*e^0.8537[ln(hardness)]+1.2481 from 5/1 - 12/31		chlorophyll a (mg/m²)	---	Chromium VI	TVS TVS
		E. Coli (per 100 mL)	---	Copper	---
			126	Copper	SSE* ---
		Inorganic (mg/L)		Iron	---
				Iron	---
				Lead	TVS TVS
		Ammonia	TVS TVS	Manganese	TVS TVS
		Boron	---	Manganese	---
		Chloride	---	Mercury	---
		Chlorine	0.019 0.011	Molybdenum	---
		Cyanide	0.005 ---	Nickel	TVS TVS
		Nitrate	10 ---	Selenium	TVS TVS
		Nitrite	---	Silver	TVS TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	---	Zinc	---
		Sulfide	---	Zinc	SSE* ---
			0.002		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Eagle River Basin

5c. Mainstem of the Eagle River from a point immediately above Martin Creek to a point immediately above the confluence with Gore Creek.					
COUCEA05C	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable*	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr) SSE*
Other:	pH	6.5 - 9.0	---	Chromium III	50(T) TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS TVS
*Designation: 9/30/00 Baseline does not apply	*Cadmium(chronic) = (1.101672-[ln(hardness)*(0.041838)])*e^(0.7998 [ln(hardness)])-3.1725)	E. Coli (per 100 mL)	---	Copper	---
			126	Copper	SSE* ---
*Copper(acute) = 0.96*e^0.9801[ln(hardness)]-1.5865	*Copper(chronic) = 0.96*e^0.5897[ln(hardness)]-0.4845	Inorganic (mg/L)		Iron	---
		acute	chronic	Iron	---
*Zinc(acute) = 0.978*e^0.8537[ln(hardness)]+1.4189	*Zinc(chronic) = 0.986*e^0.8537[ln(hardness)]+1.2481	Ammonia	TVS	Lead	TVS TVS
		Boron	---	Manganese	TVS TVS
		Chloride	---	Manganese	---
		Chlorine	0.019 0.011	Mercury	---
		Cyanide	0.005	Molybdenum	---
		Nitrate	10	Nickel	TVS TVS
		Nitrite	---	Selenium	TVS TVS
		Phosphorus	---	Silver	TVS TVS(tr)
		Sulfate	---	Uranium	---
		Sulfide	---	Zinc	---
			0.002	Zinc	SSE* ---

6. All tributaries to the Eagle River, including all wetlands, from the compressor house bridge at Belden to a point immediately below the confluence with Lake Creek, except for the specific listings in Segments 1, 7a, 7b, and 8.

COUCEA06	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr) TVS
Other:	pH	6.5 - 9.0	---	Chromium III	50(T) TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS TVS
Temporary Modification(s):	Arsenic(chronic) = hybrid	E. Coli (per 100 mL)	---	Copper	TVS TVS
			126	Iron	---
Expiration Date of 12/31/2021		Inorganic (mg/L)		Iron	---
		acute	chronic	Iron	---
		Ammonia	TVS	Lead	TVS TVS
		Boron	---	Manganese	TVS TVS
		Chloride	---	Manganese	---
		Chlorine	0.019 0.011	Mercury	---
		Cyanide	0.005	Molybdenum	---
		Nitrate	10	Nickel	TVS TVS
		Nitrite	---	Selenium	TVS TVS
		Phosphorus	---	Silver	TVS TVS(tr)
		Sulfate	---	Uranium	---
		Sulfide	---	Zinc	TVS TVS
			0.002	Zinc	---
					TVS(sc)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Eagle River Basin

7a. Mainstem of Cross Creek from the source to a point immediately below the Minturn Middle School, except for those waters included in Segment 1.							
COUCEA07A		Classifications		Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute		chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
				Iron	---	WS	
		Inorganic (mg/L)		Iron	---	1000(T)	
				Lead	TVS	TVS	
				Ammonia	TVS	TVS	
				Boron	---	0.75	
				Chloride	---	250	
				Chlorine	0.019	0.011	
				Cyanide	0.005	---	
				Nitrate	10	---	
				Nitrite	---	0.05	
				Phosphorus	---	0.11	
				Sulfate	---	WS	
				Sulfide	---	0.002	
		7b. Mainstem of Cross Creek from a point immediately below the Minturn Middle School to the confluence with the Eagle River, except for those waters included in Segment 1.					
COUCEA07B		Classifications		Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute		chronic	
Reviewable*	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	SSE*
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	---	SSE*
				Copper	SSE*	---	
		Inorganic (mg/L)		Iron	---	WS	
				Iron	---	1000(T)	
				Ammonia	TVS	TVS	
				Boron	---	0.75	
				Chloride	---	250	
				Chlorine	0.019	0.011	
				Cyanide	0.005	---	
				Nitrate	10	---	
				Nitrite	---	0.05	
				Phosphorus	---	0.11	
				Sulfate	---	WS	
				Sulfide	---	0.002	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Eagle River Basin

8. Mainstem of Gore Creek from the confluence with Black Gore Creek to the confluence with the Eagle River.						
COUCEA08	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I*	varies*	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 33.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4). *Temperature = MWAT= 14 from 6/1 - 6/30 MWAT=12 from 10/1 - 10/15		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11*	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002	Zinc	---

9a. Mainstem of the Eagle River from Gore Creek to a point immediately below the confluence withSquaw Creek.						
COUCEA09A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I*	varies*	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *Temperature = MWAT=16 from 6/1 - 6/30 MWAT=12 from 10/1 - 10/15 MWAT=11 from 10/16 - 10/31		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

9a. Mainstem of the Eagle River from Gore Creek to a point immediately below the confluence with Squaw Creek.						
COUCEA09A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I*	varies*	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
*Temperature =		Inorganic (mg/L)			Iron	---
MWAT=16 from 6/1 - 6/30			acute	chronic	Lead	TVS
MWAT=12 from 10/1 - 10/15		Ammonia	TVS	TVS	Manganese	TVS
MWAT=11 from 10/16 - 10/31		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Eagle River Basin

9b. Mainstem of the Eagle River from a point immediately below the confluence with Squaw Creek to a point immediately below the confluence with Rube Creek.					
COUCEA09B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CS-II*	varies*	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	---
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

\*Temperature =  
DM=15 and MWAT=12 from 4/1 - 5/31  
DM=15 and MWAT=12 from 10/1 - 10/15  
DM=15 and MWAT=11 from 10/16 - 10/31

9c. Mainstem of the Eagle River from a point immediately below the confluence with Rube Creek to the confluence with the Colorado River.					
COUCEA09C	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	---
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

Temporary Modification(s):  
Arsenic(chronic) = hybrid  
Expiration Date of 12/31/2021

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Eagle River Basin

10a. All tributaries to the Eagle River, including all wetlands, from a point immediately below the confluence with Lake Creek to the confluence with the Colorado River, except for specific listings in Segments 10b, 11 and 12, and those waters included in Segment 1.

COUCEA10A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
Expiration Date of 12/31/2021					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

10b. Abrams Creek, including all tributaries and wetlands, from the source to the eastern boundary of the United States Bureau of Land Management lands.

COUCEA10B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
Expiration Date of 12/31/2021					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Eagle River Basin

11. Mainstem of Alkali Creek from the source to the confluence with the Eagle River. Mainstem of Milk Creek from the source to the confluence with the Eagle River.							
COUCEA11	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation P		acute	chronic	Arsenic	340	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	
Other:	D.O. (spawning)		---	7.0	Cadmium	---	
	pH	6.5 - 9.0	---		Chromium III	---	
	chlorophyll a (mg/m²)	---	150		Chromium VI	---	
	E. Coli (per 100 mL)	---	205		Copper	---	
					Iron	---	
		Inorganic (mg/L)			Lead	---	
		acute	chronic	Manganese	---		
	Ammonia	---	---	Mercury	---		
	Boron	---	0.75	Molybdenum	---		
	Chloride	---	250	Nickel	---		
	Chlorine	---	---	Selenium	TVS		
	Cyanide	0.2	---	Silver	---		
	Nitrate	100	---	Uranium	---		
	Nitrite	---	10	Zinc	---		
	Phosphorus	---	0.11				
	Sulfate	---	---				
	Sulfide	---	---				
	12. Mainstem of Brush Creek, from the source to the confluence with the Eagle River, including the East and West Forks.						
	COUCEA12	Classifications	Physical and Biological			Metals (ug/L)	
	Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation E		acute	chronic	Arsenic	340	
Qualifiers:	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:	pH	6.5 - 9.0	---		Chromium III	50(T)	
	chlorophyll a (mg/m²)	---	150		Chromium VI	TVS	
	E. Coli (per 100 mL)	---	126		Copper	TVS	
					Iron	---	
		Inorganic (mg/L)			Iron	---	
		acute	chronic	Lead	TVS		
	Ammonia	TVS	TVS	Manganese	TVS		
	Boron	---	0.75	Manganese	---		
	Chloride	---	250	Mercury	---		
	Chlorine	0.019	0.011	Molybdenum	---		
	Cyanide	0.005	---	Nickel	TVS		
	Nitrate	10	---	Selenium	TVS		
	Nitrite	---	0.05	Silver	TVS		
	Phosphorus	---	0.11	Uranium	---		
	Sulfate	---	WS	Zinc	TVS		
	Sulfide	---	0.002				

12. Mainstem of Brush Creek, from the source to the confluence with the Eagle River, including the East and West Forks.							
COUCEA12	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
					Iron	---	1000(T)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Eagle River Basin

13. All lakes and reservoirs within the Gore Range - Eagles Nest and Holy Cross Wilderness Areas.								
COUCEA13	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
OW	Aq Life Cold 1	Temperature °C	CL,CLL	CL,CLL	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Chromium III	50(T)		
		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
		Inorganic (mg/L)			Iron	---	WS	
		acute			chronic	Iron	---	
		Ammonia	TVS	TVS	Lead	TVS	TVS	
		Boron	---	0.75	Manganese	TVS	TVS	
		Chloride	---	250	Manganese	---	WS	
		Chlorine	0.019	0.011	Mercury	---	0.01(t)	
		Cyanide	0.005	---	Molybdenum	---	160(T)	
		Nitrate	10	---	Nickel	TVS	TVS	
		Nitrite	---	0.05	Selenium	TVS	TVS	
		Phosphorus	---	0.025*	Silver	TVS	TVS(tr)	
		Sulfate	---	WS	Uranium	---	---	
		Sulfide	---	0.002	Zinc	TVS	TVS	
		14. All lakes and reservoirs tributary to the Eagle River except for specific listings in Segment 13.						
		COUCEA14	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 1	Temperature °C	CL,CLL	CL,CLL	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Chromium III	50(T)		
		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
		Inorganic (mg/L)			Iron	---	WS	
		acute			chronic	Iron	---	
		Ammonia	TVS	TVS	Lead	TVS	TVS	
		Boron	---	0.75	Manganese	TVS	TVS	
		Chloride	---	250	Manganese	---	WS	
		Chlorine	0.019	0.011	Mercury	---	0.01(t)	
		Cyanide	0.005	---	Molybdenum	---	160(T)	
		Nitrate	10	---	Nickel	TVS	TVS	
		Nitrite	---	0.05	Selenium	TVS	TVS	
		Phosphorus	---	0.025*	Silver	TVS	TVS(tr)	
		Sulfate	---	WS	Uranium	---	---	
		Sulfide	---	0.002	Zinc	TVS	TVS	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Roaring Fork River Basin

1. All tributaries to the Roaring Fork River system, including all wetlands, within the Maroon Bells/Snowmass, Holy Cross, Raggeds, Collegiate Peaks and Hunter/Fryingpan Wilderness Areas.						
COUCRF01	Classifications	Physical and Biological		Metals (ug/L)		
Designation		DM	MWAT	acute	chronic	
OW	Agriculture					
	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
Qualifiers:	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	50(T)
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
	Temporary Modification(s):	E. Coli (per 100 mL)	---	126	Copper	TVS
	Arsenic(chronic) = hybrid				Iron	---
Expiration Date of 12/31/2021					WS	
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
	Ammonia	TVS	TVS	Manganese	TVS	TVS
	Boron	---	0.75	Manganese	---	WS
	Chloride	---	250	Mercury	---	0.01(t)
	Chlorine	0.019	0.011	Molybdenum	---	160(T)
	Cyanide	0.005	---	Nickel	TVS	TVS
	Nitrate	10	---	Selenium	TVS	TVS
	Nitrite	---	0.05	Silver	TVS	TVS(tr)
	Phosphorus	---	0.11	Uranium	---	---
	Sulfate	---	WS	Zinc	TVS	TVS
	Sulfide	---	0.002			

2. Mainstem of the Roaring Fork River, including all tributaries and wetlands, from the source to a point immediately below the confluence with Hunter Creek, except for those tributaries included in Segment 1.						
COUCRF02	Classifications	Physical and Biological		Metals (ug/L)		
Designation		DM	MWAT	acute	chronic	
Reviewable	Agriculture					
	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
Qualifiers:	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	50(T)
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
	Temporary Modification(s):	E. Coli (per 100 mL)	---	126	Copper	TVS
	Arsenic(chronic) = hybrid				Iron	---
Expiration Date of 12/31/2021					WS	
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
	Ammonia	TVS	TVS	Manganese	TVS	TVS
	Boron	---	0.75	Manganese	---	WS
	Chloride	---	250	Mercury	---	0.01(t)
	Chlorine	0.019	0.011	Molybdenum	---	160(T)
	Cyanide	0.005	---	Nickel	TVS	TVS
	Nitrate	10	---	Selenium	TVS	TVS
	Nitrite	---	0.05	Silver	TVS	TVS(tr)
	Phosphorus	---	0.11	Uranium	---	---
	Sulfate	---	WS	Zinc	TVS	TVS
	Sulfide	---	0.002	Zinc	---	TVS(sc)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Roaring Fork River Basin

3a. Mainstem of the Roaring Fork River, from a point immediately below the confluence with Hunter Creek, to a point immediately below the confluence with the Fryingpan River. All tributaries to the Roaring Fork River, including wetlands, from a point immediately below the confluence with Hunter Creek to the confluence with the Colorado River, except for those tributaries included in Segment 1 and specific listings in Segments 3b-10.

COUCRF03A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150*	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS
Expiration Date of 12/31/2021				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11*	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

3b. Mainstem of Red Canyon and all tributaries and wetlands from the source to the confluence with the Roaring Fork River, except for Landis Creek from its source to the Hopkins Ditch Diversion.

COUCRF03B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Roaring Fork River Basin

3c. Mainstem of the Roaring Fork River, from a point immediately below the confluence with the Fryngpan River, to the confluence with the Colorado River. Mainstem of Three Mile Creek, including all tributaries and wetlands, from the source to the confluence with the Roaring Fork River.

COUCRF03C	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	150*	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	---
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11*	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

3d. Mainstem of Cattle Creek, including all tributaries and wetlands, from the source to the most downstream White River National Forest boundary.

COUCRF03D	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
OW	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	---
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Roaring Fork River Basin

4. Mainstem of Brush Creek from the source to the confluence with the Roaring Fork River.							
COUCRF04	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150*	Chromium VI	TVS	
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	
Expiration Date of 12/31/2021					Iron	---	
*chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 33.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).		Inorganic (mg/L)		Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

5. Mainstem of the Fryingpan River from the source to the confluence with the North Fork.							
COUCRF05	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002	Zinc	---	TVS(sc)

5. Mainstem of the Fryingpan River from the source to the confluence with the North Fork.							
COUCRF05	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002	Zinc	---	TVS(sc)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Roaring Fork River Basin

6. Mainstem of the Fryingpan River from the confluence with the North Fork to the confluence with the Roaring Fork River.						
COUCRF06	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Manganese	TVS
		Chloride	---	250	Manganese	---
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	10	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	0.11	Silver	TVS
		Sulfate	---	WS	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
					Zinc	---
						TVS(sc)
7. All tributaries to the Fryingpan River, including all wetlands, except for those tributaries included in Segment 1.						
COUCRF07	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Manganese	TVS
		Chloride	---	250	Manganese	---
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	10	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	0.11	Silver	TVS
		Sulfate	---	WS	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
					Zinc	---
						TVS(sc)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Roaring Fork River Basin

8. Mainstem of the Crystal River, including all tributaries and wetlands, from the source to the confluence with the Roaring Fork River, except for specific listings in Segments 1, 9 and 10.

COUCRF08	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
Expiration Date of 12/31/2021					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

9. Mainstem of Coal Creek including all tributaries and wetlands from the source to the confluence with the Crystal River.

COUCRF09	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Qualifiers:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Other:  Temporary Modification(s):  Arsenic(chronic) = hybrid  Expiration Date of 12/31/2021		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Roaring Fork River Basin

10a. Mainstem of Thompson Creek, including all tributaries and wetlands, from the source to the confluence with the Crystal River, except for specific listings in Segment 10b.							
COUCRF10A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
					Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002	Zinc	---	TVS(sc)
		10b. Mainstem of North Thompson Creek, including all tributaries and wetlands, from the source to the White River National Fo rest boundary. Mainstem of Middle Thompson Creek, including all tributaries and wetlands, from the source to a point immediately below the confluence with the South Branch of Middle Thompson Creek.					
COUCRF10B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
					Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002	Zinc	---	TVS(sc)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Roaring Fork River Basin

11. All lakes and reservoirs within the Maroon Bells/Snowmass, Holy Cross, Raggeds, Collegiate Peaks and Hunter/Fryingpan Wilderness Areas.								
COUCRF11	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT	acute	chronic		
OW	Aq Life Cold 1	Temperature °C	CL,CLL	CL,CLL	Aluminum	---	---	
	Recreation E		acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
					Iron	---	WS	
		Inorganic (mg/L)			Iron	---	1000(T)	
			acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	0.025*	Uranium	---	---	
		Sulfate	---	WS	Zinc	TVS	TVS	
		Sulfide	---	0.002				
12. All lakes and reservoirs tributary to the Roaring Fork River except for specific listings in Segment 11.								
COUCRF12	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	4/1 - 12/31	CLL*	20.3* B	Aluminum	---	---
	Recreation E	Temperature °C	CL,CLL	CL,CLL	Arsenic	340	0.02(T)	
	Water Supply		acute	chronic	Beryllium	---	---	
Qualifiers:		D.O. (mg/L)	---	6.0	Cadmium	TVS(tr)	TVS	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Classification: DUWS Applies only to Leonard Thomas Res and Wildcat Res *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Temperature(4/1 - 12/31) = Ruedi Res (MWAT=20.3)		D.O. (spawning)	---	7.0	Chromium III	50(T)	TVS	
		pH	6.5 - 9.0	---	Chromium VI	TVS	TVS	
		chlorophyll a (ug/L)	---	8*	Copper	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Iron	---	WS	
					Iron	---	1000(T)	
		Inorganic (mg/L)			Lead	TVS	TVS	
			acute	chronic	Manganese	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	---	WS	
		Boron	---	0.75	Mercury	---	0.01(t)	
		Chloride	---	250	Molybdenum	---	160(T)	
		Chlorine	0.019	0.011	Nickel	TVS	TVS	
		Cyanide	0.005	---	Selenium	TVS	TVS	
		Nitrate	10	---	Silver	TVS	TVS(tr)	
		Nitrite	---	0.05	Uranium	---	---	
		Phosphorus	---	0.025*	Zinc	TVS	TVS	
		Sulfate	---	WS				
Sulfide	---	0.002						

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## North Platte River Basin

1. All tributaries to the North Platte and Encampment Rivers, including all wetlands, within the Mount Zirkel, Never Summer, and Platte River Wilderness Areas.					
COUCNP01	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
OW	Agriculture				
	Aq Life Cold 1	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
Water Supply				Beryllium	0.02(T)
	D.O. (mg/L)	---	6.0		---
	D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Qualifiers:				Chromium III	TVS
Other:	pH	6.5 - 9.0	---	Chromium VI	TVS
	chlorophyll a (mg/m <sup>2</sup> )	---	150	Copper	TVS
	E. Coli (per 100 mL)	---	126	Iron	WS
				Iron	1000(T)
	Inorganic (mg/L)			Lead	TVS
	acute	chronic		Manganese	TVS
	Ammonia	TVS	TVS	Manganese	WS
	Boron	---	0.75	Mercury	0.01(t)
	Chloride	---	250	Molybdenum	160(T)
	Chlorine	0.019	0.011	Nickel	TVS
	Cyanide	0.005	---	Selenium	TVS
	Nitrate	10	---	Silver	TVS(tr)
	Nitrite	---	0.05	Uranium	---
	Phosphorus	---	0.11	Zinc	TVS
	Sulfate	---	WS		
	Sulfide	---	0.002		
2. Mainstem of the Encampment River, including all tributaries and wetlands, from the source to the Colorado/Wyoming border, except for those tributaries included in Segment 1.					
COUCNP02	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Reviewable	Agriculture				
	Aq Life Cold 1	CS-I	CS-I	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340
Water Supply				Beryllium	0.02(T)
	D.O. (mg/L)	---	6.0		---
	D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Qualifiers:				Chromium III	TVS
Other:	pH	6.5 - 9.0	---	Chromium VI	TVS
	chlorophyll a (mg/m <sup>2</sup> )	---	150	Copper	TVS
	E. Coli (per 100 mL)	---	205	Iron	WS
				Iron	1000(T)
	Inorganic (mg/L)			Lead	TVS
	acute	chronic		Manganese	TVS
	Ammonia	TVS	TVS	Manganese	WS
	Boron	---	0.75	Mercury	0.01(t)
	Chloride	---	250	Molybdenum	160(T)
	Chlorine	0.019	0.011	Nickel	TVS
	Cyanide	0.005	---	Selenium	TVS
	Nitrate	10	---	Silver	TVS(tr)
	Nitrite	---	0.05	Uranium	---
	Phosphorus	---	0.11	Zinc	TVS
	Sulfate	---	WS		
	Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## North Platte River Basin

3. Mainstem of the North Platte River from the confluence of Grizzly Creek and Little Grizzly Creek to the Colorado/Wyoming border.						
COUCNP03	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 33.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
					Lead	TVS
					Manganese	---
					Manganese	TVS
					Mercury	---
					Molybdenum	---
					Nickel	TVS
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS
					Sulfide	---
4a. All tributaries to the North Platte River system, including all wetlands, except for those tributaries included in Segment 1, and specific listings in Segments 4b, 6, 7a and 7b.						
COUCNP04A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
					Lead	TVS
					Manganese	TVS
					Manganese	---
					Mercury	---
					Molybdenum	---
					Nickel	TVS
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS
					Sulfide	---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## North Platte River Basin

4b. Mainstem of the Illinois River, including all tributaries and wetlands, from a point immediately below the confluence with Indian Creek to the confluence with the Michigan River except for specific listings in Segments 7a and 7b. Mainstem of the Canadian River below 12E Road to the confluence with the North Platte River. All tributaries which enter the mainstem of the Canadian River from the southwest side of the mainstem.

COUCNP04B		Classifications		Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
Expiration Date of 12/31/2021					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

5a. Mainstem of the Michigan River from the source to a point immediately below the confluence with the North Fork Michigan River.

COUCNP05A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
Expiration Date of 12/31/2021					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## North Platte River Basin

5b. Mainstem of the Michigan River from a point immediately below the confluence with the North Fork Michigan River to the confluence with the North Platte River.						
COUCNP05B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation N		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	630	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
			acute	chronic	Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11*	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
6. Mainstem of Pinkham Creek from the Routt National Forest boundary to the confluence with the North Platte River.						
COUCNP06	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation N		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	630	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
			acute	chronic	Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## North Platte River Basin

7a. Mainstem of Government Creek from the boundary of the Colorado State Forest to the confluence with the Canadian River. Mainstem of Spring Creek from the source to the outlet of Spring Creek (Number 31) Reservoir.					
COUCNP07A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2 Recreation N	Temperature °C	CS-I CS-I	Aluminum	---
Qualifiers:	Fish Ingestion	acute	chronic	Arsenic	340 7.6(T)
		D.O. (mg/L)	---	Beryllium	---
Other:		D.O. (spawning)	---	Cadmium	TVS(tr) TVS
		pH	6.5 - 9.0 ---	Chromium III	TVS TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	---
		E. Coli (per 100 mL)	---	Chromium VI	TVS TVS
		Inorganic (mg/L)		Copper	TVS TVS
		acute	chronic	Iron	---
		Ammonia	TVS TVS	Lead	TVS TVS
		Boron	---	Manganese	TVS TVS
		Chloride	---	Mercury	---
		Chlorine	0.019 0.011	Molybdenum	---
		Cyanide	0.005 ---	Nickel	TVS TVS
		Nitrate	100 ---	Selenium	TVS TVS
		Nitrite	---	Silver	TVS TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	---	Zinc	TVS TVS
		Sulfide	---		

7b. Mainstem of Spring Creek from the outlet of Spring Creek (Number 31) Reservoir to the confluence with the Illinois River.					
COUCNP07B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2 Recreation N	Temperature °C	CS-II CS-II	Aluminum	---
Qualifiers:	Fish Ingestion	acute	chronic	Arsenic	340 7.6(T)
		D.O. (mg/L)	---	Beryllium	---
Other:		D.O. (spawning)	---	Cadmium	TVS(tr) TVS
		pH	6.5 - 9.0 ---	Chromium III	TVS TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	---
		E. Coli (per 100 mL)	---	Chromium VI	TVS TVS
		Inorganic (mg/L)		Copper	TVS TVS
		acute	chronic	Iron	---
		Ammonia	TVS TVS	Lead	TVS TVS
		Boron	---	Manganese	TVS TVS
		Chloride	---	Mercury	---
		Chlorine	0.019 0.011	Molybdenum	---
		Cyanide	0.005 ---	Nickel	TVS TVS
		Nitrate	100 ---	Selenium	TVS TVS
		Nitrite	---	Silver	TVS TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	---	Zinc	TVS TVS
		Sulfide	---		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## North Platte River Basin

8. All lakes and reservoirs within the Mount Zirkel, Never Summer, and Platte River Wilderness Areas.

COUCNP08	Classifications	Physical and Biological			Metals (ug/L)		
Designation			DM	MWAT		acute	chronic
OW	Agriculture						
	Aq Life Cold 1	Temperature °C	CL,CLL	CL,CLL	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
Qualifiers:	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Other:	*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.	chlorophyll a (ug/L)	---	8*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
					Iron	---	1000(T)
					Lead	TVS	TVS
					Manganese	TVS	TVS
					Manganese	---	WS
					Mercury	---	0.01(t)
					Molybdenum	---	160(T)
					Nickel	TVS	TVS
					Selenium	TVS	TVS
					Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

9. All lakes and reservoirs tributary to the North Platte and Encampment Rivers except for specific listings in Segment 8.

COUCNP09	Classifications	Physical and Biological			Metals (ug/L)		
Designation			DM	MWAT		acute	chronic
Reviewable	Agriculture						
	Aq Life Cold 1	Temperature °C	4/1 - 12/31 CLL*	18.8*	Aluminum	---	---
	Recreation E	Temperature °C	4/1 - 12/31 CLL*	20.1*	Arsenic	340	0.02(T)
Qualifiers:	Water Supply	Temperature °C	4/1 - 12/31 CLL*	1.2*	Beryllium	---	---
		Temperature °C	CL,CLL	CL,CLL	Cadmium	TVS(tr)	TVS
					Chromium III	50(T)	TVS
Other:	*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Temperature(4/1 - 12/31) = South Delaney Lake (MWAT=18.8) *Temperature(4/1 - 12/31) = North Delaney Lake (MWAT=20.1) *Temperature(4/1 - 12/31) = Lake John (MWAT=1.2)		acute	chronic	Chromium VI	TVS	TVS
		D.O. (mg/L)	---	6.0	Copper	TVS	TVS
		D.O. (spawning)	---	7.0	Iron	---	WS
		pH	6.5 - 9.0	---	Iron	---	1000(T)
		chlorophyll a (ug/L)	---	8*	Lead	TVS	TVS
		E. Coli (per 100 mL)	---	126	Manganese	TVS	TVS
					Manganese	---	WS
					Mercury	---	0.01(t)
					Molybdenum	---	160(T)
					Nickel	TVS	TVS
					Selenium	TVS	TVS
					Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Yampa River Basin

1. All tributaries to the Yampa River, including all wetlands, which are within the Mount Zirkel, Flat Tops and Sarvis Creek Wilderness Areas.

COUCYA01	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM		MWAT	acute		chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---	
	Recreation E		acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
					Iron	---	WS	
		Inorganic (mg/L)			Iron	---	1000(T)	
				acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	0.11	Uranium	---	---	
		Sulfate	---	WS	Zinc	TVS	TVS	
		Sulfide	---	0.002	Zinc	---	TVS(sc)	

2a. Mainstem of the Yampa River from the confluence with Wheeler Creek to a point immediately above the confluence with Oak Creek.

COUCYA02A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L )	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 33.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002	Zinc	---	TVS(sc)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Yampa River Basin

2b. Mainstem of the Yampa River from a point immediately above the confluence with Oak Creek to a point immediately below the confluence with Elkhead Creek.					
COUCYA02B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS
Expiration Date of 12/31/2021		Inorganic (mg/L)		Iron	WS
		acute	chronic	Iron	1000(T)
		Ammonia	TVS	Lead	TVS
		Boron	---	Manganese	TVS
		Chloride	250	Manganese	---
		Chlorine	0.019	Mercury	0.01(t)
		Cyanide	0.005	Molybdenum	160(T)
		Nitrate	10	Nickel	TVS
		Nitrite	0.05	Selenium	TVS
		Phosphorus	---	Silver	TVS(tr)
		Sulfate	WS	Uranium	---
		Sulfide	0.002	Zinc	TVS
				Zinc	TVS(sc)

3. All tributaries to the Yampa River, including all wetlands, from the source to the confluence with Elk River, except for s specific listings in Segments 4-8, 13a-f and 19. Mainstem of the Bear River, including all tributaries and wetlands from the boundary of the Flat Tops Wilderness Area to the confluence with the Yampa River.					
COUCYA03	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150*	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS
Expiration Date of 12/31/2021		Inorganic (mg/L)		Iron	WS
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 33.5(4).		acute	chronic	Iron	1000(T)
*Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).		Ammonia	TVS	Lead	TVS
		Boron	---	Manganese	TVS
		Chloride	250	Manganese	---
		Chlorine	0.019	Mercury	0.01(t)
		Cyanide	0.005	Molybdenum	160(T)
		Nitrate	10	Nickel	TVS
		Nitrite	0.05	Selenium	TVS
		Phosphorus	0.11*	Silver	TVS
		Sulfate	WS	Uranium	---
		Sulfide	0.002	Zinc	TVS
				Zinc	TVS(sc)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Yampa River Basin

4. Mainstem of Little White Snake Creek from the source to the confluence with the Yampa River.

COUCYA04	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	0.02-10(T) <sup>A</sup>
Qualifiers:		D.O. (spawning)	7.0	Cadmium	5.0(T)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	50(T)
		E. Coli (per 100 mL)	630	Copper	200(T)
		Inorganic (mg/L)		Iron	WS
				Lead	50(T)
		acute	chronic	Manganese	TVS
		Ammonia	---	Manganese	WS
		Boron	0.75	Mercury	2.0(T)
		Chloride	250	Molybdenum	160(T)
		Chlorine	---	Nickel	100(T)
		Cyanide	0.005	Selenium	20(T)
		Nitrate	10	Silver	100(T)
		Nitrite	0.05	Uranium	---
		Phosphorus	0.11	Zinc	2000(T)
		Sulfate	WS		
		Sulfide	0.002		

5. Mainstem of Chimney Creek, including all tributaries and wetlands, which are not on National Forest lands, from the source to the confluence with the Yampa River.

COUCYA05	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	6.0	Beryllium	7.6(T)
Other:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium III	100(T)
		E. Coli (per 100 mL)	205	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS
				Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Mercury	0.01(t)
		Chloride	---	Molybdenum	160(T)
		Chlorine	0.019	Nickel	TVS
		Cyanide	0.005	Selenium	TVS
		Nitrate	100	Silver	TVS
		Nitrite	0.05	Uranium	TVS(tr)
		Phosphorus	0.11	Zinc	TVS
		Sulfate	---		
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Yampa River Basin

6. Mainstem of Oak Creek, including all tributaries and wetlands, from the source to a point 0.25 mile below County Road 27.

COUCYA06	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS
Expiration Date of 12/31/2021				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

7. Mainstem of Oak Creek, including all tributaries and wetlands, from a point 0.25 mile below County Road 27 to the confluence with the Yampa River.

COUCYA07	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150*	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	205	Copper	TVS
Expiration Date of 12/31/2021				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11*	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

\*chlorophyll a (mg/m<sup>2</sup>)(chronic) = applies only above the facilities listed at 33.5(4).

\*Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Yampa River Basin

8. Mainstem of the Elk River including, all tributaries and wetlands, from the source to the confluence with the Yampa River, except for those tributaries included in Segments 1, 20a and 20b.

COUCYA08	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150*	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS
Expiration Date of 12/31/2021				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11*	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002	Zinc	TVS(sc)

9. Deleted.

COUCYA09	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Qualifiers:		acute	chronic		
Other:					
		Inorganic (mg/L)			
		acute	chronic		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Yampa River Basin

10. Deleted.						
COUCYA10	Classifications	Physical and Biological			Metals (ug/L)	
Designation		DM	MWAT	acute	chronic	
Qualifiers:		acute	chronic			
Other:						
		Inorganic (mg/L)				
		acute	chronic			
11. Fish Creek, including all tributaries and wetlands, from the source to County Road 27, except for specific listings in Segment 20.						
COUCYA11	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	---
		pH	6.5 - 9.0	---	Chromium III	---
		chlorophyll a (mg/m²)	---	---	Chromium VI	---
		E. Coli (per 100 mL)	---	630	Copper	200(T)
					Iron	---
		Inorganic (mg/L)			Lead	---
		acute	chronic		Manganese	---
		Ammonia	---	---	Mercury	---
		Boron	---	0.75	Molybdenum	---
		Chloride	---	---	Nickel	---
		Chlorine	---	---	Selenium	---
		Cyanide	0.2	---	Silver	---
		Nitrate	100	---	Uranium	---
		Nitrite	---	0.05	Zinc	---
		Phosphorus	---	0.11		2000(T)
		Sulfate	---	---		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Yampa River Basin

12. All tributaries to the Yampa River, including all wetlands, from the confluence with the Elk River to the confluence with Elkhead Creek, which are not on National Forest lands, except for specific listings in Segments 11 and 13a-fj.

COUCYA12	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation N		acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	---
Other:		D.O. (spawning)	---	7.0	Cadmium	---	10(T)
		pH	6.5 - 9.0	---	Chromium III	---	100(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	---	100(T)
		E. Coli (per 100 mL)	---	630	Copper	200(T)	---
					Iron	---	---
			Inorganic (mg/L)		Lead	---	100(T)
					Manganese	---	200(T)
		Ammonia	---	---	Mercury	---	---
		Boron	---	0.75	Molybdenum	---	160(T)
		Chloride	---	---	Nickel	---	200(T)
		Chlorine	---	---	Selenium	---	20(T)
		Cyanide	0.2	---	Silver	---	---
		Nitrate	100	---	Uranium	---	---
		Nitrite	---	0.05	Zinc	---	2000(T)
		Phosphorus	---	0.11			
		Sulfate	---	---			
		Sulfide	---	0.002			

13a. Mainstem of Trout Creek, including all tributaries and wetlands, from the source to the confluence with the Yampa River, which are not on National Forest lands, except for specific listings in Segments 13b, 13c, 13f, and 13g.

COUCYA13A	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---	
	Recreation E		acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
					Iron	---	WS	
		Inorganic (mg/L)			Iron	---	1000(T)	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Yampa River Basin

13b. Mainstem of Foidel Creek, including all tributaries and wetlands. Mainstem Fish Creek, including all tributaries from County Road 27 downstream to the confluence with Trout Creek, except for specific listings in Segment 13g. Middle Creek and all tributaries, from County Road 27 downstream to the confluence with Trout Creek.								
COUCYA13B		Classifications		Physical and Biological		Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---	---	
	Recreation E		acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	---	
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Temporary Modification(s):		pH	6.5 - 9.0	---	Chromium III	TVS	TVS	
Selenium(chronic) = current conditions*		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---	100(T)	
Expiration Date of 12/31/2018		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
					Copper	TVS	TVS	
			Inorganic (mg/L)		Iron	---	1000(T)*	
			acute	chronic	Iron	3/1 - 6/30	---	2090(T)*
		Ammonia	TVS	TVS	Lead	TVS	TVS	
		Boron	---	0.75	Manganese	TVS	TVS	
		Chloride	---	---	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	100	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	0.11	Uranium	---	---	
		Sulfate	---	---	Zinc	TVS	TVS	
		Sulfide	---	0.002				

13c. Mainstem of Trout Creek from the headgate of Spruce Hill Ditch (approximately 2,500 feet north of where County Road 27 crosses Trout Creek) to its confluence with Fish Creek. All tributaries to Trout Creek from the headgate of Spruce Hill Ditch (approximately 2,500 feet north of where County Road 27 crosses Trout Creek) to County Road 179 except for specific listings in 13b.								
COUCYA13C		Classifications		Physical and Biological		Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	---	
	Recreation E		acute	chronic	Arsenic	340	7.6(T)*	
	Water Supply	6/1 - 2/29	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:		pH	6.5 - 9.0	---	Chromium III	TVS*	TVS	
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---	100(T)	
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
Expiration Date of 12/31/2021					Copper	TVS	TVS	
			Inorganic (mg/L)		Iron	6/1 - 2/29	---	WS
			acute	chronic	Iron	---	1000(T)	
		Ammonia	TVS	TVS	Lead	TVS	TVS	
		Boron	---	0.75	Manganese	TVS	TVS*	
		Chloride	6/1 - 2/29	---	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	100*	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	0.11	Uranium	---	---	
		Sulfate	6/1 - 2/29	---	Zinc	TVS	TVS	
		Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Yampa River Basin

13d. Mainstem of Dry Creek, including all tributaries and wetlands, from the source to just above the confluence with Temple Gulch.								
COUCYA13D		Classifications		Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT			acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---	
	Recreation E	acute	chronic			Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---	
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS	
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	TVS	TVS	
Iron(chronic) = current condition		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)	
Expiration Date of 12/31/2016		Inorganic (mg/L)			Chromium VI	TVS	TVS	
Selenium(chronic) = current conditions		acute	chronic			Copper	TVS	TVS
Expiration Date of 12/31/2018		Ammonia	TVS	TVS	Iron	5/1 - 2/29	---	1110(T)*
*Iron(chronic) = See section 33.6(4) for iron assessment locations.		Boron	---	0.75	Iron	3/1 - 4/30	---	3040(T)*
*Iron(chronic) = See section 33.6(4) for iron assessment locations.		Chloride	---	---	Lead	TVS	TVS	
		Chlorine	0.019	0.011	Manganese	TVS	TVS	
		Cyanide	0.005	---	Mercury	---	0.01(t)	
		Nitrate	100	---	Molybdenum	---	160(T)	
		Nitrite	---	0.05	Nickel	TVS	TVS	
		Phosphorus	---	0.17	Selenium	TVS	TVS	
		Sulfate	---	---	Silver	TVS	TVS	
		Sulfide	---	0.002	Uranium	---	---	
					Zinc	TVS	TVS	

13e. Mainstem of Sage Creek, including all tributaries and wetlands, from its sources to the confluence with the Yampa River.								
COUCYA13E		Classifications		Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT			acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---	
	Recreation N	acute	chronic			Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---	
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS	
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS	TVS	
Selenium(chronic) = current conditions		E. Coli (per 100 mL)	---	630	Chromium III	---	100(T)	
Expiration Date of 12/31/2018		Inorganic (mg/L)			Chromium VI	TVS	TVS	
*Iron(chronic) = 1,000(T) ug/L on Lower Sage Creek. See section 33.6(4) for iron assessment locations.		acute	chronic			Copper	TVS	TVS
*Iron(chronic) = 1,250(T) ug/L on Upper Sage Creek. Break between Upper and Lower Sage Creek is the west border of Section 18, T5N, R87W. See section 33.6(4) for iron assessment locations.		Ammonia	TVS	TVS	Iron	---	1000(T)*	
		Boron	---	0.75	Iron	---	1250(T)*	
		Chloride	---	---	Lead	TVS	TVS	
		Chlorine	0.019	0.011	Manganese	TVS	TVS	
		Cyanide	0.005	---	Mercury	---	0.01(t)	
		Nitrate	100	---	Molybdenum	---	160(T)	
		Nitrite	---	0.05	Nickel	TVS	TVS	
		Phosphorus	---	0.17	Selenium	TVS	TVS	
		Sulfate	---	---	Silver	TVS	TVS	
		Sulfide	---	0.002	Uranium	---	---	
					Zinc	TVS	TVS	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Yampa River Basin

13f. Mainstem of Trout Creek, including all tributaries and wetlands, from a point immediately below its confluence with Fish Creek to the confluence with the Yampa River.						
COUCYA13F	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
13g. All tributaries to Fish Creek from the confluence with Cow Camp Creek to the confluence with Trout Creek,						
COUCYA13G	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
		D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS(tr)
Other:		chlorophyll a (mg/m²)	---	150	Chromium III	TVS
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Selenium(chronic) = current conditions		Inorganic (mg/L)			Copper	TVS
Expiration Date of 12/31/2018		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Manganese	TVS
		Chloride	---	---	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	100	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.17	Uranium	---
		Sulfate	---	---	Zinc	TVS
		Sulfide	---	0.002		

13g. All tributaries to Fish Creek from the confluence with Cow Camp Creek to the confluence with Trout Creek,							
COUCYA13G	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS(tr)	TVS
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150	Chromium III	TVS	TVS
Selenium(chronic) = current conditions		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2018		Inorganic (mg/L)			Copper	TVS	TVS
			acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Manganese	TVS	TVS
		Chloride	---	---	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	100	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.17	Uranium	---	---
		Sulfate	---	---	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Yampa River Basin

13h. Mainstem of Dry Creek, including all tributaries and wetlands, from the confluence with Temple Gulch to the confluence with the Yampa River near Hayden.					
COUCYA13H	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture UP	DM	MWAT	acute	chronic
		WS-II	WS-II		
	Aq Life Warm 2			Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	Cadmium	TVS(T)
		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium III	TVS
		E. Coli (per 100 mL)	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS
		acute	chronic	Iron	1000(T)*
		Ammonia	TVS	Lead	TVS
		Boron	0.75	Manganese	TVS
		Chloride	---	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	100	Selenium	TVS
		Nitrite	0.05	Silver	TVS(T)
		Phosphorus	0.17	Uranium	---
		Sulfate	---	Zinc	TVS
		Sulfide	0.002		

13i. Mainstem of Grassy Creek, including all tributaries and wetlands, from the source to immediately above the confluence with Scotchmans Gulch.					
COUCYA13I	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture UP	DM	MWAT	acute	chronic
		WS-II	WS-II		
	Aq Life Warm 2			Aluminum	---
	Recreation N	acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	TVS
		E. Coli (per 100 mL)	630	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS
		acute	chronic	Iron	1000(T)*
		Ammonia	TVS	Lead	TVS
		Boron	0.75	Manganese	TVS
		Chloride	---	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	100	Selenium	TVS
		Nitrite	0.05	Silver	TVS
		Phosphorus	0.17	Uranium	---
		Sulfate	---	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Yampa River Basin

13j. Mainstem of Grassy Creek, including all tributaries and wetlands, from the confluence with Scotchmans Gulch to the confluence with the Yampa River near Hayden.								
COUCYA13J	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT		acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---	
	Recreation N		acute	chronic	Arsenic	340	100(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---	
Other:  *Selenium(acute) = See section 33.6(4) for selenium assessment locations. *Selenium(chronic) = See section 33.6(4) for selenium assessment locations.		pH	6.5 - 9.0	---	Cadmium	TVS	TVS	
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS	TVS	
		E. Coli (per 100 mL)	---	630	Chromium VI	TVS	TVS	
		Inorganic (mg/L)			Copper	TVS	TVS	
			acute	chronic	Iron	---	1000(T)	
		Ammonia	TVS	TVS	Lead	TVS	TVS	
		Boron	---	0.75	Manganese	TVS	TVS	
		Chloride	---	---	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	100	---	Selenium	3/1 - 6/30	TVS*	TVS*
		Nitrite	---	0.05	Silver	TVS	TVS	
		Phosphorus	---	0.17	Uranium	---	---	
		Sulfate	---	---	Zinc	TVS	TVS	
		Sulfide	---	0.002				
		14. Mainstem of Elkhead Creek, including all tributaries and wetlands, from the boundary of the National Forest lands, to a point immediately below the confluence with Calf Creek. Dry Fork of Elkhead Creek, including all tributaries and wetlands, from the source to a point immediately below 80A Road.						
COUCYA14	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	---	
	Recreation E		acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
					Iron	---	WS	
		Inorganic (mg/L)			Iron	---	1000(T)	
			acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	0.11	Uranium	---	---	
		Sulfate	---	WS	Zinc	TVS	TVS	
		Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Yampa River Basin

15. Mainstem of Elkhead Creek, including all tributaries and wetlands, from a point immediately below the confluence with Calf Creek to the confluence with the Yampa River. Dry Fork of Elkhead Creek, including all tributaries and wetlands, from a point immediately below 80A Road to the confluence with the Yampa River.						
COUCYA15	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS(tr)
Other:		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
			acute	chronic	Iron	---
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.17	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS
16. Deleted.						
COUCYA16	Classifications	Physical and Biological			Metals (ug/L)	
Designation			DM	MWAT	acute	chronic
Qualifiers:			acute	chronic		
Other:						
		Inorganic (mg/L)				
			acute	chronic		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Yampa River Basin

17. Deleted.

COUCYA17	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Qualifiers:		acute	chronic		
Other:					
		Inorganic (mg/L)			
		acute	chronic		

18. Mainstem of the Little Snake River, including all tributaries and wetlands, from the Routt National Forest boundary to the Colorado/Wyoming border.

COUCYA18	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Reviewable	Agriculture				
	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	Copper	TVS
				Iron	---
		Inorganic (mg/L)		Iron	---
		acute	chronic	Lead	TVS
	Ammonia	TVS	TVS	Manganese	TVS
	Boron	---	0.75	Manganese	---
	Chloride	---	250	Mercury	---
	Chlorine	0.019	0.011	Molybdenum	---
	Cyanide	0.005	---	Nickel	TVS
	Nitrate	10	---	Selenium	TVS
	Nitrite	---	0.05	Silver	TVS
	Phosphorus	---	0.11	Uranium	---
	Sulfate	---	WS	Zinc	TVS
	Sulfide	---	0.002	Zinc	---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Yampa River Basin

19. All tributaries to the Little Snake River, including all wetlands, which are on National Forest lands in Routt County.

COUCYA19	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	---
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	---	Manganese	---
		Chloride	250	Mercury	---
		Chlorine	0.019	Molybdenum	---
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	---
		Nitrite	---	Silver	TVS
		Phosphorus	---	Uranium	---
		Sulfate	---	Zinc	TVS
		Sulfide	---	Zinc	TVS(sc)

20a. All tributaries to the Yampa River, including wetlands, above the confluence with Elkhead Creek that are within National Forest boundaries, except for specific listings in segment 20b.

COUCYA20A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation U	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	---
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	---	Manganese	---
		Chloride	250	Mercury	---
		Chlorine	0.019	Molybdenum	---
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	---	Silver	TVS
		Phosphorus	---	Uranium	---
		Sulfate	---	Zinc	TVS
		Sulfide	---		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Yampa River Basin

20b. Mainstem of First Creek from the eastern boundary of state lands in California Park to the confluence with Elkhead Creek. Mainstem of Elkhead Creek from the eastern boundary of state lands in California Park to the National Forest boundary.						
COUCYA20B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	630	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
					Lead	TVS
					Manganese	TVS
					Manganese	---
					Mercury	---
					Molybdenum	---
					Nickel	TVS
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS
		21. All lakes and reservoirs which are within the Mount Zirkel, Flat Tops and Sarvis Creek Wilderness Areas.				
COUCYA21	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CL,CLL	CL,CLL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
					Lead	TVS
					Manganese	TVS
					Manganese	---
					Mercury	---
					Molybdenum	---
					Nickel	TVS
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Yampa River Basin

22. All lakes and reservoirs tributary to the Yampa River from the source to the confluence with Elkhead Creek, except for those listed in Segment 21. All lakes and reservoirs tributary to Elkhead Creek from the source to the confluence with the Yampa River, except for specific listings in Segment 23. All lakes and reservoirs tributary to the Little Snake River, including those on National Forest lands.

COUCYA22	Classifications	Physical and Biological				Metals (ug/L)		
Designation	Agriculture			DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	4/1 - 12/31	CLL*	19.6* <sup>B</sup>	Aluminum	---	---
	Recreation E	Temperature °C	4/1 - 12/31	CLL*	21.6* <sup>B</sup>	Arsenic	340	0.02(T)
	Water Supply	Temperature °C	4/1 - 12/31	CLL*	21.7* <sup>B</sup>	Beryllium	---	---
	DUWS*	Temperature °C		CL,CLL	CL,CLL	Cadmium	TVS(tr)	TVS
<b>Qualifiers:</b>						Chromium III	50(T)	TVS
<b>Other:</b>						Chromium VI	TVS	TVS
*chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 33.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Classification: DUWS Applies only to Stagecoach Res. Steamboat Lake and Yampa River Holding Pond *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Temperature(4/1 - 12/31) = Pearl Lake (MWAT=19.6) *Temperature(4/1 - 12/31) = Steamboat Res (MWAT=21.6) *Temperature(4/1 - 12/31) = Stagecoach Res (MWAT=21.7)				acute	chronic	Copper	TVS	TVS
		D.O. (mg/L)		---	6.0	Iron	---	WS
		D.O. (spawning)		---	7.0	Iron	---	1000(T)
		pH		6.5 - 9.0	---	Lead	TVS	TVS
		chlorophyll a (ug/L)		---	8*	Manganese	TVS	TVS
		E. Coli (per 100 mL)		---	126	Manganese	---	WS
						Mercury	---	0.01(t)
				Inorganic (mg/L)		Molybdenum	---	160(T)
				acute	chronic	Nickel	TVS	TVS
		Ammonia		TVS	TVS	Selenium	TVS	TVS
		Boron		---	0.75	Silver	TVS	TVS(tr)
		Chloride		---	250	Uranium	---	---
		Chlorine		0.019	0.011	Zinc	TVS	TVS
		Cyanide		0.005	---			
		Nitrate		10	---			
		Nitrite		---	0.05			
		Phosphorus		---	0.025*			
		Sulfate		---	WS			
		Sulfide		---	0.002			

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Yampa River Basin

23. Elkhead Reservoir							
COUCYA23	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Warm 1	Temperature °C	WL	WL	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:  *chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 33.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute		chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.025*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

\*chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 33.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.  
\*Phosphorus(chronic) = applies only above the facilities listed at 33.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

## **STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS – FOOTNOTES**

- A) Whenever a range of standards is listed and referenced to this footnote, the first number in the range is a strictly health-based value, based on the Commission's established methodology for human health-based standards. The second number in the range is a maximum contaminant level, established under the federal Safe Drinking Water Act that has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range. Water bodies will be considered in attainment of this standard, and not included on the Section 303(d) List, so long as the existing ambient quality does not exceed the second number in the range.
- B) Assessment of adequate refuge shall rely on the Cold Large Lake table value temperature criterion and applicable dissolved oxygen standard rather than the site-specific temperature standard.

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00759

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

Water Quality Control Commission (1002 Series)

**on 01/11/2016**

5 CCR 1002-33

**REGULATION NO. 33 - CLASSIFICATIONS AND NUMERIC STANDARDS FOR UPPER  
COLORADO RIVER BASIN AND NORTH PLATTE RIVER (PLANNING REGION 12)**

The above-referenced rules were submitted to this office on 01/12/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 29, 2016 11:21:46

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General



## **Permanent Rules Adopted**

### **Department**

Department of Public Health and Environment

### **Agency**

Water Quality Control Commission (1002 Series)

### **CCR number**

5 CCR 1002-33

### **Rule title**

5 CCR 1002-33 REGULATION NO. 33 - CLASSIFICATIONS AND NUMERIC  
STANDARDS FOR UPPER COLORADO RIVER BASIN AND NORTH PLATTE RIVER  
(PLANNING REGION 12) 1 - eff 06/30/2016

### **Effective date**

06/30/2016

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**  
**WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-33**

**REGULATION NO. 33**  
**CLASSIFICATIONS AND NUMERIC STANDARDS**  
**FOR**  
**UPPER COLORADO RIVER BASIN AND**  
**NORTH PLATTE RIVER (PLANNING REGION 12)**

....

**33.55 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016**

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

**BASIS AND PURPOSE**

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2017, to determine whether the temporary modification should be modified, eliminated or extended. Temporary modifications of standards on two segments were reviewed.

Blue River segment 14: Temporary modification of the chronic molybdenum standard. Climax Molybdenum has presented evidence that they are making progress on the plan for eliminating the need for the temporary modification and on resolving the uncertainty regarding the underlying molybdenum standards on Blue River segment 14. However, the results of a key study will not be available in time for consideration in the June 2016 Basic Standards hearing. Therefore, the Commission extended the expiration date of the "current conditions" temporary modification for molybdenum to 12/31/2017 in order that the expected study results may be considered at a special hearing subsequent to the regularly scheduled Basic Standards hearing in June 2016.

Yampa River segment 13d: Temporary modification of the iron standard. Peabody Sage Creek Mining Company and Seneca Coal Company presented evidence that the expiration date of the iron temporary modification should be aligned with the expiration date of the iron temporary modification on Yampa River segment 13i (which was the subject of rulemaking last year). These segments are subject to the same study plan, and should have the same expiration date. The Commission extended the temporary modification to the iron standard for Yampa River segment 13d to 12/31/2017.

In addition, the Commission corrected the Regulation #33 numeric tables for Yampa River segment 13i to indicate that the iron temporary modification applies to Grassy Creek, not Little Grassy Creek. This correction is consistent with Regulation #33 and its Statements of Basis and Purpose for the iron temporary modification on Grassy Creek as adopted by the Commission in the Colorado Basin hearings in 2008 and 2014.

PARTIES TO THE RULEMAKING HEARING

1. City of Delta
2. Resurrection Mining Company
3. U.S. Energy Corp.
4. City of Pueblo
5. Peabody Sage Creek Mining and Seneca Coal Company
6. Climax Molybdenum Company
7. Rio Grande Silver
8. City of Colorado Springs and Colorado Springs Utilities
9. Tri-State Generation and Transmission Association, Inc.
10. High Country Conservation Advocates
11. U.S. Environmental Protection Agency
12. Colorado Parks and Wildlife
13. Town of Crested Butte and Coal Creek Watershed Coalition
14. Public Service Company of Colorado

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-33**

**REGULATION NO. 33  
CLASSIFICATIONS AND NUMERIC STANDARDS  
FOR  
UPPER COLORADO RIVER BASIN AND  
NORTH PLATTE RIVER (PLANNING REGION 12)**

**APPENDIX 33-1  
Stream Classifications and Water Quality Standards Tables**

Effective 06/30/2016

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Blue River Basin

14. Mainstem of Tenmile Creek, including all tributaries and wetlands from a point immediately above the confluence with West Tenmile Creek to Dillon Reservoir, except for the specific listing in Segment 16.						
COUCBL14	Classifications	Physical and Biological			Metals (ug/L)	
Designation		DM	MWAT		acute	chronic
Reviewable	Agriculture					
	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
Molybdenum(chronic) = current conditions		Inorganic (mg/L)			Iron	---
Expiration Date of 12/31/2017					Lead	TVS
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 33.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 33.5(4).			acute	chronic	Manganese	TVS
		Ammonia	TVS	TVS	Manganese	---
		Boron	---	0.75	Mercury	---
		Chloride	---	250	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	10	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11*	Zinc	TVS
		Sulfate	---	WS	Zinc	---
		Sulfide	---	0.002		TVS(sc)

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #33 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Yampa River Basin

13d. Mainstem of Dry Creek, including all tributaries and wetlands, from the source to just above the confluence with Temple Gulch.												
COUCYA13D	Classifications		Physical and Biological			Metals (ug/L)						
Designation	Agriculture		DM	MWAT	acute			chronic				
UP	Aq Life Warm 2		Temperature °C	WS-II	WS-II	Aluminum			---	---		
	Recreation E		acute	chronic	Arsenic			340	100(T)			
Qualifiers:			D.O. (mg/L)	---	5.0	Beryllium			---	---		
Other:  Temporary Modification(s): Iron(chronic) = current condition Expiration Date of 12/31/2017 Selenium(chronic) = current conditions Expiration Date of 12/31/2018  *Iron(chronic) = See section 33.6(4) for iron assessment locations.			pH	6.5 - 9.0	---	Cadmium			TVS	TVS		
			chlorophyll a (mg/m²)	---	150	Chromium III			TVS	TVS		
			E. Coli (per 100 mL)	---	126	Chromium III			---	100(T)		
			Inorganic (mg/L)			Chromium VI			TVS	TVS		
			acute	chronic	Copper			TVS	TVS			
			Ammonia	TVS	TVS	Iron	5/1 – 2/29	---	1110(T)*			
			Boron	---	0.75	Iron	3/1 - 4/30	---	3040(T)*			
			Chloride	---	---	Lead	TVS	TVS				
			Chlorine	0.019	0.011	Manganese	TVS	TVS				
			Cyanide	0.005	---	Mercury	---	0.01(t)				
			Nitrate	100	---	Molybdenum	---	160(T)				
			Nitrite	---	0.05	Nickel	TVS	TVS				
			Phosphorus	---	0.17	Selenium	TVS	TVS				
			Sulfate	---	---	Silver	TVS	TVS				
			Sulfide	---	0.002	Uranium	---	---				
						Zinc			TVS	TVS		
13i. Mainstem of Grassy Creek, including all tributaries and wetlands, from the source to immediately above the confluence with Scotchmans Gulch.												
COUCYA13I	Classifications		Physical and Biological			Metals (ug/L)						
Designation	Agriculture		DM	MWAT	acute			chronic				
UP	Aq Life Warm 2		Temperature °C	WS-II	WS-II	Aluminum			---	---		
	Recreation N		acute	chronic	Arsenic			340	100(T)			
Qualifiers:			D.O. (mg/L)	---	5.0	Beryllium			---	---		
Other:  Temporary Modification(s): Iron(chronic) = current conditions* Expiration Date of 12/31/2017 Selenium(chronic) = current conditions Expiration Date of 12/31/2018  *Iron(chronic) = See section 33.6(4) for iron assessment locations. *TempMod: Iron = for Grassy Creek.			pH	6.5 - 9.0	---	Cadmium			TVS	TVS		
			chlorophyll a (mg/m²)	---	---	Chromium III			TVS	TVS		
			E. Coli (per 100 mL)	---	630	Chromium VI			TVS	TVS		
			Inorganic (mg/L)			Copper			TVS	TVS		
			acute	chronic	Iron			---	1000(T)*			
			Ammonia	TVS	TVS	Lead	TVS	TVS				
			Boron	---	0.75	Manganese	TVS	TVS				
			Chloride	---	---	Mercury	---	0.01(t)				
			Chlorine	0.019	0.011	Molybdenum	---	160(T)				
			Cyanide	0.005	---	Nickel	TVS	TVS				
			Nitrate	100	---	Selenium	TVS	TVS				
			Nitrite	---	0.05	Silver	TVS	TVS				
			Phosphorus	---	0.17	Uranium	---	---				
			Sulfate	---	---	Zinc	TVS	TVS				
						Sulfide			---	0.002		

13i. Mainstem of Grassy Creek, including all tributaries and wetlands, from the source to immediately above the confluence with Scotchmans Gulch.							
COUCYA13I	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation N		acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium III	TVS	TVS
Iron(chronic) = current conditions*		E. Coli (per 100 mL)	---	630	Chromium VI	TVS	TVS
Expiration Date of 12/31/2017		Inorganic (mg/L)			Copper	TVS	TVS
Selenium(chronic) = current conditions			acute	chronic	Iron	---	1000(T)*
Expiration Date of 12/31/2018		Ammonia	TVS	TVS	Lead	TVS	TVS
*Iron(chronic) = See section 33.6(4) for iron assessment locations.		Boron	---	0.75	Manganese	TVS	TVS
*TempMod: Iron = for Grassy Creek.		Chloride	---	---	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	100	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS
		Phosphorus	---	0.17	Uranium	---	---
		Sulfate	---	---	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00516

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

Water Quality Control Commission (1002 Series)

**on 01/11/2016**

5 CCR 1002-33

**REGULATION NO. 33 - CLASSIFICATIONS AND NUMERIC STANDARDS FOR UPPER  
COLORADO RIVER BASIN AND NORTH PLATTE RIVER (PLANNING REGION 12)**

The above-referenced rules were submitted to this office on 01/12/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 29, 2016 11:20:28

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Public Health and Environment

### **Agency**

Water Quality Control Commission (1002 Series)

### **CCR number**

5 CCR 1002-34

### **Rule title**

5 CCR 1002-34 REGULATION NO. 34 - CLASSIFICATIONS AND NUMERIC  
STANDARDS FOR SAN JUAN AND DOLORES RIVER BASINS 1 - eff 03/01/2016

### **Effective date**

03/01/2016



# **COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

## **WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-34**

### **REGULATION NO. 34**

### **CLASSIFICATIONS AND NUMERIC STANDARDS**

### **FOR**

### **SAN JUAN AND DOLORES RIVER BASINS**

#### **34.1 AUTHORITY**

These regulations are promulgated pursuant to section 25-8-101 et seq. C.R.S., as amended, and in particular, 25-8-203 and 25-8-204.

#### **34.2 PURPOSE**

These regulations establish classifications and numeric standards for the San Juan and the Dolores River Basins, including all tributaries and standing bodies of water south of the northern Dolores County lines, as indicated in section 34.6. The classifications identify the actual beneficial uses of the water. The numeric standards are assigned to determine the allowable concentrations of various parameters. Discharge permits will be issued by the Water Quality Control Division to comply with basic, narrative, and numeric standards and control regulations so that all discharges to waters of the state protect the classified uses. (See Regulation No. 31 section 31.14). It is intended that these and all other stream classifications and numeric standards be used in conjunction with and be an integral part of Regulation No. 31 Basic Standards and Methodologies for Surface Water.

#### **34.3 INTRODUCTION**

These regulations and tables present the classifications and numeric standards assigned to stream segments listed in the attached tables (See section 34.6(4)). As additional stream segments are classified and numeric standards for designated parameters are assigned for this drainage system, they will be added to or replace the numeric standards in the tables in section 34.6(4). Any additions or revisions of classifications or numeric standards can be accomplished only after public hearing by the Commission and proper consideration of evidence and testimony as specified by the statute and the "basic regulations".

#### **34.4 DEFINITIONS**

See the Colorado Water Quality Control Act and the codified water quality regulations for definitions.

#### **34.5 BASIC STANDARDS**

##### **(1) TEMPERATURE**

All waters of the San Juan/Dolores River Basin are subject to the following standard for temperature. (Discharges regulated by permits, which are within the permit limitations, shall not be subject to enforcement proceedings under this standard). Temperature shall maintain a normal pattern of diurnal and seasonal fluctuations with no abrupt changes and shall have no increase in temperature of a magnitude, rate, and duration deemed deleterious to the resident aquatic life. This standard shall not be interpreted or applied in a manner inconsistent with section 25-8-104, C.R.S.

(2) QUALIFIERS

See Basic Standards and Methodologies for Surface Water for a listing of organic standards at 31.11 and metal standards found at 31.16 Table III. The column in the tables headed "Water + Fish" are presumptively applied to all aquatic life class 1 streams which also have a water supply classification, and are applied to aquatic life class 2 streams which also have a water supply classification, on a case-by-case basis as shown in the Tables 34.6(4). The column in the tables at 31.11 and 31.16 Table III headed "Fish Ingestion" is presumptively applied to all aquatic life class 1 streams which do not have a water supply classification, and are applied to aquatic life class 2 streams which do not have a water supply classification, on a case-by-case basis as shown in Tables 34.6(4).

(3) URANIUM

- (a) All waters of the San Juan/Dolores River Basin, are subject to the following basic standard for uranium, unless otherwise specified by a water quality standard applicable to a particular segment. However, discharges of uranium regulated by permits which are within these permit limitations shall not be a basis for enforcement proceedings under this basic standard.
- (b) Uranium level in surface waters shall be maintained at the lowest practicable level.
- (c) In no case shall uranium levels in waters assigned a water supply classification be increased by any cause attributable to municipal, industrial, or agricultural discharges so as to exceed 16.8-30 µg/l or naturally-occurring concentrations (as determined by the State of Colorado), whichever is greater.
  - (i) The first number in the 16.8-30 ug/l range is a strictly health-based value, based on the Commission's established methodology for human health-based standards. The second number in the range is a maximum contaminant level, established under the federal Safe Drinking Water Act that has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range. Water bodies will be considered in attainment of this standard, and not included on the Section 303(d) List, so long as the existing ambient quality does not exceed the second number in the range.

(4) INDIAN RESERVATIONS

Some of the waterbodies in the San Juan/Dolores River Basin cross boundaries of Indian Reservations of the Southern Ute and Ute Mountain Ute Tribes. The Commission has included water quality classifications and standards on lands within the boundaries of these reservations in order to avoid a gap in the classifications and standards adopted for the river basins in question. The Southern Ute Indian tribe has not yet been granted authority by EPA to conduct their own water quality program, and EPA has granted the Ute Mountain Ute Indian tribe's application for treatment as a state with respect to adoption of water quality standards. The Commission intends that the classifications and standards that it is adopting apply to the lands in question only to the extent that the state has jurisdiction and is not attempting to resolve that jurisdictional issue here. Segments within Reservation boundaries are noted in the segment description and last column of Tables 34.6(4).

**34.6 TABLES**

**(1) Introduction**

The numeric standards for various parameters in this regulation and in the tables in Appendix 34-1 were assigned by the Commission after a careful analysis of the data presented on actual stream conditions and on actual and potential water uses.

Numeric standards are not assigned for all parameters listed in the tables attached to Regulation No. 31. If additional numeric standards are found to be needed during future periodic reviews, they can be assigned by following the proper hearing procedures.

**(2) Abbreviations:**

(a) The following abbreviations are used in this regulation and in the tables in Appendix 34-1:

°C	=	degrees Celsius
CL	=	cold lake temperature tier
CLL	=	cold large lake temperature tier
CS-I	=	cold stream temperature tier one
CS-II	=	cold stream temperature tier two
D.O.	=	dissolved oxygen
DM	=	daily maximum temperature
E.coli	=	escherichia coli
mg/l	=	milligrams per liter
MWAT	=	maximum weekly average temperature
OW	=	outstanding waters
sc	=	sculpin
sp	=	spawning
SSE	=	site-specific equation
t	=	total
T	=	total recoverable
tr	=	trout
TVS	=	table value standard
µg/l	=	micrograms per liter
UP	=	use-protected
WAT	=	weekly average temperature
WS	=	water supply
WS-II	=	warm stream temperature tier two
WS-III	=	warm stream temperature tier three
WL	=	warm lake temperature tier

(b) In addition, the following abbreviations are used:

Fe(ch)	=	WS
Mn(ch)	=	WS
SO <sub>4</sub>	=	WS

These abbreviations mean: For all surface waters with an actual water supply use, the less restrictive of the following two options shall apply as numerical standards, as specified in the Basic Standards and Methodologies at 31.16 Table II and III:

- (i) existing quality as of January 1, 2000; or
- (ii)
- |                 |   |                      |
|-----------------|---|----------------------|
| Iron            | = | 300 µg/l (dissolved) |
| Manganese       | = | 50µg/l (dissolved)   |
| SO <sub>4</sub> | = | 250 mg/l             |

For all surface waters with a “water supply” classification that are not in actual use as a water supply, no water supply standards are applied for iron, manganese or sulfate, unless the Commission determines as the result of a site-specific rulemaking hearing that such standards are appropriate.

(c) Temporary Modification for Water + Fish Chronic Arsenic Standard

- (i) The temporary modification for chronic arsenic standards applied to segments with an arsenic standard of 0.02 µg/l that has been set to protect the Water+Fish qualifier is listed in the temporary modification and qualifiers column as As(ch)=hybrid.
- (ii) For discharges existing on or before 6/1/2013, the temporary modification is: As(ch)=current condition, expiring on 12/31/2021.
- (iii) For new or increased discharges commencing on or after 6/1/2013, the temporary modification is: As(ch)=0.02-3.0 µg/l (Trec), expiring on 12/31/2021.
  - (A) The first number in the range is the health-based water quality standard previously adopted by the Commission for the segment.
  - (B) The second number in the range is a technology based value established by the Commission for the purpose of this temporary modification.
  - (C) Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an “end-of-pipe” discharge level more restrictive than the second number in the range.

(3) **Table Value Standards**

In certain instances in the tables in Appendix 34-1, the designation “TVS” is used to indicate that for a particular parameter a “table value standard” has been adopted. This designation refers to numerical criteria set forth in the Basic Standards and Methodologies for Surface Water. The criteria for which the TVS are applicable are on the following table.

<p style="text-align: center;"><b><u>TABLE VALUE STANDARDS</u></b> (Concentrations in ug/l unless noted)</p>	
PARAMETER <sup>(1)</sup>	TABLE VALUE STANDARDS <sup>(2)(3)</sup>
Aluminum (Trec)	<p>Acute = <math>e^{(1.3695[\ln(\text{hardness})]+1.8308)}</math></p> <p>pH equal to or greater than 7.0</p> <p>Chronic=<math>e^{(1.3695[\ln(\text{hardness})]-0.1158)}</math></p> <p>pH less than 7.0</p> <p>Chronic= <math>e^{(1.3695[\ln(\text{hardness})]-0.1158)}</math> or 87, whichever is less</p>

Ammonia <sup>(4)</sup>

Cold Water = (mg/l as N)Total

$$acute = \frac{0.275}{1 + 10^{7.204 - pH}} + \frac{39.0}{1 + 10^{pH - 7.204}}$$

$$chronic = \left( \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right) * MIN(2.85, 1.45 * 10^{0.028(25 - T)})$$

Warm Water = (mg/l as N)Total

$$acute = \frac{0.411}{1 + 10^{7.204 - pH}} + \frac{58.4}{1 + 10^{pH - 7.204}}$$

$$chronic (Apr1 - Aug31) = \left( \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right) * MIN(2.85, 1.45 * 10^{0.028(25 - T)})$$

$$chronic (Sep1 - Mar31) = \left( \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right) * 1.45 * 10^{0.028 * (25 - MAX(T, 7))}$$

NH<sub>3</sub> = old TVS

Cold Water Acute = 0.43/FT/FPH/2<sup>(4 old)</sup>in mg/l (N)

Warm Water Acute = 0.62/FT/FPH/2<sup>(4 old)</sup>in mg/ (N)

Cadmium

Acute = (1.136672-[ln(hardness)x(0.041838)])xe<sup>0.9151[ln(hardness)]-3.1485</sup>

Acute(Trout) = (1.136672-[ln(hardness)x(0.041838)])xe<sup>0.9151[ln(hardness)]-3.6236</sup>

Chronic = (1.101672-[ln(hardness)x(0.041838)])e<sup>0.7998[ln(hardness)]-4.4451</sup>

Chromium III<sup>(5)</sup>

Acute = e<sup>(0.819[ln(hardness)]+2.5736)</sup>

Chronic= e<sup>(0.819[ln(hardness)]+0.5340)</sup>

Chromium VI<sup>(5)</sup>

Acute = 16

Chronic = 11

Copper

Acute = e<sup>(0.9422[ln(hardness)]-1.7408)</sup>

Chronic = e<sup>(0.8545[ln(hardness)]-1.7428)</sup>

Lead

Acute = (1.46203-[ln(hardness)\*(0.145712)])\*e<sup>(1.273[ln(hardness)]-1.46)</sup>

Chronic = (1.46203-[ln(hardness)\*(0.145712)])\*e<sup>(1.273[ln(hardness)]-4.705)</sup>

Manganese

Acute = e<sup>(0.3331[ln(hardness)]+6.4676)</sup>

Chronic = e<sup>(0.3331 [ln(hardness)]+5.8743)</sup>

Nickel

Acute = e<sup>(0.846[ln(hardness)]+2.253)</sup>

$$\text{Chronic} = e^{(0.846[\ln(\text{hardness})]+0.0554)}$$

Selenium<sup>(6)</sup>

Acute = 18.4

Chronic = 4.6

Silver

Acute =  $\frac{1}{2}e^{(1.72[\ln(\text{hardness})]-6.52)}$

Chronic =  $e^{(1.72[\ln(\text{hardness})]-9.06)}$

Chronic(Trout) =  $e^{(1.72[\ln(\text{hardness})]-10.51)}$

Temperature

TEMPERATURE TIER	TIER CODE	SPECIES EXPECTED TO BE PRESENT	APPLICABLE MONTHS	TEMPERATURE STANDARD (°C)	
				MWAT	DM
Cold Stream Tier 1	CS-I	brook trout, cutthroat trout	June – Sept.	17.0	21.7
			Oct. – May	9.0	13.0
Cold Stream Tier 2	CS-II	all other cold-water species	April – Oct.	18.3	23.9
			Nov. – March	9.0	13.0
Cold Lakes	CL	brook trout, brown trout, cutthroat trout, lake trout, rainbow trout, Arctic grayling, sockeye salmon	April – Dec.	17.0	21.2
			Jan. – March	9.0	13.0
Cold Large Lakes (>100 acres surface area)	CLL	rainbow trout, brown trout, lake trout	April – Dec.	18.3	23.8
			Jan. – March	9.0	13.0
Warm Stream Tier 2	WS-II	brook stickleback, central stoneroller, creek chub, longnose dace, Northern redbelly dace, finescale dace, razorback sucker, white sucker	March – Nov.	27.5	28.6
			Dec. – Feb.	13.8	14.3
Warm Stream Tier 3	WS-III	all other warm-water species	March – Nov.	28.7	31.8
			Dec. – Feb.	14.3	15.9
Warm Lakes	WL	black crappie, bluegill, common carp, gizzard shad, golden shiner, largemouth bass, Northern pike, pumpkinseed, sauger, smallmouth bass, spottail shiner, striped bass, tiger muskellunge, walleye, wiper, white bass, white crappie, yellow perch	April – Dec.	26.3	29.5
			Jan. – March	13.2	14.8

Uranium

Acute =  $e^{(1.1021[\ln(\text{hardness})]+2.7088)}$

Chronic =  $e^{(1.1021[\ln(\text{hardness})]+2.2382)}$

Zinc

$$\text{Acute} = 0.978 * e^{(0.9094[\ln(\text{hardness})]+0.9095)}$$

$$\text{Chronic} = 0.986 * e^{(0.9094[\ln(\text{hardness})]+0.6235)}$$

if hardness less than 102 mg/l  $\text{CaCO}_3$

$$\text{Chronic (sculpin)} = e^{(2.140[\ln(\text{hardness})]-5.084)}$$

#### TABLE VALUE STANDARDS - FOOTNOTES

- (1) Metals are stated as dissolved unless otherwise specified.
- (2) Hardness values to be used in equations are in mg/l as calcium carbonate and shall be no greater than 400 mg/L, except for aluminum for which hardness shall be no greater than 220 mg/L. The hardness values used in calculating the appropriate metal standard should be based on the lower 95 per cent confidence limit of the mean hardness value at the periodic low flow criteria as determined from a regression analysis of site-specific data. Where insufficient site-specific data exists to define the mean hardness value at the periodic low flow criteria, representative regional data shall be used to perform the regression analysis. Where a regression analysis is not appropriate, a site-specific method should be used. In calculating a hardness value, regression analyses should not be extrapolated past the point that data exist.
- (3) Both acute and chronic numbers adopted as stream standards are levels not to be exceeded more than once every three years on the average.

(4 old)  $FT = 10^{0.03(20-TCAP)}$ ;

Where  $TCAP$  is  $\leq T \leq 30$

$$FT = 10^{0.03(20-T)}$$

Where  $0 \leq T \leq TCAP$

$TCAP = 20^\circ \text{C}$  cold water aquatic life species present

$TCAP = 25^\circ \text{C}$  cold water aquatic life species absent

$FPH = 1$ ; Where  $8 < \text{pH} \leq 9$

$$FPH = \frac{1 + 10^{(7.4-\text{pH})}}{1.25}, \quad \text{Where } 6.5 \leq \text{pH} \leq 8$$

$FPH$  means the acute pH adjustment factor, defined by the above formulas.

$FT$  means the acute temperature adjustment factor, defined by the above formulas.

$T$  means temperature measured in degrees celsius.

$TCAP$  means temperature CAP; the maximum temperature which affects the toxicity of ammonia to salmonid and non-salmonid fish groups.

NOTE: If the calculated acute value is less than the calculated chronic value, then the calculated chronic value shall be used as the acute standard.

- (4) For acute conditions the default assumption is that salmonids could be present in cold water segments and should be protected, and that salmonids do not need to be protected in warm water segments. For chronic conditions, the default assumptions are that early life stages could be present all year in cold water segments and should be protected. In warm water segments the default assumption is that early life stages are present and should be protected only from April 1 through August 31. These assumptions can be modified by the Commission on a site-specific basis where appropriate evidence is submitted.
- (5) Unless the stability of the chromium valence state in receiving waters can be clearly demonstrated, the standard for chromium should be in terms of chromium VI. In no case can the sum of the instream levels of Hexavalent and Trivalent Chromium exceed the water supply standard of 50 ug/l total chromium in those waters classified for domestic water use.
- (6) Selenium is a bioaccumulative metal and subject to a range of toxicity values depending upon numerous site-specific variables.
- (7) *E.coli* criteria and resulting standards for individual water segments, are established as indicators of the potential presence of pathogenic organisms. Standards for *E. coli* are expressed as a two-month geometric mean. Site-specific or seasonal standards are also two-month geometric means unless otherwise specified.
- (8) All phosphorus standards are based upon the concentration of total phosphorus.
- (9) The pH standards of 6.5 (or 5.0) and 9.0 are an instantaneous minimum and maximum, respectively to be applied as effluent limits. In determining instream attainment of water quality standards for pH, appropriate averaging periods may be applied, provided that beneficial uses will be fully protected.

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(4) **Discharger Specific Variances**

(a) Animas and Florida River Segment 13b

Discharger Specific Variance, Durango West Metro Dist.#2 (COG589115): The first number is the underlying standard previously adopted by the Commission for the segment and represents the long-term goal for the waterbody. The first number will be used for assessing attainment for the waterbody and for the development of effluent limitations. The second number is the Commission's determination of the effluent concentration with the highest degree of protection of the classified use that is feasible for Durango West Metro District. Control requirements, such as discharge permit effluent limitations, shall be established using the first number as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number during the term of the DSV for the named dischargers.

(5) **Stream Classifications and Water Quality Standards Tables**

The stream classifications and water quality standards tables in Appendix 34-1 are incorporated herein by reference.

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34.45 **STATEMENT OF BASIS AND PURPOSE REGARDING THE ADOPTION OF NON-SUBSTANTIVE CHANGES TO THE CLASSIFICATION AND NUNEIRRC STANDARDS FOR**



**SAN JUAN RIVER AND DOLORES RIVER BASINS, JANUARY 11, 2016 RULEMAKING;  
EFFECTIVE DATE MARCH 1, 2016**

The provisions of C.R.S. 25-8-202(1)(i) and 25-8-401(2) provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

**BASIS AND PURPOSE**

The Commission, in a public rulemaking hearing adopted extensive changes to the format of this regulation. The Commission does not intend to change any existing designations, use classifications or standards, or the implementation of any standards as the results of changing the format.

This rulemaking was in response to longstanding issues with managing the information contained in the standards tables. The changes made in this hearing reflect a change from storing the information in word processing documents to storing the information in a relational database. This change in platform will provide better consistency, facilitate error checking as well as a more readable format for the standards tables. Storing the information in a database allows it to be used more efficiently by other programs in the Division.

While it was the Commission's intent not to change the substantive meaning of the regulations in this rulemaking, in cases where there was ambiguity the revised regulation reflects the Commission's interpretation of the previous format based on Regulation #31 (the Basic Standards and Methodologies for Surface Water ) and the experience of the Commission and its staff.

Overall format changes: The new format displays parameters by name, rather than by period table element abbreviations. The section formerly titled "Temporary Modifications and Qualifiers" does not appear in the new format. Instead, there is a separate section for qualifiers, and an "Other" section. Temporary modifications, variances and other footnotes are displayed in the "Other" section. Many items that were formerly in the "Temporary Modifications and Qualifiers" column will be displayed in the "Other" column and will have a different appearance or modified wording, although the information is substantively the same. Each footnote in the "Other" section is preceded by a heading that indicates where the footnote applies:

- Footnotes regarding a use classification will begin with the heading "Classification..."
- Footnotes regarding the antidegradation designation begin with the heading "Designation..."
- Footnotes that relate to a particular standard begin with the name of the parameter, for example "Selenium(chronic)= ..."

Constraints of the new format: Some adjustments were made to the way that data is displayed in order to be compatible with the functions of the Standards Database. Database organization requires that information which relates to multiple standards must be attached to each individual parameter. For example, a segment with a temporary modification listed for "all parameters" in the old format will have a temporary modification listed for each individual parameter in the new format. There are also spacing constraints in the new format, which require some information to be moved either to the "other" box on the new format, or moved out of the segment entirely and into another location in the regulation.

Clarification of changes: The shift to a database organizational structure required consistency in the way each data element is addressed. To insure that data is stored and displayed correctly, the following changes were made

- The "type" of temporary modification is no longer displayed in the segment tables, since they have no regulatory effect and have been inconsistently displayed.

- In the old format, waters that had a reviewable antidegradation designation were identified by the absence of either “UP” or “OW” in the designation column. These segments now display the word “reviewable” under the designation heading. There needed to be a value in the designation column for every segment.
- Dissolved standards are not specifically noted as dissolved in the new format. All metals standards are dissolved unless noted with a “T” or a “t”. For example, a manganese standard in the old format of “WS(dis)” is displayed as “WS” in the new format.
- A new footnote 7 was added to clarify that although E. coli is listed in the “chronic” column, the standard is a two-month geometric mean rather than a 30-day average. The language of footnote 7 was taken from Regulation 31, Table 1, footnote 7.
- A new footnote 8 was added to indicate that all phosphorus standards are based upon the concentration of total phosphorus. In the old format, individual phosphorus standards were noted as “total” in some basins and not others.
- A new footnote 9 was added to clarify that although pH is listed in the “acute” column, the standard is not applied as a 1-day average. The language of footnote 7 was taken from Regulation 31, Table 1, footnote 3.
- Physical and Biological Parameters: Some parameters are not specifically identified in the old format segment tables as acute or chronic. The new format requires that each parameter is placed in either the acute or chronic column. Specifically, these parameters and the basis for being identified as acute or chronic are as follows:
  - pH (acute) – Regulation #31, Table 1, footnote 3
  - E. Coli (chronic) – Regulation #31, Table 1, footnote 7
  - D.O. (chronic) – Regulation #31, Table 1, footnote 1
  - cyanide (acute) – Regulation #31, Table 2
  - sulfide (chronic) - Regulation #31, Table 2
  - nitrate (acute) - Regulation #31, Table 2
  - nitrite (chronic) – not specified in Regulation #31. Nitrite has been implemented as a 30-day average standard in permits and assessments.
  - chloride (chronic) Regulation #31, Table 2
  - boron (chronic) - Regulation #31, Table 2
  - sulfate (chronic) Regulation #31, Table 2
- The previous format used Footnote 1 instead of Footnote A for the arsenic hybrid standard. The label for the footnote was changed from “1” to “A” but the text of the footnote did not change.
- The footnote on Animas and Florida Segment 2 was modified to reduce the text to less than 200 characters, which is the maximum that can be included in the segment. Text longer than 200 characters has to be moved to a footnote outside the segment table (either at the front of the regulation or following the segment tables). The text change is as follows:

“The concentration of dissolved aluminum, cadmium, copper, iron, lead, manganese, and zinc that is directed toward maintaining and achieving standards established for segments 3a,4a and 4b.”

- The footnote regarding the variance conditions on Animas and Florida Segment 13b was moved to 34.6(4)(a) because it exceeded 200 characters and could not be shortened without substantively changing the meaning of the text.

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-34**

**REGULATION NO. 34  
CLASSIFICATIONS AND NUMERIC STANDARDS  
FOR  
SAN JUAN RIVER AND DOLORES RIVER BASINS**

**APPENDIX 34-1  
Stream Classifications and Water Quality Standards Tables**

Effective 03/01/2016

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Juan River Basin

1a. Mainstem of the Navajo River including all wetlands and tributaries from the boundary of the South San Juan Wilderness Area to below the confluence with Sheep Creek. Mainstem of the Little Navajo River, including all wetlands and tributaries, from the boundary of the South San Juan Wilderness Area to the San Juan-Chama Diversion.						
COSJSJ01A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

1b. Mainstem of the Navajo River, including all wetlands and tributaries from below the confluence with Sheep Creek to the Colorado/New Mexico border, except for specific listings in Segment 3.						
COSJSJ01B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Juan River Basin

2. Mainstem of the Navajo River from the Colorado/New Mexico border to the confluence with the San Juan River.						
COSJSJ02	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	0.02(T)
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	WS
*Southern Ute Indian Reservation		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	WS
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	160(T)
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS(tr)
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

3. Mainstem of the Little Navajo River from the San Juan-Chama diversion to the confluence with the Navajo River; all tributaries to the Navajo River and the Little Navajo River, including all wetlands, from the San Juan-Chama diversions to the confluence with the San Juan River.						
COSJSJ03	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation N 11/1 - 4/30	acute	chronic		Arsenic	340
	Recreation P 5/1 - 10/31	D.O. (mg/L)	---	5.0	Beryllium	100(T)
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL) 5/1 - 10/31	---	205	Chromium III	100(T)
		E. Coli (per 100 mL) 11/1 - 4/30	---	630	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	0.01(t)
		Chloride	---	---	Molybdenum	160(T)
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	---	Uranium	---
		Phosphorus	---	---	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Juan River Basin

4. All tributaries to the San Juan River, Rio Blanco, and Navajo River including all wetlands which are within the Weminuche Wilderness area and South San Juan Wilderness Area.						
COSJSJ04	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
5. Mainstem of the San Juan River and the East Fork and West Fork of the San Juan River, from the boundary of the Weminuche Wilderness Area (West Fork) and the source (East Fork) to below the confluence with Fourmile Creek, including all wetlands and tributaries except for wetlands and tributaries included in Segment 4.						
COSJSJ05	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Juan River Basin

6a. Mainstem of the San Juan River from a point immediately below the confluence with Fourmile Creek to the Southern Ute Indian Reservation northern boundary. Mainstem of Mill Creek from the source to the confluence with the San Juan River.						
COSJSJ06A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS(tr)
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		TVS(sc)

6b. Mainstem of San Juan River from the Southern Ute Indian Reservation northern boundary to Navajo Reservoir.						
COSJSJ06B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS(tr)
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Juan River Basin

7. Mainstem of the Rio Blanco, including all tributaries and wetlands, from the boundary of the South San Juan Wilderness Area to below the confluence with Leche Creek.						
COSJSJ07	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>3</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		TVS(sc)

8. Navajo Reservoir. Echo Canyon Reservoir.						
COSJSJ08	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS(tr)
Other:		chlorophyll a (mg/m <sup>3</sup> )	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.5	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Juan River Basin

9a. Mainstem of the Rio Blanco, including all tributaries and wetlands, from a point immediately below the confluence with Leche Creek to the Southern Ute Indian Reservation boundary, except for specific listings in Segment 10.							
COSJSJ09A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:	pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
	chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS	
	E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
				Iron	---	WS	
	Inorganic (mg/L)			Iron	---	1000(T)	
	acute			chronic	Lead	TVS	
	Ammonia	TVS	TVS	Manganese	TVS	TVS	
	Boron	---	0.75	Manganese	---	WS	
	Chloride	---	250	Mercury	---	0.01(t)	
	Chlorine	0.019	0.011	Molybdenum	---	160(T)	
	Cyanide	0.005	---	Nickel	TVS	TVS	
	Nitrate	10	---	Selenium	TVS	TVS	
	Nitrite	---	0.05	Silver	TVS	TVS(tr)	
	Phosphorus	---	---	Uranium	---	---	
	Sulfate	---	WS	Zinc	TVS	TVS(sc)	
	Sulfide	---	0.002				
	9b. Mainstem of the Rio Blanco, including all tributaries and wetlands, from the boundary of the Southern Ute Indian Reservation to the confluence with the San Juan River.						
	COSJSJ09B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:	pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
	chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS	
	E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
				Iron	---	WS	
	Inorganic (mg/L)			Iron	---	1000(T)	
	acute			chronic	Lead	TVS	
	Ammonia	TVS	TVS	Manganese	TVS	TVS	
	Boron	---	0.75	Manganese	---	WS	
	Chloride	---	250	Mercury	---	0.01(t)	
	Chlorine	0.019	0.011	Molybdenum	---	160(T)	
	Cyanide	0.005	---	Nickel	TVS	TVS	
	Nitrate	10	---	Selenium	TVS	TVS	
	Nitrite	---	0.05	Silver	TVS	TVS(tr)	
	Phosphorus	---	---	Uranium	---	---	
	Sulfate	---	WS	Zinc	TVS	TVS	
	Sulfide	---	0.002				
	*Southern Ute Indian Reservation						

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Juan River Basin

10. Mainstem of the Rito Blanco River from Echo Ditch to the confluence with the Rio Blanco River.									
COSJSJ10	Classifications		Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT	acute			chronic	
Reviewable	Aq Life Cold 2		Temperature °C	CS-II	CS-II	Aluminum	---	---	
	Recreation E		acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>		
	Water Supply		D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:			D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:			pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
			chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS	
			E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
						Iron	---	WS	
			Inorganic (mg/L)			Iron	---	1000(T)	
			acute			chronic	Lead	TVS	TVS
			Ammonia	TVS	TVS	Manganese	TVS	TVS	
			Boron	---	0.75	Manganese	---	WS	
			Chloride	---	250	Mercury	---	0.01(t)	
			Chlorine	0.019	0.011	Molybdenum	---	160(T)	
			Cyanide	0.005	---	Nickel	TVS	TVS	
			Nitrate	10	---	Selenium	TVS	TVS	
			Nitrite	---	0.05	Silver	TVS	TVS(tr)	
			Phosphorus	---	---	Uranium	---	---	
			Sulfate	---	WS	Zinc	TVS	TVS	
			Sulfide	---	0.002				
11a. All tributaries to the San Juan River, including wetlands, from a point immediately below the confluence with Fourmile Creek to the Southern Ute Indian Reservation boundary except for the specific listings in Segments 6a, 6b, 9a and 9b.									
COSJSJ11A	Classifications		Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT	acute			chronic	
Reviewable	Aq Life Warm 1		Temperature °C	WS-II	WS-II	Aluminum	---	---	
	Recreation E	5/1 - 10/31	acute	chronic	Arsenic	340	0.02(T)		
	Recreation N	11/1 - 4/30	D.O. (mg/L)	---	5.0	Beryllium	---	---	
	Water Supply		pH	6.5 - 9.0	---	Cadmium	TVS(tr)	TVS	
Qualifiers:			chlorophyll a (mg/m²)	---	---	Chromium III	50(T)	TVS	
Other:			E. Coli (per 100 mL)	5/1 - 10/31	---	126	Chromium VI	TVS	TVS
			E. Coli (per 100 mL)	11/1 - 4/30	---	630	Copper	TVS	TVS
						Iron	---	WS	
			Inorganic (mg/L)			Iron	---	1000(T)	
			acute			chronic	Lead	TVS	TVS
			Ammonia	TVS	TVS	Manganese	TVS	TVS	
			Boron	---	0.75	Manganese	---	WS	
			Chloride	---	250	Mercury	---	0.01(t)	
			Chlorine	0.019	0.011	Molybdenum	---	160(T)	
			Cyanide	0.005	---	Nickel	TVS	TVS	
			Nitrate	10	---	Selenium	TVS	TVS	
			Nitrite	---	0.05	Silver	TVS	TVS(tr)	
			Phosphorus	---	---	Uranium	---	---	
			Sulfate	---	WS	Zinc	TVS	TVS	
			Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Juan River Basin

11b. All tributaries to the San Juan River, including wetlands, from the Southern Ute Indian Reservation boundary to the Colorado/New Mexico border except for the specific listings in Segments 6a, 6b, 9a and 9b.

COSJSJ11B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E 5/1 - 10/31		acute	chronic	Arsenic	340	7.6(T)
	Recreation N 11/1 - 4/30	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS(tr)	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS	TVS
*Southern Ute Indian Reservation		E. Coli (per 100 mL) 5/1 - 10/31	---	126	Chromium III	---	100(T)
		E. Coli (per 100 mL) 11/1 - 4/30	---	630	Chromium VI	TVS	TVS
					Copper	TVS	TVS
					Iron	---	1000(T)
		Inorganic (mg/L)			Lead	TVS	TVS
			acute	chronic	Manganese	TVS	TVS
		Ammonia	TVS	TVS	Mercury	---	0.01(t)
		Boron	---	0.75	Molybdenum	---	160(T)
		Chloride	---	---	Nickel	TVS	TVS
		Chlorine	0.019	0.011	Selenium	TVS	TVS
		Cyanide	0.005	---	Silver	TVS	TVS(tr)
		Nitrate	10	---	Uranium	---	---
		Nitrite	---	0.05	Zinc	TVS	TVS
		Phosphorus	---	---			
		Sulfate	---	---			
		Sulfide	---	0.002			

12. All tributaries to the San Juan River in Archuleta County, including all wetlands, except for specific listings in Segments 1a, 1b, 2, 3, 4, 5, 6a, 6b, 7, 9a, 9b, 10, 11a, 11b and 12b. This segment includes Coyote Creek from its source to the Colorado/New Mexico border.

COSJSJ12	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---	---
	Recreation N 11/1 - 4/30		acute	chronic	Arsenic	340	7.6(T)
	Recreation P 5/1 - 10/31	D.O. (mg/L)	---	5.0	Beryllium	---	100(T)
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	---	TVS
		E. Coli (per 100 mL) 5/1 - 10/31	---	205	Chromium III	---	100(T)
		E. Coli (per 100 mL) 11/1 - 4/30	---	630	Chromium VI	TVS	TVS
					Copper	TVS	TVS
					Iron	---	1000(T)
		Inorganic (mg/L)			Lead	TVS	TVS
			acute	chronic	Manganese	TVS	TVS
		Ammonia	TVS	TVS	Mercury	---	0.01(t)
		Boron	---	0.75	Molybdenum	---	160(T)
		Chloride	---	---	Nickel	TVS	TVS
		Chlorine	0.019	0.011	Selenium	TVS	TVS
		Cyanide	0.005	---	Silver	TVS	TVS
		Nitrate	100	---	Uranium	---	---
		Nitrite	---	---	Zinc	TVS	TVS
		Phosphorus	---	---			
		Sulfate	---	---			
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Juan River Basin

13. All lakes and reservoirs that are tributary to the mainstem of the Navajo River and the Little Navajo River, from the boundary of the South San Juan Wilderness Area to the Colorado/New Mexico border, except for specific listings in Segment 14. This segment includes Gardner Lake, Fall View Lake, Hidden Lake, Dolomite Lake, Bull Elk Pond, Price Lakes, and Spence Reservoir.

COSJSJ13	Classifications	Physical and Biological		Metals (ug/L)				
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
					Iron	---	WS	
		Inorganic (mg/L)			Iron	---	1000(T)	
				acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	---	Uranium	---	---	
		Sulfate	---	WS	Zinc	TVS	TVS	
		Sulfide	---	0.002				

14. All lakes and reservoirs that are tributary to the Navajo River and the Little Navajo River, from the San Juan-Chama diversions to the confluence with the San Juan River.

COSJSJ14	Classifications		Physical and Biological			Metals (ug/L)				
Designation	Agriculture		DM	MWAT	acute		chronic			
Reviewable	Aq Life Warm 2		Temperature °C	WL	WL	Aluminum	---	---		
	Recreation N	11/1 - 4/30	acute	chronic	Arsenic	340	100(T)			
	Recreation P	5/1 - 10/31	D.O. (mg/L)	---	5.0	Beryllium	---	100(T)		
Qualifiers:			pH	6.5 - 9.0	---	Cadmium	TVS	TVS		
Other:			chlorophyll a (mg/m²)	---	---	Chromium III	TVS	TVS		
			E. Coli (per 100 mL)	5/1 - 10/31	---	205	Chromium III	---	100(T)	
			E. Coli (per 100 mL)	11/1 - 4/30	---	630	Chromium VI	TVS	TVS	
						Copper	TVS	TVS		
			Inorganic (mg/L)			Iron	---	1000(T)		
			acute			chronic	Lead	TVS	TVS	
			Ammonia			TVS	TVS	Manganese	TVS	TVS
			Boron			---	0.75	Mercury	---	0.01(t)
			Chloride			---	---	Molybdenum	---	160(T)
			Chlorine			0.019	0.011	Nickel	TVS	TVS
			Cyanide			0.005	---	Selenium	TVS	TVS
			Nitrate			100	---	Silver	TVS	TVS
			Nitrite			---	---	Uranium	---	---
			Phosphorus			---	---	Zinc	TVS	TVS
			Sulfate			---	---			
			Sulfide			---	0.002			

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr=trout

sc=sculpin

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Juan River Basin

15a. All lakes and reservoirs which are tributary to the Rio Blanco, from the boundary of South San Juan Wilderness Area to the Southern Ute Indian Reservation boundary. This segment includes Harris Lake, Buckles Lake, and Crescent Lake.						
COSJSJ15A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	126	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	0.75	Manganese	---	WS
		Chloride	250	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	Uranium	---	---
		Sulfate	WS	Zinc	TVS	TVS
		Sulfide	0.002			

15b. All lakes and reservoirs which are tributary to the Rio Blanco, from the boundary of the Southern Ute Indian Reservation to the confluence with the San Juan River.						
COSJSJ15B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	126	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	0.75	Manganese	---	WS
		Chloride	250	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	Uranium	---	---
		Sulfate	WS	Zinc	TVS	TVS
		Sulfide	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Juan River Basin

16. All lakes and reservoirs which are tributary to the San Juan River, Rio Blanco, and Navajo River and located within the Weminuche Wilderness Area and South San Juan Wilderness Area. This segment includes Archuleta Lake, Spruce Lakes, Turkey Creek Lake, Fourmile Lake, Upper Fourmile Lake, Crater Lake, Quartz Lake, Fish Lake, and Opal Lake.

COSJSJ16	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
OW	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	---	6.0	Beryllium	---
Qualifiers:		D.O. (mg/L)	---	Cadmium	TVS(tr)
Other:		D.O. (spawning)	---	Chromium III	TVS
		pH	6.5 - 9.0	Chromium VI	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Copper	TVS
		E. Coli (per 100 mL)	---	Iron	TVS
			126	Iron	---
				WS	
				1000(T)	
				Lead	TVS
				TVS	TVS
				Manganese	TVS
				TVS	TVS
				Manganese	---
				WS	
				Mercury	---
				0.01(t)	
				Molybdenum	---
				160(T)	
				Nickel	TVS
				TVS	TVS
				Selenium	TVS
				TVS	TVS
				Silver	TVS
				TVS	TVS(tr)
				Uranium	---
				---	---
				Zinc	TVS
				TVS	TVS
				Sulfide	---
				0.002	

17. All lakes and reservoirs that are tributary to the San Juan River and the East Fork and West Fork of the San Juan River, from the boundary of the Weminuche Wilderness Area (West Fork) and the source (East Fork) to the confluence with Fourmile Creek. This segment includes Born Lake, Hatcher Lakes, T Lazy T Reservoir, and Lost Lake.

COSJSJ17	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	---	6.0	Beryllium	---
Qualifiers:		D.O. (mg/L)	---	Cadmium	TVS(tr)
Other:		D.O. (spawning)	---	Chromium III	TVS
		pH	6.5 - 9.0	Chromium VI	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Copper	TVS
		E. Coli (per 100 mL)	---	Iron	TVS
			126	Iron	---
				WS	
				1000(T)	
				Lead	TVS
				TVS	TVS
				Manganese	TVS
				TVS	TVS
				Manganese	---
				WS	
				Mercury	---
				0.01(t)	
				Molybdenum	---
				160(T)	
				Nickel	TVS
				TVS	TVS
				Selenium	TVS
				TVS	TVS
				Silver	TVS
				TVS	TVS(tr)
				Uranium	---
				---	---
				Zinc	TVS
				TVS	TVS
				Sulfide	---
				0.002	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Juan River Basin

18a. All lakes and reservoirs tributary to the San Juan River from a point immediately below the confluence with Fourmile Creek to the Southern Ute Indian Reservation boundary, except for the specific listings in Segment 8.						
COSJSJ18A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WL	WL	Aluminum	---
	Recreation E 5/1 - 10/31	acute	chronic	Arsenic	340	7.6(T)
	Recreation N 11/1 - 4/30	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS(tr)
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL) 5/1 - 10/31	---	126	Chromium III	---
		E. Coli (per 100 mL) 11/1 - 4/30	---	630	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	10	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	---	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		
18b. All lakes and reservoirs which are tributary to the San Juan River from the Southern Ute Indian Reservation boundary to the Colorado/New Mexico border, except for the specific listing in Segment 8.						
COSJSJ18B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WL	WL	Aluminum	---
	Recreation E 5/1 - 10/31	acute	chronic	Arsenic	340	7.6(T)
	Recreation N 11/1 - 4/30	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS(tr)
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL) 5/1 - 10/31	---	126	Chromium III	---
		E. Coli (per 100 mL) 11/1 - 4/30	---	630	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	10	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	---	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Juan River Basin

19. All lakes and reservoirs in Archuleta County which are tributary to the San Juan River, except for specific listings in Segment 18b. All lakes and reservoirs which are tributary to Coyote Creek from its source to the Colorado/New Mexico border.						
COSJSJ19	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---
	Recreation N 11/1 - 4/30		acute	chronic	Arsenic	340 7.6(T)
	Recreation P 5/1 - 10/31	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	100(T) TVS
		E. Coli (per 100 mL) 5/1 - 10/31	---	205	Chromium VI	TVS TVS
		E. Coli (per 100 mL) 11/1 - 4/30	---	630	Copper	TVS TVS
					Iron	---
						1000(T)
		Inorganic (mg/L)			Lead	TVS TVS
			acute	chronic	Manganese	TVS TVS
		Ammonia	TVS	TVS	Mercury	---
		Boron	---	0.75	Molybdenum	---
		Chloride	---	---	Nickel	TVS TVS
		Chlorine	0.019	0.011	Selenium	TVS TVS
		Cyanide	0.005	---	Silver	TVS TVS
		Nitrate	100	---	Uranium	---
		Nitrite	---	---	Zinc	TVS TVS
		Phosphorus	---	---		
		Sulfate	---	---		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Piedra River Basin

1. All tributaries to the Piedra River, including all wetlands, which are within the Weminuche Wilderness Area.						
COSJPI01	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
OW	Aq Life Cold 1	CS-I	CS-I	Temperature °C	---	---
	Recreation E	acute	chronic			
	Water Supply	---	6.0	D.O. (mg/L)	---	---
Qualifiers:		---	7.0	D.O. (spawning)	TVS(tr)	TVS
Other:		6.5 - 9.0	---	pH	50(T)	TVS
Temporary Modification(s):		---	---	chlorophyll a (mg/m <sup>2</sup> )	TVS	TVS
Arsenic(chronic) = hybrid		---	126	E. Coli (per 100 mL)	TVS	TVS
Expiration Date of 12/31/2021					---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		TVS	TVS	Ammonia	TVS	TVS
		---	0.75	Boron	---	WS
		---	250	Chloride	---	0.01(t)
		0.019	0.011	Chlorine	---	160(T)
		0.005	---	Cyanide	TVS	TVS
		10	---	Nitrate	TVS	TVS
		---	0.05	Nitrite	TVS	TVS(tr)
		---	---	Phosphorus	---	---
		---	WS	Sulfate	TVS	TVS
		---	0.002	Sulfide		

2a. East Fork Piedra River and Middle Fork Piedra River, including all tributaries and wetlands, from the boundary of the Weminuche Wilderness Area to the confluence with the mainstem of the Piedra River, except for the specific listing in Segment 3.						
COSJPI02A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CS-I	CS-I	Temperature °C	---	---
	Recreation E 4/1 - 10/31	acute	chronic			
	Recreation N 11/1 - 3/31	---	6.0	D.O. (mg/L)	---	---
Qualifiers:		---	7.0	D.O. (spawning)	TVS(tr)	TVS
Other:		6.5 - 9.0	---	pH	50(T)	TVS
Temporary Modification(s):		---	---	chlorophyll a (mg/m <sup>2</sup> )	TVS	TVS
Arsenic(chronic) = hybrid		4/1 - 10/31	---	E. Coli (per 100 mL)	TVS	TVS
Expiration Date of 12/31/2021		11/1 - 3/31	---	E. Coli (per 100 mL)	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		TVS	TVS	Ammonia	TVS	TVS
		---	0.75	Boron	---	WS
		---	250	Chloride	---	0.01(t)
		0.019	0.011	Chlorine	---	160(T)
		0.005	---	Cyanide	TVS	TVS
		10	---	Nitrate	TVS	TVS
		---	0.05	Nitrite	TVS	TVS(tr)
		---	---	Phosphorus	---	---
		---	WS	Sulfate	TVS	TVS(sc)
		---	0.002	Sulfide		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Piedra River Basin

2b. Mainstem of the Piedra River from the confluence with the East and Middle Forks to the confluence with Indian Creek.						
COSJPI02B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CS-II	CS-II	Aluminum	---	---
	Recreation E 4/1 - 10/31	acute	chronic	Arsenic	340	0.02(T)
	Recreation N 11/1 - 3/31	---	6.0	Beryllium	---	---
	Water Supply	---	7.0	Cadmium	TVS(tr)	TVS
Qualifiers:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
	E. Coli (per 100 mL) 4/1 - 10/31	---	126	Copper	TVS	TVS
	E. Coli (per 100 mL) 11/1 - 3/31	---	630	Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
	Ammonia	TVS	TVS	Manganese	TVS	TVS
	Boron	---	0.75	Manganese	---	WS
	Chloride	---	250	Mercury	---	0.01(t)
	Chlorine	0.019	0.011	Molybdenum	---	160(T)
	Cyanide	0.005	---	Nickel	TVS	TVS
	Nitrate	10	---	Selenium	TVS	TVS
	Nitrite	---	0.05	Silver	TVS	TVS(tr)
	Phosphorus	---	---	Uranium	---	---
	Sulfate	---	WS	Zinc	TVS	TVS(sc)
	Sulfide	---	0.002			

3. Mainstem of the East Fork of the Piedra River from the Piedra Falls Ditch to the confluence with Pagosa Creek.						
COSJPI03	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CS-I	CS-I	Aluminum	---	---
	Recreation E 4/1 - 10/31	acute	chronic	Arsenic	340	0.02(T)
	Recreation N 11/1 - 3/31	---	6.0	Beryllium	---	---
	Water Supply	---	7.0	Cadmium	TVS(tr)	TVS
Qualifiers:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
	E. Coli (per 100 mL) 4/1 - 10/31	---	126	Copper	TVS	TVS
	E. Coli (per 100 mL) 11/1 - 3/31	---	630	Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
	Ammonia	TVS	TVS	Manganese	TVS	TVS
	Boron	---	0.75	Manganese	---	WS
	Chloride	---	250	Mercury	---	0.01(t)
	Chlorine	0.019	0.011	Molybdenum	---	160(T)
	Cyanide	0.005	---	Nickel	TVS	TVS
	Nitrate	10	---	Selenium	TVS	TVS
	Nitrite	---	0.05	Silver	TVS	TVS(tr)
	Phosphorus	---	---	Uranium	---	---
	Sulfate	---	WS	Zinc	TVS	TVS(sc)
	Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Piedra River Basin

4a. Mainstem of the Piedra River from a point immediately below the confluence with Indian Creek to the Southern Ute Indian Reservation boundary.						
COSJPI04A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS(tr)
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		TVS(sc)

4b. Mainstem of the Piedra River from the Southern Ute Indian Reservation boundary to Navajo Reservoir.						
COSJPI04B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS(tr)
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Piedra River Basin

5. All tributaries to the Piedra River, including all wetlands, from the boundary of the Weminuche Wilderness Area to a point immediately below the confluence with Devil Creek, except for the specific listing in Segment 2a and 3.						
COSJPI05	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E 5/1 - 10/31	acute	chronic	Arsenic	340	0.02(T)
	Recreation N 11/1 - 4/30	D.O. (mg/L)	---	6.0	Beryllium	---
	Water Supply	D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS
Qualifiers:		pH	6.5 - 9.0	---	Chromium III	50(T) TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS TVS
Temporary Modification(s):		E. Coli (per 100 mL) 5/1 - 10/31	---	126	Copper	TVS TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL) 11/1 - 4/30	---	630	Iron	---
Expiration Date of 12/31/2021		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		TVS(sc)
6a. All tributaries to the Piedra River, including all wetlands, from a point immediately below the confluence with Devil Creek to Southern Ute Indian Reservation boundary.						
COSJPI06A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T) TVS
		E. Coli (per 100 mL)	---	205	Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.5	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Piedra River Basin

6b. All tributaries including wetlands to the Piedra River from the Southern Ute Indian Reservation boundary to Navajo Reservoir.						
COSJPI06B	Classifications	Physical and Biological			Metals (ug/L)	
Designation		DM	MWAT		acute	chronic
UP	Agriculture			Temperature °C	---	---
	Aq Life Warm 2	WS-III	WS-III			
	Recreation P	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply			Beryllium	---	---
Qualifiers:				D.O. (mg/L)	---	5.0
Other:				pH	6.5 - 9.0	---
				chlorophyll a (mg/m <sup>2</sup> )	---	---
*Southern Ute Indian Reservation				E. Coli (per 100 mL)	---	205
		Inorganic (mg/L)				
		acute	chronic	Cadmium	TVS	TVS
				Chromium III	50(T)	TVS
				Chromium VI	TVS	TVS
				Copper	TVS	TVS
				Iron	---	WS
				Iron	---	1000(T)
	Ammonia	TVS	TVS	Lead	TVS	TVS
	Boron	---	0.25	Manganese	TVS	TVS
	Chloride	---	250	Manganese	---	WS
	Chlorine	0.019	0.011	Mercury	---	0.01(t)
	Cyanide	0.005	---	Molybdenum	---	160(T)
	Nitrate	10	---	Nickel	TVS	TVS
	Nitrite	---	0.5	Selenium	TVS	TVS
	Phosphorus	---	---	Silver	TVS	TVS
	Sulfate	---	WS	Uranium	---	---
	Sulfide	---	0.002	Zinc	TVS	TVS
7. Hatcher Reservoir, Stevens Reservoir, Sullenbuger Reservoir, Village Lake and Forest Lake.						
COSJPI07	Classifications	Physical and Biological			Metals (ug/L)	
Designation		DM	MWAT		acute	chronic
Reviewable	Agriculture			Temperature °C	---	---
	Aq Life Warm 1	WL	WL			
	Recreation E 2/2 - 11/30	acute	chronic	Arsenic	340	0.02(T)
	Recreation N 12/1 - 3/1			Beryllium	---	---
Qualifiers:				D.O. (mg/L)	---	5.0
Other:				pH	6.5 - 9.0	---
				chlorophyll a (mg/m <sup>2</sup> )	---	---
				E. Coli (per 100 mL) 3/2 - 11/30	---	126
				E. Coli (per 100 mL) 12/1 - 3/1	---	630
		Inorganic (mg/L)				
		acute	chronic	Iron	---	WS
				Iron	---	1000(T)
				Lead	TVS	TVS
	Ammonia	TVS	TVS	Manganese	TVS	TVS
	Boron	---	0.25	Manganese	---	WS
	Chloride	---	250	Mercury	---	0.01(t)
	Chlorine	0.019	0.011	Molybdenum	---	160(T)
	Cyanide	0.005	---	Nickel	TVS	TVS
	Nitrate	10	---	Selenium	TVS	TVS
	Nitrite	---	0.5	Silver	TVS	TVS
	Phosphorus	---	---	Uranium	---	---
	Sulfate	---	WS	Zinc	TVS	TVS
	Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Piedra River Basin

8. Williams Creek Reservoir.						
COSJPI08	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	CLL	CLL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Recreation N	---	6.0	Beryllium	---	---
	Water Supply	---	7.0	Cadmium	TVS(tr)	TVS
Qualifiers:		pH	6.5 - 9.0	---	Chromium III	50(T)
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	5/1 - 10/31	---	Copper	TVS
		E. Coli (per 100 mL)	11/1 - 4/30	---	Iron	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	---	Manganese	---	WS
		Chloride	---	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
9. All lakes and reservoirs tributary to the Piedra River which are within the Weminuche Wilderness Area. This segment includes Window Lake, Monument Lake, Hossick Lake, and Williams Lakes.						
COSJPI09	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	---	6.0	Beryllium	---	---
		---	7.0	Cadmium	TVS(tr)	TVS
Qualifiers:		pH	6.5 - 9.0	---	Chromium III	50(T)
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	---	Manganese	---	WS
		Chloride	---	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Piedra River Basin

10. All lakes and reservoirs which are tributary to the Piedra River, from the boundary of the Weminuche Wilderness Area to a point immediately below the confluence with Devil Creek, except the specific listing in Segment 8. This segment includes Palisade Lake, Martin Lake, and O'Connell Lake.									
COSJPI10	Classifications		Physical and Biological		Metals (ug/L)				
Designation	Agriculture		DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 1		Temperature °C	CL	CL	Aluminum	---	---	
	Recreation E	5/1 - 10/31	acute	chronic	Arsenic	340	0.02(T)		
	Recreation N	11/1 - 4/30	D.O. (mg/L)	---	6.0	Beryllium	---	---	
	Water Supply		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Qualifiers:			pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
Other:			chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS	
			E. Coli (per 100 mL)	5/1 - 10/31	---	126	Copper	TVS	TVS
			E. Coli (per 100 mL)	11/1 - 4/30	---	630	Iron	---	WS
			Inorganic (mg/L)		Iron	---	1000(T)		
			acute	chronic	Lead	TVS	TVS		
			Ammonia	TVS	TVS	Manganese	TVS	TVS	
			Boron	---	0.75	Manganese	---	WS	
			Chloride	---	250	Mercury	---	0.01(t)	
			Chlorine	0.019	0.011	Molybdenum	---	160(T)	
			Cyanide	0.005	---	Nickel	TVS	TVS	
			Nitrate	10	---	Selenium	TVS	TVS	
			Nitrite	---	0.05	Silver	TVS	TVS(tr)	
			Phosphorus	---	---	Uranium	---	---	
			Sulfate	---	WS	Zinc	TVS	TVS	
			Sulfide	---	0.002				
11a. All lakes and reservoirs which are tributary to the Piedra River, from a point immediately below the confluence with Devil Creek to the Southern Ute Indian Reservation boundary. This segment includes Capote Lake.									
COSJPI11A	Classifications		Physical and Biological		Metals (ug/L)				
Designation	Agriculture		DM	MWAT	acute	chronic			
UP	Aq Life Warm 2		Temperature °C	WL	WL	Aluminum	---	---	
	Recreation E		acute	chronic	Arsenic	340	0.02(T)		
	Water Supply		D.O. (mg/L)	---	5.0	Beryllium	---	---	
Qualifiers:			pH	6.5 - 9.0	---	Cadmium	TVS	TVS	
Water + Fish Ingestion Standards			chlorophyll a (mg/m²)	---	---	Chromium III	50(T)	TVS	
Other:			E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
			Inorganic (mg/L)		Copper	TVS	TVS		
			acute	chronic	Iron	---	WS		
			Ammonia	TVS	TVS	Iron	---	1000(T)	
			Boron	---	0.75	Lead	TVS	TVS	
			Chloride	---	250	Manganese	TVS	TVS	
			Chlorine	0.019	0.011	Manganese	---	WS	
			Cyanide	0.005	---	Mercury	---	0.01(t)	
			Nitrate	10	---	Molybdenum	---	160(T)	
			Nitrite	---	0.5	Nickel	TVS	TVS	
			Phosphorus	---	---	Selenium	TVS	TVS	
			Sulfate	---	WS	Silver	TVS	TVS	
			Sulfide	---	0.002	Uranium	---	---	
						Zinc	TVS	TVS	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Piedra River Basin

11b. All lakes and reservoirs which are tributary to the Piedra River from the Southern Ute Indian Reservation boundary to Navajo Reservoir.					
COSJPI11B	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
UP	Agriculture				
	Aq Life Warm 2	Temperature °C	WL WL	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340 0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	Cadmium	TVS TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	50(T) TVS
		E. Coli (per 100 mL)	---	Chromium VI	TVS TVS
*Southern Ute Indian Reservation		Inorganic (mg/L)		Copper	TVS TVS
		acute	chronic	Iron	---
		Ammonia	TVS TVS	Iron	---
		Boron	---	Lead	TVS TVS
		Chloride	---	Manganese	TVS TVS
		Chlorine	0.019 0.011	Manganese	---
		Cyanide	0.005	Mercury	---
		Nitrate	10	Molybdenum	---
		Nitrite	---	Nickel	TVS TVS
		Phosphorus	---	Selenium	TVS TVS
		Sulfate	---	Silver	TVS TVS
		Sulfide	---	Uranium	---
			0.002	Zinc	TVS TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Los Pinos River Basin

1. All tributaries to the Los Pinos River, including all wetlands, which are within the Weminuche Wilderness Area.						
COSJPN01	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

2a. Mainstem of the Los Pinos River from the boundary of the Weminuche Wilderness Area to the boundary of the Southern Ute Indian Reservation except for the specific listing in Segment 3.						
COSJPN02A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Los Pinos River Basin

2b. Mainstem of the Los Pinos River from the boundary of the Southern Ute Indian Reservation to the Colorado/New Mexico border.						
COSJPN02B	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
*Southern Ute Indian Reservation		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

3. Vallecito Reservoir.						
COSJPN03	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CLL	CLL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Los Pinos River Basin

4a. All tributaries to the Los Pinos River and Vallecito Reservoir, including all wetlands, from the boundary of the Weminuche Wilderness Area to a point immediately below the confluence with Bear Creek (T35N, R7W), except for the specific listing in Segment 5; mainstems of Beaver Creek, Ute Creek, and Spring Creek from their sources to the boundary of the Southern Ute Indian Reservation.

COSJPN04A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
Expiration Date of 12/31/2021					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS(sc)
		Sulfide	---	0.002			

4b. Mainstems of Beaver Creek, Ute Creek and Spring Creek from the boundaries of the Southern Ute Indian Reservation to their confluences with the Los Pinos River.

COSJPN04B	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS	
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
Expiration Date of 12/31/2021					Iron	---	WS	
*Southern Ute Indian Reservation		Inorganic (mg/L)			Iron	---	1000(T)	
					Lead	TVS	TVS	
					Ammonia	TVS	TVS	
					Boron	---	0.75	
					Chloride	---	250	
					Chlorine	0.019	0.011	
					Cyanide	0.005	---	
					Nitrate	10	---	
					Nitrite	---	0.05	
					Phosphorus	---	---	
					Sulfate	---	WS	
					Sulfide	---	0.002	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Los Pinos River Basin

5. Mainstem of Vallecito Creek from the boundary of the Weminuche Wilderness Area to Vallecito Reservoir.						
COSJPN05	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS(tr)
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

6a. All tributaries to the Los Pinos River, including all wetlands, from a point immediately below the confluence with Bear Creek (T35N, R7W) to the boundary of the Southern Ute Indian Reservation except for specific listings in Segment 4a.						
COSJPN06A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	0.01(t)
		Chloride	---	---	Molybdenum	160(T)
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	---	Uranium	---
		Phosphorus	---	---	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Los Pinos River Basin

6b. All tributaries to the Los Pinos River, including all wetlands, from the Southern Ute Indian Reservation boundary to the Colorado/New Mexico border, except for the specific listing in Segment 4b.						
COSJPN06B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS
*Southern Ute Indian Reservation		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m²)	---	---	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	---	Uranium	---
		Phosphorus	---	---	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		
	7a. Barker Arroyo and all other tributaries to the San Juan River in La Plata County which join the San Juan River below the Colorado/New Mexico border, except for specific listings in Segments 1, 2a, 2b, 4a, 4b, 4c, 5, 6a, 6b and 7b.					
COSJPN07A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m²)	---	---	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	---	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Los Pinos River Basin

7b. All tributaries to the San Juan River in La Plata County within the Southern Ute Indian Reservation except for specific listings in Segments 2b, 4b and 6b.						
COSJPN07B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS
*Southern Ute Indian Reservation		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	---	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

8. All lakes and reservoirs tributary to the Los Pinos River which are within the Weminuche Wilderness Area, except for the specific listing in Segment 9. This includes Granite Lake, Divide Lakes, Elk Lake, Flint Lakes, Moon Lake, Rock Lake, Betty Lake, Lost Lake, Hidden Lake, Vallecito Lake, Eldorado Lake, Trinity Lake, Leviathan Lake, Sunlight Lake, Hazel Lake, and Columbine Lake.						
COSJPN08	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
OW	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Los Pinos River Basin

9. Emerald Lake.							
COSJPN09	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CLL	CLL	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			
10. All lakes and reservoirs tributary to the Los Pinos River and Vallecito Reservoir from the boundary of the Weminuche Wilderness Area to a point immediately below the confluence with Bear Creek (T35N, R7W), except for the specific listing in Segment 3. This segment includes Lake Simpatico.							
COSJPN10	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Los Pinos River Basin

11a. All lakes and reservoirs tributary to the Los Pinos River, from a point immediately below the confluence with Bear Creek (T35N, R7W) to the boundary of the Southern Ute Indian Reservation.								
COSJPN11A	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 2	Temperature °C	CL	CL	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	100(T)		
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---		
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS		
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS	
		chlorophyll a (mg/m²)	---	---	Chromium III	---	100(T)	
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
					Copper	TVS	TVS	
		Inorganic (mg/L)			Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS		
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Mercury	---	0.01(t)	
		Chloride	---	---	Molybdenum	---	160(T)	
		Chlorine	0.019	0.011	Nickel	TVS	TVS	
		Cyanide	0.005	---	Selenium	TVS	TVS	
		Nitrate	100	---	Silver	TVS	TVS	
		Nitrite	---	0.05	Uranium	---	---	
		Phosphorus	---	---	Zinc	TVS	TVS	
		Sulfate	---	---				
		Sulfide	---	0.002				
		11b. All lakes and reservoirs tributary to the Los Pinos River, from the Southern Ute Indian Reservation boundary to the Colorado/New Mexico border. This segment includes Harper Pond.						
		COSJPN11B	Classifications	Physical and Biological			Metals (ug/L)	
		Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CL	CL	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	100(T)		
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---		
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS		
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS	
		chlorophyll a (mg/m²)	---	---	Chromium III	---	100(T)	
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
					Copper	TVS	TVS	
		Inorganic (mg/L)			Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS		
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Mercury	---	0.01(t)	
		Chloride	---	---	Molybdenum	---	160(T)	
		Chlorine	0.019	0.011	Nickel	TVS	TVS	
		Cyanide	0.005	---	Selenium	TVS	TVS	
		Nitrate	100	---	Silver	TVS	TVS	
		Nitrite	---	0.05	Uranium	---	---	
		Phosphorus	---	---	Zinc	TVS	TVS	
		Sulfate	---	---				
		Sulfide	---	0.002				
		*Southern Ute Indian Reservation						

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

1. All tributaries to the Animas River and Florida River, including all wetlands, which are within the Weminuche Wilderness Area.						
COSJAF01	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
					WS	
		Inorganic (mg/L)			Iron	---
					1000(T)	
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
2. Mainstem of the Animas River, including all tributaries and wetlands, from the outlet of Denver Lake to a point immediately above the confluence with Maggie Gulch, except for specific listings in Segment 6.						
COSJAF02	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Recreation E			Aluminum	---	
Qualifiers:		acute	chronic	Arsenic	---	
Other:  *The concentration of dissolved aluminum, cadmium, copper, iron, lead, manganese, and zinc that is directed toward maintaining and achieving standards established for segments 3a, 4a and 4b.		D.O. (mg/L)	---	3.0	Beryllium	100(T)
		pH	5.8-9.0	---	Cadmium	---
		chlorophyll a (mg/m²)	---	---	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	---
					100(T)	
		Inorganic (mg/L)			Copper	---
					200(T)	
		acute	chronic		Iron	---
		Ammonia	---	---	Lead	---
		Boron	---	0.75	Manganese	---
		Chloride	---	---	Mercury	---
		Chlorine	---	---	Molybdenum	---
		Cyanide	0.2	---	Nickel	---
		Nitrate	---	100	Selenium	---
		Nitrite	10	---	Silver	---
		Phosphorus	---	---	Uranium	---
		Sulfate	---	---	Zinc	---
		Sulfide	---	---	2000(T)	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

3a. Mainstem of the Animas River, including wetlands, from a point immediately below the confluence with Maggie Gulch to immediately above the confluence with Cement Creek.										
COSJAF03A	Classifications			Physical and Biological			Metals (ug/L)			
Designation	Agriculture			DM	MWAT	acute			chronic	
Reviewable	Aq Life Cold 1*			Temperature °C	CS-I	CS-I	Aluminum	750(T)	750(T)	
	Recreation E			acute	chronic	Arsenic	340	100(T)		
Qualifiers:				D.O. (mg/L)	---	6.0	Beryllium	---	---	
Other:				D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	varies*	
				pH	6.5 - 9.0	---	Chromium III	TVS	TVS	
*Classification: Aquatic life indicator goal: Brook Trout				chlorophyll a (mg/m²)	---	---	Chromium III	---	100(T)	
*Cadmium(chronic) = Standards are listed on Table 1.				E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
*Manganese(chronic) = Standards are listed on Table 1.							Copper	TVS	TVS	
*Zinc(acute) = Standards are listed on Table 1.				Inorganic (mg/L)			Iron	---	1000(T)	
*Zinc(chronic) = Standards are listed on Table 1.				acute	chronic	Lead	TVS	TVS		
				Ammonia	TVS	TVS	Manganese	---	varies*	
				Boron	---	0.75	Mercury	---	0.01(t)	
				Chloride	---	---	Molybdenum	---	160(T)	
				Chlorine	0.019	0.011	Nickel	TVS	TVS	
				Cyanide	0.005	---	Selenium	TVS	TVS	
				Nitrate	100	---	Silver	TVS	TVS(tr)	
				Nitrite	---	---	Uranium	---	---	
				Phosphorus	---	---	Zinc	varies*	varies*	
				Sulfate	---	---				
				Sulfide	---	0.002				
3b. Mainstem of the Animas River, including wetlands, from a point immediately above the confluence with Cement Creek to a point immediately above the confluence with Mineral Creek.										
COSJAF03B	Classifications			Physical and Biological			Metals (ug/L)			
Designation	Recreation E	5/15 - 9/10		DM	MWAT	acute			chronic	
UP	Recreation N	9/11 - 5/14					Aluminum	---	---	
Qualifiers:				acute	chronic	Arsenic	---	---		
Other:				D.O. (mg/L)	---	3.0	Beryllium	---	---	
				pH	6.0-9.0	---	Cadmium	---	---	
Temporary Modification(s):				chlorophyll a (mg/m²)	---	---	Chromium III	---	---	
Cadmium(ac/ch) = current condition				E. Coli (per 100 mL)	5/15 - 9/10	---	Chromium VI	---	---	
Copper(ac/ch) = current condition				E. Coli (per 100 mL)	9/11 - 5/14	---	Copper	---	---	
Zinc(ac/ch) = current condition							Iron	---	---	
Expiration Date of 12/31/2017				Inorganic (mg/L)			Lead	---	---	
*The concentration of dissolved aluminum, cadmium, copper, iron, lead, manganese, and zinc that is directed toward maintaining and achieving water quality standards established for segments 4a and 4b.				acute	chronic	Manganese	---	---		
				Ammonia	---	---	Mercury	---	---	
				Boron	---	---	Molybdenum	---	---	
				Chloride	---	---	Nickel	---	---	
				Chlorine	---	---	Selenium	---	---	
				Cyanide	---	---	Silver	---	---	
				Nitrate	---	---	Uranium	---	---	
				Nitrite	---	---	Zinc	---	---	
				Phosphorus	---	---				
				Sulfate	---	---				
				Sulfide	---	---				

3b. Mainstem of the Animas River, including wetlands, from a point immediately above the confluence with Cement Creek to a point immediately above the confluence with Mineral Creek.							
COSJAF03B	Classifications		Physical and Biological			Metals (ug/L)	
Designation	Recreation E	5/15 - 9/10	DM	MWAT		acute	chronic
UP	Recreation N	9/11 - 5/14				Aluminum	---
Qualifiers:			acute	chronic		Arsenic	---
Other:			D.O. (mg/L)	---	3.0	Beryllium	---
Temporary Modification(s):			pH	6.0-9.0	---	Cadmium	---
Cadmium(ac/ch) = current condition			chlorophyll a (mg/m²)	---	---	Chromium III	---
Copper(ac/ch) = current condition			E. Coli (per 100 mL)	5/15 - 9/10	---	Chromium VI	---
Zinc(ac/ch) = current condition			E. Coli (per 100 mL)	9/11 - 5/14	---	Copper	---
Expiration Date of 12/31/2017						Iron	---
*The concentration of dissolved aluminum, cadmium, copper, iron, lead, manganese, and zinc that is directed toward maintaining and achieving water quality standards established for segments 4a and 4b.			Inorganic (mg/L)			Lead	---
			acute	chronic		Manganese	---
			Ammonia	---	---	Mercury	---
			Boron	---	---	Molybdenum	---
			Chloride	---	---	Nickel	---
			Chlorine	---	---	Selenium	---
			Cyanide	---	---	Silver	---
			Nitrate	---	---	Uranium	---
			Nitrite	---	---	Zinc	---
			Phosphorus	---	---		
			Sulfate	---	---		
			Sulfide	---	---		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr=trout  
 sc=sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

3c. Arrastra Gulch including all tributaries and wetlands from the source to the confluence with the Animas River.											
COSJAF03C		Classifications		Physical and Biological			Metals (ug/L)				
Designation		Agriculture		DM		MWAT		acute		chronic	
UP		Aq Life Cold 2		Temperature °C		CS-I CS-I		Aluminum		--- ---	
		Recreation E		acute		chronic		Arsenic		340 100(T)	
Qualifiers:				D.O. (mg/L)		--- 6.0		Beryllium		--- ---	
Other:				D.O. (spawning)		--- 7.0		Cadmium		TVS(tr) TVS	
				pH		6.5 - 9.0 ---		Chromium III		TVS TVS	
				chlorophyll a (mg/m²)		--- ---		Chromium III		--- 100(T)	
				E. Coli (per 100 mL)		--- 126		Chromium VI		TVS TVS	
								Copper		TVS TVS	
				Inorganic (mg/L)				Iron		--- 1000(T)	
				acute		chronic		Lead		TVS TVS	
				Ammonia		TVS TVS		Manganese		TVS TVS	
				Boron		--- 0.75		Mercury		--- 0.01(t)	
				Chloride		--- ---		Molybdenum		--- 160(T)	
				Chlorine		0.019 0.011		Nickel		TVS TVS	
				Cyanide		0.005 ---		Selenium		TVS TVS	
				Nitrate		100 ---		Silver		TVS TVS(tr)	
				Nitrite		--- 0.05		Uranium		--- ---	
				Phosphorus		--- ---		Zinc		TVS TVS	
				Sulfate		--- ---					
				Sulfide		--- 0.002					
4a. Mainstem of the Animas River, including wetlands, from a point immediately above the confluence with Mineral Creek to a point immediately above the confluence with Deer Park Creek.											
COSJAF04A		Classifications		Physical and Biological			Metals (ug/L)				
Designation		Agriculture		DM		MWAT		acute		chronic	
UP		Aq Life Cold 2*		Temperature °C		CS-I CS-I		Aluminum		varies* varies*	
		Recreation E		acute		chronic		Arsenic		340 100(T)	
Qualifiers:				D.O. (mg/L)		--- 6.0		Beryllium		--- ---	
Other:  *Classification: Aquatic life indicator goal: Brook Trout *Aluminum(acute) = Standards are listed on Table 1. *Aluminum(chronic) = Standards are listed on Table 1. *Iron(chronic) = Standards are listed on Table 1. *Zinc(acute) = Standards are listed on Table 1. *Zinc(chronic) = Standards are listed on Table 1. *pH(acute) = Standards are listed on Table 1.				D.O. (spawning)		--- 7.0		Cadmium		TVS(tr) TVS	
				pH		varies* ---		Chromium III		TVS TVS	
				chlorophyll a (mg/m²)		--- ---		Chromium III		--- 100(T)	
				E. Coli (per 100 mL)		--- 126		Chromium VI		TVS TVS	
								Copper		TVS TVS	
				Inorganic (mg/L)				Iron		--- varies*	
				acute		chronic		Lead		TVS TVS	
				Ammonia		TVS TVS		Manganese		TVS TVS	
				Boron		--- 0.75		Mercury		--- 0.01(t)	
				Chloride		--- ---		Molybdenum		--- 160(T)	
				Chlorine		0.019 0.011		Nickel		TVS TVS	
				Cyanide		0.005 ---		Selenium		TVS TVS	
				Nitrate		100 ---		Silver		TVS TVS(tr)	
				Nitrite		--- ---		Uranium		--- ---	
				Phosphorus		--- ---		Zinc		varies* varies*	
				Sulfate		--- ---					
				Sulfide		--- 0.002					

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

4b. Mainstem of the Animas River, including wetlands, from a point immediately above the confluence with Deer Park Creek to Bakers Bridge.						
COSJAF04B	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	TVS(T)
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

5a. Mainstem of the Animas River, including wetlands, from Bakers Bridge to the Southern Ute Indian Reservation boundary.						
COSJAF05A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	TVS
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

5b. Mainstem of the Animas River, including wetlands, from the Southern Ute Indian Reservation boundary to the Colorado/New Mexico border.								
COSJAF05B	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute		chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	TVS	TVS	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS	
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
Expiration Date of 12/31/2021					Iron	---	WS	
*Southern Ute Indian Reservation		Inorganic (mg/L)			Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS		
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	---	Uranium	---	---	
		Sulfate	---	WS	Zinc	TVS	TVS	
		Sulfide	---	0.002				

6. Mainstem of the Animas River from the source to the outlet of Denver Lake. Mainstem, including all tributaries and wetlands of Cinnamon Creek, Grouse Creek, Picayne Gulch, and Minnie Gulch. All tributaries and wetlands to the Animas River from immediately above Maggie Gulch to Elk Park except for those listed under segments 3c, 7, 8 and 9.								
COSJAF06	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute		chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS	
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
Expiration Date of 12/31/2021					Iron	---	WS	
		Inorganic (mg/L)			Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS		
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	---	Uranium	---	---	
		Sulfate	---	WS	Zinc	TVS	TVS	
		Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

7. Mainstem of Cement Creek, including all tributaries, and wetlands, from the source to the confluence with the Animas River.							
COSJAF07	Classifications	Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Recreation E			Aluminum	---		
Qualifiers:		acute	chronic	Arsenic	100(T)		
Other:	*The concentration of dissolved aluminum, cadmium, copper, iron, lead, manganese, and zinc that is directed toward maintaining and achieving water quality standards established for segments 4a and 4b.	D.O. (mg/L)	---	3.0	Beryllium	---	100(T)
		pH	3.7-9.0	---	Cadmium	---	10(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	---	100(T)
		Inorganic (mg/L)		Copper	---	200(T)	
			acute	chronic	Iron	---	---
		Ammonia	---	---	Lead	---	100(T)
		Boron	---	0.75	Manganese	---	---
		Chloride	---	---	Mercury	---	---
		Chlorine	---	---	Molybdenum	---	160(T)
		Cyanide	0.2	---	Nickel	---	200(T)
		Nitrate	100	---	Selenium	---	20(T)
		Nitrite	---	10	Silver	---	---
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	---	Zinc	---	2000(T)
		Sulfide	---	---			
		8. Mainstem of Mineral Creek, including wetlands, from the source to a point immediately above the confluence with South Mineral Creek. All tributaries on the east side of this segment of Mineral Creek including wetlands, except for Big Horn Creek. Mainstem of the Middle Fork of Mineral Creek including all tributaries and wetlands from the source to the confluence with Mineral Creek except for Crystal Lake and its exiting tributary to confluence with Middle Fork of Mineral Creek.					
COSJAF08	Classifications	Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Recreation E			Aluminum	---		
Qualifiers:		acute	chronic	Arsenic	100(T)		
Other:	*The concentration of dissolved aluminum, cadmium, copper, iron, lead, manganese, and zinc that is directed toward maintaining and achieving water quality standards established for segments 4a and 4b.	D.O. (mg/L)	---	3.0	Beryllium	---	100(T)
		pH	4.5-9.0	---	Cadmium	---	10(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	---	100(T)
		Inorganic (mg/L)		Copper	---	200(T)	
			acute	chronic	Iron	---	---
		Ammonia	---	---	Lead	---	100(T)
		Boron	---	0.75	Manganese	---	---
		Chloride	---	---	Mercury	---	---
		Chlorine	---	---	Molybdenum	---	160(T)
		Cyanide	0.2	---	Nickel	---	200(T)
		Nitrate	100	---	Selenium	---	20(T)
		Nitrite	---	10	Silver	---	---
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	---	Zinc	---	2000(T)
		Sulfide	---	---			

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr=trout  
 sc=sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

9. Mainstem of Mineral Creek, including wetlands, from immediately above the confluence with South Mineral Creek to the confluence with the Animas River.						
COSJAF09	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Cold 2*	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Qualifiers:		pH	varies*	---	Chromium III	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS	varies*
				Iron	---	varies*
		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Manganese	TVS
		Chloride	---	250	Manganese	---
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	10	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	WS	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
						varies*

\*Classification: Aquatic Life indicator goal: Macroinvertebrates; Brook Trout corridor  
 \*Aluminum(chronic) = Standards are listed on Table 1.  
 \*Copper(chronic) = Standards are listed on Table 1.  
 \*Iron(chronic) = Standards are listed on Table 1.  
 \*Zinc(chronic) = Standards are listed on Table 1.  
 \*pH(acute) = Standards are listed on Table 1.

10a. Mainstem of the Florida River from the boundary of the Weminuche Wilderness Area to the inlet of Lemon Reservoir.						
COSJAF10A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Qualifiers:		pH	6.5 - 9.0	---	Chromium III	50(T)
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
		Inorganic (mg/L)		Iron	---	WS
				Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002	Zinc	---
						TVS(sc)

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr=trout  
 sc=sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

10b. Mainstem of the Florida River from the outlet of Lemon Reservoir to the Florida Farmers Canal Headgate.						
COSJAF10B	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002	Zinc	---

11a. Mainstem of the Florida River from the Florida Farmers Canal Headgate to the Southern Ute Indian Reservation boundary.						
COSJAF11A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

11b. Mainstem of the Florida River from the Southern Ute Indian Reservation boundary to the confluence with the Animas River.						
COSJAF11B	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
*Southern Ute Indian Reservation		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

12a. All tributaries to the Animas River from a point immediately above the confluence with Elk Creek to a point immediately below the confluence with Hermosa Creek except for specific listings in Segments 12b, 12c and 15. All tributaries to the Florida River from the source to below the confluence with Mud Spring Creek, except the specific listing in Segment 1.

COSJAF12A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

12b. Lemon Reservoir.							
COSJAF12B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CLL	CLL	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
	Qualifiers:	D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:	pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
	chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS	
	E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
				Iron	---	WS	
	Inorganic (mg/L)			Iron	---	1000(T)	
	acute	chronic	Lead	TVS	TVS		
	Ammonia	TVS	TVS	Manganese	TVS	TVS	
	Boron	---	0.75	Manganese	---	WS	
	Chloride	---	250	Mercury	---	0.01(t)	
	Chlorine	0.019	0.011	Molybdenum	---	160(T)	
	Cyanide	0.005	---	Nickel	TVS	TVS	
	Nitrate	10	---	Selenium	TVS	TVS	
	Nitrite	---	0.05	Silver	TVS	TVS(tr)	
	Phosphorus	---	---	Uranium	---	---	
	Sulfate	---	WS	Zinc	TVS	TVS	
	Sulfide	---	0.002				
	12c. Hermosa Creek, including all tributaries, from the source to immediately below the confluence with Long Hollow, except for the East Fork of Hermosa Creek.						
	COSJAF12C	Classifications	Physical and Biological			Metals (ug/L)	
	Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
	Qualifiers:	D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:	pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
	chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS	
	E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
				Iron	---	WS	
	Inorganic (mg/L)			Iron	---	1000(T)	
	acute	chronic	Lead	TVS	TVS		
	Ammonia	TVS	TVS	Manganese	TVS	TVS	
	Boron	---	0.75	Manganese	---	WS	
	Chloride	---	250	Mercury	---	0.01(t)	
	Chlorine	0.019	0.011	Molybdenum	---	160(T)	
	Cyanide	0.005	---	Nickel	TVS	TVS	
	Nitrate	10	---	Selenium	TVS	TVS	
	Nitrite	---	0.05	Silver	TVS	TVS(tr)	
	Phosphorus	---	---	Uranium	---	---	
	Sulfate	---	WS	Zinc	TVS	TVS	
	Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

12d. Mainstem of Junction Creek, including all tributaries, from the source to the U.S. Forest Boundary. Mainstem of Falls Creek, including all tributaries, from the source to the confluence with the Animas River.						
COSJAF12D	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

13a. Mainstem of Junction Creek including all tributaries, from the U.S. Forest Boundary to the confluence with Animas River.						
COSJAF13A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Water + Fish Ingestion Standards		pH	6.5 - 9.0	---	Chromium III	50(T)
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

13b. All tributaries to the Animas River from a point immediately below the confluence with Hermosa Creek to the Southern Ute Indian Reservation boundary except for the specific listings in Segments 12d, 13a, 14a and 14b; all tributaries to the Florida River, from a point immediately below the confluence with Mud Creek to the Southern Ute Indian Reservation boundary, except for specific listings in Segment 12d.

COSJAF13B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Water + Fish Standards		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Other:		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
Arsenic(chronic) = hybrid					Iron	---	WS
Expiration Date of 12/31/2021		Inorganic (mg/L)			Iron	---	1000(T)
Discharger Specific Variance(s):		acute		chronic	Lead	TVS	TVS
Ammonia(ac/ch) = TVS:15 mg/L		Ammonia	TVS	TVS	Manganese	TVS	TVS
Expiration Date of 12/31/2024		Boron	---	0.75	Manganese	---	WS
*Variance: Ammonia = see 34.6(4) for details.		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

13c. All tributaries to the Animas River from the Southern Ute Indian Reservation boundary to the Colorado/New Mexico border, except for Segment 11b; all tributaries to the Florida River from the Southern Ute Indian Reservation boundary to the confluence with the Animas River.

COSJAF13C	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM		MWAT	acute		chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	---	
	Recreation E	acute		chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Water + Fish Standards		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
Other:		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS	
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
Arsenic(chronic) = hybrid					Iron	---	WS	
Expiration Date of 12/31/2021		Inorganic (mg/L)			Iron	---	1000(T)	
*Southern Ute Indian Reservation		acute		chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	---	Uranium	---	---	
		Sulfate	---	WS	Zinc	TVS	TVS	
		Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

13d. Brice Draw, including all tributaries, from its source to the Southern Ute Indian Reservation Boundary.					
COSJAF13D	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Recreation E			Aluminum	---
Qualifiers:		acute	chronic	Arsenic	100(T)
Other:		D.O. (mg/L)	3.0	Beryllium	100(T)
		pH	6.5 - 9.0	Cadmium	10(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	100(T)
		E. Coli (per 100 mL)	126	Chromium VI	100(T)
		Inorganic (mg/L)		Copper	200(T)
		acute	chronic	Iron	---
		Ammonia	---	Lead	100(T)
		Boron	0.75	Manganese	---
		Chloride	---	Mercury	---
		Chlorine	---	Molybdenum	160(T)
		Cyanide	0.2	Nickel	200(T)
		Nitrate	100	Selenium	20(T)
		Nitrite	10	Silver	---
		Phosphorus	---	Uranium	---
		Sulfate	---	Zinc	2000(T)
		Sulfide	---		

14a. Mainstem of Lightner Creek, including all tributaries, from the source to below the confluence with Deep Creek.					
COSJAF14A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	0.02(T)
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS
Expiration Date of 12/31/2021				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

14b. Mainstem of Lightner Creek from below the confluence with Deep Creek to the confluence with the Animas River.						
COSJAF14B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

15. Mainstem of Purgatory Creek from the source to Cascade Creek; Goulding Creek from the source to Elbert Creek; and Nary Draw from the source to Haviland Lake.						
COSJAF15	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

16. All lakes and reservoirs tributary to the Animas River and Florida River which are within the Weminuche Wilderness Area. This segment includes Lillie Lake, Castilleja Lake, City Reservoir, Emerald Lake, Ruby Lake, Balsam Lake, Garfield Lake, Vestal Lake, Eldorado Lake, Highland Mary Lakes, Verde Lakes, Lost Lake, and Crater Lake.							
COSJAF16	Classifications	Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
OW	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			
		17. All lakes tributary to Arrastra Gulch from the source to the confluence with the Animas River. This segment includes Silver Lake.					
COSJAF17	Classifications	Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 2	Temperature °C	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	100(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m²)	---	---	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury	---	0.01(t)
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS(tr)
		Nitrite	---	0.05	Uranium	---	---
		Phosphorus	---	---	Zinc	TVS	TVS
		Sulfate	---	---			
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

18. All lakes and reservoirs tributary to Cinnamon Creek, Grouse Creek, Picayne Gulch, Minnie Gulch and Eureka Gulch. All lakes and reservoirs tributary to the Animas River from immediately above Maggie Gulch to Elk Park except for those listed under Segments 16, 17,19, and 20. This segment includes Molas Lake, Bullion King Lake, Columbine Lake, Clear Lake, Island Lake, Ice Lake, Fuller Lake and Crystal Lake.

COSJAF18	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	---	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	---	6.0	Beryllium	---
Qualifiers:		D.O. (mg/L)	---	Cadmium	TVS(tr)
Other:		D.O. (spawning)	---	Chromium III	TVS
		pH	6.5 - 9.0	Chromium VI	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Copper	TVS
		E. Coli (per 100 mL)	---	Iron	WS
				Iron	---
		Inorganic (mg/L)		Lead	1000(T)
		acute	chronic	Manganese	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	---	Mercury	---
		Chloride	---	Molybdenum	0.01(t)
		Chlorine	0.019	Nickel	---
		Cyanide	0.005	Selenium	160(T)
		Nitrate	10	Silver	TVS
		Nitrite	---	Uranium	TVS(tr)
		Phosphorus	---	Zinc	---
		Sulfate	---		TVS
		Sulfide	---		TVS

19. All lakes and reservoirs tributary to Cement Creek from the source to the confluence with the Animas River.

COSJAF19	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2	CL	CL	---	---
	Recreation E	acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	---	Beryllium	100(T)
Other:		D.O. (spawning)	---	Cadmium	---
		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	Chromium VI	---
			126	Copper	100(T)
				Iron	TVS
		Inorganic (mg/L)		Lead	---
		acute	chronic	Manganese	1000(T)
		Ammonia	TVS	TVS	TVS
		Boron	---	Mercury	---
		Chloride	---	Molybdenum	0.01(t)
		Chlorine	0.019	Nickel	---
		Cyanide	0.005	Selenium	160(T)
		Nitrate	100	Silver	TVS
		Nitrite	---	Uranium	TVS
		Phosphorus	---	Zinc	TVS(tr)
		Sulfate	---		---
		Sulfide	---		---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

20. All lakes and reservoirs on the east side of Mineral Creek from the source to a point immediately above the confluence with South Mineral Creek. All lakes and reservoirs tributary to the Middle Fork of Mineral Creek from the source to the confluence with Mineral Creek except for the specific listings in Segment 18.

COSJAF20	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2 Recreation E	CL	CL	Aluminum	---
Qualifiers:		acute	chronic	Arsenic	340
Other:		D.O. (mg/L)	6.0	Beryllium	---
		D.O. (spawning)	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	100(T)
		E. Coli (per 100 mL)	126	Chromium VI	TVS
				Copper	TVS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Mercury	0.01(t)
		Chloride	---	Molybdenum	160(T)
		Chlorine	0.019	Nickel	TVS
		Cyanide	0.005	Selenium	TVS
		Nitrate	100	Silver	TVS(tr)
		Nitrite	0.05	Uranium	---
		Phosphorus	---	Zinc	TVS
		Sulfate	---		
		Sulfide	0.002		

21. All lakes and reservoirs tributary to the Animas River from a point immediately above the confluence with Elk Creek to a point immediately below the confluence with Hermosa Creek except for the specific listing in Segment 12b. All lakes and reservoirs tributary to the Florida River from the source to the outlet of Lemon Reservoir, except the specific listing in Segment 16. This segment includes Little Molas Lake, Andrews Lake, Potato Lake, Scout Lake, Boyce Lake, Columbine Lake, Haviland Lake, Henderson Lake, Ruby Lake, Pear Lake, Webb Lake, Shalona Lake, Stratton Lake, and Wallace Lake.

COSJAF21	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1 Recreation E Water Supply	CL	CL	Aluminum	---
Qualifiers:		acute	chronic	Arsenic	340
Other:		D.O. (mg/L)	6.0	Beryllium	---
		D.O. (spawning)	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr=trout

sc=sculpin

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

22. Electra Lake. Lake Nighthorse.						
COSJAF22	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CLL	CLL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	126	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	0.75	Manganese	---	WS
		Chloride	250	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	Uranium	---	---
		Sulfate	WS	Zinc	TVS	TVS
		Sulfide	0.002			

23. All lakes and reservoirs tributary to the Animas River from a point immediately below the confluence with Hermosa Creek to the Southern Ute Indian Reservation boundary except for the specific listings in Segments 13a and 14; all lakes and reservoirs tributary to the Florida River, from the outlet of Lemon Reservoir to the Southern Ute Indian Reservation boundary. This segment includes Chapman Lake and City Res No 1.

23. All lakes and reservoirs tributary to the Animas River from a point immediately below the confluence with Hermosa Creek to the Southern Ute Indian Reservation boundary except for the specific listings in Segments 13a and 14; all lakes and reservoirs tributary to the Florida River, from the outlet of Lemon Reservoir to the Southern Ute Indian Reservation boundary. This segment includes Chapman Lake and City Res No 1.						
COSJAF23	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)	TVS
Water + Fish Standards		pH	6.5 - 9.0	Chromium III	50(T)	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	126	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	0.75	Manganese	---	WS
		Chloride	250	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	Uranium	---	---
		Sulfate	WS	Zinc	TVS	TVS
		Sulfide	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

24. All lakes and reservoirs tributary to the Animas River, from the Southern Ute Indian Reservation boundary to the Colorado/New Mexico border. This segment includes Pastorius Reservoir.					
COSJAF24	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
<b>Qualifiers:</b>		D.O. (spawning)	7.0	Cadmium	TVS(tr)
<b>Water + Fish Standards</b>		pH	6.5 - 9.0	Chromium III	50(T)
<b>Other:</b>		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
*Southern Ute Indian Reservation		E. Coli (per 100 mL)	126	Copper	TVS
		<b>Inorganic (mg/L)</b>		Iron	---
				Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County

1. Mainstem of the La Plata River, including all wetlands and tributaries from the source to the Hay Gulch diversion south of Hesperus.						
COSJLP01	Classifications		Physical and Biological		Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1		CS-I	CS-I	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply		---	6.0	Beryllium	---
Qualifiers:			D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021			pH	6.5 - 9.0	Chromium III	50(T)
			chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
			E. Coli (per 100 mL)	205	Copper	TVS
					Iron	---
			Inorganic (mg/L)		Iron	1000(T)
			acute	chronic	Lead	TVS
			Ammonia	TVS	Manganese	TVS
			Boron	0.75	Manganese	---
			Chloride	250	Mercury	0.01(t)
			Chlorine	0.019	Molybdenum	160(T)
			Cyanide	0.005	Nickel	TVS
			Nitrate	10	Selenium	TVS
			Nitrite	0.05	Silver	TVS(tr)
			Phosphorus	---	Uranium	---
			Sulfate	WS	Zinc	TVS(sc)
			Sulfide	0.002		
2a. Mainstem of the La Plata River from the Hay Gulch diversion south of Hesperus to the boundary of Southern Ute Indian Reservation.						
COSJLP02A	Classifications		Physical and Biological		Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1		CS-II	CS-II	Aluminum	---
	Recreation E	5/1 - 10/31	acute	chronic	Arsenic	340
	Recreation N	11/1 - 4/30	---	6.0	Beryllium	---
Qualifiers:			D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:			pH	6.5 - 9.0	Chromium III	50(T)
			chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
			E. Coli (per 100 mL)	126	Copper	TVS
			E. Coli (per 100 mL)	630	Iron	---
			Inorganic (mg/L)		Iron	1000(T)
			acute	chronic	Lead	TVS
			Ammonia	TVS	Manganese	TVS
			Boron	0.75	Manganese	---
			Chloride	250	Mercury	0.01(t)
			Chlorine	0.019	Molybdenum	160(T)
			Cyanide	0.005	Nickel	TVS
			Nitrate	10	Selenium	TVS
			Nitrite	0.05	Silver	TVS(tr)
			Phosphorus	---	Uranium	---
			Sulfate	WS	Zinc	TVS(sc)
			Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County

2b. Mainstem of the La Plata River from the boundary of the Southern Ute Indian Reservation to the Colorado/New Mexico border.						
COSJLP02B	Classifications		Physical and Biological		Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1		WS-II	WS-II	Aluminum	---
	Recreation E	5/1 - 10/31	acute	chronic	Arsenic	340
	Recreation P	11/1 - 4/30	---	5.0	Beryllium	---
	Water Supply		pH	6.5 - 9.0	Cadmium	TVS
Qualifiers:			chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	50(T)
Other:			E. Coli (per 100 mL)	5/1 - 10/31	Chromium VI	TVS
			E. Coli (per 100 mL)	11/1 - 4/30	Copper	TVS
*Southern Ute Indian Reservation					Iron	---
			Inorganic (mg/L)		Iron	1000(T)
			acute	chronic	Lead	TVS
	Ammonia		TVS	TVS	Manganese	TVS
	Boron		---	0.75	Manganese	WS
	Chloride		---	250	Mercury	0.01(t)
	Chlorine		0.019	0.011	Molybdenum	160(T)
	Cyanide		0.005	---	Nickel	TVS
	Nitrate		10	---	Selenium	TVS
	Nitrite		---	0.05	Silver	TVS
	Phosphorus		---	---	Uranium	---
	Sulfate		---	WS	Zinc	TVS
	Sulfide		---	0.002		

3a. All tributaries to the La Plata River, including all wetlands, from the Hay Gulch diversions south of Hesperus to the Southern Ute Indian Reservation boundary, except for specific listing in Segment 3c.						
COSJLP03A	Classifications		Physical and Biological		Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
UP	Aq Life Warm 2		WS-II	WS-II	Aluminum	---
	Recreation N		acute	chronic	Arsenic	340
Qualifiers:			D.O. (mg/L)	---	Beryllium	---
Other:			pH	6.5 - 9.0	Cadmium	TVS
			chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	TVS
			E. Coli (per 100 mL)	---	Chromium III	100(T)
			Inorganic (mg/L)		Chromium VI	TVS
			acute	chronic	Copper	TVS
	Ammonia		TVS	TVS	Iron	1000(T)
	Boron		---	0.75	Lead	TVS
	Chloride		---	---	Manganese	TVS
	Chlorine		0.019	0.011	Mercury	0.01(t)
	Cyanide		0.005	---	Molybdenum	160(T)
	Nitrate		100	---	Nickel	TVS
	Nitrite		---	0.05	Selenium	TVS
	Phosphorus		---	---	Silver	TVS
	Sulfate		---	---	Uranium	---
	Sulfide		---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County

3b. All tributaries to the La Plata River, including all wetlands, from the boundary of the Southern Ute Indian Reservation to the Colorado/New Mexico border.						
COSJLP03B	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:  *Southern Ute Indian Reservation		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	630	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

3c. Cherry Creek, including all tributaries and wetlands, from the source to the boundary of the Southern Ute Indian Reservation boundary.						
COSJLP03C	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		TVS(sc)

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr=trout

sc=sculpin

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County

4a. Mainstem of the Mancos River, including all wetlands and tributaries, from the source of the East, West and Middle Forks to the San Juan National Forest Boundary.						
COSJLP04A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CS-I	CS-I	Aluminum	---	---
	Recreation E 5/1 - 10/31	acute	chronic	Arsenic	340	0.02(T)
	Recreation N 11/1 - 4/30	---	6.0	Beryllium	---	---
	Water Supply	---	7.0	Cadmium	TVS(tr)	TVS
Qualifiers:		pH 6.5 - 9.0	---	Chromium III	50(T)	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
Temporary Modification(s):		E. Coli (per 100 mL) 5/1 - 10/31	---	Copper	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL) 11/1 - 4/30	---	Iron	---	WS
Expiration Date of 12/31/2021		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	---	Manganese	---	WS
		Chloride	---	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	---	Silver	TVS	TVS(tr)
		Phosphorus	---	Uranium	---	---
		Sulfate	---	Zinc	TVS	TVS
		Sulfide	---			

4b. Mancos Reservoir (Jackson Gulch Reservoir).						
COSJLP04B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CLL	CLL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr)	TVS
Other:		pH 6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	---	Manganese	---	WS
		Chloride	---	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	---	Silver	TVS	TVS(tr)
		Phosphorus	---	Uranium	---	---
		Sulfate	---	Zinc	TVS	TVS
		Sulfide	---			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County

4c. Mainstem of the Mancos River, including all wetlands, tributaries, from below the San Juan National Forest Boundary to Hwy 160. Chicken Creek, including all tributaries, from its source to the confluence with the Mancos River.						
COSJLP04C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	5/1 - 10/31	acute	chronic	Arsenic	340
	Recreation N	11/1 - 4/30	D.O. (mg/L)	---	Beryllium	---
	Water Supply		D.O. (spawning)	---	Cadmium	TVS(tr)
Qualifiers:		pH	6.5 - 9.0	---	Chromium III	50(T)
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	5/1 - 10/31	---	Copper	TVS
		E. Coli (per 100 mL)	11/1 - 4/30	---	Iron	---
		Inorganic (mg/L)		---	Iron	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	---	Manganese	---	WS
		Chloride	---	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

5a. Mainstem of the Mancos River from Hwy 160 to the boundary of the Ute Mountain Indian Reservation and mainstem of Weber Canyon from source to confluence with Mancos River.						
COSJLP05A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	5/1 - 10/31	acute	chronic	Arsenic	340
	Recreation N	11/1 - 4/30	D.O. (mg/L)	---	Beryllium	---
	Water Supply		pH	6.5 - 9.0	Cadmium	TVS
Qualifiers:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
Other:		E. Coli (per 100 mL)	5/1 - 10/31	---	Chromium VI	TVS
		E. Coli (per 100 mL)	11/1 - 4/30	---	Copper	TVS
		Inorganic (mg/L)		---	Iron	---
		acute	chronic	---	Iron	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Manganese	TVS
		Chloride	---	250	Manganese	---
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Mercury	0.01(t)
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	160(T)
		Phosphorus	---	---	Nickel	TVS
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County

5b. Mainstem of the Mancos River from the boundary of the Ute Mountain Indian Reservation to the Colorado/New Mexico border.						
COSJLP05B	Classifications		Physical and Biological		Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1		WS-II	WS-II	Aluminum	---
	Recreation E	5/1 - 10/31	acute	chronic	Arsenic	340
	Recreation N	11/1 - 4/30			Beryllium	7.6(T)
Qualifiers:			D.O. (mg/L)	5.0		---
Other:			pH	6.5 - 9.0	Cadmium	TVS
*Ute Mountain Indian Reservation			chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	TVS
			E. Coli (per 100 mL)	5/1 - 10/31	Chromium III	100(T)
			E. Coli (per 100 mL)	11/1 - 4/30	Chromium VI	TVS
					Copper	TVS
			Inorganic (mg/L)		Iron	1000(T)
			acute	chronic	Lead	TVS
			Ammonia	TVS	Manganese	TVS
			Boron	0.75	Mercury	0.01(t)
			Chloride	---	Molybdenum	160(T)
			Chlorine	0.019	Nickel	TVS
			Cyanide	0.005	Selenium	TVS
			Nitrate	100	Silver	TVS
			Nitrite	0.05	Uranium	---
			Phosphorus	---	Zinc	TVS
			Sulfate	---		
			Sulfide	0.002		

6a. All tributaries to the Mancos River, including all wetlands, from Hwy 160 to the boundary of the Ute Mountain Indian Reservation, except for specific listings in segment 4c, 5a and 6c.						
COSJLP06A	Classifications		Physical and Biological		Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 2		WS-II	WS-II	Aluminum	---
	Recreation N	11/1 - 4/30	acute	chronic	Arsenic	340
	Recreation P	5/1 - 10/31			Beryllium	100(T)
Qualifiers:			D.O. (mg/L)	5.0		---
Other:			pH	6.5 - 9.0	Cadmium	TVS
			chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	TVS
			E. Coli (per 100 mL)	5/1 - 10/31	Chromium III	100(T)
			E. Coli (per 100 mL)	11/1 - 4/30	Chromium VI	TVS
					Copper	TVS
			Inorganic (mg/L)		Iron	1000(T)
			acute	chronic	Lead	TVS
			Ammonia	TVS	Manganese	TVS
			Boron	0.75	Mercury	0.01(t)
			Chloride	---	Molybdenum	160(T)
			Chlorine	0.019	Nickel	TVS
			Cyanide	0.005	Selenium	TVS
			Nitrate	100	Silver	TVS
			Nitrite	0.05	Uranium	---
			Phosphorus	---	Zinc	TVS
			Sulfate	---		
			Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

**La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County**

6b. All tributaries to the Mancos River, including all wetlands, from the boundary of the Ute Mountain Indian Reservation to the Colorado/New Mexico border.										
COSJLP06B	Classifications		Physical and Biological			Metals (ug/L)				
Designation	Agriculture		DM	MWAT	acute	chronic				
Reviewable	Aq Life Warm 2		Temperature °C	WS-II	WS-II	Aluminum	---	---		
	Recreation N		11/1 - 4/30	acute	chronic	Arsenic	340	100(T)		
	Recreation P		5/1 - 10/31	D.O. (mg/L)	---	5.0	Beryllium	---	---	
Qualifiers:			pH	6.5 - 9.0	---	Cadmium	TVS	TVS		
Other:  *Ute Mountain Indian Reservation			chlorophyll a (mg/m²)		---	---	Chromium III	TVS	TVS	
			E. Coli (per 100 mL)		5/1 - 10/31	---	205	Chromium III	---	100(T)
			E. Coli (per 100 mL)		11/1 - 4/30	---	630	Chromium VI	TVS	TVS
								Copper	TVS	TVS
			Inorganic (mg/L)					Iron	---	1000(T)
			acute		chronic	Lead	TVS	TVS		
			Ammonia		TVS	TVS	Manganese	TVS	TVS	
			Boron		---	0.75	Mercury	---	0.01(t)	
			Chloride		---	---	Molybdenum	---	160(T)	
			Chlorine		0.019	0.011	Nickel	TVS	TVS	
			Cyanide		0.005	---	Selenium	TVS	TVS	
			Nitrate		100	---	Silver	TVS	TVS	
			Nitrite		---	0.05	Uranium	---	---	
			Phosphorus		---	---	Zinc	TVS	TVS	
			Sulfate		---	---				
			Sulfide		---	0.002				
			6c. All tributaries to the Mancos River located in Mesa Verde National Park.							
COSJLP06C	Classifications		Physical and Biological			Metals (ug/L)				
Designation	Agriculture		DM	MWAT	acute	chronic				
OW	Aq Life Warm 1		Temperature °C	WS-III	WS-III	Aluminum	---	---		
	Recreation E		acute	chronic	Arsenic	340	7.6(T)			
Qualifiers:			D.O. (mg/L)	---	5.0	Beryllium	---	---		
Other:			pH		6.5 - 9.0	---	Cadmium	TVS	TVS	
			chlorophyll a (mg/m²)		---	---	Chromium III	TVS	TVS	
			E. Coli (per 100 mL)		---	126	Chromium III	---	100(T)	
			Inorganic (mg/L)					Chromium VI	TVS	TVS
			acute		chronic	Copper	TVS	TVS		
			Ammonia		TVS	TVS	Iron	---	1000(T)	
			Boron		---	0.75	Lead	TVS	TVS	
			Chloride		---	---	Manganese	TVS	TVS	
			Chlorine		0.019	0.011	Mercury	---	0.01(t)	
			Cyanide		0.005	---	Molybdenum	---	---	
			Nitrate		100	---	Nickel	TVS	TVS	
			Nitrite		---	0.05	Selenium	TVS	TVS	
			Phosphorus		---	---	Silver	TVS	TVS	
			Sulfate		---	---	Uranium	---	---	
			Sulfide		---	0.002	Zinc	TVS	TVS	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County

7a. Mainstem of McElmo Creek from the source to the Colorado/Utah border, except for the specific listings in Segment 7b. Mainstem of Yellow Jacket Creek, including all tributaries and wetlands, from the source to the confluence with McElmo Creek.						
COSJLP07A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium III	TVS
Ammonia(chronic) = 0.06		E. Coli (per 100 mL)	---	126	Chromium III	---
Ammonia(acute) = old TVS		Inorganic (mg/L)			Chromium VI	TVS
Expiration Date of 6/30/2016		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
7b. Mainstem of McElmo Creek within the Ute Mountain Indian Reservation.						
COSJLP07B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
*Ute Mountain Indian Reservation		chlorophyll a (mg/m²)	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County

8a. All tributaries to McElmo Creek, including all wetlands, from the source to the Colorado/Utah border, except for specific listings in Segments 7a, 8b, 8c and 11.						
COSJLP08A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)
		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Iron	1000(T)
		Chloride	---	250	Lead	TVS
		Chlorine	0.019	0.011	Manganese	TVS
		Cyanide	0.005	---	Manganese	WS
		Nitrate	10	---	Mercury	---
		Nitrite	---	0.05	Molybdenum	---
		Phosphorus	---	---	Nickel	TVS
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS
8b. All tributaries to McElmo Creek, including all wetlands, within the Ute Mountain Indian Reservation.						
COSJLP08B	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	100(T)
		D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
*Ute Mountain Indian Reservation						

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County

8c. Unnamed tributary to Ritter Draw (confluence at 37.40216,-108.54582).								
COSJLP08C	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---		
	Recreation E	acute	chronic		Arsenic	340		
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---		
Other:  Temporary Modification(s): Ammonia(ac/ch) = current conditions Expiration Date of 6/30/2016		pH	6.5 - 9.0	---	Cadmium	TVS		
		chlorophyll a (mg/m²)	---	---	Chromium III	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)	
		Inorganic (mg/L)			Chromium VI	TVS	TVS	
		acute	chronic		Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	1000(T)	
		Boron	---	0.75	Lead	TVS	TVS	
		Chloride	---	---	Manganese	TVS	TVS	
		Chlorine	0.019	0.011	Mercury	---	0.01(t)	
		Cyanide	0.005	---	Molybdenum	---	160(T)	
		Nitrate	100	---	Nickel	TVS	TVS	
		Nitrite	---	0.05	Selenium	TVS	TVS	
		Phosphorus	---	---	Silver	TVS	TVS	
		Sulfate	---	---	Uranium	---	---	
		Sulfide	---	0.002	Zinc	TVS	TVS	
		9. Mainstem of the San Juan River in Montezuma County.						
		COSJLP09	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---		
	Recreation E	acute	chronic		Arsenic	340		
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---		
Other:  *Ute Mountain Indian Reservation		pH	6.5 - 9.0	---	Cadmium	TVS		
		chlorophyll a (mg/m²)	---	---	Chromium III	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)	
		Inorganic (mg/L)			Chromium VI	TVS	TVS	
		acute	chronic		Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	2200(T)	
		Boron	---	0.75	Lead	TVS	TVS	
		Chloride	---	---	Manganese	TVS	TVS	
		Chlorine	0.019	0.011	Mercury	---	0.01(t)	
		Cyanide	0.005	---	Molybdenum	---	160(T)	
		Nitrate	100	---	Nickel	TVS	TVS	
		Nitrite	---	0.5	Selenium	TVS	TVS	
		Phosphorus	---	---	Silver	TVS	TVS	
		Sulfate	---	---	Uranium	---	---	
		Sulfide	---	0.002	Zinc	TVS	TVS	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County

10a. All tributaries to the San Juan River in Montezuma Dolores and San Miguel Counties, including all wetlands, except for the specific listings in Segments 2 through 8c and Segments 10b and 11.							
COSJLP10A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	
		chlorophyll a (mg/m²)	---	---	Chromium III	TVS	
		E. Coli (per 100 mL)	---	126	Chromium III	---	
		Inorganic (mg/L)		Chromium VI	TVS	TVS	
		acute	chronic	Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	
		Boron	---	0.75	Lead	TVS	
		Chloride	---	---	Manganese	TVS	
		Chlorine	0.019	0.011	Mercury	---	
		Cyanide	0.005	---	Molybdenum	---	
		Nitrate	100	---	Nickel	TVS	
		Nitrite	---	---	Selenium	TVS	
		Phosphorus	---	---	Silver	TVS	
		Sulfate	---	---	Uranium	---	
		Sulfide	---	0.002	Zinc	TVS	
	10b. All tributaries to the San Juan River in Montezuma County within the Ute Mountain Indian Reservation, including all wetlands, except for the specific listings in Segments 2 through 8c.						
	COSJLP10B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	
		chlorophyll a (mg/m²)	---	---	Chromium III	TVS	
		E. Coli (per 100 mL)	---	126	Chromium III	---	
		Inorganic (mg/L)		Chromium VI	TVS	TVS	
		acute	chronic	Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	
		Boron	---	0.75	Lead	TVS	
		Chloride	---	---	Manganese	TVS	
		Chlorine	0.019	0.011	Mercury	---	
		Cyanide	0.005	---	Molybdenum	---	
		Nitrate	100	---	Nickel	TVS	
		Nitrite	---	---	Selenium	TVS	
		Phosphorus	---	---	Silver	TVS	
		Sulfate	---	---	Uranium	---	
		Sulfide	---	0.002	Zinc	TVS	
	*Ute Mountain Indian Reservation						

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County

11. Narraguinnep, Puett and Totten Reservoirs.					
COSJLP11	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	50(T)
		E. Coli (per 100 mL)	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS
		acute	chronic	Iron	---
		Ammonia	TVS	Iron	1000(T)
		Boron	0.75	Lead	TVS
		Chloride	250	Manganese	TVS
		Chlorine	0.019	Manganese	---
		Cyanide	0.005	Mercury	0.01(t)
		Nitrate	10	Molybdenum	160(T)
		Nitrite	0.5	Nickel	TVS
		Phosphorus	---	Selenium	TVS
		Sulfate	WS	Silver	TVS
		Sulfide	0.002	Uranium	---
				Zinc	TVS

12. All lakes and reservoirs tributary to the La Plata River from the source to the Hay Gulch diversion south of Hesperus.					
COSJLP12	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	---
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County

13. All lakes and reservoirs tributary to the La Plata River from the Hay Gulch diversions south of Hesperus to the Southern Ute Indian Reservation boundary.						
COSJLP13	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2 Recreation P	WL	WL	Aluminum	---	---
		acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	205	Chromium III	---
		Inorganic (mg/L)		100(T)	Chromium VI	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

14. All lakes and reservoirs tributary to the La Plata River from the boundary of the Southern Ute Indian Reservation to the Colorado/New Mexico border. The segment includes Mormon Reservoir.						
COSJLP14	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2 Recreation E	WL	WL	Aluminum	---	---
		acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Fish Ingestion Standards		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)		100(T)	Chromium VI	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County

15. All lakes and reservoirs tributary to the Mancos River from the source of the East, West and Middle Forks to Hwy 160, except for the specific listing in Segment 4b. This segment includes Weber Reservoir, Bauer Lake, Little Bauer Reservoir, Hackley Reservoir, Joe Moore Reservoir, and Coppinger Reservoir.

COSJLP15	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E 5/1 - 10/31	acute	chronic	Arsenic	340	0.02(T)
	Recreation N 11/1 - 4/30	---	6.0	Beryllium	---	---
	Water Supply	---	7.0	Cadmium	TVS(tr)	TVS
Qualifiers:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
	E. Coli (per 100 mL) 5/1 - 10/31	---	126	Copper	TVS	TVS
	E. Coli (per 100 mL) 11/1 - 4/30	---	630	Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
	Ammonia	TVS	TVS	Manganese	TVS	TVS
	Boron	---	0.75	Manganese	---	WS
	Chloride	---	250	Mercury	---	0.01(t)
	Chlorine	0.019	0.011	Molybdenum	---	160(T)
	Cyanide	0.005	---	Nickel	TVS	TVS
	Nitrate	10	---	Selenium	TVS	TVS
	Nitrite	---	0.05	Silver	TVS	TVS(tr)
	Phosphorus	---	---	Uranium	---	---
	Sulfate	---	WS	Zinc	TVS	TVS
	Sulfide	---	0.002			

16. All lakes and reservoirs tributary to the Mancos River, from Hwy 160 to the boundary of the Ute Mountain Indian Reservation.

COSJLP16	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 2	WL	WL	Aluminum	---	---
	Recreation N 11/1 - 4/30	acute	chronic	Arsenic	340	100(T)
	Recreation P 5/1 - 10/31	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	Cadmium	TVS	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	TVS	TVS
	E. Coli (per 100 mL) 5/1 - 10/31	---	205	Chromium III	---	100(T)
	E. Coli (per 100 mL) 11/1 - 4/30	---	630	Chromium VI	TVS	TVS
				Copper	TVS	TVS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
	Ammonia	TVS	TVS	Manganese	TVS	TVS
	Boron	---	0.75	Mercury	---	0.01(t)
	Chloride	---	---	Molybdenum	---	160(T)
	Chlorine	0.019	0.011	Nickel	TVS	TVS
	Cyanide	0.005	---	Selenium	TVS	TVS
	Nitrate	100	---	Silver	TVS	TVS
	Nitrite	---	0.05	Uranium	---	---
	Phosphorus	---	---	Zinc	TVS	TVS
	Sulfate	---	---			
	Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County

17. All lakes and reservoirs tributary to the Mancos River, from the boundary of the Ute Mountain Indian Reservation to the Colorado/New Mexico border.						
COSJLP17	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 2	WL	WL	Aluminum	---	---
	Recreation N 11/1 - 4/30	acute	chronic	Arsenic	340	100(T)
	Recreation P 5/1 - 10/31			Beryllium	---	---
Qualifiers:		D.O. (mg/L)	5.0	Cadmium	TVS	TVS
Other:		pH	6.5 - 9.0	Chromium III	TVS	TVS
*Ute Mountain Indian Reservation		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	---	100(T)
		E. Coli (per 100 mL) 5/1 - 10/31	205	Chromium VI	TVS	TVS
		E. Coli (per 100 mL) 11/1 - 4/30	630	Copper	TVS	TVS
				Iron	---	1000(T)
		Inorganic (mg/L)		Lead	TVS	TVS
		acute	chronic	Manganese	TVS	TVS
		Ammonia	TVS	Mercury	---	0.01(t)
		Boron	0.75	Molybdenum	---	160(T)
		Chloride	---	Nickel	TVS	TVS
		Chlorine	0.019	Selenium	TVS	TVS
		Cyanide	0.005	Silver	TVS	TVS
		Nitrate	100	Uranium	---	---
		Nitrite	0.05	Zinc	TVS	TVS
		Phosphorus	---			
		Sulfate	---			
		Sulfide	0.002			

18. All lakes and reservoirs tributary to Yellow Jacket Creek, from the source to the confluence with McElmo Creek.						
COSJLP18	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	WL	WL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	5.0	Beryllium	---	---
Other:		pH	6.5 - 9.0	Cadmium	TVS	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	126	Chromium III	---	100(T)
				Chromium VI	TVS	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	2200(T)
		Ammonia	TVS	Lead	TVS	TVS
		Boron	0.75	Manganese	TVS	TVS
		Chloride	---	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	100	Selenium	TVS	TVS
		Nitrite	0.05	Silver	TVS	TVS
		Phosphorus	---	Uranium	---	---
		Sulfate	---	Zinc	TVS	TVS
		Sulfide	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County

19. All lakes and reservoirs tributary to McElmo Creek from the source to the Colorado/Utah border, except for specific listings in Segments 20. This segment includes Denny Lake.						
COSJLP19	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2 Recreation E	WL	WL	Aluminum	---	---
		acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

20. All lakes and reservoirs tributary to McElmo Creek within the Ute Mountain Indian Reservation.						
COSJLP20	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2 Recreation E	WL	WL	Aluminum	---	---
		acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County

21. All lakes and reservoirs tributary to the San Juan River in Montezuma Dolores and San Miguel Counties except for the specific listings in Segments 4b, and 11 through 20.						
COSJLP21	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m²)	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	---	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

22. All lakes and reservoirs tributary to the San Juan River in Montezuma County within the Ute Mountain Indian Reservation except for the specific listings in Segments 17 and 20 and 21.						
COSJLP22	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m²)	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	---	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

*Ute Mountain Indian Reservation						
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All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Dolores River Basin

1. All tributaries to the Dolores River and West Dolores River, including all wetlands, tributaries, which are within the Lizard Head Wilderness area.						
COSJDO01	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T) TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS TVS
					Iron	---
					WS	
		Inorganic (mg/L)			Iron	---
					1000(T)	
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002	TVS(sc)	
2. Mainstem of the Dolores River from the source to a point immediately above the confluence with Horse Creek.						
COSJDO02	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T) TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS TVS
					Iron	---
					WS	
		Inorganic (mg/L)			Iron	---
					1000(T)	
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002	TVS(sc)	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Dolores River Basin

3. Mainstem of the Dolores River from a point immediately above the confluence with Horse Creek to a point immediately above the confluence with Bear Creek.						
COSJDO03	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Manganese	TVS
		Chloride	---	250	Manganese	---
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	10	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	WS	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

4a. Mainstem of the Dolores River from a point immediately above the confluence with Bear Creek to the bridge at Bradfield Ranch (Forest Route 505, near Montezuma/Dolores County Line).						
COSJDO04A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Dolores River Basin

4b. McPhee Reservoir and Summit Reservoir.						
COSJDO04B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CLL	CLL	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

5a. All tributaries to the Dolores River and West Dolores River, including all wetlands, from the source to a point immediately below the confluence with the West Dolores River except for specific listings in Segments 1 and 5b through 10; mainstem of Beaver Creek (including Plateau Creek) from the source to the confluence with the Dolores River.						
COSJDO05A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

\*Zinc(chronic) = Chronic zinc sculpin standard applies to Silver Creek and Fish Creek.

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Dolores River Basin

5b. Mainstem of Rio Lado from the source to the confluence with the Dolores River. Mainstem of Spring Creek from the source to the confluence with Stoner Creek. Mainstem of Little Taylor Creek from the source to the confluence with Taylor Creek.						
COSJDO05B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		TVS(sc)
		6. Mainstem of the Slate Creek and Coke Oven Creek, from the Lizard Head Wilderness Area boundary to their confluences with the Dolores River.				
COSJDO06	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Dolores River Basin

7. Mainstem of Coal Creek from the boundary of the Lizard Head Wilderness Area to the confluence with the Dolores River.						
COSJDO07	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		TVS(sc)

8. Mainstem of Horse Creek from the source to the confluence with the Dolores River.						
COSJDO08	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Dolores River Basin

9. Mainstem of Silver Creek from a point immediately below the Town of Rico's water supply diversion to the confluence with the Dolores River.									
COSJDO09	Classifications		Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 2		Temperature °C	CS-I CS-I	Aluminum	---	---		
	Recreation E 5/1 - 10/31		acute	chronic	Arsenic	340	7.6(T)		
	Recreation N 11/1 - 4/30		D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:			D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Fish Ingestion			pH	6.5 - 9.0	---	Chromium III	TVS	TVS	
Other:			chlorophyll a (mg/m²)		---	---	Chromium III	---	100(T)
			E. Coli (per 100 mL) 5/1 - 10/31		---	126	Chromium VI	TVS	TVS
			E. Coli (per 100 mL) 11/1 - 4/30		---	630	Copper	TVS	TVS
			Inorganic (mg/L)			Iron	---	---	
			acute		chronic	Lead	TVS	TVS	
			Ammonia		TVS	TVS	Manganese	TVS	TVS
			Boron		---	0.75	Mercury	---	0.01(t)
			Chloride		---	---	Molybdenum	---	160(T)
			Chlorine		0.019	0.011	Nickel	TVS	TVS
			Cyanide		0.005	---	Selenium	TVS	TVS
			Nitrate		---	---	Silver	TVS	TVS(tr)
			Nitrite		---	0.05	Uranium	---	---
			Phosphorus		---	---	Zinc	TVS	TVS
			Sulfate		---	---			
			Sulfide		---	0.002			
			10. Mainstem of the West Dolores River from the Lizard Head Wilderness Area boundary to the confluence with the Dolores River.						
COSJDO10	Classifications		Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 1		Temperature °C	CS-I CS-I	Aluminum	---	---		
	Recreation E		acute	chronic	Arsenic	340	0.02(T)		
	Water Supply		D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:			D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:			pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
			chlorophyll a (mg/m²)		---	---	Chromium VI	TVS	TVS
			E. Coli (per 100 mL)		---	126	Copper	TVS	TVS
						Iron	---	WS	
			Inorganic (mg/L)			Iron	---	1000(T)	
			acute		chronic	Lead	TVS	TVS	
			Ammonia		TVS	TVS	Manganese	TVS	50
			Boron		---	0.75	Manganese	---	TVS
			Chloride		---	250	Manganese	---	WS
			Chlorine		0.019	0.011	Mercury	---	0.01(t)
			Cyanide		0.005	---	Molybdenum	---	160(T)
			Nitrate		10	---	Nickel	TVS	TVS
			Nitrite		---	0.05	Selenium	TVS	TVS
			Phosphorus		---	---	Silver	TVS	TVS(tr)
			Sulfate		---	WS	Uranium	---	---
			Sulfide		---	0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Dolores River Basin

11. All tributaries to the Dolores River, including all wetlands, from a point immediately below the confluence of the West Dolores River, to the bridge at Bradfield Ranch (Forest Route 505, near Montezuma/Dolores County Line), except for the specific listing in Segments 4 and 5.

COSJDO11	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Water + Fish Standards		pH	6.5 - 9.0	Chromium III	50(T)
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
Temporary Modification(s):		E. Coli (per 100 mL)	126	Copper	TVS
Arsenic(chronic) = hybrid				Iron	---
Expiration Date of 12/31/2021		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		TVS(sc)

12. All lakes, and reservoirs tributary to the Dolores River and West Dolores River, which are within the Lizard Head Wilderness area. This segment includes Navajo Lake.

COSJDO12	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
OW	Aq Life Cold 1	Temperature °C	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	---
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Dolores River Basin

13. Groundhog Reservoir.						
COSJDO13	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CLL	CLL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	
		Ammonia	TVS	Manganese	TVS	
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
14. All lakes and reservoirs tributary to the Dolores River and West Dolores River, from the source to a point immediately below the confluence with the West Dolores River except for specific listings in Segments 12 and 13.						
COSJDO14	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	
		Ammonia	TVS	Manganese	TVS	
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Dolores River Basin

15. All lakes and reservoirs which are tributary to the Dolores River from a point immediately below the confluence of the West Dolores River, to the bridge at Bradfield Ranch (Forest Route 505, near Montezuma/Dolores County Line), except for the specific listing in Segment 4b. This segment includes Campbell Reservoir, Summers Reservoir, Red Lake, and Long Draw Reservoir.

COSJDO15	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	Chromium III	50(T)
Water + Fish Standards		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
Other:				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr=trout  
sc=sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 34.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

## **STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS – FOOTNOTES**

- A) Whenever a range of standards is listed and referenced to this footnote, the first number in the range is a strictly health-based value, based on the Commission's established methodology for human health-based standards. The second number in the range is a maximum contaminant level, established under the federal Safe Drinking Water Act that has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range. Water bodies will be considered in attainment of this standard, and not included on the Section 303(d) List, so long as the existing ambient quality does not exceed the second number in the range.

TABLE 1  
ANIMAS RIVER BASIN  
AQUATIC LIFE INDICATOR GOAL: BROOK TROUT

Segment 3a  
Acute Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Zn	720	780	1060	1200	760	410	280	340	380	440	510	590

Chronic Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Cd	TVS	TVS	TVS	3.5	2.2	TVS	TVS	TVS	TVS	TVS	TVS	TVS
Mn	TVS	TVS	2571	2179	TVS	TVS	TVS	TVS	TVS	TVS	TVS	TVS
Zn	720	780	1060	1200	760	410	280	340	380	440	510	590



### Segment 4a

#### Acute Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Al(Trec)	3100	3550	2800	2020	1010	740	700	1360	1490	1610	2280	2570
Zn	460	520	620	570	430	250	170	240	290	340	380	420

#### Chronic Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
pH	5.9-9.0	5.7-9.0	6.2-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	5.9-9.0
Al(Trec)	3100	3550	2800	2020	1010	740	700	1360	1490	1610	2280	2570
Fe	3473	2961	3776	3404	2015	1220	1286	1830	1623	2258	2631	3511
Zn	460	520	620	570	430	250	170	240	290	340	380	420

## Segment 9

### Acute Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Al(Trec)	4680	4950	4560	3800	1390	1350	1290	2040	2570	2680	3450	4050

### Chronic Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
pH	4.9-9.0	4.8-9.0	4.9-9.0	5.9-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.2-9.0	5.4-9.0
Al(Trec)	4680	4950	4560	3800	1390	1350	1290	2040	2570	2680	3450	4050
Cu	TVS	TVS	TVS	18	20	TVS	TVS	TVS	TVS	TVS	TVS	TVS
Fe	3420	3800	4370	3370	3150	2210	2275	2280	3020	3580	3620	3490
Zn	TVS	TVS	TVS	TVS	230	TVS	TVS	TVS	TVS	TVS	TVS	TVS

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00760

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

**Water Quality Control Commission (1002 Series)**

**on 01/11/2016**

**5 CCR 1002-34**

**REGULATION NO. 34 - CLASSIFICATIONS AND NUMERIC STANDARDS FOR SAN JUAN AND  
DOLORES RIVER BASINS**

The above-referenced rules were submitted to this office on 01/12/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 29, 2016 11:21:58

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Public Health and Environment

### **Agency**

Water Quality Control Commission (1002 Series)

### **CCR number**

5 CCR 1002-34

### **Rule title**

5 CCR 1002-34 REGULATION NO. 34 - CLASSIFICATIONS AND NUMERIC  
STANDARDS FOR SAN JUAN AND DOLORES RIVER BASINS 1 - eff 06/30/2016

### **Effective date**

06/30/2016

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**  
**WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-34**

**REGULATION NO. 34**  
**CLASSIFICATIONS AND NUMERIC STANDARDS**  
**FOR**  
**SAN JUAN AND DOLORES RIVER BASINS**

....

**34.46 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016**

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

**BASIS AND PURPOSE**

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2017, to determine whether the temporary modification should be modified, eliminated or extended. Temporary modifications of standards on 3 segments were reviewed.

Animas River segment 3b: Temporary modifications of the cadmium, copper and zinc standards. The Town of Silverton has presented evidence that they are making progress on the plan for eliminating the need for the temporary modification. The Commission made no change to the expiration date of 12/31/2017 as the original time allotment was deemed adequate.

La Plata et al. segments 7a and 8c: Temporary modifications of the ammonia standards for these segments were extended to 6/30/2018. The Division is working with small domestic dischargers on these segments to explore the possibility of proposing discharger specific variances. Progress continues to be made to improve water treatment for these segments.

**PARTIES TO THE RULEMAKING HEARING**

1. City of Delta
2. Resurrection Mining Company
3. U.S. Energy Corp.
4. City of Pueblo
5. Peabody Sage Creek Mining and Seneca Coal Company
6. Climax Molybdenum Company
7. Rio Grande Silver
8. City of Colorado Springs and Colorado Springs Utilities
9. Tri-State Generation and Transmission Association, Inc.
10. High Country Conservation Advocates
11. U.S. Environmental Protection Agency
12. Colorado Parks and Wildlife
13. Town of Crested Butte and Coal Creek Watershed Coalition
14. Public Service Company of Colorado

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-34**

**REGULATION NO. 34  
CLASSIFICATIONS AND NUMERIC STANDARDS  
FOR  
SAN JUAN RIVER AND DOLORES RIVER BASINS**

**APPENDIX 34-1  
Stream Classifications and Water Quality Standards Tables**

Effective 06/30/2016

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Animas and Florida River Basins

3b. Mainstem of the Animas River, including wetlands, from a point immediately above the confluence with Cement Creek to a point immediately above the confluence with Mineral Creek.						
COSJAF03B	Classifications		Physical and Biological		Metals (ug/L)	
Designation	Recreation E	5/15 - 9/10	DM	MWAT	acute	chronic
UP	Recreation N	9/11 - 5/14			Aluminum	---
Qualifiers:			acute	chronic	Arsenic	---
Other:			D.O. (mg/L)	---	Beryllium	---
Temporary Modification(s):			pH	6.0-9.0	Cadmium	---
Cadmium(ac/ch) = current condition			chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	---
Copper(ac/ch) = current condition			E. Coli (per 100 mL)	5/15 - 9/10	Chromium VI	---
Zinc(ac/ch) = current condition			E. Coli (per 100 mL)	9/11 - 5/14	Copper	---
Expiration Date of 12/31/2017					Iron	---
*The concentration of dissolved aluminum, cadmium, copper, iron, lead, manganese, and zinc that is directed toward maintaining and achieving water quality standards established for segments 4a and 4b.			Inorganic (mg/L)		Lead	---
			acute	chronic	Manganese	---
			Ammonia	---	Mercury	---
			Boron	---	Molybdenum	---
			Chloride	---	Nickel	---
			Chlorine	---	Selenium	---
			Cyanide	---	Silver	---
			Nitrate	---	Uranium	---
			Nitrite	---	Zinc	---
			Phosphorus	---		
			Sulfate	---		
			Sulfide	---		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## La Plata River, Mancos River, McElmo Creek and San Juan River in Montezuma County and Dolores County

7a. Mainstem of McElmo Creek from the source to the Colorado/Utah border, except for the specific listings in Segment 7b. Mainstem of Yellow Jacket Creek, including all tributaries and wetlands, from the source to the confluence with McElmo Creek.						
<b>COSJLP07A</b>	<b>Classifications</b>	<b>Physical and Biological</b>		<b>Metals (ug/L)</b>		
<b>Designation</b>	Agriculture	<b>DM</b>	<b>MWAT</b>	<b>acute</b>	<b>chronic</b>	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	<b>acute</b>	<b>chronic</b>	Arsenic	340	7.6(T)
<b>Qualifiers:</b>		D.O. (mg/L)	---	5.0	Beryllium	---
<b>Other:</b>		pH	6.5 - 9.0	---	Cadmium	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
Ammonia(chronic) = 0.06		E. Coli (per 100 mL)	---	126	Chromium III	---
Ammonia(acute) = old TVS		<b>Inorganic (mg/L)</b>		Chromium VI	TVS	TVS
Expiration Date of 6/30/2018		<b>acute</b>	<b>chronic</b>	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

8c. Unnamed tributary to Ritter Draw (confluence at 37.40216,-108.54582).						
<b>COSJLP08C</b>	<b>Classifications</b>	<b>Physical and Biological</b>		<b>Metals (ug/L)</b>		
<b>Designation</b>	Agriculture	<b>DM</b>	<b>MWAT</b>	<b>acute</b>	<b>chronic</b>	
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---
	Recreation E	<b>acute</b>	<b>chronic</b>	Arsenic	340	100(T)
<b>Qualifiers:</b>		D.O. (mg/L)	---	5.0	Beryllium	---
<b>Other:</b>		pH	6.5 - 9.0	---	Cadmium	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
Ammonia(ac/ch) = current conditions		E. Coli (per 100 mL)	---	126	Chromium III	---
Expiration Date of 6/30/2018		<b>Inorganic (mg/L)</b>		Chromium VI	TVS	TVS
		<b>acute</b>	<b>chronic</b>	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00517

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

**Water Quality Control Commission (1002 Series)**

**on 01/11/2016**

**5 CCR 1002-34**

**REGULATION NO. 34 - CLASSIFICATIONS AND NUMERIC STANDARDS FOR SAN JUAN AND  
DOLORES RIVER BASINS**

The above-referenced rules were submitted to this office on 01/12/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 29, 2016 11:20:41

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Public Health and Environment

### **Agency**

Water Quality Control Commission (1002 Series)

### **CCR number**

5 CCR 1002-35

### **Rule title**

5 CCR 1002-35 REGULATION NO. 35 - CLASSIFICATIONS AND NUMERIC  
STANDARDS FOR GUNNISON AND LOWER DOLORES RIVER BASINS 1 - eff  
03/01/2016

### **Effective date**

03/01/2016

# **COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

## **WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-35**

### **REGULATION NO. 35**

#### **CLASSIFICATIONS AND NUMERIC STANDARDS**

#### **FOR**

#### **GUNNISON AND LOWER DOLORES RIVER BASINS**

#### **35.1 AUTHORITY**

These regulations are promulgated pursuant to section 25-8-101 et seq. C.R.S., as amended, and in particular, 25-8-203 and 25-8-204.

#### **35.2 PURPOSE**

These regulations establish classifications and numeric standards for the Gunnison River/Lower Dolores River Basins, including all tributaries and standing bodies of water. This includes all or parts of Gunnison, Delta, Montrose, Ouray, Mesa, Saguache and Hinsdale Counties. This also includes the lower Dolores River and its tributaries in Dolores, Montrose, Mesa and San Miguel Counties. The classifications identify the actual beneficial uses of the water. The numeric standards are assigned to determine the allowable concentrations of various parameters. Discharge permits will be issued by the Water Quality Control Division to comply with basic, narrative, and numeric standards and control regulations so that all discharges to waters of the state protect the classified uses. (See Regulation No. 31, section 31.14). It is intended that these and all other stream classifications and numeric standards be used in conjunction with and be an integral part of Regulation No.31 Basic Standards and Methodologies for Surface Water.

#### **35.3 INTRODUCTION**

These regulations and tables present the classifications and numeric standards assigned to stream segments listed in the attached tables (See section 35.6(4)). As additional stream segments are classified and numeric standards for designated parameters are assigned for this drainage system, they will be added to or replace the numeric standards in the tables in section 35.6(4). Any additions or revisions of classifications or numeric standards can be accomplished only after public hearing by the Commission and proper consideration of evidence and testimony as specified by the statute and the "basic regulations".

#### **35.4 DEFINITIONS**

See the Colorado Water Quality Control Act and the codified water quality regulations for definitions.

#### **35.5 BASIC STANDARDS**

##### **(1) TEMPERATURE**

All waters of the Gunnison/Lower Dolores River Basins are subject to the following standard for temperature. (Discharges regulated by permits, which are within the permit limitations, shall not be subject to enforcement proceedings under this standard). Temperature shall maintain a normal pattern of diurnal and seasonal fluctuations with no abrupt changes and shall have no increase in temperature of a magnitude, rate, and duration deemed deleterious to the resident

aquatic life. This standard shall not be interpreted or applied in a manner inconsistent with section 25-8-104, C.R.S.

(2) QUALIFIERS

See Basic Standards and Methodologies for Surface Water for a listing of organic standards at 31.11 and metal standards found at 31.16 Table III. The column in the tables headed "Water + Fish" are presumptively applied to all aquatic life class 1 streams which also have a water supply classification, and are applied to aquatic life class 2 streams which also have a water supply classification, on a case-by-case basis as shown in the Tables 35.6(4). The column in the tables at 31.11 and 31.16 Table III headed "Fish Ingestion" is presumptively applied to all aquatic life class 1 streams which do not have a water supply classification, and are applied to aquatic life class 2 streams which do not have a water supply classification, on a case-by-case basis as shown in Tables 35.6(4).

(3) URANIUM

- (a) All waters of the Gunnison/Lower Dolores River Basin, are subject to the following basic standard for uranium, unless otherwise specified by a water quality standard applicable to a particular segment. However, discharges of uranium regulated by permits which are within these permit limitations shall not be a basis for enforcement proceedings under this basic standard.
- (b) Uranium level in surface waters shall be maintained at the lowest practicable level.
- (c) In no case shall uranium levels in waters assigned a water supply classification be increased by any cause attributable to municipal, industrial, or agricultural discharges so as to exceed 16.8-30 µg/l or naturally-occurring concentrations (as determined by the State of Colorado), whichever is greater.
  - (i) The first number in the 16.8-30 ug/l range is a strictly health-based value, based on the Commission's established methodology for human health-based standards. The second number in the range is a maximum contaminant level, established under the federal Safe Drinking Water Act that has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range. Water bodies will be considered in attainment of this standard, and not included on the Section 303(d) List, so long as the existing ambient quality does not exceed the second number in the range.

**35.6 TABLES**

(1) Introduction

The numeric standards for various parameters in this regulation and in the tables in Appendix 35-1 were assigned by the Commission after a careful analysis of the data presented on actual stream conditions and on actual and potential water uses.

Numeric standards are not assigned for all parameters listed in the tables attached to Regulation No. 31. If additional numeric standards are found to be needed during future periodic reviews, they can be assigned by following the proper hearing procedures.

(2) Abbreviations:

(a) The following abbreviations are used in this regulation and in the tables in Appendix 35-1:

°C	=	degrees Celsius
ch	=	Chronic (30-day)
Cl	=	Chloride
CL	=	cold lake temperature tier
CLL	=	cold large lake temperature tier
CS-I	=	cold stream temperature tier one
CS-II	=	cold stream temperature tier two
D.O.	=	dissolved oxygen
DM	=	daily maximum temperature
E. coli	=	escherichia coli
Mg/l	=	milligrams per liter
MWAT	=	maximum weekly average temperature
OW	=	outstanding waters
sc	=	sculpin
sp	=	spawning
SSE	=	site-specific equation
T	=	total recoverable
t	=	total
tr	=	trout
TVS	=	table value standard
µg/l	=	micrograms per liter
UP	=	use-protected
WAT	=	weekly average temperature
WS	=	water supply
WS-II	=	warm stream temperature tier two
WS-III	=	warm stream temperature tier three
WL	=	warm lake temperature tier

(b) In addition, the following abbreviations are used:

Fe(ch) = WS  
Mn(ch) = WS  
SO<sub>4</sub> = WS

These abbreviations mean: For all surface waters with an actual water supply use, the less restrictive of the following two options shall apply as numerical standards, as specified in the Basic Standards and Methodologies at 31.16 Table II and III:

(1) existing quality as of January 1, 2000; or

(2) Iron = 300 µg/l (dissolved)  
Manganese = 50 µg/l (dissolved)  
SO<sub>4</sub> = 250 mg/l

For all surface waters with a “water supply” classification that are not in actual use as a water supply, no water supply standards are applied for iron, manganese or sulfate, unless the Commission determines as the result of a site-specific rulemaking hearing that such standards are appropriate.

(c) Temporary Modification for Water + Fish Chronic Arsenic Standard

- (i) The temporary modification for chronic arsenic standards applied to segments with an arsenic standard of 0.02 µg/l that has been set to protect the Water+Fish qualifier is listed in the temporary modification and qualifiers column as As(ch)=hybrid.
- (ii) For discharges existing on or before 6/1/2013, the temporary modification is: As(ch)=current condition, expiring on 12/31/2021.
- (iii) For new or increased discharges commencing on or after 6/1/2013, the temporary modification is: As(ch)=0.02-3.0 µg/l (Trec), expiring on 12/31/2021.
  - (a) The first number in the range is the health-based water quality standard previously adopted by the Commission for the segment.
  - (b) The second number in the range is a technology based value established by the Commission for the purpose of this temporary modification.
  - (c) Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range.

(3) Table Value Standards

In certain instances in the tables in Appendix 35-1, the designation "TVS" is used to indicate that for a particular parameter a "table value standard" has been adopted. This designation refers to numerical criteria set forth in the Basic Standards and Methodologies for Surface Water. The criteria for which the TVS are applicable are on the following table.

**TABLE VALUE STANDARDS**  
(Concentrations in µg/l unless noted)

PARAMETER <sup>(1)</sup>	TABLE VALUE STANDARDS <sup>(2)(3)</sup>
Aluminum (Trec)	<p>Acute = <math>e^{(1.3695[\ln(\text{hardness})]+1.8308)}</math></p> <p>pH equal to or greater than 7.0</p> <p>Chronic=<math>e^{(1.3695[\ln(\text{hardness})]-0.1158)}</math></p> <p>pH less than 7.0</p> <p>Chronic= <math>e^{(1.3695[\ln(\text{hardness})]-0.1158)}</math> or 87, whichever is less</p>

---

Ammonia <sup>(4)</sup>

Cold Water = (mg/l as N)Total

$$acute = \frac{0.275}{1 + 10^{7.204 - pH}} + \frac{39.0}{1 + 10^{pH - 7.204}}$$

$$chronic = \left( \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right) * MIN \left( 2.85, 1.45 * 10^{0.028(25 - T)} \right)$$

Warm Water = (mg/l as N)Total

$$acute = \frac{0.411}{1 + 10^{7.204 - pH}} + \frac{58.4}{1 + 10^{pH - 7.204}}$$

$$chronic (Apr1 - Aug31) = \left( \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right) * MIN \left( 2.85, 1.45 * 10^{0.028(25 - T)} \right)$$

$$chronic (Sep1 - Mar31) = \left( \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right) * 1.45 * 10^{0.028 * (25 - MAX(T, 7))}$$

—	
Cadmium	<p>Acute = (1.136672-[ln(hardness) x (0.041838)] )x e<sup>0.9151[ln(hardness)]-3.1485</sup></p> <p>Acute(Trout) = (1.136672-[ln(hardness)x (0.041838)] )x e<sup>0.9151[ln(hardness)]-3.6236</sup></p> <p>Chronic = (1.101672-[ln(hardness) x(0.041838)] x e<sup>0.7998[ln(hardness)]-4.4451</sup></p>
—	
Chromium III <sup>(5)</sup>	<p>Acute = e<sup>(0.819[ln(hardness)]+2.5736)</sup></p> <p>Chronic = e<sup>(0.819[ln(hardness)]+0.5340)</sup></p>
—	
Chromium VI <sup>(5)</sup>	<p>Acute = 16</p> <p>Chronic = 11</p>
—	
Copper	<p>Acute = e<sup>(0.9422[ln(hardness)]-1.7408)</sup></p> <p>Chronic = e<sup>(0.8545[ln(hardness)]-1.7428)</sup></p>
—	
Lead	<p>Acute = (1.46203-[(ln(hardness)*(0.145712))]*e<sup>(1.273[ln(hardness)]-1.46)</sup></p> <p>Chronic = (1.46203-[(ln(hardness)*(0.145712))]*e<sup>(1.273[ln(hardness)]-4.705)</sup></p>
—	
Manganese	<p>Acute = e<sup>(0.3331[ln(hardness)]+6.4676)</sup></p> <p>Chronic = e<sup>(0.3331 [ln (hardness)]+5.8743)</sup></p>
—	
Nickel	<p>Acute = e<sup>(0.846[ln(hardness)]+2.253)</sup></p>



$$\text{Chronic} = e^{(0.846[\ln(\text{hardness})]+0.0554)}$$

Selenium<sup>(6)</sup>

Acute = 18.4

Chronic = 4.6

Silver

Acute =  $\frac{1}{2}e^{(1.72[\ln(\text{hardness})]-6.52)}$

Chronic =  $e^{(1.72[\ln(\text{hardness})]-9.06)}$

Chronic(Trout) =  $e^{(1.72[\ln(\text{hardness})]-10.51)}$

Temperature

TEMPERATURE TIER	TIER CODE	SPECIES EXPECTED TO BE PRESENT	APPLICABLE MONTHS	TEMPERATURE STANDARD (°C)	
				MWAT	DM
Cold Stream Tier 1	CS-I	brook trout, cutthroat trout	June – Sept.	17.0	21.7
			Oct. – May	9.0	13.0
Cold Stream Tier 2	CS-II	all other cold-water species	April – Oct.	18.3	23.9
			Nov. – March	9.0	13.0
Cold Lakes	CL	brook trout, brown trout, cutthroat trout, lake trout, rainbow trout, Arctic grayling, sockeye salmon	April – Dec.	17.0	21.2
			Jan. – March	9.0	13.0
Cold Large Lakes (>100 acres surface area)	CLL	rainbow trout, brown trout, lake trout	April – Dec.	18.3	23.8
			Jan. – March	9.0	13.0
Warm Stream Tier 2	WS-II	brook stickleback, central stoneroller, creek chub, longnose dace, Northern redbelly dace, finescale dace, razorback sucker, white sucker	March – Nov.	27.5	28.6
			Dec. – Feb.	13.8	14.3
Warm Stream Tier 3	WS-III	all other warm-water species	March – Nov.	28.7	31.8
			Dec. – Feb.	14.3	15.9
Warm Lakes	WL	black crappie, bluegill, common carp, gizzard shad, golden shiner, largemouth bass, Northern pike, pumpkinseed, sauger, smallmouth bass, spottail shiner, striped bass, tiger muskellunge, walleye, wiper, white bass, white	April – Dec.	26.3	29.5
			Jan. – March	13.2	14.8

			crappie, yellow perch			
--	--	--	-----------------------	--	--	--

Uranium  
 Acute =  $e^{(1.1021[\ln(\text{hardness})]+2.7088)}$   
 Chronic =  $e^{(1.1021[\ln(\text{hardness})]+2.2382)}$

—  
 Zinc  
 Acute =  $0.978 * e^{(0.9094[\ln(\text{hardness})]+0.9095)}$   
 Chronic =  $0.986 * e^{(0.9094[\ln(\text{hardness})]+0.6235)}$

Where hardness is less than 102 mg/L CaCO<sup>3</sup> and mottled sculpin are expected to be present:

Chronic (sculpin) =  $e^{(2.140[\ln(\text{hardness})]-5.084)}$

#### **TABLE VALUE STANDARDS - FOOTNOTES**

- (1) Metals are stated as dissolved unless otherwise specified.
- (2) Hardness values to be used in equations are in mg/l as calcium carbonate and shall be no greater than 400 mg/L, except for aluminum for which hardness shall be no greater than 220 mg/L. The hardness values used in calculating the appropriate metal standard should be based on the lower 95 per cent confidence limit of the mean hardness value at the periodic low flow criteria as determined from a regression analysis of site-specific data. Where insufficient site-specific data exists to define the mean hardness value at the periodic low flow criteria, representative regional data shall be used to perform the regression analysis. Where a regression analysis is not appropriate, a site-specific method should be used. In calculating a hardness value, regression analyses should not be extrapolated past the point that data exist.
- (3) Both acute and chronic numbers adopted as stream standards are levels not to be exceeded more than once every three years on the average.
- (4) For acute conditions the default assumption is that salmonids could be present in cold water segments and should be protected, and that salmonids do not need to be protected in warm water segments. For chronic conditions, the default assumptions are that early life stages could be present all year in cold water segments and should be protected. In warm water segments the default assumption is that early life stages are present and should be protected only from April 1 through August 31. These assumptions can be modified by the commission on a site-specific basis where appropriate evidence is submitted.
- (5) Unless the stability of the chromium valence state in receiving waters can be clearly demonstrated, the standard for chromium should be in terms of chromium VI. In no case can the sum of the instream levels of Hexavalent and Trivalent Chromium exceed the water supply standard of 50 ug/l total chromium in those waters classified for domestic water use.
- (6) Selenium is a bioaccumulative metal and subject to a range of toxicity values depending upon numerous site-specific variables.

- (7) *E.coli* criteria and resulting standards for individual water segments, are established as indicators of the potential presence of pathogenic organisms. Standards for *E. coli* are expressed as a two-month geometric mean. Site-specific or seasonal standards are also two-month geometric means unless otherwise specified.
- (8) All phosphorus standards are based upon the concentration of total phosphorus.
- (9) The pH standards of 6.5 (or 5.0) and 9.0 are an instantaneous minimum and maximum, respectively to be applied as effluent limits. In determining instream attainment of water quality standards for pH, appropriate averaging periods may be applied, provided that beneficial uses will be fully protected.

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(4) Reserved.

(5) Stream Classifications and Water Quality Standards Tables

The stream classifications and water quality standards tables in Appendix 35-1 are incorporated herein by reference.

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**35.41 STATEMENT OF BASIS AND PURPOSE REGARDING THE ADOPTION OF NON-SUBSTANTIVE CHANGES TO THE CLASSIFICATION AND NUNEIRI STANDARDS FOR GUNISON AND LOWER DOLORES RIVER BASINS, JANUARY 11, 2016 RULEMAKING; EFFECTIVE DATE MARCH 1, 2016**

The provisions of C.R.S. 25-8-202(1)(i) and 25-8-401(2) provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

**BASIS AND PURPOSE**

The Commission, in a public rulemaking hearing adopted extensive changes to the format of this regulation. The Commission does not intend to change any existing designations, use classifications or standards, or the implementation of any standards as the results of changing the format.

This rulemaking was in response to longstanding issues with managing the information contained in the standards tables. The changes made in this hearing reflect a change from storing the information in word processing documents to storing the information in a relational database. This change in platform will provide better consistency, facilitate error checking as well as a more readable format for the standards tables. Storing the information in a database allows it to be used more efficiently by other programs in the Division.

While it was the Commission's intent not to change the substantive meaning of the regulations in this rulemaking, in cases where there was ambiguity the revised regulation reflects the Commission's interpretation of the previous format based on Regulation #31 (the Basic Standards and Methodologies for Surface Water ) and the experience of the Commission and its staff.

Overall format changes: The new format displays parameters by name, rather than by period table element abbreviations. The section formerly titled "Temporary Modifications and Qualifiers" does not appear in the new format. Instead, there is a separate section for qualifiers, and an "Other" section. Temporary modifications, variances and other footnotes are displayed in the "Other" section. Many items that were formerly in the "Temporary Modifications and Qualifiers" column will be displayed in the "Other"

column and will have a different appearance or modified wording, although the information is substantively the same. Each footnote in the “Other” section is preceded by a heading that indicates where the footnote applies:

- Footnotes regarding a use classification will begin with the heading “Classification...”
- Footnotes regarding the antidegradation designation begin with the heading “Designation...”
- Footnotes that relate to a particular standard begin with the name of the parameter, for example “Selenium(chronic)= ...”

Constraints of the new format: Some adjustments were made to the way that data is displayed in order to be compatible with the functions of the Standards Database. Database organization requires that information which relates to multiple standards must be attached to each individual parameter. For example, a segment with a temporary modification listed for “all parameters” in the old format will have a temporary modification listed for each individual parameter in the new format. There are also spacing constraints in the new format, which require some information to be moved either to the “other” box on the new format, or moved out of the segment entirely and into another location in the regulation.

Clarification of changes: The shift to a database organizational structure required consistency in the way each data element is addressed. To insure that data is stored and displayed correctly, the following changes were made

- The “type” of temporary modification is no longer displayed in the segment tables, since they have no regulatory effect and have been inconsistently displayed.
- In the old format, waters that had a reviewable antidegradation designation were identified by the absence of either “UP” or “OW” in the designation column. These segments now display the word “reviewable” under the designation heading. There needed to be a value in the designation column for every segment.
- Dissolved standards are not specifically noted as dissolved in the new format. All metals standards are dissolved unless noted with a “T” or a “t”. For example, a manganese standard in the old format of “WS(dis)” is displayed as “WS” in the new format.
- A new footnote 7 was added to clarify that although E. coli is listed in the “chronic” column, the standard is a two-month geometric mean rather than a 30-day average. The language of footnote 7 was taken from Regulation 31, Table 1, footnote 7.
- A new footnote 8 was added to indicate that all phosphorus standards are based upon the concentration of total phosphorus. In the old format, individual phosphorus standards were noted as “total” in some basins and not others.
- A new footnote 9 was added to clarify that although pH is listed in the “acute” column, the standard is not applied as a 1-day average. The language of footnote 7 was taken from Regulation 31, Table 1, footnote 3.
- Physical and Biological Parameters: Some parameters are not specifically identified in the old format segment tables as acute or chronic. The new format requires that each parameter is placed in either the acute or chronic column. Specifically, these parameters and the basis for being identified as acute or chronic are as follows:
  - pH (acute) – Regulation #31, Table 1, footnote 3

- E. Coli (chronic) – Regulation #31, Table 1, footnote 7
- D.O. (chronic) – Regulation #31, Table 1, footnote 1
- cyanide (acute) – Regulation #31, Table 2
- sulfide (chronic) - Regulation #31, Table 2
- nitrate (acute) - Regulation #31, Table 2
- nitrite (chronic) – not specified in Regulation #31. Nitrite has been implemented as a 30-day average standard in permits and assessments.
- chloride (chronic) Regulation #31, Table 2
- boron (chronic) - Regulation #31, Table 2
- sulfate (chronic) Regulation #31, Table 2
- The previous format used Footnote 1 instead of Footnote A for the arsenic hybrid standard. The label for the footnote was changed from “1” to “A” but the text of the footnote did not change.

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-35**

**REGULATION NO. 35  
CLASSIFICATIONS AND NUMERIC STANDARDS  
FOR  
GUNNISON AND LOWER DOLORES RIVER BASINS**

**APPENDIX 35-1  
Stream Classifications and Water Quality Standards Tables**

Effective 03/01/2016

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

1. All tributaries to the Gunnison River, including and wetlands, within the La Garita, Powderhorn, West Elk, Collegiate Peaks, Maroon Bells, Fossil Ridge, or Uncompahgre Wilderness Areas.						
COGUUG01	Classifications	Physical and Biological		Metals (ug/L)		
Designation		DM	MWAT	acute	chronic	
OW	Agriculture					
	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
Water Supply		D.O. (mg/L)	---	6.0	Beryllium	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS
		pH	6.5 - 9.0	---	Chromium III	50(T) TVS
Qualifiers:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS TVS
Other:		E. Coli (per 100 mL)	---	126	Copper	TVS TVS
Temporary Modification(s):					Iron	---
Arsenic(chronic) = hybrid					Iron	---
Expiration Date of 12/31/2021					Lead	TVS TVS
		Inorganic (mg/L)			Manganese	TVS TVS
		acute	chronic		Manganese	---
		Ammonia	TVS	TVS	Mercury	---
		Boron	---	0.75	Molybdenum	---
		Chloride	---	250	Nickel	TVS TVS
		Chlorine	0.019	0.011	Selenium	TVS TVS
		Cyanide	0.005	---	Silver	TVS TVS(tr)
		Nitrate	10	---	Uranium	---
		Nitrite	---	0.02	Zinc	TVS TVS
		Phosphorus	---	---		
		Sulfate	---	WS		
		Sulfide	---	0.002		
2. All tributaries and wetlands from North Beaver Creek to Meyers Gulch, from the West Elk Wilderness boundary to their confluences with Blue Mesa Reservoir, Morrow Point Reservoir, or the Gunnison River, excluding Steuben Creek, North Willow Creek, and Soap Creek.						
COGUUG02	Classifications	Physical and Biological		Metals (ug/L)		
Designation		DM	MWAT	acute	chronic	
OW	Agriculture					
	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
Water Supply		D.O. (mg/L)	---	6.0	Beryllium	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS
		pH	6.5 - 9.0	---	Chromium III	50(T) TVS
Qualifiers:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS TVS
Other:		E. Coli (per 100 mL)	---	126	Copper	TVS TVS
Temporary Modification(s):					Iron	---
Arsenic(chronic) = hybrid					Iron	---
Expiration Date of 12/31/2021					Lead	TVS TVS
		Inorganic (mg/L)			Manganese	TVS TVS
		acute	chronic		Manganese	---
		Ammonia	TVS	TVS	Mercury	---
		Boron	---	0.75	Molybdenum	---
		Chloride	---	250	Nickel	TVS TVS
		Chlorine	0.019	0.011	Selenium	TVS TVS
		Cyanide	0.005	---	Silver	TVS TVS(tr)
		Nitrate	10	---	Uranium	---
		Nitrite	---	0.02	Zinc	TVS TVS
		Phosphorus	---	---		
		Sulfate	---	WS		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

3. Deleted.					
COGUUG03	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Qualifiers:		acute	chronic		
Other:					
		Inorganic (mg/L)			
		acute	chronic		
4. Mainstem of the Taylor River, including all tributaries and wetlands, from the source to the confluence with the Gunnison River except for those in Segment 1.					
COGUUG04	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	--- ---
	Recreation E	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	--- 6.0	Beryllium	--- ---
Qualifiers:		D.O. (spawning)	--- 7.0	Cadmium	TVS(tr) TVS
Other:		pH	6.5 - 9.0 ---	Chromium III	50(T) TVS
Temporary Modification(s):		chlorophyll a (mg/m²)	--- ---	Chromium VI	TVS TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	--- 126	Copper	TVS TVS
Expiration Date of 12/31/2021				Iron	--- WS
		Inorganic (mg/L)		Iron	--- 1000(T)
		acute	chronic	Lead	TVS TVS
		Ammonia	TVS TVS	Manganese	TVS TVS
		Boron	--- 0.75	Manganese	--- WS
		Chloride	--- 250	Mercury	--- 0.01(t)
		Chlorine	0.019 0.011	Molybdenum	--- 160(T)
		Cyanide	0.005 ---	Nickel	TVS TVS
		Nitrate	10 ---	Selenium	TVS TVS
		Nitrite	--- 0.05	Silver	TVS TVS(tr)
		Phosphorus	--- ---	Uranium	--- ---
		Sulfate	--- WS	Zinc	TVS TVS
		Sulfide	--- 0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

5a. Mainstem of the East River, including all tributaries and wetlands, from its sources to a point immediately above the confluence with the Slate River, except for Segment 1.						
COGUUG05A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

5b. Mainstem of the East River from a point immediately above the Slate River to the confluence with the Gunnison River.						
COGUUG05B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

6a. All tributaries to the East River from a point immediately above its confluence with the Slate River to its confluence with the Gunnison, excluding the listings in Segments 6b and 6c.						
COGUUG06A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation U	acute	chronic		Arsenic	340
<b>Qualifiers:</b>		D.O. (mg/L)	---	6.0	Beryllium	---
<b>Other:</b>		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.5	Uranium	---
		Phosphorus	---	---	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

6b. Cement Creek and all its tributaries and wetlands from the source to a point immediately above the confluence with Horse Basin Creek.						
COGUUG06B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
<b>Qualifiers:</b>		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
<b>Other:</b>		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

6c. Cement Creek, including all tributaries and wetlands, from a point immediately above the confluence with Horse Basin Creek to the confluence with the East River.						
COGUUG06C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

7. Mainstem of the Slate River from its source to a point immediately above the confluence with Coal Creek.						
COGUUG07	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

8. Mainstem of the Slate River from a point immediately above the confluence with Coal Creek to the confluence with the East River.						
COGUUG08	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

9. All tributaries and wetlands to the Slate River except for specific listings in Segments 1, 10a, 10b, 11, 12 and 13.						
COGUUG09	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

10a. Mainstem of Oh-Be-Joyful Creek from the boundary of the Raggeds Wilderness Area to the confluence with Slate River.							
COGUUG10A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
		pH	6.5 - 9.0	---	Chromium III	TVS	
		chlorophyll a (mg/m²)	---	---	Chromium III	---	
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	
					Copper	TVS	
		Inorganic (mg/L)			Iron	---	
		acute			chronic	Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS	
		Boron	---	0.75	Mercury	---	
		Chloride	---	---	Molybdenum	---	
		Chlorine	0.019	0.011	Nickel	TVS	
		Cyanide	0.005	---	Selenium	TVS	
		Nitrate	100	---	Silver	TVS	
		Nitrite	---	0.05	Uranium	---	
		Phosphorus	---	---	Zinc	TVS	
		Sulfate	---	---			
		Sulfide	---	0.002			
10b. All tributaries, including wetlands, to Redwell Creek.							
COGUUG10B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
		pH	6.5 - 9.0	---	Chromium III	TVS	
		chlorophyll a (mg/m²)	---	---	Chromium III	---	
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	
					Copper	TVS	
		Inorganic (mg/L)			Iron	---	
		acute			chronic	Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS	
		Boron	---	0.75	Mercury	---	
		Chloride	---	---	Molybdenum	---	
		Chlorine	0.019	0.011	Nickel	TVS	
		Cyanide	0.005	---	Selenium	TVS	
		Nitrate	100	---	Silver	TVS	
		Nitrite	---	0.05	Uranium	---	
		Phosphorus	---	---	Zinc	TVS	
		Sulfate	---	---			
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

11. Mainstem of Coal Creek from a point immediately above the confluence with Elk Creek to a point immediately below the Crested Butte Water Supply intake which is above the confluence with the Mount Emmons/Red Lady Basin drainage; and Elk Creek and its tributaries and wetlands from its source to its confluence with Coal Creek.						
COGUUG11	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

12. Mainstem of Coal Creek, including all tributaries and wetlands from a point immediately below the Crested Butte Water Supply intake which is above the confluence with the Mount Emmons/Red Lady Basin drainage to the confluence with the Slate River, with the exception of Wildcat Creek.						
COGUUG12	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:	Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021 Cadmium(chronic) = 2.1 Copper(chronic) = current conditions Zinc(chronic) = 440 Expiration Date of 6/30/2016	pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

13. Mainstem of Woods Creek from the source to the confluence with Washington Gulch.						
COGUUG13	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
<b>Qualifiers:</b>		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
<b>Water + Fish Standards</b>		pH	6.5 - 9.0	---	Chromium III	50(T)
<b>Other:</b>		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Copper	TVS
Arsenic(chronic) = hybrid				Iron	---	WS
Expiration Date of 12/31/2021		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

14. Mainstem of the Gunnison River from its inception at the confluence of the East and Taylor rivers to the inlet of Blue Mesa Reservoir.						
COGUUG14	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
<b>Qualifiers:</b>		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
<b>Other:</b>		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

15a. All tributaries and wetlands to the Gunnison River from its inception at the confluence of the East and Taylor Rivers to the County Road 32 road crossing near the inlet of Blue Mesa Reservoir except for the specific listings in Segments 1, 15b, 16a, 16b, 17 through 24, and 26.

COGUUG15A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	Aluminum	---
	Recreation U	acute	chronic	Arsenic	340 0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	Copper	TVS
		Inorganic (mg/L)		Iron	---
				Iron	1800(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	---	Manganese	---
		Chloride	---	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	---
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	---	Silver	TVS
		Phosphorus	---	Uranium	---
		Sulfate	---	Zinc	TVS
		Sulfide	---		

15b. South Beaver Creek, including all tributaries and wetlands, from the source to the Saguache/Gunnison County line.

COGUUG15B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation U	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	Copper	TVS
		Inorganic (mg/L)		Iron	---
				Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	---	Manganese	---
		Chloride	---	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	---
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	---	Silver	TVS
		Phosphorus	---	Uranium	---
		Sulfate	---	Zinc	TVS
		Sulfide	---		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

16a. Mainstem of Ohio Creek, from the source to a point immediately below 7 Road. All tributaries to Ohio Creek with the exception of Segment 1.									
COGUUG16A		Classifications		Physical and Biological		Metals (ug/L)			
Designation	Agriculture			DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---		
	Recreation U	acute		chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS		
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS		
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS		
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS		
					Iron	---	WS		
		Inorganic (mg/L)			Iron	---	1000(T)		
		acute			chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS		
		Boron	---	0.75	Manganese	---	WS		
		Chloride	---	250	Mercury	---	0.01(t)		
		Chlorine	0.019	0.011	Molybdenum	---	160(T)		
		Cyanide	0.005	---	Nickel	TVS	TVS		
		Nitrate	10	---	Selenium	TVS	TVS		
		Nitrite	---	0.05	Silver	TVS	TVS(tr)		
		Phosphorus	---	---	Uranium	---	---		
		Sulfate	---	WS	Zinc	TVS	TVS		
		Sulfide	---	0.002					
		16b. Mainstem of Ohio Creek from a point immediately below 7 Road to the confluence with the Gunnison River.							
		COGUUG16B		Classifications		Physical and Biological		Metals (ug/L)	
Designation	Agriculture			DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	11/16 - 4/15	13	9	Aluminum	---	---	
	Recreation U	Temperature °C	4/16 - 11/15	21.7	17	Arsenic	340	0.02(T)	
	Water Supply				Beryllium	---	---		
Qualifiers:		acute		chronic	Cadmium	TVS(tr)	TVS		
Other:		D.O. (mg/L)	---	6.0	Chromium III	50(T)	TVS		
		D.O. (spawning)	---	7.0	Chromium VI	TVS	TVS		
		pH	6.5 - 9.0	---	Copper	TVS	TVS		
		chlorophyll a (mg/m²)	---	---	Iron	---	WS		
		E. Coli (per 100 mL)	---	126	Iron	---	1000(T)		
					Lead	TVS	TVS		
		Inorganic (mg/L)			Manganese	TVS	TVS		
		acute			chronic	Manganese	---	WS	
		Ammonia	TVS	TVS	Mercury	---	0.01(t)		
		Boron	---	0.75	Molybdenum	---	160(T)		
		Chloride	---	250	Nickel	TVS	TVS		
		Chlorine	0.019	0.011	Selenium	TVS	TVS		
		Cyanide	0.005	---	Silver	TVS	TVS(tr)		
		Nitrate	10	---	Uranium	---	---		
		Nitrite	---	0.05	Zinc	TVS	TVS		
		Phosphorus	---	---					
		Sulfate	---	WS					
		Sulfide	---	0.002					

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

17a. West Antelope Creek, including all tributaries and wetlands, from the source to the confluence with Antelope Creek.							
COGUUG17A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation U	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Qualifiers:		pH	6.5 - 9.0	---	Chromium III	50(T)	
Other:		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

17b. Mainstem of Antelope Creek, including all tributaries and wetlands, from the source to the confluence with the Gunnison River, excluding the listings in Segment 17a.							
COGUUG17B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation U	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Qualifiers:		pH	6.5 - 9.0	---	Chromium III	50(T)	
Other:		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

18a. Mainstem of Tomichi Creek and its wetlands from the source to the confluence with Porphyry Creek.						
COGUUG18A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation U	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

18b. Mainstem of Tomichi Creek and its wetlands from the confluence with Porphyry Creek to the confluence with the Gunnison River.						
COGUUG18B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation U	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

19. All tributaries to Tomichi Creek, including wetlands, which are within the boundaries of the Gunnison National Forest, except for specific listings in Segments 20 through 24. Mainstems of Barret, Hot Springs, Razor and Quartz Creeks from their sources to their confluences with Tomichi Creek.						
COGUUG19	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM		MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation U	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS(tr)
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
20. Mainstem of Indian Creek, including all tributaries, from the source to the confluence with Marshall Creek.						
COGUUG20	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM		MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Temporary Modification(s):		pH	6.5 - 9.0	---	Chromium III	TVS
Uranium(chronic) = 1349	6/1 - 7/31	chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	100(T)
Uranium(chronic) = 1080	8/1 - 5/31	E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Uranium(acute) = 1515*	6/1 - 7/31				Copper	TVS
Uranium(acute) = 1144*	8/1 - 5/31	Inorganic (mg/L)			Iron	1000(T)
Expiration Date of 6/30/2015		acute	chronic		Lead	TVS
*Uranium(acute) = lowest practical level		Ammonia	TVS	TVS	Manganese	TVS
*Uranium(chronic) = lowest practical level		Boron	---	0.75	Mercury	0.01(t)
*TempMod: Uranium(6/1 - 7/31) = sampling site SW-33 (38.399519, -106.308190 WGS84)		Chloride	---	---	Molybdenum	160(T)
*TempMod: Uranium(8/1 - 5/31) = sampling site SW-33 (38.399519, -106.308190 WGS84)		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS(tr)
		Nitrite	---	0.05	Uranium	LPL*
		Phosphorus	---	---	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

21. Mainstem of Marshall Creek, including all tributaries and wetlands, from the source to the confluence with Tomichi Creek, except for specific listings in Segment 20.						
COGUUG21	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation U	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

22. Mainstem of Gold Creek from Browns Gulch to the confluence with Quartz Creek.						
COGUUG22	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

23. Mainstem of Cochetopa Creek, including all tributaries and wetlands, from the source to a point immediately below the confluence with West Pass Creek with the exception of Segment 1.						
COGUUG23	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation U	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
24. Mainstem of Cochetopa Creek from a point immediately below the confluence with West Pass Creek to the confluence with Tomichi Creek.						
COGUUG24	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation U	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

25. The segments of the Gunnison River which inter-connect Blue Mesa Reservoir, Morrow Point Reservoir, and Crystal Reservoir.						
COGUUG25	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
26. All tributaries, including wetlands, which are tributary to the Gunnison River from County Road 32 to the inlet of Blue Mesa Reservoir, Blue Mesa Reservoir, Morrow Point Reservoir, Crystal Reservoir or the segments of the Gunnison River that interconnect those reservoirs, with the exception of Segments 1,2, 29a, 29b, and 30 through 32.						
COGUUG26	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation U	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

27. Deleted.				
COGUUG27	Classifications	Physical and Biological		Metals (ug/L)
Designation		DM	MWAT	acute chronic
Qualifiers:		acute	chronic	
Other:				
		Inorganic (mg/L)		
		acute	chronic	
28. Deleted.				
COGUUG28	Classifications	Physical and Biological		Metals (ug/L)
Designation		DM	MWAT	acute chronic
Qualifiers:		acute	chronic	
Other:				
		Inorganic (mg/L)		
		acute	chronic	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

29a. Mainstem of the Lake Fork of the Gunnison including all tributaries and wetlands, from the source to a point immediately above the confluence with Eaton Creek, except for the specific listing in Segments 1, 9b, 29b, 30, 31 and 32. Cebolla Creek, including all tributaries and wetlands, from the source to the Hinsdale/Gunnison County line. Powderhorn Creek, including all tributaries and wetlands, from the source to the confluence with Cebolla Creek.

COGUUG29A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS
Expiration Date of 12/31/2021				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

29b. Mainstem of the Lake Fork of the Gunnison, including all tributaries and wetlands, from a point immediately above the confluence with Eaton Creek, to Blue Mesa Reservoir. Cebolla Creek, including all tributaries and wetlands, from the Hinsdale/Gunnison County line, to Blue Mesa Reservoir, excluding the listings in Segment 29a.

COGUUG29B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

30. Mainstem of Henson Creek, including all tributaries and wetlands, from the source to the confluence with the Lake Fork of the Gunnison, except for the specific listing in Segments 31 and 32.

COGUUG30	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
Expiration Date of 12/31/2021					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

31. Mainstem of Palmetto Gulch Creek including all tributaries.

COGUUG31	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
UP	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS	TVS
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury	---	0.01(t)
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS
		Nitrite	---	0.05	Uranium	---	---
		Phosphorus	---	---	Zinc	TVS	TVS
		Sulfate	---	---			
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

32. North Fork of Henson Creek including all tributaries and wetlands, from its source to the confluence with Henson Creek, except for specific listings in Segment 1.						
COGUUG32	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

33. All lakes and reservoirs that are tributary to the Gunnison River and within the La Garita, Powderhorn, West Elk, Collegiate Peaks, Maroon Bells, Raggeds, Fossil Ridge, or Uncompahgre Wilderness Areas.						
COGUUG33	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.02	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

34. All lakes and reservoirs tributary to the Taylor River and the East River, from their sources to their confluence at the inception of the Gunnison River, excluding the listings in Segments 33, 35 and 37. This segment includes Meridian Lake, Nicholson Lake, Peanut Lake, Lake Grant, Lily Pond, Pothole Reservoirs 1 and 2, Texas Lake, Mirror Lake, and Spring Creek Reservoir.

COGUUG34	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	---	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	---	6.0	Beryllium	---
Qualifiers:		D.O. (mg/L)	---	Cadmium	TVS(tr)
Other:		D.O. (spawning)	---	Chromium III	TVS
		pH	6.5 - 9.0	Chromium VI	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Copper	TVS
		E. Coli (per 100 mL)	---	Iron	WS
				Iron	1000(T)
		Inorganic (mg/L)		Lead	TVS
		acute	chronic	Manganese	TVS
		Ammonia	TVS	Manganese	WS
		Boron	---	Mercury	0.01(t)
		Chloride	---	Molybdenum	---
		Chlorine	0.019	Nickel	TVS
		Cyanide	0.005	Selenium	TVS
		Nitrate	10	Silver	TVS(tr)
		Nitrite	---	Uranium	---
		Phosphorus	---	Zinc	TVS
		Sulfate	---		
		Sulfide	---		

35. All lakes and reservoirs tributary to Redwell Creek.

COGUUG35	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	---	---
	Recreation E	acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	---	Beryllium	---
Other:		D.O. (spawning)	---	Cadmium	TVS
		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	100(T)
		E. Coli (per 100 mL)	---	Chromium VI	TVS
				Copper	TVS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	8
		Ammonia	TVS	Manganese	TVS
		Boron	---	Mercury	0.01(t)
		Chloride	---	Molybdenum	---
		Chlorine	0.019	Nickel	TVS
		Cyanide	0.005	Selenium	TVS
		Nitrate	100	Silver	TVS
		Nitrite	---	Uranium	---
		Phosphorus	---	Zinc	TVS
		Sulfate	---		
		Sulfide	---		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

36. All lakes and reservoirs tributary to Gunnison River from its inception at the confluence of the Taylor and East Rivers, to the inlet of Blue Mesa Reservoir, excluding the listings in Segment 33. This segment includes Kenny Moore Reservoir, Hot Springs Reservoir, Needle Creek Reservoir, Vouga Reservoir, Moss Lake, Dome Lakes, and McDonough Reservoirs 1 and 2.

COGUUG36	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	---	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	---	6.0	Beryllium	---
Qualifiers:		D.O. (mg/L)	---	Cadmium	TVS
Other:		D.O. (spawning)	---	Chromium III	50(T)
		pH	6.5 - 9.0	Chromium VI	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Copper	TVS
		E. Coli (per 100 mL)	---	Iron	---
				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	---	Manganese	---
		Chloride	---	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	---
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	---	Silver	TVS
		Phosphorus	---	Uranium	---
		Sulfate	---	Zinc	TVS
		Sulfide	---		

37. All lakes and reservoirs tributary to Blue Mesa Reservoir, Morrow Point Reservoir, Crystal Reservoir or the segments of the Gunnison River that interconnect them, excluding the listings in Segments 33 and 37. This segment includes Fish Creek Reservoirs 1 and 2, Hampton Lake, High Park Lake, Watson Lake, Butte Lake, Swanson Lake, Fitzpatrick Lake, Dry Lake, Devils Lake, Powderhorn Lakes, Soderquist Reservoir, Rainbow Lake, Cataract Lake, Castle Lakes, Crystal Lake, and Waterdog Lake.

COGUUG37	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	---	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	---	6.0	Beryllium	---
Qualifiers:		D.O. (mg/L)	---	Cadmium	TVS(tr)
Other:		D.O. (spawning)	---	Chromium III	50(T)
		pH	6.5 - 9.0	Chromium VI	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Copper	TVS
		E. Coli (per 100 mL)	---	Iron	---
				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	---	Manganese	---
		Chloride	---	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	---
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	---	Silver	TVS
		Phosphorus	---	Uranium	---
		Sulfate	---	Zinc	TVS
		Sulfide	---		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

38. Lake San Cristobal, Taylor Park Reservoir, Blue Mesa Reservoir, Morrow Point Reservoir, Crystal Reservoir, and Silver Jack Reservoir.						
COGUUG38	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CLL	CLL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	126	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	0.75	Manganese	---	WS
		Chloride	250	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	Uranium	---	---
		Sulfate	WS	Zinc	TVS	TVS
		Sulfide	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

## REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS North Fork of the Gunnison River Basin

1. All tributaries to North Fork of the Gunnison River, including all wetlands, within the West Elk or Raggeds Wilderness Areas.						
COGUNF01	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002	Zinc	---
2. Mainstem of North Fork of the Gunnison River from its inception at the confluence of Muddy Creek and Coal Creek to the Black Bridge (41.75 Drive) above Paonia.						
COGUNF02	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002	Zinc	---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## North Fork of the Gunnison River Basin

3. Mainstem of North Fork of the Gunnison River from the Black Bridge (41.75 Drive) above Paonia to the confluence with the Gunnison River.						
COGUNF03	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Recreation P	---	6.0		Beryllium	---
	Water Supply	D.O. (mg/L)	---	7.0	Cadmium	TVS(tr)
Qualifiers:		D.O. (spawning)	---	7.0	Chromium III	50(T)
Other:		pH	6.5 - 9.0	---	Chromium VI	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Copper	TVS
		E. Coli (per 100 mL)	4/1 - 9/30	---	Iron	---
		E. Coli (per 100 mL)	10/1 - 3/31	---	Iron	1000(T)
		Inorganic (mg/L)			Lead	TVS
		acute	chronic		Manganese	TVS
		Ammonia	TVS	TVS	Manganese	---
		Boron	---	0.75	Mercury	---
		Chloride	---	250	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	10	---	Silver	TVS(tr)
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	---	Zinc	TVS
		Sulfate	---	WS		
		Sulfide	---	0.002		

4. Muddy Creek, including all tributaries and wetlands, from the source to the confluence with Coal Creek. Coal Creek, including all tributaries and wetlands, from the source to the confluence with Muddy Creek, All tributaries to the North Fork of the Gunnison from its inception at the confluence of Muddy Creek and Coal Creek to the confluence with the Gunnison River within national forest boundaries, except for the specific listing in Segment 1.						
COGUNF04	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS(tr)
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002	Zinc	TVS(sc)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## North Fork of the Gunnison River Basin

5a. Mainstems of Hubbard Creek, Terror Creek, Minnesota Creek, and Leroux Creek from the national forest boundary to their confluences with the North Fork of the Gunnison River; mainstem of Jay Creek from its source to its confluence with the North Fork of the Gunnison River.

COGUNF05A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
<b>Qualifiers:</b>		D.O. (spawning)	7.0	Cadmium	TVS(tr)
<b>Other:</b>		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	205	Copper	TVS
Expiration Date of 12/31/2021				Iron	---
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002	Zinc	TVS(sc)

5b Mainstem of Roatcap Creek, including all tributaries and wetlands, from the source to the confluence with the North Fork of the Gunnison.

COGUNF05B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
<b>Qualifiers:</b>		D.O. (spawning)	7.0	Cadmium	TVS(tr)
<b>Other:</b>		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	205	Copper	TVS
Expiration Date of 12/31/2021				Iron	---
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## North Fork of the Gunnison River Basin

6a. All tributaries, including wetlands, to the North Fork of the Gunnison River from its inception at the confluence of Muddy Creek and Coal Creek to the confluence with the Gunnison River, and not within national forest boundaries, except for the specific listings in Segments 5a, 5b, and 6b.						
COGUNF06A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM		MWAT	acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation P	acute	chronic		Arsenic	340
<b>Qualifiers:</b>		D.O. (mg/L)	---	5.0	Beryllium	---
<b>Other:</b>		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	205	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic		Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
6b. Mainstem and all tributaries to Bear Creek and Stevens Gulch. All tributaries, including wetlands, to the North Fork of the Gunnison River that are north of the North Fork of the Gunnison River, from a point immediately above the confluence with Roatcap Creek to the confluence with the Gunnison River, and are not within national forest boundaries; all tributaries, including wetlands, to the North Fork of the Gunnison River that are south of the North Fork of the Gunnison River, from a point immediately above the confluence with Minnesota Creek to the confluence with the Gunnison River, and are not within national forest boundaries, excluding the specific listings in Segments 5a and 5b.						
COGUNF06B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM		MWAT	acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---
	Recreation P	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
<b>Qualifiers:</b>		pH	6.5 - 9.0	---	Cadmium	TVS
<b>Water+Fish Standards</b>		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
<b>Other:</b>		E. Coli (per 100 mL)	---	205	Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## North Fork of the Gunnison River Basin

7. Paonia Reservoir and Overland Reservoir.						
COGUNF07	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	CLL	CLL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	---	Manganese	---	WS
		Chloride	---	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	---	Silver	TVS	TVS(tr)
		Phosphorus	---	Uranium	---	---
		Sulfate	---	Zinc	TVS	TVS
		Sulfide	---			

8. All lakes and reservoirs that are tributary to the North Fork of the Gunnison River and within the West Elk or Raggeds Wilderness areas.						
COGUNF08	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	---	Manganese	---	WS
		Chloride	---	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	---	Silver	TVS	TVS(tr)
		Phosphorus	---	Uranium	---	---
		Sulfate	---	Zinc	TVS	TVS
		Sulfide	---			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## North Fork of the Gunnison River Basin

9. All lakes and reservoirs tributary to Muddy Creek, Paonia Reservoir, or Coal Creek. All lakes and reservoirs tributary to the North Fork of the Gunnison River from its inception at the confluence with Muddy Creek and Coal Creek to the confluence with the Gunnison River, and within national forest boundaries, excluding the specific listing in Segments 7 and 8. This segment includes Island Lake, Aspen Leaf Reservoir, Floating Lake, Tomahawk Reservoir, Dollar Lake, Lost Lake, Lost Lake Slough, Terror Creek Reservoir, Minnesota Reservoir, Beaver Reservoir, Lone Cabin Reservoir, Todd Reservoir, Holy Terror Reservoir (aka Eagle River Reservoir), Goodenough Reservoir, Dogfish Reservoir, Hilltop Reservoir, Willow Reservoir, Doughty Reservoir, Reynolds Reservoir, Hanson Reservoir, Bailey Reservoir, Owens Reservoir, Gray Reservoir, and Patterson Reservoirs.

COGUNF09	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	---	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	---
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

10. All lakes and reservoirs tributary to Roatcap Creek and Jay Creek from their sources to their confluences with the North Fork of the Gunnison River. All lakes and reservoirs tributary to Hubbard Creek, Terror Creek, Minnesota Creek, or Leroux Creek, and are not within national forest boundaries.

COGUNF10	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	---	---
	Recreation P	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	205	Copper	TVS
				Iron	---
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr = trout

sc = sculpin

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## North Fork of the Gunnison River Basin

11. All lakes and reservoirs tributary to the North Fork of the Gunnison River from its inception at the confluence of Muddy Creek and Coal Creek to the confluence with the Gunnison River, and not within national forest boundaries, except for the specific listings in Segments 7, 9, and 10. This segment includes Roeber Reservoir.						
COGUNF11	Classifications	Physical and Biological			Metals (ug/L)	
Designation		DM	MWAT		acute	chronic
UP	Agriculture					
	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---
	Recreation P		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	205	Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
			acute	chronic	Iron	---
		Ammonia	TVS	TVS	Lead	---
		Boron	---	0.75	Manganese	TVS
		Chloride	---	250	Manganese	---
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	10	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	WS	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Uncompahgre River Basin

1. All tributaries to the Uncompahgre River, including all wetlands, which are within the Mt. Sneffels or Uncompahgre Wilderness Areas.								
COGUUN01	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)		
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS		
		E. Coli (per 100 mL)	---	126	Copper	TVS		
					Iron	---		
		Inorganic (mg/L)			Iron	---		
		acute	chronic	Lead	TVS			
		Ammonia	TVS	TVS	Manganese	TVS		
		Boron	---	0.75	Manganese	---		
		Chloride	---	250	Mercury	---		
		Chlorine	0.019	0.011	Molybdenum	---		
		Cyanide	0.005	---	Nickel	TVS		
		Nitrate	10	---	Selenium	TVS		
		Nitrite	---	0.05	Silver	TVS		
		Phosphorus	---	---	Uranium	---		
		Sulfate	---	WS	Zinc	TVS		
		Sulfide	---	0.002				
		2. Mainstem of the Uncompahgre River from the source (Poughkeepsie Gulch) to a point immediately above the confluence with Red Mountain Creek.						
		COGUUN02	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---		
	Recreation P	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)		
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS		
		E. Coli (per 100 mL)	---	205	Copper	TVS		
					Iron	---		
		Inorganic (mg/L)			Iron	---		
		acute	chronic	Lead	TVS			
		Ammonia	TVS	TVS	Manganese	TVS		
		Boron	---	0.75	Manganese	---		
		Chloride	---	250	Mercury	---		
		Chlorine	0.019	0.011	Molybdenum	---		
		Cyanide	0.005	---	Nickel	TVS		
		Nitrate	10	---	Selenium	TVS		
		Nitrite	---	0.05	Silver	TVS		
		Phosphorus	---	---	Uranium	---		
		Sulfate	---	WS	Zinc	TVS		
		Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Uncompahgre River Basin

3a. Mainstem of the Uncompahgre River from a point immediately above the confluence with Red Mountain Creek to a point immediately above the confluence with Cascade Creek.						
COGUUN03A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
					Iron	---
		Inorganic (mg/L)			Lead	TVS
			acute	chronic	Manganese	TVS
		Ammonia	TVS	TVS	Manganese	---
		Boron	---	0.75	Mercury	---
		Chloride	---	250	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	10	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	---	Zinc	TVS
		Sulfate	---	WS		
		Sulfide	---	0.002		

3b. Mainstem of the Uncompahgre River from a point immediately above the confluence with Cascade Creek to a point immediately above the confluence with Dexter Creek.						
COGUUN03B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	10/16 - 5/31	13	Aluminum	---
	Recreation E	Temperature °C	6/30 - 10/15	21.7	Arsenic	340
	Water Supply				Beryllium	---
Qualifiers:			acute	chronic	Cadmium	TVS(tr)
Other:		D.O. (mg/L)	---	6.0	Chromium III	50(T)
Temporary Modification(s):		D.O. (spawning)	---	7.0	Chromium VI	TVS
Arsenic(chronic) = hybrid		pH	6.5 - 9.0	---	Copper	TVS
Expiration Date of 12/31/2021		chlorophyll a (mg/m <sup>2</sup> )	---	---	Iron	---
		E. Coli (per 100 mL)	---	126	Iron	---
					Lead	TVS
					Manganese	TVS
		Inorganic (mg/L)			Manganese	---
			acute	chronic	Mercury	---
		Ammonia	TVS	TVS	Molybdenum	---
		Boron	---	0.75	Nickel	TVS
		Chloride	---	250	Selenium	TVS
		Chlorine	0.019	0.011	Silver	TVS
		Cyanide	0.005	---	Uranium	---
		Nitrate	10	---	Zinc	TVS
		Nitrite	---	0.05		
		Phosphorus	---	---		
		Sulfate	---	WS		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Uncompahgre River Basin

3c. Mainstem of the Uncompahgre River from a point immediately above the confluence with Dexter Creek to a point immediately below the confluence with Dallas Creek.						
COGUUN03C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
		Qualifiers:	D.O. (spawning)	---	7.0	Cadmium
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

3d. Mainstem of the Uncompahgre River from a point immediately below the confluence with Dallas Creek to the inlet of Ridgway Reservoir.						
COGUUN03D	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
		Qualifiers:	D.O. (spawning)	---	7.0	Cadmium
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Uncompahgre River Basin

3e. Mainstem of the Uncompahgre River from the outlet of Ridgway Reservoir to a point immediately above the outlet of the South Canal near Uncompahgre.						
COGUUN03E	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute		chronic	Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

3f. Mainstem of the Uncompahgre River from a point immediately above the outlet of the South Canal to a point immediately above the Highway 90 bridge in Montrose.						
COGUUN03F	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute		chronic	Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Uncompahgre River Basin

4a. Mainstem of the Uncompahgre River from the Highway 90 bridge at Montrose to Gunnison Road.						
COGUUN04A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.5	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS
						TVS
						TVS
						TVS
						TVS
						TVS
						TVS
4b. Mainstem of the Uncompahgre River from Gunnison Road to the upstream boundary of Confluence Park.						
COGUUN04B	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	205	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.5	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS
						TVS
						TVS
						TVS
						TVS
						TVS
						TVS
Temporary Modification(s): Selenium(chronic) = current condition Expiration Date of 12/31/2017						

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Uncompahgre River Basin

4c. Mainstem of the Uncompahgre River from the upstream boundary of Confluence Park to the confluence with the Gunnison River.						
COGUUN04C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic		Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.5	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

5. All tributaries to the Uncompahgre River, including all wetlands, from the source to a point immediately below the confluence with Dexter Creek, except for specific listings in Segments 1, 6a, 6b, and 7 through 9.						
COGUUN05	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Uncompahgre River Basin

6a. Mainstem of Red Mountain Creek from the source to immediately above the confluence with the East Fork of Red Mountain Creek.							
COGUUN06A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation N	acute	chronic	Arsenic	340	100(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS	
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m²)	---	---	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	630	Chromium VI	TVS	TVS
					Copper	TVS	TVS
			Inorganic (mg/L)		Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury	---	0.01(t)
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS
		Nitrite	---	0.05	Uranium	---	---
		Phosphorus	---	---	Zinc	TVS	TVS
		Sulfate	---	---			
		Sulfide	---	0.002			

6b. Mainstem of Red Mountain Creek from immediately above the confluence with the East Fork of Red Mountain Creek to the confluence with the Uncompahgre River. All tributaries to Red Mountain Creek within Corkscrew and Champion basins.							
COGUUN06B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Recreation N			Aluminum	---	---	
Qualifiers:		acute	chronic	Arsenic	---	---	
Other:		D.O. (mg/L)	---	3.0	Beryllium	---	
		pH	ambient	---	Cadmium	---	---
		chlorophyll a (mg/m²)	---	---	Chromium III	---	---
		E. Coli (per 100 mL)	---	630	Chromium VI	---	---
					Copper	---	---
			acute	chronic	Iron	---	---
		Ammonia	---	---	Lead	---	---
		Boron	---	---	Manganese	---	---
		Chloride	---	---	Mercury	---	---
		Chlorine	---	---	Molybdenum	---	---
		Cyanide	---	---	Nickel	---	---
		Nitrate	---	---	Selenium	---	---
		Nitrite	---	---	Silver	---	---
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	---	Zinc	---	---
		Sulfide	---	---			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Uncompahgre River Basin

7. Mainstem of Gray Copper Gulch from the source to the confluence with Red Mountain Creek.						
COGUUN07	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	205	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
8. Mainstem of Mineral Creek from the source to the confluence with the Uncompahgre River.						
COGUUN08	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	205	Copper	---
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	---	4
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Uncompahgre River Basin

9 Mainstem of Imogene Creek from its source to its confluence with Sneffels Creek. Mainstem and all tributaries of Sneffels Creek from a point 1.5 miles above its confluence with Imogene Creek at 37.974979, -107.753960 (WGS84) to its confluence with Imogene Creek. Mainstem of Canyon Creek from its inception at the confluence of Imogene Creek and Sneffels Creek to the confluence with the Uncompahgre River.

COGUUN09	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation P	acute	chronic		Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	---
Fish Ingestion		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	205	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury	---	0.01(t)
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS(tr)
		Nitrite	---	0.05	Uranium	---	---
		Phosphorus	---	---	Zinc	TVS	TVS
		Sulfate	---	---			
		Sulfide	---	0.002			

10. All tributaries to the Uncompahgre River, including all wetlands, from a point immediately below the confluence with Dexter Creek to the South Canal near Uncompahgre, except for specific listings in Segments 1 and 11.

COGUUN10	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation P	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	205	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002	Zinc	---	TVS(sc)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Uncompahgre River Basin

11. Mainstem of Coal Creek from the source to the Park Ditch, mainstem of Dallas Creek from the source of the East and West Forks to the confluence with the Uncompahgre River; mainstem of Cow Creek, including all tributaries, from the Uncompahgre Wilderness Area boundary to the confluence with the Uncompahgre River; mainstems of Billy Creek, Onion Creek and Beaton Creek from their sources to their confluences with Uncompahgre River; mainstem of Beaver Creek from the source to the confluence with the East Fork of Dallas Creek; and mainstem of Pleasant Valley Creek from the source to the confluence with Dallas Creek.

COGUUN11	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	0.02(T)
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	205	Copper	TVS
				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

12. All tributaries to the Uncompahgre River, including all wetlands, from the South Canal near Uncompahgre to the confluence with the Gunnison River, except for specific listings in Segments 13, 14, 15a and 15b.

COGUUN12	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Warm 1	Temperature °C	WS-II	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	5.0	Beryllium	7.6(T)
Other:		pH	6.5 - 9.0	Cadmium	---
		chlorophyll a (mg/m <sup>2</sup> )	---	Cadmium	TVS
		E. Coli (per 100 mL)	205	Chromium III	TVS
				Chromium III	100(T)
		Inorganic (mg/L)		Chromium VI	TVS
		acute	chronic	Copper	TVS
		Ammonia	TVS	Iron	TVS
		Boron	0.75	Lead	1400(T)
		Chloride	---	Manganese	TVS
		Chlorine	0.019	Mercury	TVS
		Cyanide	0.005	Mercury	0.01(t)
		Nitrate	100	Molybdenum	160(T)
		Nitrite	0.05	Nickel	TVS
		Phosphorus	---	Selenium	TVS
		Sulfate	---	Silver	TVS
		Sulfide	0.002	Uranium	---
				Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Uncompahgre River Basin

13. Mainstem of East Fork Dry Creek, Pryor Creek and West Fork Dry Creek from their sources to their confluence; mainstem of Spring Creek, West Fork Spring Creek and Middle Spring Creek from the source to Popular Road at the mouth of Spring Canyon, and mainstem of Mexican Gulch from the source to the Section line dividing Section 19 and 30, T49N, R9W.

COGUUN13	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m²)	---	---	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury	---	0.01(t)
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS(tr)
		Nitrite	---	0.05	Uranium	---	---
		Phosphorus	---	---	Zinc	TVS	TVS
		Sulfate	---	---			
		Sulfide	---	0.002			

14. East and West Forks of Horsefly Creek, including all tributaries and wetlands, from their sources to a point immediately above their confluence. Happy Canyon Creek, including all tributaries and wetlands, from the source to the most downstream national forest boundary.

COGUUN14	Classifications	Physical and Biological		Metals (ug/L)				
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	---	
	Recreation P	acute	chronic	Arsenic	340	100(T)		
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	---	
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS	
		chlorophyll a (mg/m²)	---	---	Chromium III	---	100(T)	
		E. Coli (per 100 mL)	---	206	Chromium VI	TVS	TVS	
					Copper	TVS	TVS	
			Inorganic (mg/L)		Iron	---	1000(T)	
				acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Mercury	---	0.01(t)	
		Chloride	---	---	Molybdenum	---	160(T)	
		Chlorine	0.019	0.011	Nickel	TVS	TVS	
		Cyanide	0.005	---	Selenium	TVS	TVS	
		Nitrate	100	---	Silver	TVS	TVS(tr)	
		Nitrite	---	0.5	Uranium	---	---	
		Phosphorus	---	---	Zinc	TVS	TVS	
		Sulfate	---	---				
		Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr = trout

sc = sculpin

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Uncompahgre River Basin

15a. Mainstem of Happy Canyon from a point immediately below the West Canal to the confluence with the Uncompahgre River; mainstem of Horsefly Creek from a point immediately below the confluence with Wildcat Canyon to the confluence with the Uncompahgre River.							
COGUUN15A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation P	acute	chronic		Arsenic	340	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	
		chlorophyll a (mg/m²)	---	---	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	205	Chromium III	---	100(T)
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	---	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Mercury	---	0.01(t)
		Cyanide	0.005	---	Molybdenum	---	160(T)
		Nitrate	100	---	Nickel	TVS	TVS
		Nitrite	---	0.5	Selenium	TVS	TVS
		Phosphorus	---	---	Silver	TVS	TVS
		Sulfate	---	---	Uranium	---	---
		Sulfide	---	0.002	Zinc	TVS	TVS
		15b. Mainstem of Dry Creek from the confluence of the East and West Forks to immediately above the confluence with Coalbank Canyon Creek.					
COGUUN15B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation E	acute	chronic		Arsenic	340	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m²)	---	---	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury	---	0.01(t)
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS(tr)
		Nitrite	---	0.5	Uranium	---	---
		Phosphorus	---	---	Zinc	TVS	TVS
		Sulfate	---	---			
Sulfide	---	0.002					

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Uncompahgre River Basin

16. All lakes and reservoirs tributary to the Uncompahgre River and within the Mt. Sneffels or Uncompahgre Wilderness Areas.						
COGUUN16	Classifications	Physical and Biological		Metals (ug/L)		
Designation		DM	MWAT	acute	chronic	
OW	Agriculture					
	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
Qualifiers:	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
					Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
17. All lakes and reservoirs tributary to the Uncompahgre River from the source to a point immediately below the confluence with Dexter Creek, except for specific listings in Segments 16. This segment includes Lake Como, Ptarmigan Lake, Crystal Lake, and Lake Lenore.						
COGUUN17	Classifications	Physical and Biological		Metals (ug/L)		
Designation		DM	MWAT	acute	chronic	
Reviewable	Agriculture					
	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
Qualifiers:	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
					Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Uncompahgre River Basin

18. All lakes and reservoirs tributary to the Uncompahgre River from a point immediately below the confluence with Dexter Creek to a point immediately below the South Canal near Uncompahgre, excluding the listings in Segment 16 and 19. All lakes and reservoirs tributary to the East Fork of Dry Creek or the West Fork of Dry Creek from their sources to their confluence. This segment includes Black Lake, Blue Lakes, Ulah Brown Spring, Lake Otonawanda, West Lake, Dry Lake, Elephant Reservoir, Buckhorn Lakes, Silesca Pond and Olathe Reservoirs 1 and 2.

COGUUN18	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340
	Water Supply	---	6.0	Beryllium	---
Qualifiers:		---	7.0	Cadmium	TVS(tr)
Other:	pH	6.5 - 9.0	---	Chromium III	50(T)
	chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
	E. Coli (per 100 mL)	---	205	Copper	TVS
				Iron	---
				Iron	1000(T)
				Lead	TVS
				Manganese	TVS
				Manganese	---
				Mercury	---
				Molybdenum	---
				Nickel	TVS
				Selenium	TVS
				Silver	TVS
				Uranium	---
				Zinc	TVS

19. Ridgway Reservoir.

COGUUN19	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CLL	CLL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
Qualifiers:		---	6.0	Beryllium	---
Other:	D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
	pH	6.5 - 9.0	---	Chromium III	TVS
	chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	---
	E. Coli (per 100 mL)	---	126	Chromium VI	TVS
				Copper	TVS
				Iron	---
				Iron	1000(T)
				Lead	TVS
				Manganese	TVS
				Mercury	---
				Molybdenum	---
				Nickel	TVS
				Selenium	TVS
				Silver	TVS
				Uranium	---
				Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Uncompahgre River Basin

20. Sweitzer Lake (a.k.a. Garnet Mesa Reservoir).						
COGUUN20	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	WL	WL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)		100(T)	Chromium VI	TVS
		acute	chronic	TVS	Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.5	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

21. All lakes and reservoirs tributary to the Uncompahgre River from a point immediately below the South Canal near Uncompahgre to the confluence with the Gunnison River, excluding the listings in Segments 20 and 18.

21. All lakes and reservoirs tributary to the Uncompahgre River from a point immediately below the South Canal near Uncompahgre to the confluence with the Gunnison River, excluding the listings in Segments 20 and 18.						
COGUUN21	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
UP	Aq Life Warm 2	WL	WL	Aluminum	---	---
	Recreation P	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	205	Chromium III	---
		Inorganic (mg/L)		100(T)	Chromium VI	TVS
		acute	chronic	TVS	Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Gunnison Basin

1. Mainstem of the Gunnison River from the outlet of Crystal Reservoir to a point immediately above the confluence with the Uncompahgre River.						
COGULG01	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002	Zinc	---
2. Mainstem of the Gunnison River from a point immediately above the confluence with the Uncompahgre River to the confluence with the Colorado River.						
COGULG02	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS(tr)
Other:		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Arsenic(chronic) = hybrid		Inorganic (mg/L)		Copper	TVS	TVS
Expiration Date of 12/31/2021		acute	chronic	Iron	---	WS
Selenium(chronic) = current conditions		Ammonia	TVS	TVS	Iron	---
Expiration Date of 12/31/2017		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	480	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Gunnison Basin

3. All tributaries to the Gunnison River, including all wetlands, which are within national forest boundaries, from the outlet of Crystal Reservoir to the confluence with the Colorado River, except for specific listings in the North Fork Gunnison River sub-basin, Uncompahgre River sub-basins, and segments 10, 11a, 11b, and 12.						
COGULG03	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
4a. All tributaries to the Gunnison River, including all wetlands which are not within national forest boundaries, from the outlet of Crystal Reservoir to the confluence with the Colorado River, except for specific listings in the North Fork of the Gunnison River sub-basin, the Uncompahgre River sub-basin, and in Segments 3, 4b, 4c, 5 through 10, 12 and 13.						
COGULG04A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation P	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	205	Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Iron	1000(T)
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	0.01(t)
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.5	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Gunnison Basin

4b. All tributaries to Reeder, Hollenbeck, and Juniata Reservoirs, and the mainstem of Kannah Creek below the point of diversion for public water supply.							
COGULG04B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	
Other:	chlorophyll a (mg/m²)	---	---	Chromium III	50(T)	TVS	
	E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
	Inorganic (mg/L)			Copper	TVS	TVS	
	acute			chronic	Iron	---	
	Ammonia	TVS	TVS	Iron	---	1000(T)	
	Boron	---	0.75	Lead	TVS	TVS	
	Chloride	---	250	Manganese	TVS	TVS	
	Chlorine	0.019	0.011	Manganese	---	WS	
	Cyanide	0.005	---	Mercury	---	0.01(t)	
	Nitrate	10	---	Molybdenum	---	160(T)	
	Nitrite	---	0.5	Nickel	TVS	TVS	
	Phosphorus	---	---	Selenium	TVS	TVS	
	Sulfate	---	WS	Silver	TVS	TVS	
	Sulfide	---	0.002	Uranium	---	---	
				Zinc	TVS	TVS	
	4c. Mainstem of Red Rock Creek from the boundary of Black Canyon of the Gunnison National Park to the confluence of the Gunnison River.						
	COGULG04C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	
Other:	chlorophyll a (mg/m²)	---	---	Chromium III	50(T)	TVS	
	E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
	Inorganic (mg/L)			Copper	TVS	TVS	
	acute			chronic	Iron	---	
	Ammonia	TVS	TVS	Iron	---	1000(T)	
	Boron	---	0.75	Lead	TVS	TVS	
	Chloride	---	250	Manganese	TVS	TVS	
	Chlorine	0.019	0.011	Manganese	---	WS	
	Cyanide	0.005	---	Mercury	---	0.01(t)	
	Nitrate	10	---	Molybdenum	---	160(T)	
	Nitrite	---	0.5	Nickel	TVS	TVS	
	Phosphorus	---	---	Selenium	TVS	TVS	
	Sulfate	---	WS	Silver	TVS	TVS	
	Sulfide	---	0.002	Uranium	---	---	
				Zinc	TVS	TVS	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Gunnison Basin

5. Mainstem of Roubideau Creek from the national forest boundary to the confluence with Potter Creek; mainstem of Monitor Creek from the national forest boundary to the confluence with Potter Creek; mainstem of North Fork Escalante Creek from the national forest boundary to the confluence with Escalante Creek.						
COGULG05	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
					Iron	---
					Lead	TVS
					Manganese	TVS
					Manganese	---
					Mercury	---
					Molybdenum	---
					Nickel	TVS
					Selenium	TVS
					Silver	TVS
					Uranium	TVS
					Zinc	TVS
		6. Mainstem of Roubideau Creek from Potter Creek to the Gunnison River; mainstem of Escalante Creek from the national forest boundary to the Gunnison River; mainstem of Little Dominguez from the national forest boundary to Big Dominguez Creek; mainstem of Big Dominguez from the national forest boundary to the Gunnison River, mainstem of East Creek from the source to the Gunnison River.				
COGULG06	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
	Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m²)	---	---	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
					Iron	---
					Lead	TVS
					Manganese	TVS
					Mercury	---
					Molybdenum	---
					Nickel	TVS
					Selenium	TVS
					Silver	TVS
					Uranium	TVS
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Gunnison Basin

7a. Mainstem of Ward Creek, from the national forest boundary to the confluence with Dirty George Creek.							
COGULG07A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation P	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T) TVS	
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS TVS	
		E. Coli (per 100 mL)	---	205	Copper	TVS TVS	
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			
		7b. Mainstem of Surface Creek from the point of diversion of water supply to the confluence with Tongue Creek; mainstem of Tongue Creek from its inception at the confluence of Ward Creek and Dirty George Creek to the confluence with the Gunnison River; mainstem of Youngs Creek from the national forest boundary to the confluence with Kiser Creek; mainstem of Kiser Creek from the national forest boundary to the confluence with Youngs Creek.					
COGULG07B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation P	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T) TVS	
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS TVS	
		E. Coli (per 100 mL)	---	205	Copper	TVS TVS	
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002	Zinc	---	TVS(sc)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Gunnison Basin

8. Mainstem of Surface Creek and Kannah Creek, including all tributaries, from the national forest boundary to the point of diversion for public water supply.						
COGULG08	Classifications		Physical and Biological		Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1		Temperature °C	CS-I CS-I	Aluminum	--- ---
	Recreation E		acute	chronic	Arsenic	340 0.02(T)
	Water Supply		D.O. (mg/L)	--- 6.0	Beryllium	--- ---
Qualifiers:			D.O. (spawning)	--- 7.0	Cadmium	TVS(tr) TVS
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021			pH	6.5 - 9.0 ---	Chromium III	50(T) TVS
			chlorophyll a (mg/m²)	--- ---	Chromium VI	TVS TVS
			E. Coli (per 100 mL)	--- 126	Copper	TVS TVS
					Iron	--- WS
			Inorganic (mg/L)		Iron	--- 1000(T)
			acute	chronic	Lead	TVS TVS
			Ammonia	TVS TVS	Manganese	TVS 1000
			Boron	--- 0.75	Manganese	--- TVS
			Chloride	--- 250	Manganese	--- WS
			Chlorine	0.019 0.011	Mercury	--- 0.01(t)
			Cyanide	0.005 ---	Molybdenum	--- 160(T)
			Nitrate	10 ---	Nickel	TVS TVS
			Nitrite	--- 0.05	Selenium	TVS TVS
			Phosphorus	--- ---	Silver	TVS TVS(tr)
			Sulfate	--- WS	Uranium	--- ---
			Sulfide	--- 0.002	Zinc	TVS TVS
					Zinc	--- TVS(sc)
9. Fruitgrowers Reservoir.						
COGULG09	Classifications		Physical and Biological		Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
UP	Aq Life Warm 2		Temperature °C	WL WL	Aluminum	--- ---
	Recreation E	4/1 - 10/31	acute	chronic	Arsenic	340 100(T)
	Recreation P	11/1 - 3/31	D.O. (mg/L)	--- 5.0	Beryllium	--- ---
Qualifiers:			pH	6.5 - 9.0 ---	Cadmium	TVS TVS
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021			chlorophyll a (mg/m²)	--- ---	Chromium III	TVS TVS
			E. Coli (per 100 mL)	4/1 - 10/31 --- 126	Chromium III	--- 100(T)
			E. Coli (per 100 mL)	11/1 - 3/31 --- 205	Chromium VI	TVS TVS
					Copper	TVS TVS
			Inorganic (mg/L)		Iron	--- 1000(T)
			acute	chronic	Lead	TVS TVS
			Ammonia	TVS TVS	Manganese	TVS TVS
			Boron	--- 0.75	Mercury	--- 0.01(t)
			Chloride	--- ---	Molybdenum	--- 160(T)
			Chlorine	0.019 0.011	Nickel	TVS TVS
			Cyanide	0.005 ---	Selenium	TVS TVS
			Nitrate	100 ---	Silver	TVS TVS
			Nitrite	--- 0.05	Uranium	--- ---
			Phosphorus	--- ---	Zinc	TVS TVS
			Sulfate	--- ---		
			Sulfide	--- 0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Gunnison Basin

10. Mainstem of the Smith Fork from the confluence of the North Smith Fork and South Smith Fork to the confluence with the Gunnison River.						
COGULG10	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002	Zinc	---

11a. All tributaries to the Smith Fork, including all wetlands, which are within national forest boundaries except for specific listings in Segment 11b; Doug Creek from the source to the confluence with Muddy Creek.						
COGULG11A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

11a. All tributaries to the Smith Fork, including all wetlands, which are within national forest boundaries except for specific listings in Segment 11b; Doug Creek from the source to the confluence with Muddy Creek.

COGULG11A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute		chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Gunnison Basin

11b. All tributaries to the Smith Fork, including all wetlands, which are within the West Elk Wilderness Area.						
COGULG11B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
		12. All tributaries to the Smith Fork, including all wetlands, which are not within national forest boundaries, except for the specific listing in Segment 11a.				
COGULG12	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	205	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS	
		acute	chronic	Iron	---	
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
				Zinc	TVS	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Gunnison Basin

13. Crawford Reservoir.					
COGULG13	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WL WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340 7.6(T)
Qualifiers:		D.O. (mg/L)	---	Beryllium	---
Other:		pH	6.5 - 9.0	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	Chromium III	100(T)
		Inorganic (mg/L)		Chromium VI	TVS
		acute	chronic	Copper	TVS
		Ammonia	TVS	Iron	1000(T)
		Boron	---	Lead	TVS
		Chloride	---	Manganese	TVS
		Chlorine	0.019	Mercury	0.01(t)
		Cyanide	0.005	Molybdenum	160(T)
		Nitrate	100	Nickel	TVS
		Nitrite	---	Selenium	TVS
		Phosphorus	---	Silver	TVS
		Sulfate	---	Uranium	---
		Sulfide	---	Zinc	TVS

14. All lakes and reservoirs tributary to the Gunnison River, from the outlet of Crystal Reservoir to the confluence with the Colorado River, and within national forest boundaries, excluding listings in the North Fork of the Gunnison River sub-basin, the Uncompahgre River sub-basin, and Segments 15, 17 and 18. This segment includes Trickle Reservoir, Hale Reservoir, Marcott Park Reservoir, Cherry Lane Reservoir, Cole Reservoirs, Cedar Mesa Reservoir, Kehmeier Reservoir, Weir and Johnson Reservoir, Bonita Reservoir, Blanche Park Reservoir, Vela Reservoir, Knox Reservoir, Military Park Reservoir, Eureka Park Reservoir, Carbonate Park Reservoirs, Prebble Reservoir, Youngs Creek Reservoirs, Kiser Reservoir, Donnelly Reservoir, Kiser Slough Reservoir, Baron Lake, Upper Eggleston Lake, Upper Hotel Lake, Hotel Lake, Arch Slough, Alexander Lake, Deep Ward Lake, Kennicott Slough Reservoir, Womack Reservoirs, Deep Slough Reservoir, Scotland Peak Reservoir, Boulder Lake Reservoir, Basin Reservoir 1, Clear Lake, Granby Reservoirs, Dugger Reservoir, Carson Lake, Crane Lake, Flowing Park, Blue Lake, Chambers Reservoir, Scales Lakes, Grand Mesa Reservoirs, Anderson Reservoirs, Bolen Reservoir, Bolen-Anderson-Jacobs Reservoir 2, Hollenbeck Reservoir 2, Cliff Lake Reservoir, Lee Reservoirs, Lone Pine Reservoirs, Bullfrog Reservoir, Twin Lake, Harry White Reservoirs, Beaver Dam Reservoir, and Fruita Reservoirs 1 and 2.

COGULG14	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CL CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr)
Other:		pH	6.4-9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	Copper	TVS
				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	---	Manganese	WS
		Chloride	---	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	---	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	---	Zinc	TVS
		Sulfide	---		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Gunnison Basin

15. Island Lake, Eggleston Lake, and Trickle Park Reservoir (aka Park Reservoir).						
COGULG15	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CLL	CLL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.4-9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS(tr)
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

16. All lakes and reservoirs that are tributary to the Gunnison River, from the outlet of Crystal Reservoir to the confluence with the Colorado River, and not within national forest boundaries, excluding the listings in the North Fork of the Gunnison sub-basin, the Uncompahgre River sub-basin, and Segments 9, 13, and 19. This segment includes Poison Springs Reservoir, Dry Fork Reservoir, Delta Reservoir, Winkler Reservoir, Desert Reservoir, Alkali Reservoir, Cheney Reservoir, Juniata Reservoir, Hallenbeck Reservoir, Reeder Reservoir, Enochs Lake, Gobbo Reservoir, Schrader Reservoir, and King Reservoir.						
COGULG16	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Iron	1000(T)
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	0.01(t)
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.5	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Gunnison Basin

17. All lakes and reservoirs tributary to the Smith Fork, and within national forest boundaries excluding the listings in Segment 18. All lakes and reservoirs tributary to Doug Creek.						
COGULG17	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	126	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	0.75	Manganese	---	WS
		Chloride	250	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	Uranium	---	---
		Sulfate	WS	Zinc	TVS	TVS
		Sulfide	0.002			
18. All lakes and reservoirs tributary to the Smith Fork, and are within the West Elk Wilderness Area.						
COGULG18	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
OW	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	126	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	0.75	Manganese	---	WS
		Chloride	250	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	Uranium	---	---
		Sulfate	WS	Zinc	TVS	TVS
		Sulfide	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Gunnison Basin

19. All lakes and reservoirs tributary to the Smith Fork, which are not within national forest boundaries, excluding the listings in Segment 17. This segment includes Gould Reservoir.					
COGULG19	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Reviewable	Agriculture				
	Aq Life Warm 2	WL	WL	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340
	Water Supply		5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS
		acute	chronic	Iron	---
	Ammonia	TVS	TVS	Iron	1000(T)
	Boron	---	0.75	Lead	TVS
	Chloride	---	250	Manganese	TVS
	Chlorine	0.019	0.011	Manganese	WS
	Cyanide	0.005	---	Mercury	0.01(t)
	Nitrate	10	---	Molybdenum	160(T)
	Nitrite	---	0.5	Nickel	TVS
	Phosphorus	---	---	Selenium	TVS
	Sulfate	---	WS	Silver	TVS
	Sulfide	---	0.002	Uranium	---
				Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Miguel River Basin

1. All tributaries, including wetlands, to the San Miguel River, and within the boundaries of the Lizard Head, or Mount Sneffels Wilderness Areas.						
COGUSM01	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T) TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS TVS
					Iron	---
					WS	
		Inorganic (mg/L)			Iron	---
					1000(T)	
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	TVS(tr)	
		Sulfate	---	WS	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
					TVS	TVS
					---	TVS(sc)
2. All tributaries, including all wetlands, to the San Miguel River from its sources to a point immediately below the confluence of Leopard Creek, with the exceptions listed in Segments 1, 6a, 6b, 7 and 8.						
COGUSM02	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T) TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
					WS	
		Inorganic (mg/L)			Iron	---
					1000(T)	
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	TVS(tr)	
		Sulfate	---	WS	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
					TVS	TVS
					---	TVS(sc)
Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021						

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Miguel River Basin

3a. Mainstem of the San Miguel River from its inception at the confluence of Bridal Veil and Ingram Creeks to a point immediately above the confluence of Marshall Creek.							
COGUSM03A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	
Other:	D.O. (spawning)	---	7.0	Cadmium	TVS	TVS	
	pH	6.5 - 9.0	---	Chromium III	TVS	TVS	
	chlorophyll a (mg/m²)	---	---	Chromium III	---	100(T)	
	E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
				Copper	TVS	TVS	
		Inorganic (mg/L)		Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS	
	Ammonia	TVS	TVS	Manganese	TVS	TVS	
	Boron	---	0.75	Mercury	---	0.01(t)	
	Chloride	---	---	Molybdenum	---	160(T)	
	Chlorine	0.019	0.011	Nickel	TVS	TVS	
	Cyanide	0.005	---	Selenium	TVS	TVS	
	Nitrate	100	---	Silver	TVS	---	
	Nitrite	---	0.05	Uranium	---	---	
	Phosphorus	---	---	Zinc	---	190	
	Sulfate	---	---				
	Sulfide	---	0.002				
	3b. Mainstem of the San Miguel River from a point immediately above the confluence of Marshall Creek to a point immediately above the confluence of the South Fork San Miguel River.						
COGUSM03B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	varies*	varies*	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:	pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
	chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS	
	E. Coli (per 100 mL)	---	126	Copper	---	TVS	
				Copper	---	---	
		Inorganic (mg/L)		Iron	---	WS	
		acute	chronic	Iron	---	1000(T)	
	Ammonia	TVS	TVS	Lead	TVS	TVS	
	Boron	---	0.75	Manganese	TVS	TVS	
	Chloride	---	250	Manganese	---	WS	
	Chlorine	0.019	0.011	Mercury	---	0.01(t)	
	Cyanide	0.005	---	Molybdenum	---	160(T)	
	Nitrate	10	---	Nickel	TVS	TVS	
	Nitrite	---	0.5	Selenium	TVS	TVS	
	Phosphorus	---	---	Silver	TVS	TVS(tr)	
	Sulfate	---	WS	Uranium	---	---	
	Sulfide	---	0.002	Zinc	---	190	
	Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *Temperature = DM=13.9 and MWAT=9 from 10/1-10/31 DM=13 and MWAT=9 from 11/1-3/31 DM=14 and MWAT=9 from 4/1-5/31 DM=21.7 and MWAT=17 from 6/30-9/30						

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Miguel River Basin

4a. Mainstem of the San Miguel River from a point immediately above the confluence of the South Fork of the San Miguel River to a point immediately below the CC ditch.							
COGUSM04A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute		chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

4b. Mainstem of the San Miguel River from a point immediately below the CC ditch to a point immediately below the confluence of Naturita Creek.								
COGUSM04B	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM		MWAT	acute		chronic	
Reviewable	Aq Life Warm 1	Temperature °C	11/1 - 2/29	13	9	Aluminum	---	---
	Recreation E	Temperature °C	3/1 - 10/31	30.9	23.3	Arsenic	340	0.02(T)
	Water Supply				Beryllium	---	---	
Qualifiers:		acute		chronic	Cadmium	TVS	TVS	
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		D.O. (mg/L)	---	5.0	Chromium III	50(T)	TVS	
		pH	6.5 - 9.0	---	Chromium VI	TVS	TVS	
		chlorophyll a (mg/m²)	---	---	Copper	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Iron	---	WS	
		Inorganic (mg/L)			Iron	---	1000(T)	
		acute		chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Selenium	TVS	TVS	
		Nitrite	---	0.5	Silver	TVS	TVS	
		Phosphorus	---	---	Uranium	---	---	
		Sulfate	---	WS	Zinc	TVS	TVS	
		Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Miguel River Basin

5. Mainstem of the San Miguel River from a point immediately below the confluence of Naturita Creek to its confluence with the Dolores River.							
COGUSM05	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	
		chlorophyll a (mg/m²)	---	---	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)
		Inorganic (mg/L)		Chromium VI	TVS	TVS	
		acute	chronic	Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	---	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Mercury	---	0.01(t)
		Cyanide	0.005	---	Molybdenum	---	160(T)
		Nitrate	100	---	Nickel	TVS	TVS
		Nitrite	---	0.5	Selenium	TVS	TVS
		Phosphorus	---	---	Silver	TVS	TVS
		Sulfate	---	---	Uranium	TVS	16.8-30(T) <sup>A</sup>
		Sulfide	---	0.002	Zinc	TVS	TVS
		6a. Mainstem of Ingram Creek including, all tributaries and wetlands, from the source to the confluence with the San Miguel River.					
COGUSM06A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	100(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS	
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m²)	---	---	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
				Copper	TVS	TVS	
		Inorganic (mg/L)		Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury	---	0.01(t)
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS
		Nitrite	---	0.05	Uranium	---	---
		Phosphorus	---	---	Zinc	TVS	TVS
		Sulfate	---	---			
Sulfide	---	0.002					

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Miguel River Basin

6b. Mainstem of Marshall Creek, including all tributaries and wetlands, from the source to the confluence with the San Miguel River.						
COGUSM06B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	---	Zinc	---
		Sulfate	---	---		190
		Sulfide	---	0.002		

7. Mainstem of the Howard Fork and, all tributaries, and wetlands, from a point immediately below the confluence of Swamp Gulch to its confluence with the South Fork of the San Miguel River.						
COGUSM07	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Miguel River Basin

8. Mainstem of the South Fork of the San Miguel River from its inception at the confluence of the Howard and Lake Forks to its confluence with the San Miguel River.						
COGUSM08	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
9. All tributaries to the San Miguel River, including all wetlands from a point immediately below the confluence of Leopard Creek to the Dolores River that are within the boundaries of the Uncompahgre National Forest.						
COGUSM09	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Miguel River Basin

10. Mainstem of Naturita Creek from the point it exits the Uncompahgre National Forest at the most downstream boundary to its confluence with the San Miguel River. Mainstem of Tabeguache Creek from its source to the confluence with the San Miguel River.						
COGUSM10	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	75
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

11a. All tributaries to Miramonte Reservoir and West Naturita Creek from their sources to the Uncompahgre National Forest Boundary below Miramonte Reservoir. The mainstems of Beaver and Horsefly Creeks from the Uncompahgre National Forest boundary to their confluences with the San Miguel River.						
COGUSM11A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	160(T)
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	---	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Miguel River Basin

11b. Mainstem of Saltado Creek from the Uncompahgre National Forest boundary to the confluence with the San Miguel River.						
COGUSM11B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	---	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

12a. All tributaries and wetlands to the San Miguel River from a point immediately below the confluence of Leopard Creek to a point immediately above Naturita Creek with the exceptions listed in Segments 9, 10, 11a, and 11b.						
COGUSM12A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Water + Fish Standards		pH	6.5 - 9.0	---	Chromium III	50(T)
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Copper	TVS
Arsenic(chronic) = hybrid					Iron	---
Expiration Date of 12/31/2021		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	TVS
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Miguel River Basin

12b. All tributaries and wetlands to the San Miguel River from a point immediately above Naturita Creek to the confluence with the Dolores River, excluding the listings in Segments 9, 10, 11a, and 11b.

COGUSM12B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum --- ---
	Recreation E	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium --- ---
<b>Qualifiers:</b>		D.O. (spawning)	---	7.0	Cadmium TVS(tr) TVS
<b>Water + Fish Standards</b>		pH	6.5 - 9.0	---	Chromium III 50(T) TVS
<b>Other:</b>		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI TVS TVS
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Copper TVS TVS
Arsenic(chronic) = hybrid				Iron	--- WS
Expiration Date of 12/31/2021		<b>Inorganic (mg/L)</b>		Iron	--- 1000(T)
		acute	chronic	Lead	TVS TVS
		Ammonia	TVS	TVS	Manganese TVS TVS
		Boron	---	0.75	Manganese --- WS
		Chloride	---	250	Mercury --- 0.01(t)
		Chlorine	0.019	0.011	Molybdenum --- 160(T)
		Cyanide	0.005	---	Nickel TVS TVS
		Nitrate	10	---	Selenium TVS TVS
		Nitrite	---	0.05	Silver TVS TVS(tr)
		Phosphorus	---	---	Uranium TVS 16.8-30(T) <sup>A</sup>
		Sulfate	---	WS	Zinc TVS TVS
		Sulfide	---	0.002	

13. All lakes and reservoirs tributary to the San Miguel River and within the boundaries of the Lizard Head, or Mount Sneffels Wilderness Areas.

COGUSM13	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
OW	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum --- ---
	Recreation E	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium --- ---
<b>Qualifiers:</b>		D.O. (spawning)	---	7.0	Cadmium TVS(tr) TVS
<b>Other:</b>		pH	6.5 - 9.0	---	Chromium III 50(T) TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI TVS TVS
		E. Coli (per 100 mL)	---	126	Copper TVS TVS
				Iron	--- WS
		<b>Inorganic (mg/L)</b>		Iron	--- 1000(T)
		acute	chronic	Lead	TVS TVS
		Ammonia	TVS	TVS	Manganese TVS TVS
		Boron	---	0.75	Manganese --- WS
		Chloride	---	250	Mercury --- 0.01(t)
		Chlorine	0.019	0.011	Molybdenum --- 160(T)
		Cyanide	0.005	---	Nickel TVS TVS
		Nitrate	10	---	Selenium TVS TVS
		Nitrite	---	0.05	Silver TVS TVS(tr)
		Phosphorus	---	---	Uranium --- ---
		Sulfate	---	WS	Zinc TVS TVS
		Sulfide	---	0.002	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Miguel River Basin

14. All lakes and reservoirs tributary to the San Miguel River from its sources to a point immediately below the confluence of Leopard Creek, excluding the listings in Segments 13, 15, 16, 17 and 20. This segment includes Lake Hope, Cushman Lake, Alta Lakes, Blue Lake, Mud Lake, and Woods Lake.

COGUSM14	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	---	6.0	Beryllium	---
Qualifiers:		D.O. (mg/L)	---	Cadmium	TVS(tr)
Other:		D.O. (spawning)	---	Chromium III	50(T)
		pH	6.5 - 9.0	Chromium VI	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Copper	TVS
		E. Coli (per 100 mL)	---	Iron	---
				Iron	WS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	---	Manganese	---
		Chloride	---	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	---
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	---	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	---	Zinc	TVS
		Sulfide	---		

15. All lakes and reservoirs tributary to Ingram Creek from the source to the confluence with the San Miguel River. This segment includes Ingram Lake.

COGUSM15	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	---	Beryllium	---
Other:		D.O. (spawning)	---	Cadmium	TVS
		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	---
		E. Coli (per 100 mL)	---	Chromium VI	TVS
				Copper	TVS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	---	Mercury	---
		Chloride	---	Molybdenum	160(T)
		Chlorine	0.019	Nickel	TVS
		Cyanide	0.005	Selenium	TVS
		Nitrate	100	Silver	TVS
		Nitrite	---	Uranium	---
		Phosphorus	---	Zinc	TVS
		Sulfate	---		
		Sulfide	---		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Miguel River Basin

16. All lakes and reservoirs tributary to Marshall Creek from the source to the confluence with the San Miguel River. This segment includes Thorne Lake.						
COGUSM16	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:	D.O. (spawning)	---	7.0	Cadmium	TVS	TVS
	pH	6.5 - 9.0	---	Chromium III	TVS	TVS
	chlorophyll a (mg/m²)	---	---	Chromium III	---	100(T)
	E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
				Copper	TVS	TVS
				Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
	Ammonia	TVS	TVS	Manganese	TVS	TVS
	Boron	---	0.75	Mercury	---	0.01(t)
	Chloride	---	---	Molybdenum	---	160(T)
	Chlorine	0.019	0.011	Nickel	TVS	TVS
	Cyanide	0.005	---	Selenium	TVS	TVS
	Nitrate	100	---	Silver	TVS	TVS
	Nitrite	---	0.05	Uranium	---	---
	Phosphorus	---	---	Zinc	---	190
	Sulfate	---	---			
	Sulfide	---	0.002			
17. All lakes and reservoirs tributary to the Howard Fork from a point immediately below the confluence of Swamp Gulch to the confluence with the South Fork of the San Miguel River.						
COGUSM17	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:	D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
	pH	6.5 - 9.0	---	Chromium III	TVS	TVS
	chlorophyll a (mg/m²)	---	---	Chromium III	---	100(T)
	E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
				Copper	TVS	TVS
				Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
	Ammonia	TVS	TVS	Manganese	TVS	TVS
	Boron	---	0.75	Mercury	---	0.01(t)
	Chloride	---	---	Molybdenum	---	160(T)
	Chlorine	0.019	0.011	Nickel	TVS	TVS
	Cyanide	0.005	---	Selenium	TVS	TVS
	Nitrate	100	---	Silver	TVS	TVS(tr)
	Nitrite	---	0.05	Uranium	---	---
	Phosphorus	---	---	Zinc	TVS	TVS
	Sulfate	---	---			
	Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## San Miguel River Basin

18. All lakes and reservoirs tributary to the San Miguel River from a point immediately below the confluence of Leopard Creek to the confluence with the Dolores River, and that are within Uncompahgre National Forest boundaries. This segment includes Hoffman Reservoir, Paxton Reservoir, and Hotchkiss Reservoir.							
COGUSM18	Classifications	Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
				Iron	---	WS	
		Inorganic (mg/L)		Iron	---	1000(T)	
				Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

19. All lakes and reservoirs tributary to the San Miguel River from a point immediately below the confluence of Leopard Creek to the Dolores River, and not within Uncompahgre National Forest boundaries, excluding the listings in Segment 19. This segment includes Point Reservoir, Palmers Lake, Williams Reservoir, and Lilylands Reservoir.							
COGUSM19	Classifications	Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	---
Recreation E		acute	chronic	Arsenic	340	7.6(T)	
Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
chlorophyll a (mg/m²)	---	---	Chromium III	50(T)	---		
E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS		
		Copper	TVS	TVS			
Inorganic (mg/L)		Iron	---	WS			
		Iron	---	1000(T)			
Ammonia	TVS	TVS	Lead	TVS	TVS		
Boron	---	0.75	Manganese	TVS	TVS		
Chloride	---	250	Manganese	---	WS		
Chlorine	0.019	0.011	Mercury	---	0.01(t)		
Cyanide	0.005	---	Molybdenum	---	160(T)		
Nitrate	10	---	Nickel	TVS	TVS		
Nitrite	---	0.05	Selenium	TVS	TVS		
Phosphorus	---	---	Silver	TVS	TVS(tr)		
Sulfate	---	WS	Uranium	---	---		
Sulfide	---	0.002	Zinc	TVS	TVS		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS San Miguel River Basin

20. Trout Lake, Gurley Reservoir, Cone Reservoir, and Miramonte Reservoir.					
COGUSM20	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CLL	CLL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	0.02(T)
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	50(T)
		E. Coli (per 100 mL)	126	Copper	TVS
		Inorganic (mg/L)		Iron	WS
				Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

## REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

### Lower Dolores River Basin

1a. Mainstem of the Dolores River from the bridge at Bradfield Ranch (Forest Route 505, near Montezuma/Dolores County Line) to a point immediately above the confluence with Big Canyon Creek near Dove Creek.

COGULD01A	Classifications	Physical and Biological				Metals (ug/L)			
Designation	Agriculture			DM	MWAT	acute		chronic	
	Reviewable	Aq Life Cold 1	Temperature °C	11/1 - 3/22	13	9	Aluminum	---	---
		Recreation E	Temperature °C	3/23 - 10/31	26.6	23.8	Arsenic	340	0.02(T)
		Water Supply					Beryllium	---	---
Qualifiers:				acute	chronic	Cadmium	TVS(tr)	TVS	
Other:		D.O. (mg/L)			---	6.0	Chromium III	50(T)	TVS
		D.O. (spawning)			---	7.0	Chromium VI	TVS	TVS
		pH			6.5 - 9.0	---	Copper	TVS	TVS
		chlorophyll a (mg/m²)			---	---	Iron	---	WS
		E. Coli (per 100 mL)			---	126	Iron	---	1000(T)
						Lead	TVS	TVS	
		Inorganic (mg/L)				Manganese	TVS	TVS	
				acute	chronic	Manganese	---	WS	
		Ammonia			TVS	TVS	Mercury	---	0.01(t)
		Boron			---	0.75	Molybdenum	---	160(T)
		Chloride			---	250	Nickel	TVS	TVS
		Chlorine			0.019	0.011	Selenium	TVS	TVS
		Cyanide			0.005	---	Silver	TVS	TVS(tr)
		Nitrate			10	---	Uranium	TVS	16.8-30(T) <sup>A</sup>
		Nitrite			---	0.05	Zinc	TVS	TVS
		Phosphorus			---	---			
		Sulfate			---	WS			
		Sulfide			---	0.002			

1b. Mainstem of the Dolores River from a point immediately above the confluence with Big Canyon Creek near Dove Creek to a point immediately above the Highway 141 road crossing near Slick Rock.

COGULD01B	Classifications	Physical and Biological				Metals (ug/L)			
Designation	Agriculture	DM		MWAT	acute		chronic		
Reviewable	Aq Life Cold 1	Temperature °C	11/1 - 3/22	13	9.1	Aluminum	---	---	
	Recreation E	Temperature °C	3/23 - 10/31	27.6	24.7	Arsenic	340	0.02(T)	
	Water Supply				Beryllium	---	---		
Qualifiers:		acute		chronic	Cadmium	TVS(tr)	TVS		
<b>Other:</b>  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		D.O. (mg/L)	---		6.0	Chromium III	50(T)	TVS	
		D.O. (spawning)	---		7.0	Chromium VI	TVS	TVS	
		pH	6.5 - 9.0		---	Copper	TVS	TVS	
		chlorophyll a (mg/m²)	---		---	Iron	---	WS	
		E. Coli (per 100 mL)	---		126	Iron	---	1000(T)	
						Lead	TVS	TVS	
		Inorganic (mg/L)				Manganese	TVS	TVS	
		acute		chronic		Manganese	---	WS	
		Ammonia	TVS		TVS	Mercury	---	0.01(t)	
		Boron	---		0.75	Molybdenum	---	160(T)	
		Chloride	---		250	Nickel	TVS	TVS	
		Chlorine	0.019		0.011	Selenium	TVS	TVS	
		Cyanide	0.005		---	Silver	TVS	TVS(tr)	
		Nitrate	10		---	Uranium	TVS	16.8-30(T) <sup>A</sup>	
		Nitrite	---		0.05	Zinc	TVS	TVS	
		Phosphorus	---		---				
		Sulfate	---		WS				
		Sulfide	D.O. = dissolved oxygen		---	0.002			

All metals are dissolved unless otherwise noted. Sulfide

D.O. = dissolved oxygen

T = total recoverable

DM = daily maximum

t = total

MWAT = maximum weekly average temperature

```
tr = trout
```

See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

sc = sculpin

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Dolores River Basin

2. Mainstem of the Dolores River from the Highway 141 road crossing near Slick Rock to the Colorado/Utah border.						
COGULD02	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.5	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	TVS
					Zinc	TVS
						16.8-30(T) <sup>A</sup>
3a. All tributaries to the Dolores River, including all wetlands, from the bridge at Bradfield Ranch (Forest Route 505, near Montezuma/Dolores County Line) to the Colorado/Utah border, except for specific listings in Segments 3b, 3c, 4, 5, and 6.						
COGULD03A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.5	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Dolores River Basin

3b. All tributaries to the Dolores River, including wetlands, that are within national forest boundaries, from the bridge at Bradfield Ranch (Forest Route 505, near the Montezuma/Dolores County Line) to the Colorado/Utah border, excluding the small area of Uncompahgre National Forest within the Disappointment Valley and the listings in Segments 3c, 4, 5, and 6. Disappointment Creek, including all tributaries and wetlands, from the source to a point immediately below the confluence with Morrison Creek.

COGULD03B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury	---	0.01(t)
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS(tr)
		Nitrite	---	0.05	Uranium	TVS	TVS
		Phosphorus	---	---	Zinc	TVS	TVS
		Sulfate	---	---	Zinc	---	TVS(sc)
		Sulfide	---	0.002			

3c. Mainstem and all tributaries to Salt Creek, including all wetlands from the source within the Sinbad Valley to the confluence with the Dolores River.

COGULD03C	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute	chronic		Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	---	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Mercury	---	0.01(t)
		Cyanide	0.005	---	Molybdenum	---	160(T)
		Nitrate	100	---	Nickel	TVS	TVS
		Nitrite	---	0.5	Selenium	TVS	6.6
		Phosphorus	---	---	Silver	TVS	TVS
		Sulfate	---	---	Uranium	TVS	16.8-30(T) <sup>A</sup>
		Sulfide	---	0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Dolores River Basin

4. Mainstem of West Paradox Creek from the Manti-La Sal National Forest boundary to the confluence with the Dolores River. Mainstem and all tributaries to Blue Creek from the Uncompahgre National Forest boundary to the confluence with the Dolores River.						
COGULD04	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.5	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	TVS
					Zinc	TVS
5. Mainstem of West Creek from the source to the confluence with the Dolores River. Roc Creek including all tributaries and wetlands from the Manti-La Sal National Forest boundary to the confluence with the Dolores River. La Sal Creek, including all tributaries and wetlands, from the Utah/Colorado border to the confluence with the Dolores River. Mesa Creek, including all tributaries and wetlands, from the Uncompahgre National Forest boundary to the confluence with the Dolores River.						
COGULD05	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	TVS
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Dolores River Basin

6. North Fork of West Creek, including all tributaries and wetlands, from the source to the confluence with West Creek. Granite Creek, including all tributaries and wetlands, from the source to the Colorado/Utah border.					
COGULD06	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	100(T)
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	---
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		
7. All lakes and reservoirs tributary to the Dolores River, from the bridge at Bradfield Ranch (Forest Route 505, near Montezuma/Dolores County Line) to the Colorado/Utah border, and within national forest boundaries. This segment includes Long Park Reservoir, Cabin Reservoir, Beef Trail Reservoir, Dry Lake, Glade Lake, Glade Point Reservoir, Arrowhead Lake, Morrison Lake, Old Dunham Reservoir, Belmar Lake, Buckeye Reservoir, Black Pine Reservoir, Casto Reservoir, and Big Creek Reservoir.					
COGULD07	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	---
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Dolores River Basin

8. All lakes and reservoirs tributary to the Dolores River, from the bridge at Bradfield Ranch (Forest Route 505, near Montezuma/Dolores County Line) to the Colorado/Utah border, and not within national forest boundaries.					
COGULD08	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Warm 2	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	TVS
		E. Coli (per 100 mL)	126	Chromium III	---
		Inorganic (mg/L)		Chromium VI	TVS
		acute	chronic	Copper	TVS
		Ammonia	TVS	Iron	---
		Boron	0.75	Lead	TVS
		Chloride	---	Manganese	TVS
		Chlorine	0.019	Mercury	---
		Cyanide	0.005	Molybdenum	---
		Nitrate	100	Nickel	TVS
		Nitrite	0.5	Selenium	TVS
		Phosphorus	---	Silver	TVS
		Sulfate	---	Uranium	---
		Sulfide	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 35.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

## **STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS – FOOTNOTES**

- A) Whenever a range of standards is listed and referenced to this footnote, the first number in the range is a strictly health-based value, based on the Commission's established methodology for human health-based standards. The second number in the range is a maximum contaminant level, established under the federal Safe Drinking Water Act that has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range. Water bodies will be considered in attainment of this standard, and not included on the Section 303(d) List, so long as the existing ambient quality does not exceed the second number in the range.

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00761

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

**Water Quality Control Commission (1002 Series)**

**on 01/11/2016**

**5 CCR 1002-35**

**REGULATION NO. 35 - CLASSIFICATIONS AND NUMERIC STANDARDS FOR GUNNISON AND  
LOWER DOLORES RIVER BASINS**

The above-referenced rules were submitted to this office on 01/12/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 28, 2016 14:04:42

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Public Health and Environment

### **Agency**

Water Quality Control Commission (1002 Series)

### **CCR number**

5 CCR 1002-35

### **Rule title**

5 CCR 1002-35 REGULATION NO. 35 - CLASSIFICATIONS AND NUMERIC  
STANDARDS FOR GUNNISON AND LOWER DOLORES RIVER BASINS 1 - eff  
06/30/2016

### **Effective date**

06/30/2016

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**  
**WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-35**

**REGULATION NO. 35**  
**CLASSIFICATIONS AND NUMERIC STANDARDS**  
**FOR**  
**GUNNISON AND LOWER DOLORES RIVER BASINS**

....

**35.42 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016**

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

**BASIS AND PURPOSE**

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2017, to determine whether the temporary modification should be modified, eliminated or extended. Temporary modifications of standards on four segments were reviewed.

The Commission took no action on the temporary modifications on the following segments.

Uncompahgre segment 4b: Temporary modification of the selenium standards. The Commission took no action on the selenium temporary modifications on Uncompahgre segment 4b. The Town of Olathe did not participate in this rulemaking but the temporary modification will be reviewed in December 2016.

The Commission deleted the temporary modification on the following segment.

Upper Gunnison River segment 20: Temporary modification of the acute and chronic uranium standards. These temporary modifications expired on 6/30/2015. The Commission authorized deletion of the temporary modification from the tables.

The Commission extended the temporary modifications on the following segments.

Lower Gunnison segment 2: Temporary modification of the selenium standard. The Commission extended the temporary modification for chronic selenium with a narrative value of "current condition" to December 31, 2022 to coincide with the next basin review. The City of Delta wastewater treatment facility is currently discharging selenium at an average concentration of 8.45 ug/L and is addressing the inflow and infiltration into their collection system that is the cause of elevated selenium in their effluent. The City of Delta recently purchased a new wheeled collection system camera and has identified, with video and sampling a few sources of I & I (Inflow and Infiltration) and funds up to \$150,000 for this year have been allocated for pipe replacement. There is also still significant uncertainty concerning the underlying selenium

standard. Time is needed to wait for the EPA's new selenium criteria and implementation guidance, and to determine an appropriate underlying selenium standard for Lower Gunnison segment 2. The progress on resolving the uncertainty with the selenium standard will be reviewed at the annual temporary modification hearing December 2020.

Upper Gunnison segment 12: Temporary modification of metals standards. The Commission extended the existing temporary modifications for cadmium, copper and zinc, which were adopted for segment 12 during the September 2012 rulemaking; these temporary modifications are now scheduled to expire on December 31, 2017. This extension will allow sufficient time to resolve the existing uncertainty regarding metals loading sources to segment 12 and develop site-specific standards. It will also reconcile the expiration date for the temporary modifications with the projected effective date for revised water quality standards adopted during the June 2017 Regulation #35 basin hearing. U.S. Energy presented evidence that progress is being made on implementation of the Study Plan to Evaluate Metals Loading in the Coal Creek Watershed in the Vicinity of the Keystone Mine (the "Study Plan"). The Study Plan, as approved by the Commission, is intended to identify and quantify sources of cadmium, copper and zinc loading that may be affecting water quality in segment 12, including groundwater down gradient of the flooded Keystone Mine workings. To address concerns regarding the groundwater portion of the study, U.S. Energy completed a longitudinal sampling event in November 2015. U.S. Energy identified activities it plans to complete over the next eighteen months to be ready to develop and propose site-specific water quality standards in June 2017, which includes continued data collection (if needed) and evaluation, report preparation, site-specific standards proposal development, and meetings with the agencies and stakeholders. The surface water data collected as part of the Study Plan and additional groundwater data as required by the groundwater portion of the plan will be used by U.S. Energy to develop site-specific standards for segment 12, if appropriate. Water quality improvements and seasonal variation evident from the long-term water quality data collection effort in segment 12 will be evaluated throughout the remainder of the temporary modifications during the development and consideration of site-specific standards. These temporary modifications will be reviewed again at the annual temporary modifications hearing in December 2016.

#### PARTIES TO THE RULEMAKING HEARING

1. City of Delta
2. Resurrection Mining Company
3. U.S. Energy Corp.
4. City of Pueblo
5. Peabody Sage Creek Mining and Seneca Coal Company
6. Climax Molybdenum Company
7. Rio Grande Silver
8. City of Colorado Springs and Colorado Springs Utilities
9. Tri-State Generation and Transmission Association, Inc.
10. High Country Conservation Advocates
11. U.S. Environmental Protection Agency
12. Colorado Parks and Wildlife
13. Town of Crested Butte and Coal Creek Watershed Coalition
14. Public Service Company of Colorado



**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-35**

**REGULATION NO. 35  
CLASSIFICATIONS AND NUMERIC STANDARDS  
FOR  
GUNNISON AND LOWER DOLORES RIVER BASINS**

**APPENDIX 35-1  
Stream Classifications and Water Quality Standards Tables**

Effective 06/30/2016

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper Gunnison River Basin

12. Mainstem of Coal Creek, including all tributaries and wetlands from a point immediately below the Crested Butte Water Supply intake which is above the confluence with the Mount Emmons/Red Lady Basin drainage to the confluence with the Slate River, with the exception of Wildcat Creek.

COGUUG12	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS
Expiration Date of 12/31/2021				Iron	WS
Cadmium(chronic) = 2.1		Inorganic (mg/L)		Iron	1000(T)
Copper(chronic) = current conditions		acute	chronic	Lead	TVS
Zinc(chronic) = 440		Ammonia	TVS	Manganese	TVS
Expiration Date of 12/31/2017		Boron	0.75	Manganese	TVS
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	---	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

20. Mainstem of Indian Creek, including all tributaries, from the source to the confluence with Marshall Creek.

COGUUG20	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	6.0	Beryllium	---
Other:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	100(T)
		E. Coli (per 100 mL)	126	Chromium VI	TVS
				Copper	TVS
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Mercury	0.01(t)
		Chloride	---	Molybdenum	160(T)
		Chlorine	0.019	Nickel	TVS
		Cyanide	0.005	Selenium	TVS
		Nitrate	100	Silver	TVS(tr)
		Nitrite	0.05	Uranium	LPL*
		Phosphorus	---	Zinc	TVS
		Sulfate	---		
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr = trout

sc = sculpin

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Uncompahgre River Basin

4b. Mainstem of the Uncompahgre River from Gunnison Road to the upstream boundary of Confluence Park.						
COGUUN04B	Classifications	Physical and Biological			Metals (ug/L)	
Designation		DM	MWAT		acute	chronic
UP	Agriculture	WS-II	WS-II	Aluminum	---	---
	Aq Life Warm 2	acute	chronic	Arsenic	340	0.02(T)
	Recreation P			Beryllium	---	---
	Water Supply	D.O. (mg/L)	5.0	Cadmium	TVS	TVS
Qualifiers:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS	TVS
Temporary Modification(s):		E. Coli (per 100 mL)	205	Copper	TVS	TVS
Selenium(chronic) = current condition		Inorganic (mg/L)		Iron	---	WS
Expiration Date of 12/31/2017				Iron	---	1800(T)
		Ammonia	TVS	Lead	TVS	TVS
		Boron	---	Manganese	TVS	TVS
		Chloride	---	Manganese	---	WS
		Chlorine	0.019	Mercury	---	0.01(t)
		Cyanide	0.005	Molybdenum	---	160(T)
		Nitrate	10	Nickel	TVS	TVS
		Nitrite	---	Selenium	TVS	TVS
		Phosphorus	---	Silver	TVS	TVS
		Sulfate	---	Uranium	---	---
		Sulfide	---	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #35 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Gunnison River Basin

2. Mainstem of the Gunnison River from a point immediately above the confluence with the Uncompahgre River to the confluence with the Colorado River.						
COGULG02	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS(tr)
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  Selenium(chronic) = current conditions Expiration Date of 12/31/2022		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
			acute	chronic	Iron	---
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	480	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00518

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

**Water Quality Control Commission (1002 Series)**

**on 01/11/2016**

**5 CCR 1002-35**

**REGULATION NO. 35 - CLASSIFICATIONS AND NUMERIC STANDARDS FOR GUNNISON AND  
LOWER DOLORES RIVER BASINS**

The above-referenced rules were submitted to this office on 01/12/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 29, 2016 11:20:54

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Public Health and Environment

### **Agency**

Water Quality Control Commission (1002 Series)

### **CCR number**

5 CCR 1002-36

### **Rule title**

5 CCR 1002-36 REGULATION NO. 36 - CLASSIFICATIONS AND NUMERIC  
STANDARDS FOR RIO GRANDE BASIN 1 - eff 03/01/2016

### **Effective date**

03/01/2016

# **COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

## **WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-36**

### **REGULATION NO. 36**

### **CLASSIFICATIONS AND NUMERIC STANDARDS**

### **FOR**

### **RIO GRANDE BASIN**

#### **36.1 AUTHORITY**

These regulations are promulgated pursuant to section 25-8-101 et seq. C.R.S., as amended, and in particular, 25-8-203 and 25-8-204.

#### **36.2 PURPOSE**

These regulations establish classifications and numeric standards for the Rio Grande Basin, including all tributaries and standing bodies of water as indicated in section 36.6. The classifications identify the actual beneficial uses of the water. The numeric standards are assigned to determine the allowable concentrations of various parameters. Discharge permits will be issued by the Water Quality Control Division to comply with basic, narrative, and numeric standards and control regulations so that all discharges to waters of the state protect the classified uses. (See Regulation No. 31, section 31.14). It is intended that these and all other stream classifications and numeric standards be used in conjunction with and be an integral part of Regulation No. 31 Basic Standards and Methodologies for Surface Water.

#### **36.3 INTRODUCTION**

These regulations and tables present the classifications and numeric standards assigned to stream segments listed in the attached tables (See section 36.6(4)). As additional stream segments are classified and numeric standards for designated parameters are assigned for this drainage system, they will be added to or replace the numeric standards in the tables in section 36.6(4). Any additions or revisions of classifications or numeric standards can be accomplished only after public hearing by the Commission and proper consideration of evidence and testimony as specified by the statute and the "basic regulations".

#### **36.4 DEFINITIONS**

See the Colorado Water Quality Control Act and the codified water quality regulations for definitions.

#### **36.5 BASIC STANDARDS**

##### **(1) TEMPERATURE**

All waters of the Rio Grande Basin are subject to the following standard for temperature. (Discharges regulated by permits, which are within the permit limitations, shall not be subject to enforcement proceedings under this standard.) Temperature shall maintain a normal pattern of diurnal and seasonal fluctuations with no abrupt changes and shall have no increase in temperature of a magnitude, rate, and duration deemed deleterious to the resident aquatic life. This standard shall not be interpreted or applied in a manner inconsistent with section 25-8-104, C.R.S.

(2) QUALIFIERS

See Basic Standards and Methodologies for Surface Water for a listing of organic standards at 31.11 and metal standards found at 31.16 Table III. The column in the tables headed "Water + Fish" are presumptively applied to all aquatic life class 1 streams which also have a water supply classification, and are applied to aquatic life class 2 streams which also have a water supply classification, on a case-by-case basis as shown in the Tables 36.6(4). The column in the tables at 31.11 and 31.16 Table III headed "Fish Ingestion" is presumptively applied to all aquatic life class 1 streams which do not have a water supply classification, and are applied to aquatic life class 2 streams which do not have a water supply classification, on a case-by-case basis as shown in Tables 36.6(4).

(3) URANIUM

- (a) All waters of the Rio Grande Basin are subject to the following basic standard for uranium, unless otherwise specified by a water quality standard applicable to a particular segment. However, discharges of uranium regulated by permits which are within these permit limitations shall not be a basis for enforcement proceedings under this basic standard.
- (b) Uranium level in surface waters shall be maintained at the lowest practicable level.
- (c) In no case shall uranium levels in waters assigned a water supply classification be increased by any cause attributable to municipal, industrial, or agricultural discharges so as to exceed 16.8-30 µg/l or naturally-occurring concentrations (as determined by the State of Colorado), whichever is greater.
  - (i) The first number in the 16.8-30 ug/l range is a strictly health-based value, based on the Commission's established methodology for human health-based standards. The second number in the range is a maximum contaminant level, established under the federal Safe Drinking Water Act that has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range. Water bodies will be considered in attainment of this standard, and not included on the Section 303(d) List, so long as the existing ambient quality does not exceed the second number in the range.

(4) NUTRIENTS

Prior to May 31, 2022, interim nutrient values will be considered for adoption only in the limited circumstances defined at 31.17(e). These circumstances include headwaters, Direct Use Water Supply (DUWS) Lakes and Reservoirs, and other special circumstances determined by the Commission. Additionally, prior to May 31, 2017, only total phosphorus and chlorophyll a will be considered for adoption. After May 31, 2017, total nitrogen will be considered for adoption per the circumstances outlined in 31.17(e).

Prior to May 31, 2022, nutrient criteria will be adopted for headwaters on a segment by segment basis for the Rio Grande River Basin. Moreover, pursuant to 31.17(e) nutrient standards will only be adopted for waters upstream of all permitted domestic wastewater treatment facilities discharging prior to May 31, 2012 or with preliminary effluent limits requested prior to May 31, 2012, and any non-domestic facilities subject to Regulation 85 effluent limits and discharging prior to May 31, 2012. The following is a list of all permitted domestic wastewater treatment facilities



discharging prior to May 31, 2012 or with preliminary effluent limits requested prior to May 31, 2012, and any non-domestic facilities subject to Regulation 85 effluent limits and discharging prior to May 31, 2012 in the Rio Grande River Basin:

Segment	Permittee	Facility name	Permit No.
CORGRG02	Mountain Views at Rivers Edge RV	Mtn Views At Rvrs Edge Rv Rst	COG588069
CORGRG04b	South Fork Water and Sanitation District	South Fork Water and San Dist WWTF	COG588039
CORGRG04c	Monte Vista City of	Veterans Center WWTF	CO0036927
CORGRG04c; CORGRG15	Monte Vista City of	Henderson Lagoon Facility	CO0023132
CORGRG04b; CORGRG18	Del Norte Town of	Del Norte WWTF	CO0020281
CORGRG07	Creede City of	Creede WWTF	CO0040533
CORGRG09	Fun Valley Resort	Fun Valley Resort	COG588018
CORGRG09	Wolf Creek Ski Corp	Wolf Creek Ski Corp WWTF	CO0041785
CORGRG12	Alamosa City of	Alamosa Regional WWTF	CO0044458
CORGRG15	San Luis Water and Sanitation District	San Luis Water and San Dist WWTF	COG589082
CORGRG31	Costilla County Water and Sanitation System	Costilla County Water & San Dist WWTF	CO0036528
CORGAL12	La Jara Town of	La Jara WWTF	CO0020150
CORGAL15	Manassa Town of	Manassa WWTF	CO0042935
CORGAL18	Antonito Town of	Antonito WWTF	CO0040975
CORGCB03	Baca Grande Water and Sanitation District	Aspen Institute	CO0046914

Prior to May 31, 2022:

- For segments located entirely above these facilities, nutrient standards apply to the entire segment.
- For segments with portions downstream of these facilities, *nutrient standards only apply above these facilities*. A footnote was added to the total phosphorus and chlorophyll a standards in these segments. The footnote references the table of qualified facilities at 36.5(4).
- For segments located entirely below these facilities, nutrient standards do not apply.

A footnote was added to the total phosphorus and chlorophyll a standards in lakes segments as nutrients standards apply only to lakes and reservoirs larger than 25 acres surface area.

## 36.6 **TABLES**

### (1) **Introduction**

The numeric standards for various parameters in this regulation and in the tables in Appendix 36-1 were assigned by the Commission after a careful analysis of the data presented on actual stream conditions and on actual and potential water uses.

Numeric standards are not assigned for all parameters listed in the tables attached to Regulation No. 31. If additional numeric standards are found to be needed during future periodic reviews, they can be assigned by following the proper hearing procedures.

### (2) **Abbreviations**

(a) The following abbreviations are used in this regulation and in the tables in Appendix 36-1:

°C	=	degrees Celsius
CL	=	cold lake temperature tier
CLL	=	cold large lake temperature tier
CS-I	=	cold stream temperature tier one
CS-II	=	cold stream temperature tier two
D.O.	=	dissolved oxygen
DM	=	daily maximum temperature
DUWS	=	direct use water supply
E. coli	=	Escherichia coli
mg/l	=	milligrams per liter
MWAT	=	maximum weekly average temperature
OW	=	outstanding waters
sp	=	spawning
SSE	=	site-specific equation
T	=	total recoverable
t	=	total
tr	=	trout
TVS	=	table value standard
ug/l	=	micrograms per liter
UP	=	use-protected
WAT	=	weekly average temperature
WS	=	water supply
WS-I	=	warm stream temperature tier one
WS-II	=	warm stream temperature tier two
WS-III	=	warm stream temperature tier three
WL	=	warm lake temperature tier

(b) In addition, the following abbreviations are used:

Fe(ch) = WS  
Mn(ch) = WS  
SO<sub>4</sub> = WS

These abbreviations mean: For all surface waters with an actual water supply use, the less restrictive of the following two options shall apply as numerical standards, as specified in the Basic Standards and Methodologies at 31.11(6);

- i. existing quality as of January 1, 2000; or
- ii. 

Iron	=	300 (µg/l (dissolved))
Manganese	=	50 (µg/l (dissolved))
SO <sub>4</sub>	=	250 mg/l

For all surface waters with a “water supply” classification that are not in actual use as a water supply, no water supply standards are applied for iron, manganese or sulfate, unless the Commission determines as the result of a site-specific rulemaking hearing that such standards are appropriate.

(c) Temporary Modification for Water + Fish Chronic Arsenic Standard

- (i) The temporary modification for chronic arsenic standards applied to segments with an arsenic standard of 0.02 µg/l that has been set to protect the Water+Fish qualifier is listed in the temporary modification and qualifiers column as As(ch)=hybrid.

- (ii) For discharges existing on or before 6/1/2013, the temporary modification is: As(ch)=current condition, expiring on 12/31/2021.
- (iii) For new or increased discharges commencing on or after 6/1/2013, the temporary modification is: As(ch)=0.02-3.0 µg/l (Trec), expiring on 12/31/2021.
  - (a) The first number in the range is the health-based water quality standard previously adopted by the Commission for the segment.
  - (b) The second number in the range is a technology based value established by the Commission for the purpose of this temporary modification.
  - (c) Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an “end-of-pipe” discharge level more restrictive than the second number in the range.

### (3) Table Value Standards

In certain instances in the tables in Appendix 36-1, the designation “TVS” is used to indicate that for a particular parameter a “table value standard” has been adopted. This designation refers to numerical criteria set forth in the Basic Standards and Methodologies for Surface Water. The criteria for which the TVS are applicable are on the following table.

TABLE VALUE STANDARDS (Concentrations in µg/l unless noted)	
PARAMETER <sup>(1)</sup>	TABLE VALUE STANDARDS <sup>(2)(3)</sup>
Aluminum (Trec)	<p>Acute = <math>e^{(1.3695[\ln(\text{hardness})]+1.8308)}</math></p> <p>pH equal to or greater than 7.0</p> <p>Chronic = <math>e^{(1.3695[\ln(\text{hardness})]-0.1158)}</math></p> <p>pH less than 7.0</p> <p>Chronic = <math>e^{(1.3695[\ln(\text{hardness})]-0.1158)}</math> or 87, whichever is more stringent</p>
Ammonia <sup>(4)</sup>	<p>Cold Water</p> $acute = \frac{0.275}{1 + 10^{7.204 - pH}} + \frac{39.0}{1 + 10^{pH - 7.204}}$ $chronic = \left[ \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right] * MIN(2.85, 1.45 * 10^{0.028(25 - T)})$ <p>Warm Water</p>

TABLE VALUE STANDARDS  
(Concentrations in µg/l unless noted)

PARAMETER <sup>(1)</sup>	TABLE VALUE STANDARDS <sup>(2)(3)</sup>
	$acute = \frac{0.411}{1 + 10^{7.204 - pH}} + \frac{58.4}{1 + 10^{pH - 7.204}}$ $chronic \text{ (Apr 1 - Aug 31)} = \left[ \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right] * MIN \left( 2.85, 1.45 * 10^{0.028(25 - T)} \right)$ $chronic \text{ (Sep 1 - Mar 31)} = \left[ \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right] * 1.45 * 10^{0.028 * (25 - MAX(T, 7))}$
Cadmium	<p>Acute = <math>(1.136672 - [\ln(\text{hardness}) \times (0.041838)]) \times e^{0.9151[\ln(\text{hardness})] - 3.1485}</math></p> <p>Acute(Trout) = <math>(1.136672 - [\ln(\text{hardness}) \times (0.041838)]) \times e^{0.9151[\ln(\text{hardness})] - 3.6236}</math></p> <p>Chronic = <math>(1.101672 - [\ln(\text{hardness}) \times (0.041838)]) \times e^{0.7998[\ln(\text{hardness})] - 4.4451}</math></p>
Chromium III <sup>(5)</sup>	<p>Acute = <math>e^{(0.819[\ln(\text{hardness})] + 2.5736)}</math></p> <p>Chronic = <math>e^{(0.819[\ln(\text{hardness})] + 0.5340)}</math></p>
Chromium VI <sup>(5)</sup>	<p>Acute = 16</p> <p>Chronic = 11</p>
Copper	<p>Acute = <math>e^{(0.9422[\ln(\text{hardness})] - 1.7408)}</math></p> <p>Chronic = <math>e^{(0.8545[\ln(\text{hardness})] - 1.7428)}</math></p>
Lead	<p>Acute = <math>(1.46203 - [\ln(\text{hardness}) * (0.145712)]) * e^{(1.273[\ln(\text{hardness})] - 1.46)}</math></p> <p>Chronic = <math>(1.46203 - [\ln(\text{hardness}) * (0.145712)]) * e^{(1.273[\ln(\text{hardness})] - 4.705)}</math></p>
Manganese	<p>Acute = <math>e^{(0.3331[\ln(\text{hardness})] + 6.4676)}</math></p> <p>Chronic = <math>e^{(0.3331[\ln(\text{hardness})] + 5.8743)}</math></p>
Nickel	<p>Acute = <math>e^{(0.846[\ln(\text{hardness})] + 2.253)}</math></p> <p>Chronic = <math>e^{(0.846[\ln(\text{hardness})] + 0.0554)}</math></p>

**TABLE VALUE STANDARDS**  
(Concentrations in µg/l unless noted)

PARAMETER <sup>(1)</sup>	TABLE VALUE STANDARDS <sup>(2)(3)</sup>																																																																																				
Selenium <sup>(6)</sup>	Acute = 18.4 Chronic = 4.6																																																																																				
Silver	Acute = $\frac{1}{2}e^{(1.72[\ln(\text{hardness})]-6.52)}$ Chronic = $e^{(1.72[\ln(\text{hardness})]-9.06)}$ Chronic(Trout) = $e^{(1.72[\ln(\text{hardness})]-10.51)}$																																																																																				
Temperature	<table border="1"> <thead> <tr> <th rowspan="2">TEMPERATURE TIER</th><th rowspan="2">TIER CODE</th><th rowspan="2">SPECIES EXPECTED TO BE PRESENT</th><th rowspan="2">APPLICABLE MONTHS</th><th colspan="2">TEMPERATURE STANDARD (°C)</th></tr> <tr> <th>MWAT</th><th>DM</th></tr> </thead> <tbody> <tr> <td rowspan="2">Cold Stream Tier 1</td><td rowspan="2">CS-I</td><td rowspan="2">brook trout, cutthroat trout</td><td>June – Sept.</td><td>17.0</td><td>21.7</td></tr> <tr> <td>Oct. – May</td><td>9.0</td><td>13.0</td></tr> <tr> <td rowspan="2">Cold Stream Tier 2</td><td rowspan="2">CS-II</td><td rowspan="2">all other cold-water species</td><td>April – Oct.</td><td>18.3</td><td>23.9</td></tr> <tr> <td>Nov. – March</td><td>9.0</td><td>13.0</td></tr> <tr> <td rowspan="3">Cold Lakes</td><td rowspan="3">CL</td><td rowspan="3">brook trout, brown trout, cutthroat trout, lake trout, rainbow trout, Arctic grayling, sockeye salmon</td><td>April – Dec.</td><td>17.0</td><td>21.2</td></tr> <tr> <td>Jan. – March</td><td>9.0</td><td>13.0</td></tr> <tr> <td>April – Dec.</td><td>18.3</td><td>23.8</td></tr> <tr> <td rowspan="2">Cold Large Lakes (&gt;100 acres surface area)</td><td rowspan="2">CLL</td><td rowspan="2">rainbow trout, brown trout, lake trout</td><td>Jan. – March</td><td>9.0</td><td>13.0</td></tr> <tr> <td>March – Nov.</td><td>24.2</td><td>29.0</td></tr> <tr> <td rowspan="2">Warm Stream Tier 1</td><td rowspan="2">WS-I</td><td rowspan="2">common shiner, Johnny darter, orangethroat darter</td><td>Dec. – Feb.</td><td>12.1</td><td>14.5</td></tr> <tr> <td>March – Nov.</td><td>27.5</td><td>28.6</td></tr> <tr> <td rowspan="2">Warm Stream Tier 2</td><td rowspan="2">WS-II</td><td rowspan="2">brook stickleback, central stoneroller, creek chub, longnose dace, Northern redbelly dace, finescale dace, smallmouth bass, white sucker</td><td>Dec. – Feb.</td><td>13.8</td><td>14.3</td></tr> <tr> <td>March – Nov.</td><td>28.7</td><td>31.8</td></tr> <tr> <td rowspan="2">Warm Stream Tier 3</td><td rowspan="2">WS-III</td><td rowspan="2">brook stickleback, central stoneroller, creek chub, longnose dace, Northern redbelly dace, finescale dace, smallmouth bass, white sucker</td><td>Dec. – Feb.</td><td>14.3</td><td>15.9</td></tr> <tr> <td>April – Dec.</td><td>26.3</td><td>29.5</td></tr> <tr> <td>Warm Lakes</td><td>WL</td><td>black crappie, bluegill, common carp, gizzard shad, golden shiner, largemouth bass, Northern pike, pumpkinseed, sauger, smallmouth bass, spottail shiner, striped bass, tiger muskellunge, walleye, wiper, white bass, white crappie, yellow perch</td><td>Jan. – March</td><td>13.2</td><td>14.8</td></tr> </tbody> </table>					TEMPERATURE TIER	TIER CODE	SPECIES EXPECTED TO BE PRESENT	APPLICABLE MONTHS	TEMPERATURE STANDARD (°C)		MWAT	DM	Cold Stream Tier 1	CS-I	brook trout, cutthroat trout	June – Sept.	17.0	21.7	Oct. – May	9.0	13.0	Cold Stream Tier 2	CS-II	all other cold-water species	April – Oct.	18.3	23.9	Nov. – March	9.0	13.0	Cold Lakes	CL	brook trout, brown trout, cutthroat trout, lake trout, rainbow trout, Arctic grayling, sockeye salmon	April – Dec.	17.0	21.2	Jan. – March	9.0	13.0	April – Dec.	18.3	23.8	Cold Large Lakes (>100 acres surface area)	CLL	rainbow trout, brown trout, lake trout	Jan. – March	9.0	13.0	March – Nov.	24.2	29.0	Warm Stream Tier 1	WS-I	common shiner, Johnny darter, orangethroat darter	Dec. – Feb.	12.1	14.5	March – Nov.	27.5	28.6	Warm Stream Tier 2	WS-II	brook stickleback, central stoneroller, creek chub, longnose dace, Northern redbelly dace, finescale dace, smallmouth bass, white sucker	Dec. – Feb.	13.8	14.3	March – Nov.	28.7	31.8	Warm Stream Tier 3	WS-III	brook stickleback, central stoneroller, creek chub, longnose dace, Northern redbelly dace, finescale dace, smallmouth bass, white sucker	Dec. – Feb.	14.3	15.9	April – Dec.	26.3	29.5	Warm Lakes	WL	black crappie, bluegill, common carp, gizzard shad, golden shiner, largemouth bass, Northern pike, pumpkinseed, sauger, smallmouth bass, spottail shiner, striped bass, tiger muskellunge, walleye, wiper, white bass, white crappie, yellow perch	Jan. – March	13.2	14.8
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TABLE VALUE STANDARDS  
(Concentrations in µg/l unless noted)

PARAMETER <sup>(1)</sup>	TABLE VALUE STANDARDS <sup>(2)(3)</sup>
Uranium	Acute = $e^{(1.1021[\ln(\text{hardness})]+2.7088)}$ Chronic = $e^{(1.1021[\ln(\text{hardness})]+2.2382)}$
Zinc	Acute = $0.978 * e^{(0.9094[\ln(\text{hardness})]+0.9095)}$ Chronic = $0.986 * e^{(0.9094[\ln(\text{hardness})]+0.6235)}$

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TABLE VALUE STANDARDS - FOOTNOTES

- (1) Metals are stated as dissolved unless otherwise specified.
- (2) Hardness values to be used in equations are in mg/l as calcium carbonate and shall be no greater than 400 mg/L, except for aluminum for which hardness shall be no greater than 220 mg/L. The hardness values used in calculating the appropriate metal standard should be based on the lower 95 per cent confidence limit of the mean hardness value at the periodic low flow criteria as determined from a regression analysis of site-specific data. Where insufficient site-specific data exists to define the mean hardness value at the periodic low flow criteria, representative regional data shall be used to perform the regression analysis. Where a regression analysis is not appropriate, a site-specific method should be used. In calculating a hardness value, regression analyses should not be extrapolated past the point that data exist.
- (3) Both acute and chronic numbers adopted as stream standards are levels not to be exceeded more than once every three years on the average.
- (4) For acute conditions the default assumption is that salmonids could be present in cold water segments and should be protected, and that salmonids do not need to be protected in warm water segments. For chronic conditions, the default assumptions are that early life stages could be present all year in cold water segments and should be protected. In warm water segments the default assumption is that early life stages are present and should be protected only from April 1 through August 31. These assumptions can be modified by the commission on a site-specific basis where appropriate evidence is submitted.
- (5) Unless the stability of the chromium valence state in receiving waters can be clearly demonstrated, the standard for chromium should be in terms of chromium VI. In no case can the sum of the instream levels of hexavalent and trivalent chromium exceed the water supply standard of 50 ug/l total chromium in those waters classified for domestic water use.
- (6) Selenium is a bioaccumulative metal and subject to a range of toxicity values depending upon numerous site-specific variables.

- (7) *E.coli* criteria and resulting standards for individual water segments, are established as indicators of the potential presence of pathogenic organisms. Standards for *E. coli* are expressed as a two-month geometric mean. Site-specific or seasonal standards are also two-month geometric means unless otherwise specified.
- (8) All phosphorus standards are based upon the concentration of total phosphorus.
- (9) The pH standards of 6.5 (or 5.0) and 9.0 are an instantaneous minimum and maximum, respectively to be applied as effluent limits. In determining instream attainment of water quality standards for pH, appropriate averaging periods may be applied, provided that beneficial uses will be fully protected.
- 

**(4) Additional Site-Specific Criteria**

- (a) Seasonal Aluminum Standards for Alamosa River/La Jara Creek/Conejos River Segment 8, Terrace Reservoir:

5/1-6/30 Near Surface:

Aluminum(chronic)=873(T) ug/L

Aluminum(acute)=TVS(T) ug/L

Aluminum(chronic)=59 ug/L

Aluminum(acute)=159 ug/L

5/1-6/30 Near Bottom:

Aluminum(chronic)=1,542(T) ug/L

Aluminum(acute)=5,583(T) ug/L

Aluminum(chronic)=41 ug/L

Aluminum(acute)=65 ug/L

7/1-4/30 Near Surface:

Aluminum(chronic)=102(T) ug/L

Aluminum(acute)=TVS(T) ug/L

Aluminum(chronic)=9 ug/L

Aluminum(acute)=15 ug/L

7/1-4/30 Near Bottom:

Aluminum(chronic)=227(T) ug/L

Aluminum(acute)= TVS(T) ug/L

Aluminum(chronic)=9 ug/L

Aluminum(acute)=12 ug/L

- (b) Site-Specific Standards for Rio Grande Segment 4a:

**Standards effective through 12/31/2016**

Cadmium(acute)=TVS(tr)

Cadmium(chronic)=TVS

Lead(chronic)=TVS

Manganese(chronic)=TVS and WS

Zinc(acute/chronic)=TVS

**Tier 1 standards effective 1/1/2017 through 12/31/2018**

Low flow (August-March):

Cadmium(acute/chronic)=2.6 / 1.5 ug/L

Lead(chronic)=3.0 ug/L

Manganese(chronic)=165 ug/L

Zinc(acute/chronic)=548 / 393 ug/L

High flow (April-July):

Cadmium(acute/chronic)=1.0 / 0.63 ug/L

Lead(chronic)=1.3 ug/L

Manganese(chronic)=WS

Zinc(acute/chronic)=272 / 183 ug/L

**Tier 2 standards effective from 1/1/2019**

Low flow (August-March):

Cadmium(acute/chronic)=2.0 / 0.88 ug/L

Lead(chronic)=1.5 ug/L

Manganese(chronic)=92 ug/L

Zinc(acute/chronic)=306 / 148 ug/L

High flow (April-July):

Cadmium(acute/chronic)=0.83 / 0.51 ug/L

Lead(chronic)=0.75 ug/L

Manganese(chronic)=WS

Zinc(acute/chronic)=225 / 136 ug/L

- (c) Site-specific standards and temporary modifications for Rio Grande Segment 7:

**Standards effective through 12/31/2016**

Cadmium(acute/chronic)=TVS

Copper(acute/chronic)=TVS

Lead(acute/chromium)=TVS

Manganese(acute/chronic)=TVS

Silver(acute)=TVS

Zinc(acute/chronic)=TVS

**Tier 1 standards effective 1/1/2017 through 12/31/2018**

**West Willow**

Cadmium(acute/chronic)=163 / 21 ug/L

Copper(acute/chronic)=227 / 8.9 ug/L

Lead(acute/chromium)=1,014 / 104 ug/L

Manganese(acute/chronic)=TVS

Silver(acute)=1.3 ug/L

Zinc(acute/chronic)=24,000 / 5,977 ug/L

**Windy Gulch**

Cadmium(acute/chronic)=9.1 / 6.3 ug/L

Copper(acute/chronic)=TVS / 5.8 ug/L

Lead(acute/chromium)=TVS

Manganese(acute/chronic)=TVS

Silver(acute)=TVS

Zinc(acute/chronic)=2,804 / 1,914 ug/L



### **Willow mainstem**

#### **Low flow (August-March):**

Cadmium(acute/chronic)=17.5 / 15.4 ug/L  
Copper(acute/chronic)=TVS  
Lead(acute/chromium)=TVS / 30 ug/L  
Manganese(acute/chronic)=TVS  
Silver(acute)=TVS  
Zinc(acute/chronic)=4,541 / 3,917 ug/L

#### **High flow (April-July):**

Cadmium(acute/chronic)=15.6 / 10.3 ug/L  
Copper(acute/chronic)=TVS  
Lead(acute/chromium)=TVS / 22 ug/L  
Manganese(acute/chronic)=TVS  
Silver(acute)=TVS  
Zinc(acute/chronic)=4,190 / 3,009 ug/L

### **Tier 2 standards effective from 1/1/2019**

### **West Willow**

#### **Low flow (August-March):**

Cadmium(acute/chronic)=67 / 50 ug/L  
Copper(acute/chronic)=17.6 / 15.0 ug/L  
Lead(acute/chromium)=268 / 183 ug/L  
Manganese(acute/chronic)=TVS / 1,779 ug/L  
Silver(acute)=TVS  
Zinc(acute/chronic)=11,873 / 11,022 ug/L

#### **High flow (April-July):**

Cadmium(acute/chronic)=32 / 19.2 ug/L  
Copper(acute/chronic)=15.0 / 9.4 ug/L  
Lead(acute/chromium)=103 / 47 ug/L  
Manganese(acute/chronic)=TVS  
Silver(acute)=TVS  
Zinc(acute/chronic)=8,772 / 5,611 ug/L

### **Windy Gulch**

Cadmium(acute/chronic)=9.1 / 6.3 ug/L  
Copper(acute/chronic)=TVS / 5.8 ug/L  
Lead(acute/chromium)=TVS  
Manganese(acute/chronic)=TVS  
Silver(acute)=TVS  
Zinc(acute/chronic)=2,804 / 1,914 ug/L

### **Willow mainstem**

#### **Low flow (August-March):**

Cadmium(acute/chronic)=13.9 / 11.2 ug/L  
Copper(acute/chronic)=TVS  
Lead(acute/chromium)=TVS / 18.6 ug/L  
Manganese(acute/chronic)=TVS  
Silver(acute)=TVS  
Zinc(acute/chronic)=2,521 / 1,733 ug/L

High flow (April-July):  
Cadmium(acute/chronic)=14.5 / 8.9 ug/L  
Copper(acute/chronic)=TVS  
Lead(acute/chronic)=TVS / 13.1 ug/L  
Manganese(acute/chronic)=TVS  
Silver(acute)=TVS  
Zinc(acute/chronic)=3,635 / 2,373 ug/L

The following temporary modifications apply (Expiration Date 12/31/2016):

**West Willow**

Cadmium(acute)=163 ug/L  
Cadmium(chronic)=21.2 ug/L  
Copper(acute)=227 ug/L  
Copper(chronic)=8.9 ug/L  
Lead(acute)=1,014 ug/L  
Lead(chronic)=104 ug/L  
Silver(acute)=1.32 ug/L  
Zinc(acute)=24,000 ug/L  
Zinc(chronic)=59,77 ug/L

**Windy Gulch**

Cadmium(acute)=9.1 ug/L  
Cadmium(chronic)=6.3 ug/L  
Copper(chronic)=5.8 ug/L  
Zinc(acute)=2,804 ug/L  
Zinc(chronic)=1,914 ug/L

**Willow**

Cadmium(acute)=30.8 ug/L  
Cadmium(chronic)=17.9 ug/L  
Copper(acute)=6.4 ug/L  
Copper(chronic)=5.6 ug/L  
Lead(acute)=38.0 ug/L  
Lead(chronic)=31.3 ug/L  
Zinc(acute)=6,763 ug/L  
Zinc(chronic)=4,660 ug/L

**(5) Stream Classifications and Water Quality Standards Tables**

The stream classifications and water quality standards tables in Appendix 36-1 are incorporated herein by reference.

....

**36.37 STATEMENT OF BASIS AND PURPOSE REGARDING THE ADOPTION OF NON-SUBSTANTIVE CHANGES TO THE CLASSIFICATION AND NMEIRC STANDARDS FOR RIO GRANDE BASIN, JANUARY 11, 2016 RULEMAKING; EFFECTIVE DATE MARCH 1, 2016**

The provisions of C.R.S. 25-8-202(1)(i) and 25-8-401(2) provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

**BASIS AND PURPOSE**

The Commission, in a public rulemaking hearing adopted extensive changes to the format of this regulation. The Commission does not intend to change any existing designations, use classifications or standards, or the implementation of any standards as the results of changing the format.

This rulemaking was in response to longstanding issues with managing the information contained in the standards tables. The changes made in this hearing reflect a change from storing the information in word processing documents to storing the information in a relational database. This change in platform will provide better consistency, facilitate error checking as well as a more readable format for the standards tables. Storing the information in a database allows it to be used more efficiently by other programs in the Division.

While it was the Commission's intent not to change the substantive meaning of the regulations in this rulemaking, in cases where there was ambiguity the revised regulation reflects the Commission's interpretation of the previous format based on Regulation #31 (the Basic Standards and Methodologies for Surface Water ) and the experience of the Commission and its staff.

Overall format changes: The new format displays parameters by name, rather than by period table element abbreviations. The section formerly titled "Temporary Modifications and Qualifiers" does not appear in the new format. Instead, there is a separate section for qualifiers, and an "Other" section. Temporary modifications, variances and other footnotes are displayed in the "Other" section. Many items that were formerly in the "Temporary Modifications and Qualifiers" column will be displayed in the "Other" column and will have a different appearance or modified wording, although the information is substantively the same. Each footnote in the "Other" section is preceded by a heading that indicates where the footnote applies:

- Footnotes regarding a use classification will begin with the heading "Classification..."
- Footnotes regarding the antidegradation designation begin with the heading "Designation..."
- Footnotes that relate to a particular standard begin with the name of the parameter, for example "Selenium(chronic)= ..."

Also, since there is more room for information within each segment, footnotes "B" and "C" were replaced with the full text in each segment where these footnotes were applied. Footnote "A" was maintained because the text is too long to be displayed in the "Other" section for each segment where it applies.

Constraints of the new format: Some adjustments were made to the way that data is displayed in order to be compatible with the functions of the Standards Database. Database organization requires that information which relates to multiple standards must be attached to each individual parameter. For example, a segment with a temporary modification listed for "all parameters" in the old format will have a temporary modification listed for each individual parameter in the new format. There are also spacing constraints in the new format, which require some information to be moved either to the "other" box on the new format, or moved out of the segment entirely and into another location in the regulation.

Clarification of changes: The shift to a database organizational structure required consistency in the way each data element is addressed. To insure that data is stored and displayed correctly, the following changes were made

- The "type" of temporary modification is no longer displayed in the segment tables, since they have no regulatory effect and have been inconsistently displayed.
- In the old format, waters that had a reviewable antidegradation designation were identified by the absence of either "UP" or "OW" in the designation column. These segments now display the word "reviewable" under the designation heading. There needed to be a value in the designation column for every segment.

- Dissolved standards are not specifically noted as dissolved in the new format. All metals standards are dissolved unless noted with a “T” or a “t”. For example, a manganese standard in the old format of “WS(dis)” is displayed as “WS” in the new format.
- A new footnote 7 was added to clarify that although E. coli is listed in the “chronic” column, the standard is a two-month geometric mean rather than a 30-day average. The language of footnote 7 was taken from Regulation 31, Table 1, footnote 7.
- A new footnote 8 was added to indicate that all phosphorus standards are based upon the concentration of total phosphorus. In the old format, individual phosphorus standards were noted as “total” in some basins and not others.
- A new footnote 9 was added to clarify that although pH is listed in the “acute” column, the standard is not applied as a 1-day average. The language of footnote 7 was taken from Regulation 31, Table 1, footnote 3.
- Physical and Biological Parameters: Some parameters are not specifically identified in the old format segment tables as acute or chronic. The new format requires that each parameter is placed in either the acute or chronic column. Specifically, these parameters and the basis for being identified as acute or chronic are as follows:
  - pH (acute) – Regulation #31, Table 1, footnote 3
  - E. Coli (chronic) – Regulation #31, Table 1, footnote 7
  - D.O. (chronic) – Regulation #31, Table 1, footnote 1
  - cyanide (acute) – Regulation #31, Table 2
  - sulfide (chronic) - Regulation #31, Table 2
  - nitrate (acute) - Regulation #31, Table 2
  - nitrite (chronic) – not specified in Regulation #31. Nitrite has been implemented as a 30-day average standard in permits and assessments.
  - chloride (chronic) Regulation #31, Table 2
  - boron (chronic) - Regulation #31, Table 2
  - sulfate (chronic) Regulation #31, Table 2
- Some site-specific standards had too much information to be contained in the new table, so it was moved to 36.6(4) (Alamosa River/La Jara Creek/Conejos River Segment 8 and Rio Grande Segments 4a and 7).

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-36**

**REGULATION NO. 36  
CLASSIFICATIONS AND NUMERIC STANDARDS  
FOR  
RIO GRANDE BASIN**

**APPENDIX 36-1  
Stream Classifications and Water Quality Standards Tables**

Effective 03/01/2016

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

1. All tributaries to the Rio Grande, including all wetlands, within the Weminuche Wilderness Area.						
CORGRG01	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
OW	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS
<b>Other:</b>  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 36.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).		pH	6.5 - 9.0	---	Chromium III	50(T) TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium VI	TVS TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS TVS
					Iron	---
					WS	
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS TVS
		Nitrate	10	---	Selenium	TVS TVS
		Nitrite	---	0.05	Silver	TVS TVS(tr)
		Phosphorus	---	0.11*	Uranium	---
		Sulfate	---	WS	Zinc	TVS TVS
		Sulfide	---	0.002		
2. Mainstem of the Rio Grande, including all tributaries and wetlands, from the source to a point immediately above the confluence with Willow Creek, excluding the listings in segments 1 and 3.						
CORGRG02	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS
<b>Other:</b>  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 36.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).		pH	6.5 - 9.0	---	Chromium III	50(T) TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium VI	TVS TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS TVS
					Iron	---
					WS	
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS TVS
		Nitrate	10	---	Selenium	TVS TVS
		Nitrite	---	0.05	Silver	TVS TVS(tr)
		Phosphorus	---	0.11*	Uranium	---
		Sulfate	---	WS	Zinc	TVS TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

3. Mainstem of Seepage Creek from the outlet of Santa Maria Reservoir to a point one mile below the outlet of Santa Maria Reservoir. Mainstem of North Clear Creek from the outlet of Continental Reservoir to a point immediately above the confluence with Rito Hondo Creek.							
CORGRG03	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	
Fish Ingestion		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:	pH	6.5 - 9.0	---	Chromium III	TVS	TVS	
	chlorophyll a (mg/m²)	---	150	Chromium III	---	100(T)	
	E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
				Copper	TVS	TVS	
				Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS	
	Ammonia	TVS	TVS	Manganese	TVS	TVS	
	Boron	---	0.75	Mercury	---	0.01(T)	
	Chloride	---	---	Molybdenum	---	160(T)	
	Chlorine	0.019	0.011	Nickel	TVS	TVS	
	Cyanide	0.005	---	Selenium	TVS	TVS	
	Nitrate	100	---	Silver	TVS	TVS(tr)	
	Nitrite	---	0.05	Uranium	---	---	
	Phosphorus	---	0.11	Zinc	TVS	TVS	
	Sulfate	---	---				
	Sulfide	---	0.002				
	4a. Mainstem of the Rio Grande from a point immediately above the confluence with Willow Creek to a point immediately above the confluence with the South Fork Rio Grande.						
	CORGRG04A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	varies*	
Other:	pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
	chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS	
	E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
				Iron	---	WS	
				Iron	---	1000(T)	
		acute	chronic	Lead	TVS	varies*	
	Ammonia	TVS	TVS	Manganese	TVS	varies*	
	Boron	---	0.75	Mercury	---	0.01(T)	
	Chloride	---	250	Molybdenum	---	160(T)	
	Chlorine	0.019	0.011	Nickel	TVS	TVS	
	Cyanide	0.005	---	Selenium	TVS	TVS	
	Nitrate	10	---	Silver	TVS	TVS(tr)	
	Nitrite	---	0.05	Uranium	---	---	
	Phosphorus	---	---	Zinc	varies*	varies*	
	Sulfate	---	WS				
	Sulfide	---	0.002				
	4a. Mainstem of the Rio Grande from a point immediately above the confluence with Willow Creek to a point immediately above the confluence with the South Fork Rio Grande.						

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

4b. Mainstem of the Rio Grande from a point immediately above the confluence with South Fork Rio Grande to the Hwy 285 crossing.						
CORGRG04B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

4c. Mainstem of the Rio Grande from the Hwy 285 crossing to the Rio Grande/Alamosa County line.						
CORGRG04C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Arsenic(chronic) = hybrid		Inorganic (mg/L)		Copper	TVS	TVS
Expiration Date of 12/31/2021		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

5. All tributaries to the Rio Grande, including all wetlands, from immediately above the confluence with Willow Creek to Hwy 112 bridge near Del Norte, excluding the listings in segments 6 through 10.						
CORGRG05	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

6. Mainstem of West Willow Creek from immediately above Deerhorn Creek to the Park Regent Mine dump. East Willow Creek from the confluence with Whited Creek to the confluence with West Willow Creek.						
CORGRG06	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Aq Life Cold 1	DM	MWAT	acute	chronic	
Reviewable	Recreation E	Temperature °C	CS-I	CS-I	Aluminum	---
Qualifiers:		acute	chronic	Arsenic	340	7.6(T)
Other:		D.O. (mg/L)	---	6.0	Beryllium	---
		D.O. (spawning)	---	7.0	Cadmium	TVS
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Lead	TVS
		acute	chronic	Manganese	TVS	TVS
		Ammonia	TVS	TVS	Mercury	---
		Boron	---	---	Molybdenum	---
		Chloride	---	---	Nickel	TVS
		Chlorine	0.019	0.011	Selenium	TVS
		Cyanide	0.005	---	Silver	TVS
		Nitrate	---	---	Uranium	---
		Nitrite	---	0.05	Zinc	TVS
		Phosphorus	---	0.11		
		Sulfate	---	---		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

## REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande River Basin

7. Mainstem of West Willow Creek from the Park Regent Mine dump to the confluence with East Willow Creek. Mainstem of Willow Creek, including all tributaries from the confluence of East and West Willow Creeks, to the confluence with the Rio Grande.						
CORGRG07	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	varies*
Temporary Modification(s):		pH	6.5 - 9.0	---	Chromium III	TVS
Cadmium(ac/ch) = varies*		chlorophyll a (mg/m²)	---	150*	Chromium III	---
Copper(ac/ch) = varies*		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Lead(ac/ch) = varies*					Copper	varies*
Silver(acute) = varies*		Inorganic (mg/L)			Iron	---
Zinc(ac/ch) = varies*		acute	chronic	Lead	varies*	varies*
Expiration Date of 12/31/2016		Ammonia	TVS	TVS	Manganese	varies*
*chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 36.5(4).		Boron	---	0.75	Mercury	---
*Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).		Chloride	---	---	Molybdenum	---
*Cadmium(acute) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.		Chlorine	---	0.011	Nickel	TVS
*Cadmium(chronic) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.		Cyanide	0.005	---	Selenium	TVS
*Copper(acute) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.		Nitrate	100	---	Silver	varies*
*Copper(chronic) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.		Nitrite	---	10	Uranium	---
*Lead(acute) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.		Phosphorus	---	0.11*	Zinc	varies*
*Lead(chronic) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.		Sulfate	---	---		
*Manganese(acute) = See 36.6(4) for site-specific standards and assessment locations.		Sulfide	---	0.002		
*Manganese(chronic) = See 36.6(4) for site-specific standards and assessment locations.						
*Silver(acute) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.						
*Zinc(acute) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.						
*Zinc(chronic) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.						
*TempMod: Cadmium = See 36.6(4) for temporary modifications and assessment locations.						
*TempMod: Copper = See 36.6(4) for temporary modifications and assessment locations.						
*TempMod: Lead = See 36.6(4) for temporary modifications and assessment locations.						
*TempMod: Silver = See 36.6(4) for temporary modifications and assessment locations.						
*TempMod: Zinc = See 36.6(4) for temporary modifications and assessment locations.						

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

8. Mainstem of Goose Creek, including all tributaries and wetlands, from the source to the confluence with the Rio Grande, excluding the specific listings in segment 1.							
CORGRG08	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	
					Iron	---	
						WS	
			Inorganic (mg/L)		Iron	---	
						1000(T)	
				acute	chronic	Lead	TVS
			Ammonia	TVS	TVS	Manganese	TVS
			Boron	---	0.75	Manganese	---
			Chloride	---	250	Mercury	---
			Chlorine	0.019	0.011	Molybdenum	---
			Cyanide	0.005	---	Nickel	TVS
			Nitrate	10	---	Selenium	TVS
			Nitrite	---	0.05	Silver	TVS
			Phosphorus	---	0.11	Uranium	---
	Sulfate	---	WS	Zinc	TVS		
	Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

9. Mainstem of the South Fork Rio Grande, including all tributaries and wetlands, from the source to the confluence with the Rio Grande, excluding the specific listings in segment 1.							
CORGRG09	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150*	Chromium VI	TVS	
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS	
Expiration Date of 12/31/2021					Iron	---	
*chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 36.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).		Inorganic (mg/L)		Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(T)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			
10. Mainstem of Pinos Creek, including all tributaries and wetlands, from the source to the confluence with the Rio Grande.							
CORGRG10	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(T)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

11. Mainstem of San Francisco Creek (Rio Grande County), including all tributaries and wetlands, from the source to a point immediately below the confluence with Spring Branch.						
CORGRG11	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

12. Mainstem of the Rio Grande from the Rio Grande/Alamosa County line to the Old State Bridge east of Lobatos (Conejos County Road G).						
CORGRG12	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Manganese	TVS
		Chloride	---	---	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	100	---	Selenium	TVS
		Nitrite	---	0.5	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	---	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

13. Mainstem of the Rio Grande from Old State Bridge east of Lobotos (Conejos County Road G) to the Colorado/New Mexico border.							
CORGRG13	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	
		chlorophyll a (mg/m²)	---	---	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)		Copper	TVS	TVS	
		acute	chronic	Iron	---	1000(T)	
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Manganese	TVS	TVS
		Chloride	---	---	Mercury	---	0.01(T)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	100	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	---	Zinc	TVS	TVS
		Sulfide	---	0.002			
14. Mainstems of Dry Pole Creek, Limekiln Creek, Nicomodes Gulch, Raton Creek, and Dry Creek, including all tributaries and wetlands, within the boundaries of the Rio Grande National Forest.							
CORGRG14	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
		Inorganic (mg/L)		Iron	---	WS	
		acute	chronic	Iron	---	1000(T)	
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Manganese	TVS	TVS
		Chloride	---	250	Manganese	---	WS
		Chlorine	0.019	0.011	Mercury	---	0.01(T)
		Cyanide	0.005	---	Molybdenum	---	160(T)
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Selenium	TVS	TVS
		Phosphorus	---	0.11	Silver	TVS	TVS(tr)
		Sulfate	---	WS	Uranium	---	---
		Sulfide	---	0.002	Zinc	TVS	TVS
Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021							

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

15. All tributaries to the Rio Grande from the Hwy 112 bridge near Del Norte to the Colorado/New Mexico border, excluding the listings in segments 11,14 and 16 through 31.					
<b>CORGRG15</b>	<b>Classifications</b>	<b>Physical and Biological</b>		<b>Metals (ug/L)</b>	
<b>Designation</b>	Agriculture	<b>DM</b>	<b>MWAT</b>	<b>acute</b>	<b>chronic</b>
UP	Recreation N			Aluminum	---
	Water Supply	<b>acute</b>	<b>chronic</b>	Arsenic	0.02-10(T) <sup>A</sup>
<b>Qualifiers:</b>		D.O. (mg/L)	3.0	Beryllium	4.0(T)
<b>Other:</b>		pH	6.5 - 9.0	Cadmium	5.0(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	50(T)
		E. Coli (per 100 mL)	630	Chromium VI	50(T)
		<b>Inorganic (mg/L)</b>		Chromium VI	---
		<b>acute</b>	<b>chronic</b>	Copper	200(T)
		Ammonia	---	Iron	WS
		Boron	0.75	Lead	50(T)
		Chloride	250	Manganese	WS
		Chlorine	---	Mercury	2.0(T)
		Cyanide	0.2	Molybdenum	160(T)
		Nitrate	10	Nickel	100(T)
		Nitrite	1.0	Selenium	20(T)
		Phosphorus	---	Silver	100(T)
		Sulfate	WS	Uranium	---
		Sulfide	0.05	Zinc	2000(T)
16. All tributaries to the Rio Grande, including wetlands, within the Alamosa National Wildlife Refuge, excluding the specific listing in segment 12.					
<b>CORGRG16</b>	<b>Classifications</b>	<b>Physical and Biological</b>		<b>Metals (ug/L)</b>	
<b>Designation</b>	Agriculture	<b>DM</b>	<b>MWAT</b>	<b>acute</b>	<b>chronic</b>
UP	Aq Life Warm 2	Temperature °C	WS-III	Aluminum	---
	Recreation E	<b>acute</b>	<b>chronic</b>	Arsenic	340
<b>Qualifiers:</b>		D.O. (mg/L)	5.0	Beryllium	100(T)
<b>Other:</b>		pH	6.5 - 9.0	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium III	TVS
		E. Coli (per 100 mL)	126	Chromium III	100(T)
		<b>Inorganic (mg/L)</b>		Chromium VI	TVS
		<b>acute</b>	<b>chronic</b>	Copper	TVS
		Ammonia	TVS	Iron	1000(T)
		Boron	0.75	Lead	TVS
		Chloride	---	Manganese	TVS
		Chlorine	0.019	Mercury	0.01(T)
		Cyanide	0.005	Molybdenum	160(T)
		Nitrate	100	Nickel	TVS
		Nitrite	0.05	Selenium	TVS
		Phosphorus	0.17	Silver	TVS
		Sulfate	---	Uranium	---
		Sulfide	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

17. All tributaries and wetlands to the Rio Grande, including wetlands, within the Monte Vista National Wildlife Refuge.						
CORGRG17	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)		100(T)	Chromium VI	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	0.17	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

18. All wetlands tributary to the Rio Grande from the Hwy 112 bridge near Del Norte to the Colorado/New Mexico border, excluding the specific listings in segments 16, 17, 19, 20a, 21a, 21b, 23a, 25, 28, 30 and 31.						
CORGRG18	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Fish Ingestion		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)		100(T)	Chromium VI	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

19. Mainstem of Rock Creek, including all tributaries and wetlands, from the source to the Monte Vista Canal.						
CORGRG19	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
					Iron	---
		Inorganic (mg/L)			Lead	TVS
		acute	chronic		Manganese	TVS
		Ammonia	TVS	TVS	Manganese	---
		Boron	---	0.75	Mercury	---
		Chloride	---	250	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	10	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11	Zinc	TVS
		Sulfate	---	WS		
		Sulfide	---	0.002		

20a. Mainstem of Cat Creek, including all tributaries and wetlands, from the source to the Rio Grande National Forest boundary.						
CORGRG20A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	10/31 - 4/30	13	Aluminum	---
	Recreation E	Temperature °C	5/1 - 9/30	21.7	Arsenic	340
Qualifiers:					Beryllium	---
Other:					Beryllium	100(T)
			acute	chronic	Cadmium	TVS(tr)
		D.O. (mg/L)	---	6.0	Chromium III	TVS
		D.O. (spawning)	---	7.0	Chromium III	---
		pH	6.5 - 9.0	---	Chromium VI	100(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Copper	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
					Iron	1000(T)
					Lead	TVS
		Inorganic (mg/L)			Manganese	TVS
		acute	chronic		Mercury	---
		Ammonia	TVS	TVS	Molybdenum	0.01(T)
		Boron	---	0.75	Molybdenum	---
		Chloride	---	---	Nickel	160(T)
		Chlorine	0.019	0.011	Nickel	---
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Selenium	---
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Silver	TVS(tr)
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

20b. Mainstem of Cat Creek from the Rio Grande National Forest boundary to the Terrace Main Canal.						
<b>CORGRG20B</b>	<b>Classifications</b>	<b>Physical and Biological</b>			<b>Metals (ug/L)</b>	
<b>Designation</b>	Agriculture	<b>DM</b>	<b>MWAT</b>		<b>acute</b>	<b>chronic</b>
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	<b>acute</b>	<b>chronic</b>		Arsenic	340
<b>Qualifiers:</b>		D.O. (mg/L)	---	6.0	Beryllium	---
<b>Other:</b>		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		<b>Inorganic (mg/L)</b>			Iron	---
		<b>acute</b>	<b>chronic</b>		Lead	TVS
		Ammonia	TVS	TVS	Manganese	---
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	---	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

21a. Mainstem of Ute Creek, including all tributaries and wetlands, from the source to the crossing at 37.50 oN latitude (WGS84).						
<b>CORGRG21A</b>	<b>Classifications</b>	<b>Physical and Biological</b>			<b>Metals (ug/L)</b>	
<b>Designation</b>	Agriculture	<b>DM</b>	<b>MWAT</b>		<b>acute</b>	<b>chronic</b>
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	<b>acute</b>	<b>chronic</b>		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
<b>Qualifiers:</b>		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
<b>Other:</b>		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		<b>Inorganic (mg/L)</b>			Iron	---
		<b>acute</b>	<b>chronic</b>		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

21b. Mainstem of Ute Creek, including all tributaries and wetlands, from the crossing at 37.50 oN latitude (WGS84) to Hwy 160.									
CORGRG21B	Classifications	Physical and Biological				Metals (ug/L)			
Designation	Agriculture	DM		MWAT	acute		chronic		
Reviewable	Aq Life Cold 1	Temperature °C	10/31 - 5/31	CS-I	CS-I	Aluminum	---	---	
	Recreation E	Temperature °C	6/30 - 9/30	22.3	17	Arsenic	340	0.02(T)	
	Water Supply					Beryllium	---	---	
Qualifiers:		acute		chronic	Cadmium	TVS(tr)	TVS		
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		D.O. (mg/L)		---	6.0	Chromium III	50(T)	TVS	
		D.O. (spawning)		---	7.0	Chromium VI	TVS	TVS	
		pH		6.5 - 9.0	---	Copper	TVS	TVS	
		chlorophyll a (mg/m²)		---	150	Iron	---	WS	
		E. Coli (per 100 mL)		---	126	Iron	---	1000(T)	
						Lead	TVS	TVS	
		Inorganic (mg/L)				Manganese	TVS	TVS	
		acute		chronic	Manganese	---	WS		
		Ammonia		TVS	TVS	Mercury	---	0.01(T)	
		Boron		---	0.75	Molybdenum	---	160(T)	
		Chloride		---	250	Nickel	TVS	TVS	
		Chlorine		0.019	0.011	Selenium	TVS	TVS	
		Cyanide		0.005	---	Silver	TVS	TVS(tr)	
		Nitrate		10	---	Uranium	---	---	
		Nitrite		---	0.05	Zinc	TVS	TVS	
		Phosphorus		---	0.11				
		Sulfate		---	WS				
		Sulfide		---	0.002				
		22. Mainstem of Ute Creek from Hwy 160 to the confluence with Sangre de Cristo Creek.							
		CORGRG22	Classifications	Physical and Biological				Metals (ug/L)	
		Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	---		
	Recreation E	acute		chronic	Arsenic	340	0.02-10(T) <sup>A</sup>		
	Water Supply	D.O. (mg/L)		---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)		---	7.0	Cadmium	TVS(tr)	TVS	
Other:		pH		6.5 - 9.0	---	Chromium III	50(T)	TVS	
		chlorophyll a (mg/m²)		---	150	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)		---	126	Copper	TVS	TVS	
						Iron	---	WS	
		Inorganic (mg/L)				Iron	---	1000(T)	
		acute		chronic	Lead	TVS	TVS		
		Ammonia		TVS	TVS	Manganese	TVS	TVS	
		Boron		---	0.75	Manganese	---	WS	
		Chloride		---	250	Mercury	---	0.01(T)	
		Chlorine		0.019	0.011	Molybdenum	---	160(T)	
		Cyanide		0.005	---	Nickel	TVS	TVS	
		Nitrate		10	---	Selenium	TVS	TVS	
		Nitrite		---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus		---	0.11	Uranium	---	---	
		Sulfate		---	WS	Zinc	TVS	TVS	
		Sulfide		---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

23a. Mainstem of Sangre de Cristo Creek, including all tributaries and wetlands, from the source to Hwy 159, excluding the specific listings in segment 23b.								
CORGRG23A	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM		MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---		
	Recreation E	acute	chronic		Arsenic	340		
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---		
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
		pH	6.5 - 9.0	---	Chromium III	TVS		
		chlorophyll a (mg/m²)	---	150	Chromium III	---		
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS		
					Copper	TVS		
		Inorganic (mg/L)			Iron	---		
		acute	chronic		Lead	TVS		
		Ammonia	TVS	TVS	Manganese	TVS		
		Boron	---	0.75	Mercury	---		
		Chloride	---	---	Molybdenum	---		
		Chlorine	0.019	0.011	Nickel	TVS		
		Cyanide	0.005	---	Selenium	TVS		
		Nitrate	100	---	Silver	TVS		
		Nitrite	---	0.05	Uranium	---		
		Phosphorus	---	0.11	Zinc	TVS		
		Sulfate	---	---				
		Sulfide	---	0.002				
		23b. Mainstem of Sangre de Cristo Creek from a point immediately below the confluence with Placer Creek to Hwy 159.						
		CORGRG23B	Classifications	Physical and Biological			Metals (ug/L)	
		Designation	Agriculture	DM		MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	10/31 - 4/30	14.7	9	Aluminum	---	
	Recreation E	Temperature °C	5/1 - 9/30	25.3	19	Arsenic	340	
Qualifiers:					Beryllium	---		
Other:		acute	chronic		Cadmium	TVS(tr)		
		D.O. (mg/L)	---	6.0	Chromium III	TVS		
		D.O. (spawning)	---	7.0	Chromium III	---		
		pH	6.5 - 9.0	---	Chromium VI	TVS		
		chlorophyll a (mg/m²)	---	150	Copper	TVS		
		E. Coli (per 100 mL)	---	126	Iron	---		
					Lead	TVS		
		Inorganic (mg/L)			Manganese	TVS		
		acute	chronic		Mercury	---		
		Ammonia	TVS	TVS	Molybdenum	---		
		Boron	---	0.75	Nickel	TVS		
		Chloride	---	---	Selenium	TVS		
		Chlorine	0.019	0.011	Silver	TVS		
		Cyanide	0.005	---	Uranium	---		
		Nitrate	100	---	Zinc	TVS		
		Nitrite	---	0.05				
		Phosphorus	---	0.11				
		Sulfate	---	---				
		Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

24. Mainstem of Sangre de Cristo Creek from Hwy 159 to the inlet of Smith Reservoir.						
CORGRG24	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

25. Mainstem of Trinchera Creek including all tributaries and wetlands, from the source to the inlet of Mountain Home Reservoir.						
CORGRG25	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

26. Mainstem of Trinchera Creek from the outlet of Mountain Home Reservoir to the Rio Grande.						
<b>CORGRG26</b>	<b>Classifications</b>	<b>Physical and Biological</b>			<b>Metals (ug/L)</b>	
<b>Designation</b>	Agriculture	<b>DM</b>	<b>MWAT</b>		<b>acute</b>	<b>chronic</b>
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	<b>acute</b>	<b>chronic</b>		Arsenic	340
<b>Qualifiers:</b>		D.O. (mg/L)	---	6.0	Beryllium	---
<b>Other:</b>		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		<b>Inorganic (mg/L)</b>			Iron	---
		<b>acute</b>	<b>chronic</b>		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

27. Deleted.						
<b>CORGRG27</b>	<b>Classifications</b>	<b>Physical and Biological</b>			<b>Metals (ug/L)</b>	
<b>Designation</b>		<b>DM</b>	<b>MWAT</b>		<b>acute</b>	<b>chronic</b>
<b>Qualifiers:</b>		<b>acute</b>	<b>chronic</b>			
<b>Other:</b>						
		<b>Inorganic (mg/L)</b>				
		<b>acute</b>	<b>chronic</b>			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

28. Mainstem of Rito Seco, including all tributaries and wetlands, from the source to the outlet of Salzar Reservoir.						
CORGRG28	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

29. Mainstem of Rito Seco from the outlet of Salzar Reservoir to the confluence with Culebra Creek.						
CORGRG29	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

30. Mainstem of Culebra Creek, including all tributaries and wetlands, from the source to the Culebra Sanchez Canal diversion, excluding the specific listings in segment 31. East Fork and West Fork of Costilla Creek, including all tributaries and wetlands, within Colorado.						
CORGRG30	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(T)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

31. Mainstem of Culebra Creek from the Sanchez Canal Diversion to Hwy 159. Mainstem of Ventero Creek from the Colorado/New Mexico border to the confluence with Culebra Creek. Mainstem of Costilla Creek, including all tributaries and wetlands within Colorado, excluding the specific listings for the East and West Forks in segment 30.						
CORGRG31	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(T)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11*	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

32. All lakes and reservoirs tributary to the Rio Grande, and within the Weminuche Wilderness Area.						
CORGRG32	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
OW	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	8*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	126	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	0.75	Manganese	---	WS
		Chloride	250	Mercury	---	0.01(T)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	0.05	Silver	TVS	TVS(tr)
		Phosphorus	0.025*	Uranium	---	---
		Sulfate	WS	Zinc	TVS	TVS
		Sulfide	0.002			

33. All lakes and reservoirs tributary to the Rio Grande from the source to the Hwy 112 bridge near Del Norte, excluding the specific listings in segments 32 and 38. All lakes and reservoirs tributary to San Francisco Creek from the source to a point immediately below the confluence with Spring Branch.						
CORGRG33	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	8*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	126	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	0.75	Manganese	---	WS
		Chloride	250	Mercury	---	0.01(T)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	0.05	Silver	TVS	TVS(tr)
		Phosphorus	0.025*	Uranium	---	---
		Sulfate	WS	Zinc	TVS	TVS
		Sulfide	0.002			

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

34. All lakes and reservoirs tributary to Dry Pole Creek, Limekiln Creek, Nicomodes Gulch, Raton Creek, or Dry Creek, and within the boundaries of the Rio Grande National Forest. All lakes and reservoirs tributary to Rock Creek from the source to the Monte Vista Canal.

CORGRG34	Classifications	Physical and Biological		Metals (ug/L)				
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
				Iron	---	WS		
		Inorganic (mg/L)		Iron	---	1000(T)		
				acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	---	0.01(T)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	0.025*	Uranium	---	---	
Sulfate	---	WS	Zinc	TVS	TVS			
Sulfide	---	0.002						

35. All lakes and reservoirs tributary to the Rio Grande from the Hwy 112 bridge near Del Norte to the Colorado/New Mexico border, excluding the specific listings in segments 34, 36, 37, 38 and 39.

CORGRG35	Classifications	Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---
Fish Ingestion		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	20*	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)
		Inorganic (mg/L)		Chromium VI	TVS	TVS	
			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	---	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Mercury	---	0.01(T)
		Cyanide	0.005	---	Molybdenum	---	160(T)
		Nitrate	100	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Selenium	TVS	TVS
		Phosphorus	---	0.083*	Silver	TVS	TVS
		Sulfate	---	---	Uranium	---	---
Sulfide	---	0.002	Zinc	TVS	TVS		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

36. All lakes and reservoirs tributary to Ute Creek from the source to Hwy 160. All lakes and reservoirs tributary to Sangre de Cristo Creek, from the source to Hwy 159. All lakes and reservoirs tributary to Trinchera Creek from the source to the inlet of Mountain Home Reservoir. All lakes and reservoirs tributary to Rito Seco from the source to Salzar Reservoir. All lakes and reservoirs tributary to Culebra Creek from the source to Hwy 159 excluding the specific listing in segment 37. All lakes and reservoirs tributary to Costilla Creek, and within Colorado.

CORGRG36	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	6.0	0.02(T)	Beryllium	---
Qualifiers:		D.O. (mg/L)	---	Cadmium	TVS(tr)
		D.O. (spawning)	7.0	Chromium III	TVS
Other:		pH	6.5 - 9.0	Chromium VI	50(T)
		chlorophyll a (ug/L)	---	Copper	TVS
		E. Coli (per 100 mL)	126	Iron	---
		Inorganic (mg/L)		Iron	WS
		acute	chronic	Lead	1000(T)
		Ammonia	TVS	Manganese	TVS
		Boron	---	Manganese	---
		Chloride	250	Mercury	0.01(T)
		Chlorine	0.019	Molybdenum	---
		Cyanide	0.005	Nickel	160(T)
		Nitrate	10	Selenium	---
		Nitrite	---	Silver	TVS
		Phosphorus	0.025*	Uranium	TVS(tr)
		Sulfate	---	Zinc	---
		Sulfide	WS		TVS
			0.002		

37. Sanchez Reservoir.

CORGRG37	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	5.0	0.02(T)	Beryllium	---
Qualifiers:		D.O. (mg/L)	---	Cadmium	---
		pH	6.5 - 9.0	Chromium III	TVS
Other:		chlorophyll a (ug/L)	---	Chromium VI	50(T)
		E. Coli (per 100 mL)	126	Copper	TVS
		Inorganic (mg/L)		Iron	---
		acute	chronic	Iron	WS
		Ammonia	TVS	Lead	1000(T)
		Boron	---	Manganese	TVS
		Chloride	250	Manganese	---
		Chlorine	0.019	Mercury	WS
		Cyanide	0.005	Molybdenum	0.01(T)
		Nitrate	10	Nickel	---
		Nitrite	---	Selenium	160(T)
		Phosphorus	0.083*	Silver	---
		Sulfate	---	Uranium	TVS
		Sulfide	WS	Zinc	---
			0.002		TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

38. Continental Reservoir, Upper Brown Lake, Santa Maria Reservoir, Road Canyon Reservoir, Rio Grande Reservoir, Big Meadows Reservoir, Beaver Creek Reservoir, Smith Reservoir, Mountain Home Reservoir,						
CORGRG38	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM		MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CLL	CLL	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic		Iron	WS
		Ammonia	TVS	TVS	Lead	1000(T)
		Boron	---	0.75	Manganese	TVS
		Chloride	---	250	Manganese	---
		Chlorine	0.019	0.011	Mercury	WS
		Cyanide	0.005	---	Molybdenum	0.01(T)
		Nitrate	10	---	Nickel	---
		Nitrite	---	0.05	Selenium	160(T)
		Phosphorus	---	0.025*	Silver	TVS
		Sulfate	---	WS	Uranium	TVS(tr)
		Sulfide	---	0.002	Zinc	---
						TVS
						TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

1. All tributaries to the Alamosa River or Conejos River, including all wetlands, within the South San Juan Wilderness area.						
CORGAL01	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
2. Mainstem of the Alamosa River, including all tributaries and wetlands, from the source to immediately above the confluence with Alum Creek, except for specific listings in segments 1, 4a, and 4b.						
CORGAL02	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

3a. Mainstem of the Alamosa River from immediately above the confluence with Alum Creek to immediately above the confluence of Wightman Fork.						
CORGAL03A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	--- varies*
	Recreation E	acute	chronic	Aluminum	varies* ---	
Qualifiers:		D.O. (mg/L)	--- 6.0	Arsenic	340 100(T)	
Other:  *Aluminum(acute) = 280 ug/L and 3,886(T) from 5/1-6/30 5,666 ug/L and 21,036(T) from 7/1-4/30 *Aluminum(chronic) = 95 ug/L and 1,157(T) from 5/1-6/30 4,073 ug/L and 3,026(T) from 7/1-4/30 *pH(acute) = 4.0-9.0 from 3/1-5/31 4.73-9.0 from 6/1 - 8/31 3.94-9.0 from 9/1-11/31 3.52 - 9.0 from 12/1-2/29		D.O. (spawning)	--- 7.0	Beryllium	--- ---	
		pH	varies* ---	Cadmium	TVS(tr) TVS	
		chlorophyll a (mg/m²)	--- 150	Chromium III	TVS TVS	
		E. Coli (per 100 mL)	--- 126	Chromium III	--- 100(T)	
				Chromium VI	TVS TVS	
		Inorganic (mg/L)		Copper	TVS ---	
		acute	chronic	Iron	--- 12000(T)	
		Ammonia	TVS TVS	Lead	TVS TVS	
		Boron	--- 0.75	Manganese	TVS TVS	
		Chloride	--- ---	Mercury	--- 0.01(t)	
		Chlorine	0.019 0.011	Molybdenum	--- 160(T)	
		Cyanide	0.005 ---	Nickel	TVS TVS	
		Nitrate	100 ---	Selenium	TVS TVS	
		Nitrite	--- 0.05	Silver	TVS TVS(tr)	
		Phosphorus	--- 0.11	Uranium	--- ---	
		Sulfate	--- ---	Zinc	TVS TVS	
		Sulfide	--- 0.002			

3b. Mainstem of the Alamosa River from immediately above the confluence with the Wightman Fork to immediately above the confluence with Fern Creek.						
CORGAL03B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	--- varies*
	Recreation E	acute	chronic	Aluminum	varies* ---	
Qualifiers:		D.O. (mg/L)	--- 6.0	Arsenic	340 7.6(T)	
Other:  *Aluminum(acute) = 59 ug/L and 4,556(T) from 5/1-6/30 741 ug/L and TVS(T) from 7/1-4/30 *Aluminum(chronic) = 41 ug/L and 1,246(T) from 5/1-6/30 382 ug/L and 2,661(T) from 7/1-4/30		D.O. (spawning)	--- 7.0	Beryllium	--- ---	
		pH	6.5 - 9.0 ---	Cadmium	TVS(tr) TVS	
		chlorophyll a (mg/m²)	--- 150	Chromium III	TVS TVS	
		E. Coli (per 100 mL)	--- 126	Chromium III	--- 100(T)	
				Chromium VI	TVS TVS	
		Inorganic (mg/L)		Copper	TVS 30	
		acute	chronic	Iron	--- 12000(T)	
		Ammonia	TVS TVS	Lead	TVS TVS	
		Boron	--- 0.75	Manganese	TVS TVS	
		Chloride	--- ---	Mercury	--- 0.01(t)	
		Chlorine	0.019 0.011	Molybdenum	--- 160(T)	
		Cyanide	0.005 ---	Nickel	TVS TVS	
		Nitrate	100 ---	Selenium	TVS TVS	
		Nitrite	--- 0.05	Silver	TVS TVS(tr)	
		Phosphorus	--- 0.11	Uranium	--- ---	
		Sulfate	--- ---	Zinc	TVS TVS	
		Sulfide	--- 0.002			

All metals are dissolved unless otherwise noted. D.O. = dissolved oxygen.

All metals are dissolved unless otherwise noted. D.O. = dissolved oxygen

T = total recoverable

t = total

tr = trout

DM = daily maximum

MWAT = maximum weekly average temperature

See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

3c. Mainstem of the Alamosa River from immediately above the confluence with Fern Creek to immediately below the confluence with Ranger Creek.						
CORGAL03C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
UP	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	--- varies*
	Recreation E	acute	chronic		Aluminum	varies* ---
Qualifiers:		D.O. (mg/L)	---	6.0	Arsenic	340 7.6(T)
Other:  *Aluminum(acute) = 365 ug/L and 6,729(T) from 5/1-6/30 558 ug/L and TVS(T) from 7/1-4/30 *Aluminum(chronic) = 63 ug/L and 1,973(T) from 5/1-6/30 296 ug/L and 2,232(T) from 7/1-4/30		D.O. (spawning)	---	7.0	Beryllium	--- ---
		pH	6.5 - 9.0	---	Cadmium	TVS(tr) TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	TVS TVS
		E. Coli (per 100 mL)	---	126	Chromium III	--- 100(T)
		Inorganic (mg/L)			Chromium VI	TVS TVS
		acute	chronic		Copper	TVS TVS
		Ammonia	TVS	TVS	Iron	--- 12000(T)
		Boron	---	0.75	Lead	TVS TVS
		Chloride	---	---	Manganese	TVS TVS
		Chlorine	0.019	0.011	Mercury	--- 0.01(t)
		Cyanide	0.005	---	Molybdenum	--- 160(T)
		Nitrate	100	---	Nickel	TVS TVS
		Nitrite	---	0.05	Selenium	TVS TVS
		Phosphorus	---	0.11	Silver	TVS TVS(tr)
		Sulfate	---	---	Uranium	--- ---
		Sulfide	---	0.002	Zinc	TVS TVS
3d. Mainstem of the Alamosa River from immediately below the confluence with Ranger Creek to the inlet of Terrace Reservoir.						
CORGAL03D	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	--- varies*
	Recreation E	acute	chronic		Aluminum	varies* ---
Qualifiers:		D.O. (mg/L)	---	6.0	Arsenic	340 7.6(T)
Other:  *Aluminum(acute) = 77 ug/L and 6,907(T) from 5/1-6/30 84 ug/L and TVS(T) from 7/1-4/30 *Aluminum(chronic) = 74 ug/L and 1,721(T) from 5/1-6/30 60 ug/L and 1,554(T) from 7/1-4/30		D.O. (spawning)	---	7.0	Beryllium	--- ---
		pH	6.5 - 9.0	---	Cadmium	TVS(tr) TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	TVS TVS
		E. Coli (per 100 mL)	---	126	Chromium III	--- 100(T)
		Inorganic (mg/L)			Chromium VI	TVS TVS
		acute	chronic		Copper	TVS TVS
		Ammonia	TVS	TVS	Iron	--- 12000(T)
		Boron	---	0.75	Lead	TVS TVS
		Chloride	---	---	Manganese	TVS TVS
		Chlorine	0.019	0.011	Mercury	--- 0.01(t)
		Cyanide	0.005	---	Molybdenum	--- 160(T)
		Nitrate	100	---	Nickel	TVS TVS
		Nitrite	---	0.05	Selenium	TVS TVS
		Phosphorus	---	0.11	Silver	TVS TVS(tr)
		Sulfate	---	---	Uranium	--- ---
		Sulfide	---	0.002	Zinc	TVS TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

4a. Mainstems of Iron Creek, Alum Creek, Bitter Creek, and Burnt Creek, including all tributaries and wetlands, from their sources to their confluences with the Alamosa River, excluding the listings in segment 4b.					
<b>CORGAL04A</b>	<b>Classifications</b>	<b>Physical and Biological</b>		<b>Metals (ug/L)</b>	
<b>Designation</b>	Agriculture	<b>DM</b>	<b>MWAT</b>	<b>acute</b>	<b>chronic</b>
UP	Recreation E			Aluminum	---
<b>Qualifiers:</b>		<b>acute</b>	<b>chronic</b>	Arsenic	---
<b>Other:</b>		D.O. (mg/L)	---	Beryllium	---
		pH	2.5-9.0	Cadmium	---
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	---
		E. Coli (per 100 mL)	---	Chromium VI	---
		<b>Inorganic (mg/L)</b>		Copper	---
		<b>acute</b>	<b>chronic</b>	Iron	---
		Ammonia	---	Lead	---
		Boron	---	Manganese	---
		Chloride	---	Mercury	---
		Chlorine	---	Molybdenum	---
		Cyanide	---	Nickel	---
		Nitrate	---	Selenium	---
		Nitrite	---	Silver	---
		Phosphorus	---	Uranium	---
		Sulfate	---	Zinc	---
		Sulfide	---		
4b. Mainstem of Iron Creek from the source to immediately above the confluence with South Mountain Creek, including all tributaries and wetlands.					
<b>CORGAL04B</b>	<b>Classifications</b>	<b>Physical and Biological</b>		<b>Metals (ug/L)</b>	
<b>Designation</b>	Agriculture	<b>DM</b>	<b>MWAT</b>	<b>acute</b>	<b>chronic</b>
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	<b>acute</b>	<b>chronic</b>	Arsenic	340
<b>Qualifiers:</b>		D.O. (mg/L)	---	Beryllium	---
<b>Other:</b>		D.O. (spawning)	---	Cadmium	TVS(tr)
		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	---
		E. Coli (per 100 mL)	---	Chromium VI	TVS
				Copper	TVS
		<b>Inorganic (mg/L)</b>		Iron	---
		<b>acute</b>	<b>chronic</b>	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	---	Mercury	---
		Chloride	---	Molybdenum	---
		Chlorine	0.019	Nickel	TVS
		Cyanide	0.005	Selenium	TVS
		Nitrate	100	Silver	TVS
		Nitrite	---	Uranium	---
		Phosphorus	---	Zinc	TVS
		Sulfate	---		
		Sulfide	---		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

5. Mainstem of Wightman Fork from the source to the west line of S30, T37N, R4E, including all tributaries and wetlands.							
CORGAL05	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m²)	---	150	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury	---	0.01(t)
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS(tr)
		Nitrite	---	0.05	Uranium	---	---
		Phosphorus	---	0.11	Zinc	TVS	TVS
		Sulfate	---	---			
		Sulfide	---	0.002			
		6. Mainstem of Wightman Fork from the west line of S30, T37N, R4E to the confluence with the Alamosa River.					
CORGAL06	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Recreation E				Aluminum	---	
Qualifiers:		acute	chronic	Arsenic	---	---	
Other:		D.O. (mg/L)	---	---	Beryllium	---	
		pH	---	---	Cadmium	---	---
		chlorophyll a (mg/m²)	---	150	Chromium III	---	---
		E. Coli (per 100 mL)	---	126	Chromium VI	---	---
		Inorganic (mg/L)			Copper	---	---
		acute	chronic	Iron	---	---	
		Ammonia	---	---	Lead	---	---
		Boron	---	---	Manganese	---	---
		Chloride	---	---	Mercury	---	---
		Chlorine	---	---	Molybdenum	---	---
		Cyanide	---	---	Nickel	---	---
		Nitrate	---	---	Selenium	---	---
		Nitrite	---	---	Silver	---	---
		Phosphorus	---	---	Uranium	---	---
		Sulfate	---	---	Zinc	---	---
		Sulfide	---	---			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

7. Jasper Creek, including all tributaries and wetlands, from the source to the confluence with the Alamosa River.						
CORGAL07	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
UP	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	---
		pH	5.5-9.0	---	Chromium III	---
		chlorophyll a (mg/m²)	---	150	Chromium VI	---
		E. Coli (per 100 mL)	---	126	Copper	---
					Iron	---
		Inorganic (mg/L)			Lead	---
		acute	chronic		Manganese	---
		Ammonia	TVS	TVS	Mercury	---
		Boron	---	0.75	Molybdenum	---
		Chloride	---	---	Nickel	---
		Chlorine	0.019	0.011	Selenium	---
		Cyanide	0.005	---	Silver	---
		Nitrate	100	---	Uranium	---
		Nitrite	---	0.05	Zinc	---
		Phosphorus	---	0.11		
		Sulfate	---	---		
		Sulfide	---	0.002		
8. Terrace Reservoir.						
CORGAL08	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
UP	Aq Life Cold 2	Temperature °C	CLL	CLL	Aluminum	varies*
	Recreation E	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Fish Ingestion		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Aluminum(acute) = See 36.6(4) for site-specific standards and assessment locations. *Aluminum(chronic) = See 36.6(4) for site-specific standards and assessment locations.		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (ug/L)	---	8*	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	---	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	100	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.025*	Uranium	---
		Sulfate	---	---	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

9. Mainstem of Alamosa River from the outlet of Terrace Reservoir to Hwy 15 (Gunbarrel Road).						
CORGAL09	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Cold 1 Recreation E	Temperature °C	CS-II CS-II	Aluminum	TVS(T)	TVS(T)
Qualifiers:		acute	chronic	Arsenic	340	7.6(T)
		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS
		pH	6.5 - 9.0	---	Chromium III	TVS TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS TVS
				Copper	TVS	TVS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	---	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS TVS
		Nitrate	100	---	Selenium	TVS TVS
		Nitrite	---	0.05	Silver	TVS TVS(tr)
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	---	Zinc	TVS TVS
		Sulfide	---	0.002		

10. Mainstem of the Alamosa River from Hwy 15 (Gunbarrel Road) to its point of final diversion.						
CORGAL10	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Cold 2 Recreation E	Temperature °C	CS-II CS-II	Aluminum	TVS(T)	TVS(T)
Qualifiers:		acute	chronic	Arsenic	340	100(T)
		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS
		pH	6.5 - 9.0	---	Chromium III	TVS TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS TVS
				Copper	TVS	TVS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	---	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS TVS
		Nitrate	100	---	Selenium	TVS TVS
		Nitrite	---	0.05	Silver	TVS TVS(tr)
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	---	Zinc	TVS TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

11a. All tributaries, including wetlands, to La Jara Reservoir. La Jara Creek tributaries and wetlands from the outlet of La Jara Reservoir to a point immediately below the confluence with Jarosa Creek, excluding the listings in segment 11b.						
CORGAL11A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	---	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	100	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	---	Zinc	TVS
		Sulfide	---	0.002		

11b. Mainstem of La Jara Creek from the outlet of La Jara Reservoir to a point immediately above the confluence with Hot Creek. All tributaries, including wetlands, to La Jara Creek from a point immediately below the confluence with Jarosa Creek to a point immediately above the confluence with Hot Creek.						
CORGAL11B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

12. Mainstem of La Jara Creek from immediately above the confluence with Hot Creek to the confluence with the Rio Grande.							
CORGAL12	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation E	acute	chronic		Arsenic	340	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
Fish Ingestion		pH	6.5 - 9.0	---	Cadmium	TVS	
Other:  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 36.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).		chlorophyll a (mg/m²)	---	150*	Chromium III	TVS	
		E. Coli (per 100 mL)	---	126	Chromium III	---	
		Inorganic (mg/L)			Chromium VI	TVS	
		acute	chronic		Copper	TVS	
		Ammonia	TVS	TVS	Iron	---	
		Boron	---	0.75	Lead	TVS	
		Chloride	---	---	Manganese	TVS	
		Chlorine	0.019	0.011	Manganese	---	
		Cyanide	0.005	---	Mercury	---	
		Nitrate	100	---	Molybdenum	---	
		Nitrite	---	0.05	Nickel	TVS	
		Phosphorus	---	0.17*	Selenium	TVS	
		Sulfate	---	---	Silver	TVS	
		Sulfide	---	0.002	Uranium	---	
					Zinc	TVS	
	13. Mainstem of Hot Creek from the source to the confluence with La Jara Creek.						
	CORGAL13	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation E	acute	chronic		Arsenic	340	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 36.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).		pH	6.5 - 9.0	---	Chromium III	50(T)	
		chlorophyll a (mg/m²)	---	150*	Chromium VI	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	
					Iron	---	
		Inorganic (mg/L)			Iron	1000(T)	
		acute	chronic		Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	
		Boron	---	0.75	Manganese	---	
		Chloride	---	250	Mercury	---	
		Chlorine	0.019	0.011	Molybdenum	---	
		Cyanide	0.005	---	Nickel	TVS	
		Nitrate	10	---	Selenium	TVS	
		Nitrite	---	0.05	Silver	TVS	
		Phosphorus	---	0.11*	Uranium	---	
		Sulfate	---	WS	Zinc	TVS	
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

14a. Mainstem of the Conejos River, including all tributaries and wetlands, from the source to immediately below the confluence with Elk Creek, excluding the specific listings in segment 1.						
CORGAL14A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

14b. Mainstem of the Conejos River, including all tributaries and wetlands, from a point immediately below the confluence with Elk Creek to a point immediately above the confluence with Fox Creek.						
CORGAL14B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

15. Mainstem of the Conejos River from a point immediately above the confluence with Fox Creek to the confluence with the San Antonio River.						
CORGAL15	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 36.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11*	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
16. Mainstem of the Conejos River from the confluence with the San Antonio River to the confluence with the Rio Grande.						
CORGAL16	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic		Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	---
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

17a. Mainstem of Rio de Los Pinos, including all tributaries and wetlands within Colorado, excluding the specific listings in segment 1.						
CORGAL17A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

17b. Mainstem of the Rio San Antonio from the Colorado/New Mexico border to Hwy 285.						
CORGAL17B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

18. Mainstem of the Rio San Antonio from Hwy 285 to the confluence with the Conejos River.						
CORGAL18	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Fish Ingestion		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	TVS
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 36.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	---
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	0.17*	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
19. Mainstem of the Rio Chama, including all tributaries and wetlands within Colorado, excluding the specific listings in segment 1.						
CORGAL19	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

20. All tributaries and wetlands to the Alamosa River, La Jara Creek, or the Conejos River within the boundaries of the Rio Grande National Forest excluding the specific listings in segments 1 through 7, 11a, 11b, 13, 14a, 14b, 17a,17b and 18.						
CORGAL20	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
21. All tributaries to the Conejos River from a point immediately above the confluence with Fox Creek to the Rio Grande.						
CORGAL21	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Recreation N			Aluminum	---	---
	Water Supply	acute	chronic	Arsenic	---	0.02-10(T) <sup>A</sup>
Qualifiers:		D.O. (mg/L)	---	3.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	---
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	630	Chromium VI	50(T)
		Inorganic (mg/L)			Copper	---
		acute	chronic	Iron	---	WS
		Ammonia	---	---	Lead	50(T)
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Manganese	---
		Chlorine	---	---	Mercury	---
		Cyanide	0.2	---	Molybdenum	---
		Nitrate	10	---	Nickel	---
		Nitrite	---	1.0	Selenium	---
		Phosphorus	---	---	Silver	100(T)
		Sulfate	---	WS	Uranium	---
		Sulfide	---	0.05	Zinc	---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

22. All tributaries, including wetlands, to the Alamosa River or La Jara Creek, excluding the specific listings in segments 1 through 21.							
CORGAL22	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	100(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
Other:	pH	6.5 - 9.0	---	Cadmium	TVS	TVS	
	chlorophyll a (mg/m²)	---	150	Chromium III	TVS	TVS	
	E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)	
	Inorganic (mg/L)			Chromium VI	TVS	TVS	
	acute	chronic	Copper	TVS	TVS		
	Ammonia	TVS	TVS	Iron	---	1000(T)	
	Boron	---	0.75	Lead	TVS	TVS	
	Chloride	---	---	Manganese	TVS	TVS	
	Chlorine	0.019	0.011	Mercury	---	0.01(t)	
	Cyanide	0.005	---	Molybdenum	---	160(T)	
	Nitrate	100	---	Nickel	TVS	TVS	
	Nitrite	---	0.05	Selenium	TVS	TVS	
	Phosphorus	---	0.17	Silver	TVS	TVS	
	Sulfate	---	---	Uranium	---	---	
	Sulfide	---	0.002	Zinc	TVS	TVS	
23. All lakes and reservoirs tributary to the Alamosa River or the Conejos River, and within the South San Juan Wilderness area.							
CORGAL23	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
OW	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
Water Supply		D.O. (mg/L)	---	6.0	Beryllium	---	
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Qualifiers:		pH	6.5 - 9.0	---	Chromium III	50(T)	
Other:	chlorophyll a (ug/L)	---	8*	Chromium VI	TVS	TVS	
	E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
				Iron	---	WS	
	Inorganic (mg/L)			Iron	---	1000(T)	
	acute	chronic	Lead	TVS	TVS		
	Ammonia	TVS	TVS	Manganese	TVS	TVS	
	Boron	---	0.75	Manganese	---	WS	
	Chloride	---	250	Mercury	---	0.01(t)	
	Chlorine	0.019	0.011	Molybdenum	---	160(T)	
	Cyanide	0.005	---	Nickel	TVS	TVS	
	Nitrate	10	---	Selenium	TVS	TVS	
	Nitrite	---	0.05	Silver	TVS	TVS(tr)	
	Phosphorus	---	0.025*	Uranium	---	---	
	Sulfate	---	WS	Zinc	TVS	TVS	
	Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

24. All lakes and reservoirs tributary to the Alamosa River from the source to a point immediately above the confluence with Alum Creek, excluding the specific listings in segment 23.						
CORGAL24	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	Copper	TVS	TVS
		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	Lead	TVS	TVS
		Boron	---	Manganese	TVS	TVS
		Chloride	---	Manganese	---	WS
		Chlorine	0.019	Mercury	---	0.01(t)
		Cyanide	0.005	Molybdenum	---	160(T)
		Nitrate	10	Nickel	TVS	TVS
		Nitrite	---	Selenium	TVS	TVS
		Phosphorus	---	Silver	TVS	TVS(tr)
		Sulfate	---	Uranium	---	---
		Sulfide	---	Zinc	TVS	TVS
			0.002			
25. All lakes and reservoirs tributary to La Jara Creek from the source to a point immediately above the confluence with Hot Creek.						
CORGAL25	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	Beryllium	---	---
Other:		D.O. (spawning)	---	Cadmium	TVS(tr)	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	Chromium III	TVS	TVS
		chlorophyll a (ug/L)	---	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	Chromium VI	TVS	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	Iron	---	---
		Boron	---	Lead	TVS	TVS
		Chloride	---	Manganese	TVS	TVS
		Chlorine	0.019	Manganese	---	200(T)
		Cyanide	0.005	Mercury	---	0.01(t)
		Nitrate	100	Molybdenum	---	160(T)
		Nitrite	---	Nickel	TVS	TVS
		Phosphorus	---	Selenium	TVS	TVS
		Sulfate	---	Silver	TVS	TVS(tr)
		Sulfide	---	Uranium	---	---
			0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

26. All lakes and reservoirs tributary to the Conejos River from the source to a point immediately above the confluence with Fox Creek, excluding the specific listings in segments 23 and 30.							
CORGAL26	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Chromium III	50(T)	
		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute			chronic	Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.025*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			
		27. All lakes and reservoirs tributary to the Rio de Los Pinos and within Colorado, excluding the specific listings in segment 23. All lakes and reservoirs tributary to the Rio Chama and within Colorado, excluding the specific listings in segment 23.					
CORGAL27	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Chromium III	50(T)	
		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute			chronic	Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.025*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

28. All lakes and reservoir tributary to the Alamosa River, La Jara Creek, or Conejos River, and within the boundaries of the Rio Grande National Forest, excluding the specific listings in segments 23 through 27.

CORGAL28	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
<b>Qualifiers:</b>		D.O. (spawning)	7.0	Cadmium	TVS(tr)
<b>Other:</b>		pH	6.5 - 9.0	Chromium III	50(T)
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	8*	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
		<b>Inorganic (mg/L)</b>		Iron	---
				Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.025*	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

29. All lakes and reservoirs tributary to the Alamosa River, La Jara Creek, or Conejos River, excluding the specific listings in segments 23 through 28, and 30.

CORGAL29	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Warm 2	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
<b>Qualifiers:</b>		D.O. (mg/L)	5.0	Beryllium	---
<b>Other:</b>		pH	6.5 - 9.0	Cadmium	TVS(tr)
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	20*	Chromium III	TVS
		E. Coli (per 100 mL)	126	Chromium III	100(T)
		<b>Inorganic (mg/L)</b>		Chromium VI	TVS
				Copper	TVS
		acute	chronic	Iron	1000(T)
		Ammonia	TVS	Lead	TVS
		Boron	0.75	Manganese	TVS
		Chloride	---	Mercury	0.01(T)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	100	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.083*	Uranium	---
		Sulfate	---	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Alamosa River/La Jara Creek/Conejos River Basins

30. Platoro Reservoir.					
CORGAL30	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CLL	CLL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
<b>Qualifiers:</b>		D.O. (spawning)	7.0	Cadmium	TVS(tr)
<b>Other:</b>		pH	6.5 - 9.0	Chromium III	50(T)
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	8*	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
				Iron	---
		<b>Inorganic (mg/L)</b>		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(T)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.025*	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Closed Basin-San Luis Valley River Basin

1. All tributaries to the Closed Basin, including all wetlands, within the La Garita Wilderness Area.

CORGCB01	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

2a. Mainstem of La Garita Creek, including all tributaries and wetlands, from the source to a point immediately below the confluence with Geronimo Creek. The North, Middle, and South Forks of Carnero Creek, including all tributaries and wetlands, from their sources to their confluences at the inception of the mainstem of Carnero Creek.

CORGCB02A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Closed Basin-San Luis Valley River Basin

2b. Mainstem of La Garita Creek, including all tributaries and wetlands, from a point immediately below the confluence with Geronimo Creek to 38 Road. All tributaries to the mainstem of Carnero Creek from its inception at the confluence of the North, Middle, and South Forks to 42 Road, excluding the specific listings in segment 2a.						
CORGCB02B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM		MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
						WS
		Inorganic (mg/L)			Iron	---
						1000(T)
			acute	chronic	Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		TVS
2c. Mainstem of Carnero Creek from its inception at the confluence of the North, Middle, and South Forks to 42 Road.						
CORGCB02C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM		MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	11/1 - 3/31	13	Aluminum	---
	Recreation E	Temperature °C	4/1 - 10/31	26.5	Arsenic	340
	Water Supply				Beryllium	---
Qualifiers:			acute	chronic	Cadmium	TVS(tr)
Other:		D.O. (mg/L)	---	6.0	Chromium III	50(T)
		D.O. (spawning)	---	7.0	Chromium VI	TVS
		pH	6.5 - 9.0	---	Copper	TVS
		chlorophyll a (mg/m²)	---	150	Iron	---
		E. Coli (per 100 mL)	---	126	Iron	---
						1000(T)
					Lead	TVS
						TVS
		Inorganic (mg/L)			Manganese	TVS
			acute	chronic	Manganese	---
		Ammonia	TVS	TVS	Mercury	---
		Boron	---	0.75	Molybdenum	---
		Chloride	---	250	Nickel	TVS
		Chlorine	0.019	0.011	Selenium	TVS
		Cyanide	0.005	---	Silver	TVS
		Nitrate	10	---	Uranium	---
		Nitrite	---	0.05	Zinc	TVS
		Phosphorus	---	0.11		TVS
		Sulfate	---	WS		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Closed Basin-San Luis Valley River Basin

3. All tributaries to the Closed Basin excluding the listings in segments 2a, 2b, 2c, and 4 through 13.							
CORGCB03	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	
Other:  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 36.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).		chlorophyll a (mg/m²)	---	150*	Chromium III	50(T)	
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)		Copper	TVS	TVS	
		acute	chronic	Iron	---	WS	
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	160(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.17*	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS
		Sulfide	---	0.002	Uranium	---	---
					Zinc	TVS	TVS
		4. Mainstem of San Luis Creek, including all tributaries and wetlands, from the source to a point immediately below the confluence with Piney Creek, excluding the specific listings in segments 8, 9a and 9b. Garner Creek, including all tributaries and wetlands, from the Rio Grande Forest Boundary to the mouth.					
CORGCB04	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Chromium III	50(T)	
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
		Inorganic (mg/L)		Iron	---	WS	
		acute	chronic	Iron	---	1000(T)	
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Manganese	TVS	TVS
		Chloride	---	250	Manganese	---	WS
		Chlorine	0.019	0.011	Mercury	---	0.01(t)
		Cyanide	0.005	---	Molybdenum	---	160(T)
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Selenium	TVS	TVS
		Phosphorus	---	0.11	Silver	TVS	TVS(tr)
		Sulfate	---	WS	Uranium	---	---
		Sulfide	---	0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Closed Basin-San Luis Valley River Basin

5. Mainstem of San Luis Creek from a point immediately below the confluence with Piney Creek to the inlet to San Luis Lake.						
<b>CORGCB05</b>	<b>Classifications</b>	<b>Physical and Biological</b>			<b>Metals (ug/L)</b>	
<b>Designation</b>	Agriculture	<b>DM</b>	<b>MWAT</b>		<b>acute</b>	<b>chronic</b>
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	<b>acute</b>	<b>chronic</b>		Arsenic	340
<b>Qualifiers:</b>		D.O. (mg/L)	---	6.0	Beryllium	---
<b>Other:</b>		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		<b>Inorganic (mg/L)</b>			Iron	---
		<b>acute</b>	<b>chronic</b>		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

6. Deleted.						
<b>CORGCB06</b>	<b>Classifications</b>	<b>Physical and Biological</b>			<b>Metals (ug/L)</b>	
<b>Designation</b>		<b>DM</b>	<b>MWAT</b>		<b>acute</b>	<b>chronic</b>
<b>Qualifiers:</b>		<b>acute</b>	<b>chronic</b>			
<b>Other:</b>						
		<b>Inorganic (mg/L)</b>				
		<b>acute</b>	<b>chronic</b>			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Closed Basin-San Luis Valley River Basin

7. Deleted.					
<b>CORGCB07</b>	<b>Classifications</b>	<b>Physical and Biological</b>		<b>Metals (ug/L)</b>	
<b>Designation</b>		<b>DM</b>	<b>MWAT</b>	<b>acute</b>	<b>chronic</b>
<b>Qualifiers:</b>		<b>acute</b>	<b>chronic</b>		
<b>Other:</b>					
		<b>Inorganic (mg/L)</b>			
		<b>acute</b>	<b>chronic</b>		
8. Mainstem of Kerber Creek, including all tributaries and wetlands from the source to a point immediately above the Cocomongo Mill site. Mainstem of Squirrel Creek from the source to immediately above Bear Creek, Brewery Creek from source to Kerber Creek, and the mainstem of Elkhorn Gulch.					
<b>CORGCB08</b>	<b>Classifications</b>	<b>Physical and Biological</b>		<b>Metals (ug/L)</b>	
<b>Designation</b>	Agriculture	<b>DM</b>	<b>MWAT</b>	<b>acute</b>	<b>chronic</b>
<b>Reviewable</b>	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	<b>acute</b>	<b>chronic</b>	Arsenic	340
<b>Qualifiers:</b>		D.O. (mg/L)	---	Beryllium	---
<b>Other:</b>		D.O. (spawning)	---	Cadmium	TVS(tr)
		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (mg/m <sup>3</sup> )	---	Chromium III	---
		E. Coli (per 100 mL)	---	Chromium VI	TVS
				Copper	TVS
		<b>Inorganic (mg/L)</b>		Iron	---
		<b>acute</b>	<b>chronic</b>	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	---	Mercury	---
		Chloride	---	Molybdenum	---
		Chlorine	0.019	Nickel	TVS
		Cyanide	0.005	Selenium	TVS
		Nitrate	100	Silver	TVS
		Nitrite	---	Uranium	---
		Phosphorus	---	Zinc	TVS
		Sulfate	---		
		Sulfide	---		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Closed Basin-San Luis Valley River Basin

9a. Mainstem, tributaries and wetlands of Kerber Creek, including all tributaries and wetlands, from the source to immediately above the confluence of Brewery Creek, excluding the specific listings in segment 8.					
CORGC09A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Recreation E			Aluminum	---
	Water Supply	acute	chronic	Arsenic	340 0.02-10(T) <sup>A</sup>
Qualifiers:		D.O. (mg/L)	---	Beryllium	---
Goal Qualifier for Agriculture and Water Supply		pH	6.5 - 9.0	Cadmium	5.0(T) ---
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	50(T) ---
		E. Coli (per 100 mL)	---	Chromium VI	50(T) ---
		Inorganic (mg/L)		Copper	---
		acute	chronic	Iron	---
		Ammonia	---	Lead	50(T) ---
		Boron	---	Manganese	---
		Chloride	---	Mercury	---
		Chlorine	---	Molybdenum	---
		Cyanide	---	Nickel	---
		Nitrate	10	Selenium	---
		Nitrite	---	Silver	---
		Phosphorus	---	Uranium	---
		Sulfate	---	Zinc	---
		Sulfide	---		
9b. Mainstem of Kerber Creek from a point immediately above the confluence with Brewery Creek to the confluence with San Luis Creek.					
CORGC09B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	---
Goal Qualifier for Agriculture and Water Supply		pH	6.5 - 9.0	Cadmium	SSE* ---
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	50(T) TVS
Temporary Modification(s):		E. Coli (per 100 mL)	---	Chromium VI	TVS TVS
Arsenic(chronic) = hybrid				Copper	---
Expiration Date of 12/31/2021		Inorganic (mg/L)		Copper	SSE* TVS
		acute	chronic	Copper	TVS ---
*Cadmium(acute) = e^(0.7852ln[hard]-1.545)		Ammonia	TVS	Iron	---
*Cadmium(chronic) = e^(0.7852ln[hard]-2.906)		Boron	---	Iron	---
*Copper(acute) = e^(0.8889ln[hard]+0.53)		Chloride	---	Lead	TVS TVS
*Copper(chronic) = e^(0.8889ln[hard]-1.519)		Chlorine	0.019 0.011	Manganese	TVS TVS
*Zinc(acute) = e^(0.8179ln[hard]+3.757)		Cyanide	0.005	Manganese	---
*Zinc(chronic) = e^(0.8179ln[hard]+2.907)		Nitrate	10	Mercury	---
		Nitrite	---	Molybdenum	---
		Phosphorus	---	Nickel	TVS TVS
		Sulfate	---	Selenium	TVS TVS
		Sulfide	---	Silver	TVS TVS(tr)
				Uranium	---
				Zinc	---
				Zinc	SSE* TVS
				Zinc	TVS ---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Closed Basin-San Luis Valley River Basin

10. Mainstem of Sand Creek, including all tributaries and wetlands, from the source to the mouth. Mainstem of Medano Creek, including all tributaries and wetlands, from the source to the mouth.								
CORGCB10	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)		
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS		
		E. Coli (per 100 mL)	---	126	Copper	TVS		
					Iron	---		
		Inorganic (mg/L)			Iron	---		
		acute	chronic	Lead	TVS			
		Ammonia	TVS	TVS	Manganese	TVS		
		Boron	---	0.75	Manganese	---		
		Chloride	---	250	Mercury	---		
		Chlorine	0.019	0.011	Molybdenum	---		
		Cyanide	0.005	---	Nickel	TVS		
		Nitrate	10	---	Selenium	TVS		
		Nitrite	---	0.05	Silver	TVS		
		Phosphorus	---	0.11	Uranium	---		
		Sulfate	---	WS	Zinc	TVS		
		Sulfide	---	0.002				
		11. All tributaries to the Closed Basin within the Rio Grande National Forest boundaries except segments 1, 2a, 2b, 2c, 4, 9a, 9b, 10, 12a and 12b.						
		CORGCB11	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Chromium III	50(T)		
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS		
		E. Coli (per 100 mL)	---	126	Copper	TVS		
					Iron	---		
		Inorganic (mg/L)			Iron	---		
		acute	chronic	Lead	TVS			
		Ammonia	TVS	TVS	Manganese	TVS		
		Boron	---	0.75	Manganese	---		
		Chloride	---	250	Mercury	---		
		Chlorine	0.019	0.011	Molybdenum	---		
		Cyanide	0.005	---	Nickel	TVS		
		Nitrate	10	---	Selenium	TVS		
		Nitrite	---	0.05	Silver	TVS		
		Phosphorus	---	0.11	Uranium	---		
		Sulfate	---	WS	Zinc	TVS		
		Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Closed Basin-San Luis Valley River Basin

12a. Mainstem of Saguache Creek, including all tributaries and wetlands, from the boundary of the La Garita Wilderness Area to a point just below the confluence Ford Creek, excluding the specific listings in segment 1.						
CORGC12A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

12b. Mainstem of Saguache Creek, including all tributaries and wetlands, from a point just below the confluence with Ford Creek to Hwy 285.						
CORGC12B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Closed Basin-San Luis Valley River Basin

13. Mainstem of Saguache Creek from Hwy 285 to the confluence with San Luis Creek. Mainstem of Russel Creek. Mainstem of Cottonwood Creek downstream of the Rio Grande National Forest Boundary.						
CORGCB13	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.5	Nickel	TVS
		Phosphorus	---	0.17	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS
						TVS
						TVS
14. All wetlands tributary to the Closed Basin, excluding the specific listings in segments 1 through 13.						
CORGCB14	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	100(T)
		D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
						TVS
						TVS
						TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Closed Basin-San Luis Valley River Basin

15. All lakes and reservoirs tributary to the Closed Basin, and within the La Garita Wilderness Area.					
CORGC15	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
OW	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (ug/L)	8*	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
		Inorganic (mg/L)		Iron	---
				Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	---
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.025*	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		
16. All lakes and reservoirs tributary to La Garita Creek from the source to 38 Road. All lakes and reservoirs tributary to Camero Creek from the source to 42 Road. All lakes and reservoirs tributary to Kerber Creek from the source to a point immediately above the Cocomongo Mill site. All lakes and reservoirs tributary to San Luis Creek, from the source to a point immediately below the confluence with Piney Creek. All lakes and reservoirs tributary to Saguache Creek from the boundary of the La Garita Wilderness Area to Hwy 285.					
CORGC16	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (ug/L)	8*	Chromium VI	TVS
		E. Coli (per 100 mL)	126	Copper	TVS
		Inorganic (mg/L)		Iron	---
				Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	---
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.025*	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Closed Basin-San Luis Valley River Basin

17. All lakes and reservoirs within the Closed Basin and within the Rio Grande National Forest boundaries, excluding the specific listings in segments 15 and 16.						
CORGCB17	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	Copper	TVS	TVS
		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	Lead	TVS	TVS
		Boron	---	Manganese	TVS	TVS
		Chloride	---	Manganese	---	WS
		Chlorine	0.019	Mercury	---	0.01(t)
		Cyanide	0.005	Molybdenum	---	160(T)
		Nitrate	10	Nickel	TVS	TVS
		Nitrite	---	Selenium	TVS	TVS
		Phosphorus	---	Silver	TVS	TVS(tr)
		Sulfate	---	Uranium	---	---
		Sulfide	---	Zinc	TVS	TVS
			0.002			
18. All lakes and reservoirs within the Closed Basin, excluding the specific listings in segments 16,17, 19 and 20.						
CORGCB18	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 2	WL	WL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	Cadmium	TVS	TVS
Other:		chlorophyll a (ug/L)	---	Chromium III	50(T)	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		E. Coli (per 100 mL)	---	Chromium VI	TVS	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	Iron	---	1000(T)
		Boron	---	Lead	TVS	TVS
		Chloride	---	Manganese	TVS	TVS
		Chlorine	0.019	Manganese	---	WS
		Cyanide	0.005	Mercury	---	0.01(t)
		Nitrate	10	Molybdenum	---	160(T)
		Nitrite	---	Nickel	TVS	TVS
		Phosphorus	---	Selenium	TVS	TVS
		Sulfate	---	Silver	TVS	TVS
		Sulfide	---	Uranium	---	---
			0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Closed Basin-San Luis Valley River Basin

19. San Luis Lake.						
CORGCB19	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	1/1 - 3/31	CLL	Aluminum	---
	Recreation E	Temperature °C	4/1 - 12/31	21.2	Arsenic	340
Qualifiers:					Beryllium	---
Other:					Cadmium	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.					Chromium III	TVS
		D.O. (mg/L)	---	6.0	Chromium III	---
		D.O. (spawning)	---	7.0	Chromium VI	TVS
		pH	6.5 - 9.0	---	Copper	TVS
		chlorophyll a (ug/L)	---	8*	Iron	---
		E. Coli (per 100 mL)	---	126	Lead	TVS
					Manganese	TVS
					Mercury	---
					Molybdenum	---
					Nickel	TVS
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS
20. Head Lake.						
CORGCB20	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CLL	CLL	Aluminum	---
	Recreation E				Arsenic	340
Qualifiers:					Beryllium	---
Other:					Cadmium	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		D.O. (mg/L)	---	6.0	Chromium III	TVS
		D.O. (spawning)	---	7.0	Chromium III	---
		pH	6.5 - 9.0	---	Chromium VI	TVS
		chlorophyll a (ug/L)	---	8*	Copper	TVS
		E. Coli (per 100 mL)	---	126	Iron	---
					Lead	TVS
					Manganese	TVS
					Mercury	---
					Molybdenum	---
					Nickel	TVS
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 36.6 for details on TVS, TVS(tr), WS, temperature standards.

## **STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS – FOOTNOTES**

- A) Whenever a range of standards is listed and referenced to this footnote, the first number in the range is a strictly health-based value, based on the Commission's established methodology for human health-based standards. The second number in the range is a maximum contaminant level, established under the federal Safe Drinking Water Act that has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range. Water bodies will be considered in attainment of this standard, and not included on the Section 303(d) List, so long as the existing ambient quality does not exceed the second number in the range.

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00762

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

**Water Quality Control Commission (1002 Series)**

**on 01/11/2016**

**5 CCR 1002-36**

**REGULATION NO. 36 - CLASSIFICATIONS AND NUMERIC STANDARDS FOR RIO GRANDE  
BASIN**

The above-referenced rules were submitted to this office on 01/12/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 29, 2016 11:22:11

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Public Health and Environment

### **Agency**

Water Quality Control Commission (1002 Series)

### **CCR number**

5 CCR 1002-36

### **Rule title**

5 CCR 1002-36 REGULATION NO. 36 - CLASSIFICATIONS AND NUMERIC  
STANDARDS FOR RIO GRANDE BASIN 1 - eff 06/30/2016

### **Effective date**

06/30/2016

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**  
**WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-36**

**REGULATION NO. 36**  
**CLASSIFICATIONS AND NUMERIC STANDARDS**  
**FOR**  
**RIO GRANDE BASIN**

.....

**36.6    TABLES**

.....

**(4)    Additional Site-Specific Criteria**

.....

(b)    Site-Specific Standards for Rio Grande Segment 4a:

**Standards effective through 12/31/2018**

Cadmium(acute)=TVS(tr)  
Cadmium(chronic)=TVS  
Lead(chronic)=TVS  
Manganese(chronic)=TVS and WS  
Zinc(acute/chronic)=TVS

**Tier 1 standards effective 1/1/2019 through 12/31/2020**

Low flow (August-March):  
Cadmium(acute/chronic)=2.6 / 1.5 ug/L  
Lead(chronic)=3.0 ug/L  
Manganese(chronic)=165 ug/L  
Zinc(acute/chronic)=548 / 393 ug/L

High flow (April-July):  
Cadmium(acute/chronic)=1.0 / 0.63 ug/L  
Lead(chronic)=1.3 ug/L  
Manganese(chronic)=WS  
Zinc(acute/chronic)=272 / 183 ug/L

**Tier 2 standards effective from 1/1/2021**

Low flow (August-March):  
Cadmium(acute/chronic)=2.0 / 0.88 ug/L  
Lead(chronic)=1.5 ug/L  
Manganese(chronic)=92 ug/L  
Zinc(acute/chronic)=306 / 148 ug/L

High flow (April-July):

Cadmium(acute/chronic)=0.83 / 0.51 ug/L

Lead(chronic)=0.75 ug/L

Manganese(chronic)=WS

Zinc(acute/chronic)=225 / 136 ug/L

- (c) Site-specific standards and temporary modifications for Rio Grande Segment 7:

**Standards effective through 12/31/2018**

Cadmium(acute/chronic)=TVS

Copper(acute/chronic)=TVS

Lead(acute/chronic)=TVS

Manganese(acute/chronic)=TVS

Silver(acute)=TVS

Zinc(acute/chronic)=TVS

**Tier 1 standards effective 1/1/2019 through 12/31/2020**

**West Willow**

Cadmium(acute/chronic)=163 / 21 ug/L

Copper(acute/chronic)=227 / 8.9 ug/L

Lead(acute/chronic)=1,014 / 104 ug/L

Manganese(acute/chronic)=TVS

Silver(acute)=1.3 ug/L

Zinc(acute/chronic)=24,000 / 5,977 ug/L

**Windy Gulch**

Cadmium(acute/chronic)=9.1 / 6.3 ug/L

Copper(acute/chronic)=TVS / 5.8 ug/L

Lead(acute/chronic)=TVS

Manganese(acute/chronic)=TVS

Silver(acute)=TVS

Zinc(acute/chronic)=2,804 / 1,914 ug/L

**Willow mainstem**

Low flow (August-March):

Cadmium(acute/chronic)=17.5 / 15.4 ug/L

Copper(acute/chronic)=TVS

Lead(acute/chronic)=TVS / 30 ug/L

Manganese(acute/chronic)=TVS

Silver(acute)=TVS

Zinc(acute/chronic)=4,541 / 3,917 ug/L

High flow (April-July):

Cadmium(acute/chronic)=15.6 / 10.3 ug/L

Copper(acute/chronic)=TVS

Lead(acute/chronic)=TVS / 22 ug/L

Manganese(acute/chronic)=TVS

Silver(acute)=TVS

Zinc(acute/chronic)=4,190 / 3,009 ug/L

**Tier 2 standards effective from 1/1/2021**



### **West Willow**

#### Low flow (August-March):

Cadmium(acute/chronic)=67 / 50 ug/L  
Copper(acute/chronic)=17.6 / 15.0 ug/L  
Lead(acute/chromium)=268 / 183 ug/L  
Manganese(acute/chronic)=TVS / 1,779 ug/L  
Silver(acute)=TVS  
Zinc(acute/chronic)=11,873 / 11,022 ug/L

#### High flow (April-July):

Cadmium(acute/chronic)=32 / 19.2 ug/L  
Copper(acute/chronic)=15.0 / 9.4 ug/L  
Lead(acute/chromium)=103 / 47 ug/L  
Manganese(acute/chronic)=TVS  
Silver(acute)=TVS  
Zinc(acute/chronic)=8,772 / 5,611 ug/L

### **Windy Gulch**

Cadmium(acute/chronic)=9.1 / 6.3 ug/L  
Copper(acute/chronic)=TVS / 5.8 ug/L  
Lead(acute/chromium)=TVS  
Manganese(acute/chronic)=TVS  
Silver(acute)=TVS  
Zinc(acute/chronic)=2,804 / 1,914 ug/L

### **Willow mainstem**

#### Low flow (August-March):

Cadmium(acute/chronic)=13.9 / 11.2 ug/L  
Copper(acute/chronic)=TVS  
Lead(acute/chromium)=TVS / 18.6 ug/L  
Manganese(acute/chronic)=TVS  
Silver(acute)=TVS  
Zinc(acute/chronic)=2,521 / 1,733 ug/L

#### High flow (April-July):

Cadmium(acute/chronic)=14.5 / 8.9 ug/L  
Copper(acute/chronic)=TVS  
Lead(acute/chromium)=TVS / 13.1 ug/L  
Manganese(acute/chronic)=TVS  
Silver(acute)=TVS  
Zinc(acute/chronic)=3,635 / 2,373 ug/L

The following temporary modifications apply (Expiration Date 12/31/2018):

### **West Willow**

Cadmium(acute)=163 ug/L  
Cadmium(chronic)=21.2 ug/L  
Copper(acute)=227 ug/L  
Copper(chronic)=8.9 ug/L  
Lead(acute)=1,014 ug/L  
Lead(chronic)=104 ug/L  
Silver(acute)=1.32 ug/L  
Zinc(acute)=24,000 ug/L  
Zinc(chronic)=5,977 ug/L

**Windy Gulch**

Cadmium(acute)=9.1 ug/L  
Cadmium(chronic)=6.3 ug/L  
Copper(chronic)=5.8 ug/L  
Zinc(acute)=2,804 ug/L  
Zinc(chronic)=1,914 ug/L

**Willow**

Cadmium(acute)=30.8 ug/L  
Cadmium(chronic)=17.9 ug/L  
Copper(acute)=6.4 ug/L  
Copper(chronic)=5.6 ug/L  
Lead(acute)=38.0 ug/L  
Lead(chronic)=31.3 ug/L  
Zinc(acute)=6,763 ug/L  
Zinc(chronic)=4,660 ug/L

....

**36.38 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016**

The provisions of C.R.S. 25-8-202(1)(i) and 25-8-401(2) provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

**BASIS AND PURPOSE**

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2017, to determine whether the temporary modification should be modified, eliminated or extended. In addition, other standards actions were taken.

Rio Grande segments 4a and 7: Metals, revised standards effective dates and temporary modifications expiration dates.

At the December 2013 Temporary Modification hearing the Commission adopted site specific standards with delayed effective dates and temporary modifications in Rio Grande segments 4a and 7. These standards represent predicted improvements in water quality due to the dilution effect of treated effluent from the Bulldog Mine in Tier 1 and water-quality improvement predicted by a 90% reduction in flow and metal load from the Nelson Tunnel, and a predicted 50% reduction in metal load from the Solomon Mine, in addition to dilution from treated effluent from the Bulldog Mine in Tier 2. The adopted site-specific standards are intended to set water-quality goals for both segments that reflect the lowest ambient concentrations that are feasible to achieve with the 2013 schedule for redevelopment activities. However, Rio Grande Silver presented evidence that implementation of the Rio Grande Silver Bulldog Mine redevelopment project has been delayed two years. As a result, the Commission extended all of the effective dates and expiration dates by two years.

Rio Grande segments 4a and 7: Ammonia.

The Division and the Town of Creede presented evidence that its wastewater treatment facility has a predicted compliance problem with ammonia effluent limits based on water

quality standards in segments 7 and 4a and there is uncertainty regarding the feasibility of meeting the ammonia limits. Creede has submitted a plan to resolve the uncertainty. Based on that plan the Commission adopted a “current conditions” temporary modification to the ammonia standard with an expiration date of 12/31/2018.

#### PARTIES TO THE RULEMAKING HEARING

1. City of Delta
2. Resurrection Mining Company
3. U.S. Energy Corp.
4. City of Pueblo
5. Peabody Sage Creek Mining and Seneca Coal Company
6. Climax Molybdenum Company
7. Rio Grande Silver
8. City of Colorado Springs and Colorado Springs Utilities
9. Tri-State Generation and Transmission Association, Inc.
10. High Country Conservation Advocates
11. U.S. Environmental Protection Agency
12. Colorado Parks and Wildlife
13. Town of Crested Butte and Coal Creek Watershed Coalition
14. Public Service Company of Colorado

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-36**

**REGULATION NO. 36  
CLASSIFICATIONS AND NUMERIC STANDARDS  
FOR  
RIO GRANDE BASIN**

**APPENDIX 36-1  
Stream Classifications and Water Quality Standards Tables**

Effective 06/30/2016

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

4a. Mainstem of the Rio Grande from a point immediately above the confluence with Willow Creek to a point immediately above the confluence with the South Fork Rio Grande.						
<b>CORGRG04A</b>	<b>Classifications</b>	<b>Physical and Biological</b>			<b>Metals (ug/L)</b>	
<b>Designation</b>	Aq Life Cold 1		<b>DM</b>	<b>MWAT</b>	<b>acute</b>	<b>chronic</b>
Reviewable	Recreation E	Temperature °C	CS-II	CS-II	Aluminum	---
	Water Supply		<b>acute</b>	<b>chronic</b>	Arsenic	340
	Agriculture	D.O. (mg/L)	---	6.0	Beryllium	---
<b>Qualifiers:</b>		D.O. (spawning)	---	7.0	Cadmium	varies*
<b>Other:</b>		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
Cadmium(chronic) = current condition		<b>Inorganic (mg/L)</b>			Iron	1000(T)
Lead(chronic) = current condition			<b>acute</b>	<b>chronic</b>	Lead	TVS
Zinc(chronic) = current condition		Ammonia	TVS	TVS	Manganese	TVS
Ammonia(ac/ch) = current condition		Boron	---	0.75	Mercury	---
Expiration Date of 12/31/2018		Chloride	---	250	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
*Cadmium(acute) = See 36.6(4) for site-specific standards and assessment locations.		Cyanide	0.005	---	Selenium	TVS
*Cadmium(chronic) = See 36.6(4) for site-specific standards and assessment locations.		Nitrate	10	---	Silver	TVS
*Lead(chronic) = See 36.6(4) for site-specific standards and assessment locations.		Nitrite	---	0.05	Uranium	---
*Manganese(chronic) = See 36.6(4) for site-specific standards and assessment locations.		Phosphorus	---	---	Zinc	varies*
*Zinc(acute) = See 36.6(4) for site-specific standards and assessment locations.		Sulfate	---	WS		
*Zinc(chronic) = See 36.6(4) for site-specific standards and assessment locations.		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Rio Grande River Basin

7. Mainstem of West Willow Creek from the Park Regent Mine dump to the confluence with East Willow Creek. Mainstem of Willow Creek, including all tributaries from the confluence of East and West Willow Creeks, to the confluence with the Rio Grande.						
CORGRG07	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	varies*
Temporary Modification(s):		pH	6.5 - 9.0	---	Chromium III	TVS
Cadmium(ac/ch) = varies*		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	---
Copper(ac/ch) = varies*		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Lead(ac/ch) = varies*					Copper	varies*
Silver(acute) = varies*		Inorganic (mg/L)			Iron	---
Zinc(ac/ch) = varies*		acute	chronic		Lead	varies*
Ammonia(ac/ch) = current condition		Ammonia	TVS	TVS	Manganese	varies*
Expiration Date of 12/31/2018		Boron	---	0.75	Mercury	---
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 36.5(4).		Chloride	---	---	Molybdenum	---
*Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).		Chlorine	---	0.011	Nickel	TVS
*Cadmium(acute) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.		Cyanide	0.005	---	Selenium	TVS
*Cadmium(chronic) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.		Nitrate	100	---	Silver	varies*
*Copper(acute) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.		Nitrite	---	10	Uranium	---
*Copper(chronic) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.		Phosphorus	---	0.11*	Zinc	varies*
*Lead(acute) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.		Sulfate	---	---		
*Lead(chronic) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.		Sulfide	---	0.002		
*Manganese(acute) = See 36.6(4) for site-specific standards and assessment locations.						
*Manganese(chronic) = See 36.6(4) for site-specific standards and assessment locations.						
*Silver(acute) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.						
*Zinc(acute) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.						
*Zinc(chronic) = See 36.6(4) for temporary modifications, site-specific standards and assessment locations.						
*TempMod: Ammonia = Willow below Creede WWTF.						
*TempMod: Cadmium = See 36.6(4) for temporary modifications and assessment locations.						
*TempMod: Copper = See 36.6(4) for temporary modifications and assessment locations.						
*TempMod: Lead = See 36.6(4) for temporary modifications and assessment locations.						
*TempMod: Silver = See 36.6(4) for temporary modifications and assessment locations.						
*TempMod: Zinc = See 36.6(4) for temporary modifications and assessment locations.						

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 33.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00519

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

**Water Quality Control Commission (1002 Series)**

**on 01/11/2016**

**5 CCR 1002-36**

**REGULATION NO. 36 - CLASSIFICATIONS AND NUMERIC STANDARDS FOR RIO GRANDE  
BASIN**

The above-referenced rules were submitted to this office on 01/12/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 29, 2016 11:21:10

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Public Health and Environment

### **Agency**

Water Quality Control Commission (1002 Series)

### **CCR number**

5 CCR 1002-37

### **Rule title**

5 CCR 1002-37 REGULATION NO. 37 - CLASSIFICATIONS AND NUMERIC  
STANDARDS FOR LOWER COLORADO RIVER BASIN 1 - eff 03/01/2016

### **Effective date**

03/01/2016



**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**  
**WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-37**

**REGULATION NO. 37**  
**CLASSIFICATIONS AND NUMERIC STANDARDS**  
**FOR**  
**LOWER COLORADO RIVER BASIN**

**37.1    AUTHORITY**

These regulations are promulgated pursuant to section 25-8-101 et seq. C.R.S., as amended, and in particular, 25-8-203 and 25-8-204.

**37.2    PURPOSE**

These regulations establish classifications and numeric standards for the Colorado River Basin, including all tributaries and standing bodies of water. This includes all or parts of Garfield, Mesa, Rio Blanco, Moffat and Routt Counties. The classifications identify the actual beneficial uses of the water. The numeric standards are assigned to determine the allowable concentrations of various parameters. Discharge permits will be issued by the Water Quality Control Division to comply with basic, narrative, and numeric standards and control regulations so that all discharges to waters of the state protect the classified uses. (See Regulation No. 31, section 31.14). It is intended that these and all other stream classifications and numeric standards be used in conjunction with and be an integral part of Regulation No. 31 Basic Standards and Methodologies for Surface Water.

**37.3    INTRODUCTION**

These regulations and tables present the classifications and numeric standards assigned to stream segments listed in the attached tables (see section 37.6). As additional stream segments are classified and numeric standards for designated parameters are assigned for this drainage system, they will be added to or replace the numeric standards in the tables in section 37.6. Any additions or revisions of classifications or numeric standards can be accomplished only after public hearing by the Commission and proper consideration of evidence and testimony as specified by the statute and the "basic regulations".

**37.4    DEFINITIONS**

See the Colorado Water Quality Control Act and the codified water quality regulations for definitions.

**37.5    BASIC STANDARDS**

**(1)    TEMPERATURE**

All waters of the Colorado River Basin are subject to the following standard for temperature. (Discharges regulated by permits, which are within the permit limitations, shall not be subject to enforcement proceedings under this standard). Temperature shall maintain a normal pattern of diurnal and seasonal fluctuations with no abrupt changes and shall have no increase in temperature of a magnitude, rate, and duration deemed deleterious to the resident aquatic life. This standard shall not be interpreted or applied in a manner inconsistent with section 25-8-104, C.R.S.

(2) QUALIFIERS

See Basic Standards and Methodologies for Surface Water for a listing of organic standards at 31.11 and metal standards found at 31.16 Table III. The column in the tables headed "Water + Fish" are presumptively applied to all aquatic life class 1 streams which also have a water supply classification, and are applied to aquatic life class 2 streams which also have a water supply classification, on a case-by-case basis as shown in the Tables 37.6. The column in the tables at 31.11 headed "Fish Ingestion" is presumptively applied to all aquatic life class 1 streams which do not have a water supply classification, and are applied to aquatic life class 2 streams which do not have a water supply classification, on a case-by-case basis as shown in Tables 37.6.

(3) URANIUM

- (a) All waters of the Lower Colorado River Basin, are subject to the following basic standard for uranium, unless otherwise specified by a water quality standard applicable to a particular segment. However, discharges of uranium regulated by permits which are within these permit limitations shall not be a basis for enforcement proceedings under this basic standard.
- (b) Uranium level in surface waters shall be maintained at the lowest practicable level.
- (c) In no case shall uranium levels in waters assigned a water supply classification be increased by any cause attributable to municipal, industrial, or agricultural discharges so as to exceed 16.8-30 ug/l or naturally-occurring concentrations (as determined by the State of Colorado), whichever is greater.
  - (i) The first number in the 16.8-30 ug/l range is a strictly health-based value, based on the Commission's established methodology for human health-based standards. The second number in the range is a maximum contaminant level, established under the federal Safe Drinking Water Act that has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range. Water bodies will be considered in attainment of this standard, and not included on the Section 303(d) List, so long as the existing ambient quality does not exceed the second number in the range.

(4) NUTRIENTS

Prior to May 31, 2022, interim nutrient values will be considered for adoption only in the limited circumstances defined at 31.17(e). These circumstances include headwaters, Direct Use Water Supply (DUWS) Lakes and Reservoirs, and other special circumstances determined by the Commission. Additionally, prior to May 31, 2017, only total phosphorus and chlorophyll a will be considered for adoption. After May 31, 2017, total nitrogen will be considered for adoption per the circumstances outlined in 31.17(e).

Prior to May 31, 2022, nutrient criteria will be adopted for headwaters on a segment by segment basis for the Lower Colorado Basin. Moreover, pursuant to 31.17(e) nutrient standards will only be adopted for waters upstream of all permitted domestic wastewater treatment facilities discharging prior to May 31, 2012 or with preliminary effluent limits requested prior to May 31, 2012, and any non-domestic facilities subject to Regulation 85 effluent limits and discharging prior to May 31, 2012. The following is a list of all permitted domestic wastewater treatment facilities discharging prior to May 31, 2012 or with preliminary effluent limits requested prior to May 31,

2012, and any non-domestic facilities subject to Regulation 85 effluent limits and discharging prior to May 31, 2012 in the Lower Colorado Basin:

Segment	Permittee	Facility name	Permit No.
COLCLY02	Craig City of	CRAIG WWTF	CO0040037
COLCWH07	Whiteriver RV LLC	WHITERIVER RV SANITATION WWTF	COG588048
COLCWH07	Meeker Sanitation District	MEEKER SANITATION DISTRICT	CO0047139
COLCWH13b	Shell Frontier Oil & Gas Inc	CORRAL GULCH WWTF	CO0048859
COLCWH21	Rangely Town of	RANGELY WWTF	CO0000010
COLCLC01	Rifle City of	RIFLE REGIONAL WW RECLAMATION FACILITY	CO0048151
COLCLC01	Wastewater Treatment Service LLC	WASTE WATER TREATMENT SERVICES WWTF	COG589110
COLCLC01	Silt Town of	SILT TOWN OF	COG588046
COLCLC01	West Glenwood Springs SD	WEST GLENWOOD SPRINGS SD	COG588008
COLCLC01	Glenwood Springs City of	GLENWOOD SPRINGS REGIONAL WWTF	CO0048852
COLCLC01	Talbott Enterprises Inc	TALBOTT ENTERPRISES INC	COG588061
COLCLC01	New Castle Town of	NEW CASTLE WWTF	COG588062
COLCLC01	Riverbend Water and Sewer Company	RIVERBEND SUBDIVISION	COG588006
COLCLC02a	Colorado Retail Ventures Services LLC	CAMEO EAGLE TRAVEL CENTER	CO0048847
COLCLC02a	DeBeque Town of	DEBEQUE TOWN OF	CO0048135
COLCLC02a	Battlement Mesa Metro Dist	BATTELEMENT MESA METRO DIST WWTF	COG589086
COLCLC02b	Clifton Sanitation District	CLIFTON SANITATION DISTRICT	CO0033791
COLCLC02b	Palisade Town of	PALISADE WWTF	CO0000012
COLCLC03	Fruita City of	FRUITA WASTEWATER RECLAMATION FACILITY	CO0048854
COLCLC04e	Tri-State Generation & Transmission Assoc Inc	Rifle Station	CO0042447
COLCLC07a	Weiss & Associates	CANYON CREEK ESTATES WWTF	COG588081
COLCLC13b	Mesa Co/Grand Junction City of	PERSIGO WWTF	CO0040053
COLCLC15a	Grand Mesa Metro Dist 2	GRANDE MESA METRO DIST 2	CO0023485
COLCLC15a	Mesa WSD	MESA WSD	CO0048143
COLCLC15c	Collbran Town of	VALLEYWIDE SEWERAGE SYSTEM	CO0040487

Prior to May 31, 2022:

- For segments located entirely above these facilities, nutrient standards apply to the entire segment.
- For segments with portions downstream of these facilities, *nutrient standards only apply above these facilities*. A footnote was added to the total phosphorus and chlorophyll a standards in these segments. The footnote references the table of qualified facilities at 37.5(4).
- For segments located entirely below these facilities, nutrient standards do not apply.

A footnote was added to the total phosphorus and chlorophyll a standards in lakes segments as nutrients standards apply only to lakes and reservoirs larger than 25 acres surface area.

### 37.6 TABLES

#### (1) Introduction

The numeric standards for various parameters in this regulation and in the tables in Appendix 37-1 were assigned by the Commission after a careful analysis of the data presented on actual stream conditions and on actual and potential water uses.

Numeric standards are not assigned for all parameters listed in the tables attached to Regulation No. 31. If additional numeric standards are found to be needed during future periodic reviews, they can be assigned by following the proper hearing procedures.

(2) Abbreviations:

(a) The following abbreviations are used in this regulation and in the tables in Appendix 37-1:

°C	=	degrees celsius
CL	=	cold lake temperature tier
CLL	=	cold large lake temperature tier
CS-I	=	cold stream temperature tier one
CS-II	=	cold stream temperature tier two
D.O.	=	dissolved oxygen
DM	=	daily maximum
DUWS	=	direct use water supply
E.Coli	=	escherichia coli
mg/l	=	milligrams per liter
MWAT	=	maximum weekly average temperature
OW	=	outstanding waters
sc	=	sculpin
sp	=	spawning
SSE	=	site-specific equation
T	=	total recoverable
t	=	total
tr	=	trout
TVS	=	table value standard
ug/l	=	micrograms per liter
UP	=	use-protected
WAT	=	weekly average temperature
WL	=	warm lake temperature tier
WS	=	water supply
WS-I	=	warm stream temperature tier one
WS-II	=	warm stream temperature tier two
WS-III	=	warm stream temperature tier three
WS-IV	=	warm stream temperature tier four

(b) In addition, the following abbreviations were used:

Fe(ch)	=	WS
Mn(ch)	=	WS
SO <sub>4</sub>	=	WS

These abbreviations mean: For all surface waters with an actual water supply use, the less restrictive of the following two options shall apply as numerical standards, as specified in the Basic Standards and Methodologies at 31.16 Table II and III:

(i) existing quality as of January 1, 2000; or

(ii)	Iron	=	300 ug/l (dissolved)
	Manganese	=	50 ug/l (dissolved)
	SO <sub>4</sub>	=	250 mg/l

For all surface waters with a "water supply" classification that are not in actual use as a water supply, no water supply standards are applied for iron, manganese or sulfate, unless the Commission determines as the result of a site-specific rulemaking hearing that such standards are appropriate.

(c) Temporary Modification for Water + Fish Chronic Arsenic Standard

- (i) The temporary modification for chronic arsenic standards applied to segments with an arsenic standard of 0.02 ug/l that has been set to protect the Water+Fish qualifier is listed in the temporary modification and qualifiers column as As(ch)=hybrid.
- (ii) For discharges existing on or before 6/1/2013, the temporary modification is: As(ch)=current condition, expiring on 12/31/2021.
- (iii) For new or increased discharges commencing on or after 6/1/2013, the temporary modification is: As(ch)=0.02-3.0 ug/l (Trec), expiring on 12/31/2021.
  - (a) The first number in the range is the health-based water quality standard previously adopted by the Commission for the segment.
  - (b) The second number in the range is a technology based value established by the Commission for the purpose of this temporary modification.
  - (c) Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range.

(3) Table Value Standards

In certain instances in the tables in Appendix 37-1, the designation "TVS" is used to indicate that for a particular parameter a "table value standard" has been adopted. This designation refers to numerical criteria set forth in the Basic Standards and Methodologies for Surface Water. The criteria for which the TVS are applicable are on the following table.

TABLE VALUE STANDARDS  
(Concentrations in ug/l unless noted)

PARAMETER <sup>(1)</sup>	TABLE VALUE STANDARDS <sup>(2)(3)</sup>
Aluminum (Trec)	Acute = $e^{(1.3695[\ln(\text{hardness})]+1.8308)}$ pH equal to or greater than 7.0 Chronic = $e^{(1.3695[\ln(\text{hardness})]-0.1158)}$ pH less than 7.0 Chronic = $e^{(1.3695[\ln(\text{hardness})]-0.1158)}$ or 87, whichever is more stringent
Ammonia <sup>(4)</sup>	Cold Water = (mg/l as N)Total $acute = \frac{0.275}{1 + 10^{7.204 - pH}} + \frac{39.0}{1 + 10^{pH - 7.204}}$

	$chronic = \left[ \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right] * MIN(2.85, 1.45 * 10^{0.028(25 - T)})$					
	Warm Water = (mg/l as N)Total $acute = \frac{0.411}{1 + 10^{7.204 - pH}} + \frac{58.4}{1 + 10^{pH - 7.204}}$					
	$chronic (Apr 1 - Aug 31) = \left[ \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right] * MIN(2.85, 1.45 * 10^{0.028(25 - T)})$ $chronic (Sep 1 - Mar 31) = \left[ \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right] * 1.45 * 10^{0.028 * (25 - MAX(T, 7))}$					
Cadmium	Acute = (1.136672-[ln(hardness) x (0.041838)]) x e <sup>0.9151[ln(hardness)]-3.1485</sup> Acute(Trout) = (1.136672-[ln(hardness)x (0.041838)]) x e <sup>0.9151[ln(hardness)]-3.6236</sup> Chronic = (1.101672-[ln(hardness) x(0.041838)]) x e <sup>0.7998[ln(hardness)]-4.4451</sup>					
Chromium III <sup>(5)</sup>	Acute = e <sup>(0.819[ln(hardness)]+2.5736)</sup> Chronic = e <sup>(0.819[ln(hardness)]+0.5340)</sup>					
Chromium VI <sup>(5)</sup>	Acute = 16 Chronic = 11					
Copper	Acute = e <sup>(0.9422[ln(hardness)]-1.7408)</sup> Chronic = e <sup>(0.8545[ln(hardness)]-1.7428)</sup>					
Lead	Acute = (1.46203-[ln(hardness)*(0.145712)])*e <sup>(1.273[ln(hardness)]-1.46)</sup> Chronic =(1.46203-[ln (hardness)*(0.145712)])*e <sup>(1.273[ln(hardness)]-4.705)</sup>					
Manganese	Acute = e <sup>(0.3331[ln(hardness)]+6.4676)</sup> Chronic = e <sup>(0.3331[ln(hardness)]+5.8743)</sup>					
Nickel	Acute = e <sup>(0.846[ln(hardness)]+2.253)</sup> Chronic = e <sup>(0.846[ln(hardness)]+0.0554)</sup>					
Selenium <sup>(6)</sup>	Acute = 18.4 Chronic = 4.6					
Silver	Acute = ½e <sup>(1.72[ln(hardness)]-6.52)</sup> Chronic = e <sup>(1.72[ln(hardness)]-9.06)</sup> Chronic(Trout) = e <sup>(1.72[ln(hardness)]-10.51)</sup>					
Temperature	TEMPERA-TURE TIER	TIER CODE	SPECIES EXPECTED TO BE PRESENT	APPLICABLE MONTHS	TEMPERATURE STANDARD (°C)	
					(MWAT)	(DM)
	Cold Stream Tier I	CS-I	brook trout, cutthroat trout	June – Sept.	17.0	21.7
		CS-II		Oct. – May	9.0	13.0
				April – Oct.	18.3	23.9

	Cold Stream Tier II		all other cold-water species	Nov. – March	9.0	13.0
	Cold Lake	CL	brook trout, brown trout, cutthroat trout, lake trout, rainbow trout, Arctic grayling, sockeye salmon	April – Dec.	17.0	21.2
				Jan. – March	9.0	13.0
	Cold Large Lake (>100)	CLL	brown trout, lake trout, rainbow trout	April – Dec.	18.3	23.8
				Jan. – March	9.0	13.0
	Warm Stream Tier I	WS-I	common shiner, Johnny darter, orangethroat darter	March – Nov.	24.2	29.0
				Dec. – Feb.	12.1	14.5
	Warm Stream Tier II	WS-II	brook stickleback, central stoneroller, creek chub, longnose dace, Northern redbelly dace, finescale dace, razorback sucker, white sucker	March – Nov.	27.5	28.6
				Dec. – Feb.	13.8	14.3
	Warm Stream Tier III	WS-III	all other warm-water Species	March – Nov.	28.7	31.8
				Dec. – Feb.	14.3	15.9
Warm Lakes	WL	yellow perch, walleye, pumpkinseed, smallmouth bass, striped bass, white bass, largemouth bass, bluegill, spottail shiner, Northern pike, tiger muskellunge, black crappie, common carp, gizzard shad, sauger, white crappie, wiper	April – Dec.	26.3	29.5	
			Jan. – March	13.2	14.8	
Uranium	Acute = $e^{(1.1021[\ln(\text{hardness})]+2.7088)}$ Chronic = $e^{(1.1021[\ln(\text{hardness})]+2.2382)}$					
Zinc	Acute = $0.978 * e^{(0.9094[\ln(\text{hardness})]+0.9095)}$ Chronic = $0.986 * e^{(0.9094[\ln(\text{hardness})]+0.6235)}$ if hardness less than 102 mg/l CaCO <sub>3</sub>  Chronic (sculpin) = $e^{(2.140[\ln(\text{hardness})]-5.084)}$					

#### TABLE VALUE STANDARDS - FOOTNOTES

- (1) Metals are stated as dissolved unless otherwise specified.
- (2) Hardness values to be used in equations are in mg/l as calcium carbonate and shall be no greater than 400 mg/L. The hardness values used in calculating the appropriate metal standard should be based on the lower 95 per cent confidence limit of the mean hardness value at the periodic low flow criteria as determined from a regression analysis of site-specific data. Where insufficient site-specific data exists to define the mean hardness value at the periodic low flow criteria, representative regional data shall be used to perform the regression analysis. Where a regression analysis is not appropriate, a site-specific method should be used. In calculating a hardness value, regression analyses should not be extrapolated past the point that data exist.
- (3) Both acute and chronic numbers adopted as stream standards are levels not to be exceeded more than once every three years on the average.

- (4) *For acute conditions the default assumption is that salmonids could be present in cold water segments and should be protected, and that salmonids do not need to be protected in warm water segments. For chronic conditions, the default assumptions are that early life stages could be present all year in cold water segments and should be protected. In warm water segments the default assumption is that early life stages are present and should be protected only from April 1 through August 31. These assumptions can be modified by the Commission on a site-specific basis where appropriate evidence is submitted.*
- (5) *Unless the stability of the chromium valence state in receiving waters can be clearly demonstrated, the standard for chromium should be in terms of chromium VI. In no case can the sum of the instream levels of Hexavalent and Trivalent Chromium exceed the water supply standard of 50 ug/l total chromium in those waters classified for domestic water use.*
- (6) *Selenium is a bioaccumulative metal and subject to a range of toxicity values depending upon numerous site-specific variables.*
- (7) *E.coli criteria and resulting standards for individual water segments, are established as indicators of the potential presence of pathogenic organisms. Standards for E. coli are expressed as a two-month geometric mean. Site-specific or seasonal standards are also two-month geometric means unless otherwise specified.*
- (8) *All phosphorus standards are based upon the concentration of total phosphorus.*
- (9) *The pH standards of 6.5 (or 5.0) and 9.0 are an instantaneous minimum and maximum, respectively to be applied as effluent limits. In determining instream attainment of water quality standards for pH, appropriate averaging periods may be applied, provided that beneficial uses will be fully protected.*

(4) Assessment Criteria

The following criteria shall be used when assessing whether a specified waterbody is in attainment of the specified standard.

(a) White River Segment 13b Selenium Assessment Thresholds and Locations

Corral Gulch, Se(ch)=5.7 ug/l

Assessment location: Corral Gulch at the mouth.

Duck Creek, Se(ch)=7.9 ug/l

Assessment location: Duck Creek at the mouth.

Yellow Creek, Se(ch)=6.9 ug/l

Assessment location: Yellow Creek upstream from the confluence with Barcus Creek.

Greasewood Creek, Se(ch)=6.0 ug/l

Assessment location: Greasewood Creek at the mouth.

(b) White River Segment 13c Iron Assessment Threshold and Location

Yellow Creek, Fe(ch)=1625 ug/l

Assessment location: Yellow Creek at the mouth.

(5) Stream Classifications and Water Quality Standards Tables

The stream classifications and water quality standards tables in Appendix 37-1 are incorporated herein by reference.



....

**37.35 STATEMENT OF BASIS AND PURPOSE REGARDING THE ADOPTION OF NON-SUBSTANTIVE CHANGES TO THE CLASSIFICATION AND NUMEIRC STANDARDS FOR LOWER COLORADO RIVER BASIN, JANUARY 11, 2016 RULEMAKING; EFFECTIVE DATE MARCH 1, 2016**

The provisions of C.R.S. 25-8-202(1)(i) and 25-8-401(2) provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

**BASIS AND PURPOSE**

The Commission, in a public rulemaking hearing adopted extensive changes to the format of this regulation. The Commission does not intend to change any existing designations, use classifications or standards, or the implementation of any standards as the results of changing the format.

This rulemaking was in response to longstanding issues with managing the information contained in the standards tables. The changes made in this hearing reflect a change from storing the information in word processing documents to storing the information in a relational database. This change in platform will provide better consistency, facilitate error checking as well as a more readable format for the standards tables. Storing the information in a database allows it to be used more efficiently by other programs in the Division.

While it was the Commission's intent not to change the substantive meaning of the regulations in this rulemaking, in cases where there was ambiguity the revised regulation reflects the Commission's interpretation of the previous format based on Regulation #31 (the Basic Standards and Methodologies for Surface Water ) and the experience of the Commission and its staff.

Overall format changes: The new format displays parameters by name, rather than by period table element abbreviations. The section formerly titled "Temporary Modifications and Qualifiers" does not appear in the new format. Instead, there is a separate section for qualifiers, and an "Other" section. Temporary modifications, variances and other footnotes are displayed in the "Other" section. Many items that were formerly in the "Temporary Modifications and Qualifiers" column will be displayed in the "Other" column and will have a different appearance or modified wording, although the information is substantively the same. Each footnote in the "Other" section is preceded by a heading that indicates where the footnote applies:

- Footnotes regarding a use classification will begin with the heading "Classification..."
- Footnotes regarding the antidegradation designation begin with the heading "Designation..."
- Footnotes that relate to a particular standard begin with the name of the parameter, for example "Selenium(chronic)= ..."

Also, since there is more room for information within each segment, footnotes "B" and "C" were replaced with the full text in each segment where these footnotes were applied. Footnote "A" was maintained because the text is too long to be displayed in the "Other" section for each segment where it applies. Footnote "D" was changed to footnote "B" and was maintained because the text is too long to be displayed in the "Other" section.

Constraints of the new format: Some adjustments were made to the way that data is displayed in order to be compatible with the functions of the Standards Database. Database organization requires that information which relates to multiple standards must be attached to each individual parameter. For example, a segment with a temporary modification listed for "all parameters" in the old format will have a

temporary modification listed for each individual parameter in the new format. There are also spacing constraints in the new format, which require some information to be moved either to the “other” box on the new format, or moved out of the segment entirely and into another location in the regulation.

Clarification of changes: The shift to a database organizational structure required consistency in the way each data element is addressed. To insure that data is stored and displayed correctly, the following changes were made

- The “type” of temporary modification is no longer displayed in the segment tables, since they have no regulatory effect and have been inconsistently displayed.
- In the old format, waters that had a reviewable antidegradation designation were identified by the absence of either “UP” or “OW” in the designation column. These segments now display the word “reviewable” under the designation heading. There needed to be a value in the designation column for every segment.
- Dissolved standards are not specifically noted as dissolved in the new format. All metals standards are dissolved unless noted with a “T” or a “t”. For example, a manganese standard in the old format of “WS(dis)” is displayed as “WS” in the new format.
- A new footnote 7 was added to clarify that although E. coli is listed in the “chronic” column, the standard is a two-month geometric mean rather than a 30-day average. The language of footnote 7 was taken from Regulation 31, Table 1, footnote 7.
- A new footnote 8 was added to indicate that all phosphorus standards are based upon the concentration of total phosphorus. In the old format, individual phosphorus standards were noted as “total” in some basins and not others.
- A new footnote 9 was added to clarify that although pH is listed in the “acute” column, the standard is not applied as a 1-day average. The language of footnote 7 was taken from Regulation 31, Table 1, footnote 3.
- Physical and Biological Parameters: Some parameters are not specifically identified in the old format segment tables as acute or chronic. The new format requires that each parameter is placed in either the acute or chronic column. Specifically, these parameters and the basis for being identified as acute or chronic are as follows:
  - pH (acute) – Regulation #31, Table 1, footnote 3
  - E. Coli (chronic) – Regulation #31, Table 1, footnote 7
  - D.O. (chronic) – Regulation #31, Table 1, footnote 1
  - cyanide (acute) – Regulation #31, Table 2
  - sulfide (chronic) - Regulation #31, Table 2
  - nitrate (acute) - Regulation #31, Table 2
  - nitrite (chronic) – not specified in Regulation #31. Nitrite has been implemented as a 30-day average standard in permits and assessments.
  - chloride (chronic) Regulation #31, Table 2
  - boron (chronic) - Regulation #31, Table 2

- sulfate (chronic) Regulation #31, Table 2

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-37**

**REGULATION NO. 37  
CLASSIFICATIONS AND NUMERIC STANDARDS  
FOR  
LOWER COLORADO RIVER BASIN**

**APPENDIX 37-1  
Stream Classifications and Water Quality Standards Tables**

Effective 03/01/2016

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

1. Deleted.						
COLCLY01	Classifications	Physical and Biological			Metals (ug/L)	
Designation		DM	MWAT		acute	chronic
Qualifiers:		acute	chronic			
Other:						
		Inorganic (mg/L)				
		acute	chronic			
2. Mainstem of the Yampa River from a point immediately below the confluence with Elkhead Creek to the confluence with the Green River.						
COLCLY02	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Arsenic(chronic) = hybrid		Inorganic (mg/L)			Copper	TVS
Expiration Date of 12/31/2021		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

3a. All tributaries to the Yampa River, including all wetlands, from a point immediately below the confluence with Elkhead Creek to a point immediately below the confluence with the Little Snake River, except for the specific listings in Segments 3b through 15, 17a, 17b and 18.					
COLCLY03A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum --- ---
	Recreation N	acute	chronic	Arsenic --- 100(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium --- 100(T)
Other:		pH	6.5 - 9.0	---	Cadmium --- 10(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III --- 100(T)
		E. Coli (per 100 mL)	---	630	Chromium VI --- 100(T)
		Inorganic (mg/L)		Copper --- 200(T)	
		acute	chronic	Iron --- ---	
		Ammonia	---	---	Lead --- 100(T)
		Boron	---	0.75	Manganese --- 200(T)
		Chloride	---	---	Mercury --- ---
		Chlorine	---	---	Molybdenum --- 160(T)
		Cyanide	0.2	---	Nickel --- 200(T)
		Nitrate	100	---	Selenium --- 20(T)
		Nitrite	---	10	Silver --- ---
		Phosphorus	---	0.17	Uranium --- ---
		Sulfate	---	---	Zinc --- 2000(T)
		Sulfide	---	---	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

3b. Mainstem of Upper Johnson Gulch from its source to confluence with Pyeatt Gulch at CO 107. Mainstems of Pyeatt Gulch, Ute Gulch, Castor Gulch, No Name Gulch, Flume Gulch, Buzzard Gulch, Coyote Gulch, Deal Gulch, Horse Gulch (BOTH), and Elk Gulch, including all tributaries from their sources to their mouths.						
COLCLY03B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---
	Recreation P	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS*
		chlorophyll a (mg/m²)	---	150	Cadmium	---
*Ammonia(acute) = effective 12/31/2019		E. Coli (per 100 mL)	---	205	Chromium III	TVS*
*Ammonia(chronic) = effective 12/31/2019		Inorganic (mg/L)			Chromium III	---
*Chlorine(chronic) = effective 12/31/2019		acute	chronic		Chromium VI	TVS*
*Cyanide(acute) = effective 12/31/2019		Ammonia	TVS*	TVS*	Chromium VI	---
*Sulfide(chronic) = effective 12/31/2019		Boron	---	4.0	Copper	TVS*
*Cadmium(acute) = effective 12/31/2019		Chloride	---	---	Copper	---
*Cadmium(chronic) = effective 12/31/2019		Chlorine	---	0.011*	Iron	---
*Chromium III(acute) = effective 12/31/2019		Cyanide	0.005*	---	Lead	TVS*
*Chromium III(chronic) = effective 12/31/2019		Cyanide	0.2	---	Lead	---
*Chromium VI(acute) = effective 12/31/2019		Nitrate	100	---	Manganese	TVS*
*Chromium VI(chronic) = effective 12/31/2019		Nitrite	---	10	Manganese	---
*Copper(acute) = effective 12/31/2019		Phosphorus	---	0.17	Mercury	---
*Copper(chronic) = effective 12/31/2019		Sulfate	---	---	Molybdenum	---
*Iron(chronic) = effective 12/31/2019		Sulfide	---	0.002*	Nickel	TVS*
*Lead(acute) = effective 12/31/2019					Nickel	---
*Lead(chronic) = effective 12/31/2019					Selenium	TVS*
*Manganese(acute) = effective 12/31/2019					Selenium	---
*Manganese(chronic) = effective 12/31/2019					Silver	TVS*
*Mercury(chronic) = effective 12/31/2019					Uranium	---
*Nickel(acute) = effective 12/31/2019					Zinc	TVS*
*Nickel(chronic) = effective 12/31/2019					Zinc	---
*Selenium(acute) = effective 12/31/2019						
*Selenium(chronic) = effective 12/31/2019						
*Silver(acute) = effective 12/31/2019						
*Silver(chronic) = effective 12/31/2019						
*Zinc(acute) = effective 12/31/2019						
*Zinc(chronic) = effective 12/31/2019						

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

3c. Mainstem of Milk Creek, including all tributaries and wetlands, from Thornburgh (County Rd 15) to the confluence with the Yampa River except for the specific listings in Segment 3b and 3e.						
COLCLY03C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	50(T)
Temporary Modification(s):		E. Coli (per 100 mL)	---	205	Chromium VI	TVS
Arsenic(chronic) = hybrid		Inorganic (mg/L)			Copper	TVS
Expiration Date of 12/31/2021		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.17	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS
3d. Mainstem of Temple Gulch and Morgan Gulch from their sources to their confluences with the Yampa River.						
COLCLY03D	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	630	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	0.17	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

3e. Mainstem of Good Spring Creek and its tributaries above Wilson Reservoir.						
COLCLY03E	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation P	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	0.02-10(T) <sup>A</sup>
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	50(T)
		E. Coli (per 100 mL)	---	205	Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Iron	1000(T)
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	0.01(t)
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.17	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

3f. Big Gulch						
COLCLY03F	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	---
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	100(T)
Other:		pH	6.5 - 9.0	---	Cadmium	10(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
		E. Coli (per 100 mL)	---	126	Chromium VI	100(T)
		Inorganic (mg/L)			Copper	200(T)
		acute	chronic		Iron	---
		Ammonia	---	---	Lead	100(T)
		Boron	---	0.75	Manganese	200(T)
		Chloride	---	---	Mercury	---
		Chlorine	---	---	Molybdenum	160(T)
		Cyanide	0.2	---	Nickel	200(T)
		Nitrate	100	---	Selenium	20(T)
		Nitrite	---	10	Silver	---
		Phosphorus	---	0.17	Uranium	---
		Sulfate	---	---	Zinc	2000(T)
		Sulfide	---	---		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

3g. Mainstems of Ben Morgan Creek, Boxelder Gulch, Collom Gulch, Hale Gulch and Jubb Creek, including all tributaries from their sources to their mouths.								
COLCLY03G	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---		
	Recreation P	acute	chronic	Arsenic	---	100(T)		
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---		
Other:		pH	6.5 - 9.0	---	Cadmium	---		
		chlorophyll a (mg/m²)	---	150	Chromium III	---		
		E. Coli (per 100 mL)	---	205	Chromium VI	---		
		Inorganic (mg/L)		Copper	---			
		acute	chronic	Iron	---			
		Ammonia	---	Lead	---			
		Boron	---	Manganese	---			
		Chloride	---	Mercury	---			
		Chlorine	---	Molybdenum	---			
		Cyanide	0.2	Nickel	---			
		Nitrate	100	Selenium	---			
		Nitrite	---	Silver	---			
		Phosphorus	---	Uranium	---			
		Sulfate	---	Zinc	---			
		Sulfide	---					
		3h. Lay Creek from the source to the confluence with the Yampa River.						
		COLCLY03H	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---		
	Recreation N	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>		
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---		
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS		
Other:		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)		
		E. Coli (per 100 mL)	---	630	Chromium VI	TVS		
		Inorganic (mg/L)		Copper	TVS			
		acute	chronic	Iron	---			
		Ammonia	TVS	Iron	---			
		Boron	---	Lead	TVS			
		Chloride	---	Manganese	TVS			
		Chlorine	0.019	Manganese	---			
		Cyanide	0.005	Mercury	---			
		Nitrate	10	Molybdenum	---			
		Nitrite	---	Nickel	TVS			
		Phosphorus	---	Selenium	TVS			
		Sulfate	---	Silver	TVS			
		Sulfide	---	Uranium	---			
				Zinc	TVS			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

3i. Lower Johnson Gulch from the confluence with Pyeatt Gulch at CO 107 to the confluence with the Yampa River.							
COLCLY03i	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---	---
	Recreation P	acute	chronic		Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
		chlorophyll a (mg/m²)	---	150	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	205	Chromium III	---	100(T)
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute	chronic		Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	4.0	Lead	TVS	TVS
		Chloride	---	---	Manganese	TVS	TVS
		Chlorine	---	0.011	Mercury	---	0.01(t)
		Cyanide	0.005	---	Molybdenum	---	160(T)
		Nitrate	100	---	Nickel	TVS	TVS
		Nitrite	---	10	Selenium	TVS	TVS
		Phosphorus	---	0.17	Silver	TVS	TVS
		Sulfate	---	---	Uranium	---	---
		Sulfide	---	0.002	Zinc	TVS	TVS
		4. North and South Fork of Fortification Creek, including all wetlands and tributaries, from their sources to their confluence. Little Cottonwood Creek, including all tributaries and wetlands from the source to the confluence with Fortification Creek.					
COLCLY04	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation P	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	205	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002	Zinc	---	TVS(sc)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

5. Mainstem of Fortification Creek from the confluence of the North Fork and South Fork to the confluence with the Yampa River.						
COLCLY05	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	50(T)
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Arsenic(chronic) = hybrid		Inorganic (mg/L)		Copper	TVS	TVS
Expiration Date of 12/31/2021		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.17	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
				Zinc	TVS	TVS

6. All tributaries to Fortification Creek, including all wetlands, from the confluence of the North and South Forks to the confluence with the Yampa River, except for the specific listings in Segments 4 and 7.						
COLCLY06	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	50(T)
		E. Coli (per 100 mL)	---	205	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.17	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.05	Uranium	---
				Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

7. Mainstem of Little Bear Creek, including all tributaries and wetlands, from the source to the confluence with Dry Fork.						
COLCLY07	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation P	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
		E. Coli (per 100 mL)	---	205	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11	Zinc	TVS
		Sulfate	---	---	Zinc	---
		Sulfide	---	0.002		TVS(sc)

8. Mainstem of the East Fork of the Williams Fork River, including all tributaries and wetlands which are within the boundaries of the Flat Tops Wilderness Area.						
COLCLY08	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

9. Mainstems of the East and South Forks of the Williams Fork River, including all wetlands and tributaries, which are within the boundary of Routt National Forest, except for the specific listings in Segment 8 and 12c.						
COLCLY09	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	205	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
10. Mainstem of the East Fork of the Williams Fork River including all tributaries and wetlands, from the boundary of Routt National Forest to the confluence with the South Fork of the Williams Fork River.						
COLCLY10	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002	Zinc	TVS(sc)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

11. Deleted.

COLCLY11	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Qualifiers:		acute	chronic		
Other:					
		Inorganic (mg/L)			
		acute	chronic		

12a. Mainstem of the South Fork of the Williams Fork River and Beaver Creek, including all tributaries and wetlands, from the boundary of Routt National Forest to their mouths, Milk Creek including all tributaries and wetlands from its source to a point just below the confluence with Clear Creek. Morapos Creek including all wetlands and tributaries from the source to the confluence with the Williams Fork River.

COLCLY12A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	--- ---
	Recreation P	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	--- 6.0	Beryllium	--- ---
Qualifiers:		D.O. (spawning)	--- 7.0	Cadmium	TVS(tr) TVS
Other:		pH	6.5 - 9.0 ---	Chromium III	50(T) TVS
		chlorophyll a (mg/m²)	--- 150	Chromium VI	TVS TVS
		E. Coli (per 100 mL)	--- 205	Copper	TVS TVS
				Iron	--- WS
		Inorganic (mg/L)		Iron	--- 1000(T)
		acute	chronic	Lead	TVS TVS
		Ammonia	TVS TVS	Manganese	TVS TVS
		Boron	--- 0.75	Manganese	--- WS
		Chloride	--- 250	Mercury	--- 0.01(t)
		Chlorine	0.019 0.011	Molybdenum	--- 160(T)
		Cyanide	0.005 ---	Nickel	TVS TVS
		Nitrate	10 ---	Selenium	TVS TVS
		Nitrite	--- 0.05	Silver	TVS TVS(tr)
		Phosphorus	--- 0.11	Uranium	--- ---
		Sulfate	--- WS	Zinc	TVS TVS
		Sulfide	--- 0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

12b. Milk Creek including all tributaries and wetlands from a point just below the confluence with Clear Creek to Thornburgh (County Rd 15).						
COLCLY12B	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
		E. Coli (per 100 mL)	---	205	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	250	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	10	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

12c. Mainstem of Beaver Creek, including all wetlands and tributaries, which are within the Routt National Forest.						
COLCLY12C	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	205	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	---
		Boron	---	0.75	Manganese	TVS
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

13a. Mainstem of the Williams Fork River from the confluence of the East Fork and South Fork to the Highway 13/789 bridge at Hamilton.						
COLCLY13A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	126	Copper	TVS	TVS
				Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	Manganese	TVS	TVS
		Boron	0.75	Manganese	---	WS
		Chloride	250	Mercury	---	0.01(t)
		Chlorine	0.019	Molybdenum	---	160(T)
		Cyanide	0.005	Nickel	TVS	TVS
		Nitrate	10	Selenium	TVS	TVS
		Nitrite	0.05	Silver	TVS	TVS(tr)
		Phosphorus	0.11	Uranium	---	---
		Sulfate	WS	Zinc	TVS	TVS
		Sulfide	0.002			

13b. Mainstem of the Williams Fork River from the highway 13/789 bridge at Hamilton to the confluence with the Yampa River.						
COLCLY13B	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	Cadmium	TVS	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	Iron	---	1000(T)
		Boron	0.75	Lead	TVS	TVS
		Chloride	250	Manganese	TVS	TVS
		Chlorine	0.019	Manganese	---	WS
		Cyanide	0.005	Mercury	---	0.01(t)
		Nitrate	10	Molybdenum	---	160(T)
		Nitrite	0.05	Nickel	TVS	TVS
		Phosphorus	0.17	Selenium	TVS	TVS
		Sulfate	WS	Silver	TVS	TVS
		Sulfide	0.002	Uranium	---	---
				Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

## REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

### Lower Yampa/Green River

14. Deleted.						
COLCLY14	Classifications	Physical and Biological			Metals (ug/L)	
Designation		DM	MWAT	acute	chronic	
Qualifiers:		acute	chronic			
Other:						
		Inorganic (mg/L)				
		acute	chronic			
15. Those portions of the Little Snake River which are in Colorado, from its first crossing of the Colorado/Wyoming border to a point immediately above the confluence with Powder Wash (Moffatt County).						
COLCLY15	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Qualifiers:		pH	6.5 - 9.0	---	Chromium III	50(T)
Other:		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
					Iron	---
					Lead	TVS
					Manganese	TVS
					Manganese	---
					Mercury	---
					Molybdenum	---
					Nickel	TVS
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS
					Zinc	---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

16. Mainstem of the Little Snake River from a point immediately above the confluence with Powder Wash to the confluence with the Yampa River.						
COLCLY16	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.17	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

17a. All tributaries to the Little Snake River from its first crossing of the Colorado/Wyoming border to a point immediately below the confluence with Fourmile Creek, except for the specific listing in Segment 18.						
COLCLY17A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Temporary Modification(s):		pH	6.5 - 9.0	---	Chromium III	TVS
Arsenic(chronic) = hybrid		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
Expiration Date of 12/31/2021		E. Coli (per 100 mL)	---	205	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

17b. All tributaries to the Little Snake River from a point immediately below the confluence with Fourmile Creek to the confluence with the Yampa River, except for the specific listing in Segment 17c.						
COLCLY17B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---
	Recreation N	acute	chronic	Arsenic	---	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	---
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	---
		E. Coli (per 100 mL)	---	630	Chromium VI	---
		Inorganic (mg/L)			Copper	---
		acute	chronic	Iron	---	---
		Ammonia	---	---	Lead	---
		Boron	---	0.75	Manganese	---
		Chloride	---	---	Mercury	---
		Chlorine	---	---	Molybdenum	---
		Cyanide	0.2	---	Nickel	---
		Nitrate	100	---	Selenium	---
		Nitrite	---	10	Silver	---
		Phosphorus	---	0.17	Uranium	---
		Sulfate	---	---	Zinc	---
		Sulfide	---	0.05		2000(T)
17c. Scandinavian Gulch from the source to the confluence with the Little Snake River.						
COLCLY17C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	630	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	10	Selenium	TVS
		Phosphorus	---	0.17	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.05	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

18. Mainstem of Slater Creek, including all tributaries and wetlands, from the source to a point just below the confluence with Second Creek. The mainstems of Fourmile and Willow Creeks, including all tributaries and wetlands, from their sources to the boundary of the Routt National Forest.						
COLCLY18	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	205	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002	Zinc	---

19a. Mainstem of the Green River within Colorado (Moffat County) from its entry at the Utah/Colorado border to a point just above the confluence with the Yampa River.						
COLCLY19A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
		Inorganic (mg/L)		Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

19b. Mainstem of the Green River within Colorado (Moffat County) from a point just above the confluence with the Yampa River to its exit at the Utah/Colorado border.								
COLCLY19B	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---		
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS		
Other:		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)		
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
		Inorganic (mg/L)			Copper	TVS	TVS	
		acute	chronic	Iron	---	WS		
		Ammonia	TVS	TVS	Iron	---	1000(T)	
		Boron	---	0.75	Lead	TVS	TVS	
		Chloride	---	250	Manganese	TVS	TVS	
		Chlorine	0.019	0.011	Manganese	---	WS	
		Cyanide	0.005	---	Mercury	---	0.01(t)	
		Nitrate	10	---	Molybdenum	---	160(T)	
		Nitrite	---	0.05	Nickel	TVS	TVS	
		Phosphorus	---	0.17	Selenium	TVS	TVS	
		Sulfate	---	WS	Silver	TVS	TVS	
		Sulfide	---	0.002	Uranium	---	---	
					Zinc	TVS	TVS	
		20. All tributaries to the Green River in Colorado, including all wetlands, except for the specific listings in Segments 21and 22a - 22d. All tributaries to the Yampa River from a point immediately below the confluence with the Little Snake River to the confluence with the Green River, except for the specific listings in segments 15 through 18.						
		COLCLY20	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	---	100(T)		
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	100(T)		
Other:		D.O. (spawning)	---	7.0	Cadmium	10(T)		
		pH	6.5 - 9.0	---	Chromium III	---	100(T)	
		chlorophyll a (mg/m²)	---	150	Chromium VI	---	100(T)	
		E. Coli (per 100 mL)	---	126	Copper	---	200(T)	
					Iron	---	---	
		Inorganic (mg/L)			Lead	---	100(T)	
		acute	chronic	Manganese	---	200(T)		
		Ammonia	---	---	Mercury	---	---	
		Boron	---	0.75	Molybdenum	---	160(T)	
		Chloride	---	---	Nickel	---	200(T)	
		Chlorine	---	---	Selenium	---	20(T)	
		Cyanide	0.2	---	Silver	---	---	
		Nitrate	100	---	Uranium	---	---	
		Nitrite	---	10	Zinc	---	2000(T)	
		Phosphorus	---	0.11				
		Sulfate	---	---				
		Sulfide	---	0.05				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

21. Mainstem of Beaver Creek, including all tributaries and wetlands, from the source to the confluence with the Green River within Colorado.								
COLCLY21	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---		
	Recreation N	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
	Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)		
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS		
		E. Coli (per 100 mL)	---	630	Copper	TVS		
				Iron	---	WS		
		Inorganic (mg/L)		Iron	---	1000(T)		
		acute	chronic	Lead	TVS			
		Ammonia	TVS	TVS	Manganese	TVS		
		Boron	---	0.75	Manganese	---		
		Chloride	---	250	Mercury	---		
		Chlorine	0.019	0.011	Molybdenum	---		
		Cyanide	0.005	---	Nickel	TVS		
		Nitrate	10	---	Selenium	TVS		
		Nitrite	---	0.05	Silver	TVS		
		Phosphorus	---	0.11	Uranium	---		
		Sulfate	---	WS	Zinc	TVS		
		Sulfide	---	0.002				
		22a. Mainstem of Vermillion Creek, including all tributaries and wetlands, from the Colorado/Wyoming border to a point just below the confluence with Talamantes Creek.						
		COLCLY22A	Classifications	Physical and Biological			Metals (ug/L)	
		Designation	Agriculture	DM	MWAT	acute	chronic	
		Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
Recreation N	acute		chronic	Arsenic	340	7.6(T)		
Qualifiers:			D.O. (mg/L)	---	6.0	Beryllium	---	
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
		pH	6.5 - 9.0	---	Chromium III	TVS		
		chlorophyll a (mg/m²)	---	---	Chromium III	---		
		E. Coli (per 100 mL)	---	630	Chromium VI	TVS		
				Copper	TVS			
		Inorganic (mg/L)		Iron	---			
		acute	chronic	Lead	TVS			
		Ammonia	TVS	TVS	Manganese	TVS		
		Boron	---	0.75	Mercury	---		
		Chloride	---	---	Molybdenum	---		
		Chlorine	0.019	0.011	Nickel	TVS		
		Cyanide	0.005	---	Selenium	TVS		
		Nitrate	100	---	Silver	TVS		
		Nitrite	---	0.05	Uranium	---		
		Phosphorus	---	0.11	Zinc	TVS		
		Sulfate	---	---				
		Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

**REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS**  
**Lower Yampa/Green River**

22b. Vermillion Creek, including all tributaries and wetlands, from a point just below the confluence with Talamantes Creek to the confluence with the Green River, except for the specific listing in segment 22c.

COLCLY22B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-III	WS-III	Aluminum	---	---
	Recreation N	acute		chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---
Other:	pH	6.5 - 9.0	---		Cadmium	TVS	TVS
	chlorophyll a (mg/m²)	---	---		Chromium III	TVS	TVS
	E. Coli (per 100 mL)	---	630		Chromium III	---	100(T)
	Inorganic (mg/L)				Chromium VI	TVS	TVS
	acute		chronic		Copper	TVS	TVS
	Ammonia	TVS	TVS		Iron	---	1000(T)
	Boron	---	0.75		Lead	TVS	TVS
	Chloride	---	---		Manganese	TVS	TVS
	Chlorine	0.019	0.011		Mercury	---	0.01(t)
	Cyanide	0.005	---		Molybdenum	---	160(T)
	Nitrate	100	---		Nickel	TVS	TVS
	Nitrite	---	0.05		Selenium	TVS	TVS
	Phosphorus	---	0.17		Silver	TVS	TVS
	Sulfate	---	---		Uranium	---	---
	Sulfide	---	0.002		Zinc	TVS	TVS

22c. Mainstem of Vermillion Creek from HWY 318 to the confluence with the Green River.

COLCLY22C	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-III	WS-III	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
		chlorophyll a (mg/m²)	---	150	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute		chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	---	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Mercury	---	0.01(t)
		Cyanide	0.005	---	Molybdenum	---	160(T)
		Nitrate	100	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Selenium	TVS	TVS
		Phosphorus	---	0.17	Silver	TVS	TVS
		Sulfate	---	---	Uranium	---	---
		Sulfide	---	0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

22d. Conway Draw						
COLCLY22D	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	4.0(T)
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	5.0(T)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	50(T)
		E. Coli (per 100 mL)	---	126	Copper	200(T)
					Iron	WS
		Inorganic (mg/L)			Lead	50(T)
		acute	chronic		Manganese	WS
		Ammonia	---	---	Manganese	200(T)
		Boron	---	0.75	Mercury	2.0(t)
		Chloride	---	250	Mercury	---
		Chlorine	---	---	Molybdenum	160(T)
		Cyanide	0.2	---	Nickel	100(T)
		Nitrate	10	---	Selenium	20(T)
		Nitrite	---	0.05	Silver	---
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	2000(T)
		Sulfide	---	0.05		

23. All lakes and reservoirs tributary to the Yampa River, from a point just below the confluence with Elkhead Creek to a point just below the confluence with the Little Snake River except for the specific listings in segments 24-32. This segment includes Martin Cull Reservoir, and OVO Reservoir.

COLCLY23	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WL	WL	Aluminum	---
	Recreation U	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (ug/L)	---	20*	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	100(T)
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic		Copper	TVS
		Ammonia	TVS	TVS	Iron	1000(T)
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	0.01(t)
		Cyanide	0.005	---	Molybdenum	160(T)
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	0.083*	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

24. Freeman Reservoir and Aldrich Lakes.							
COLCLY24	Classifications	Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	---
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlrophyll a (ug/L)	---	8*	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
				Copper	TVS	TVS	
		Inorganic (mg/L)		Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury	---	0.01(t)
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS(tr)
		Nitrite	---	0.05	Uranium	---	---
		Phosphorus	---	0.025*	Zinc	TVS	TVS
		Sulfate	---	---			
Sulfide	---	0.002					
25. All lakes and reservoirs tributary to Fortification Creek from the source to the confluence of the North and South Forks. All lakes and reservoirs tributary to Little Cottonwood Creek from the source to the confluence with Fortification Creek, except for the specific listing in segment 24. All lakes and reservoirs tributary to Little Bear Creek from the source to the confluence with the Dry Fork.							
COLCLY25	Classifications	Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	---
	Recreation U	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlrophyll a (ug/L)	---	8*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
				Iron	---	WS	
		Inorganic (mg/L)		Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.025*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

26. All lakes and reservoirs tributary to Fortification Creek, including Ralph White Lake, except for specific listings in segments 24 and 25.						
COLCLY26	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	WL	WL	Aluminum	---	---
	Recreation U	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS(tr)
		chlorophyll a (ug/L)	---	20*	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	0.083*	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

27. All lakes and reservoirs tributary to Milk Creek from Thornburgh (County Rd 15) to the confluence with the Yampa River, including Wilson Reservoir.						
COLCLY27	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	WL	WL	Aluminum	---	---
	Recreation U	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (ug/L)	---	20*	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.083*	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

28. All lakes and reservoirs tributary to the East Fork of the Williams Fork River, within the boundaries of the Flat Tops Wilderness Area.							
COLCLY28	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
OW	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Chromium III	50(T)	
		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
				Iron	---	WS	
		Inorganic (mg/L)		Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.025*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			
29. All lakes and reservoirs tributary to the East and South Forks of the Williams Fork River, and lakes and reservoirs tributary to the mainstem of the Williams Fork River, from the source to the Highway 13/789 bridge at Hamilton, except for the specific listings in segment 28.							
COLCLY29	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Chromium III	50(T)	
		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
				Iron	---	WS	
		Inorganic (mg/L)		Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.025*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

30. All lakes and reservoirs tributary to Milk Creek from the source to Thornburgh (County Rd 15). All lakes and reservoirs tributary to Morapos Creek from the source to the confluence with the Williams Fork River.							
COLCLY30	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	
	Recreation U	acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (ug/L)	---	8*	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury	---	0.01(t)
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS(tr)
		Nitrite	---	0.05	Uranium	---	---
		Phosphorus	---	0.025*	Zinc	TVS	TVS
		Sulfate	---	---			
Sulfide	---	0.002					
31. All lakes and reservoirs tributary to Slater Creek, from the source to a point just below the confluence with Second Creek, including Slater Creek Lake. All lakes and reservoirs tributary to Fourmile and Willow Creeks from their sources to the boundary of the Routt National Forest.							
COLCLY31	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	
	Recreation U	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Chromium III	50(T)	
		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.025*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Yampa/Green River

32. All lakes and reservoirs tributary to the Yampa River from a point just below the confluence with the Little Snake River to the confluence with the Green River. All lakes and reservoirs tributary to the Green River in Colorado, including Hog Lake, except for specific listings in segment 33.						
COLCLY32	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	WL	WL	Temperature °C	---	---
	Recreation E	acute	chronic			
<b>Qualifiers:</b>		D.O. (mg/L)	---	5.0	Beryllium	---
<b>Other:</b>		pH	6.5 - 9.0	---	Cadmium	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	20*	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic		Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	0.083*	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
33. All lakes and reservoirs tributary to Beaver Creek from the source to the confluence with the Green River. All lakes and reservoirs tributary to Vermillion Creek from the Colorado/Wyoming border to a point just below the confluence with Talamantes Creek.						
COLCLY33	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Temperature °C	---	---
	Recreation U	acute	chronic			
	Water Supply	D.O. (mg/L)	---	6.0	Arsenic	340
<b>Qualifiers:</b>		D.O. (spawning)	---	7.0	Beryllium	---
<b>Other:</b>		pH	6.5 - 9.0	---	Cadmium	TVS(tr)
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	8*	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Lead	WS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Manganese	---
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	10	---	Nickel	---
		Nitrite	---	0.05	Nickel	---
		Phosphorus	---	0.025*	Selenium	---
		Sulfate	---	WS	Silver	---
		Sulfide	---	0.002	Silver	---
					Uranium	---
					Zinc	---
						---
						---

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

## REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

### White River

1. All tributaries to the White River, including all wetlands, which are within the boundaries of the Flat Tops Wilderness Area.

COLCWH01	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum ---	---	
	Recreation E	acute	chronic	Arsenic 340	0.02(T)	
	Water Supply	D.O. (mg/L) ---	6.0	Beryllium ---	---	
Qualifiers:		D.O. (spawning) ---	7.0	Cadmium TVS(tr)	TVS	
Other:		pH 6.5 - 9.0	---	Chromium III 50(T)	TVS	
		chlorophyll a (mg/m²) ---	150	Chromium VI TVS	TVS	
		E. Coli (per 100 mL) ---	126	Copper TVS	TVS	
				Iron ---	WS	
		Inorganic (mg/L)		Iron ---	1000(T)	
			acute	chronic	Lead TVS	TVS
		Ammonia TVS	TVS	Manganese TVS	TVS	
		Boron ---	0.75	Manganese ---	WS	
		Chloride ---	250	Mercury ---	0.01(t)	
		Chlorine 0.019	0.011	Molybdenum ---	160(T)	
		Cyanide 0.005	---	Nickel TVS	TVS	
		Nitrate 10	---	Selenium TVS	TVS	
		Nitrite ---	0.05	Silver TVS	TVS(tr)	
		Phosphorus ---	0.11	Uranium ---	---	
		Sulfate ---	WS	Zinc TVS	TVS	
		Sulfide ---	0.002	Zinc ---	TVS(sc)	

2. Deleted.

COLCWH02	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Qualifiers:		acute	chronic		
Other:					
		Inorganic (mg/L)			
		acute	chronic		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

3. Mainstem of the North Fork of the White River and mainstem of the White River from the Flat Tops Wilderness Area boundary to a point immediately above the confluence with Miller Creek.								
COLCWH03	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)		
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
					Iron	---	WS	
		Inorganic (mg/L)			Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS		
		Ammonia	TVS	TVS	Manganese	---	TVS	
		Boron	---	0.75	Manganese	TVS	WS	
		Chloride	---	250	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	0.11	Uranium	---	---	
		Sulfate	---	WS	Zinc	TVS	TVS	
		Sulfide	---	0.002	Zinc	---	TVS(sc)	
		4a. All tributaries to the North Fork of the White River, including all wetlands, from the Flat Tops Wilderness Area boundary to the confluence with the South Fork of the White River except for the specific listings in Segment 1 and 4b.						
		COLCWH04A	Classifications	Physical and Biological			Metals (ug/L)	
		Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Chromium III	50(T)		
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
					Iron	---	WS	
		Inorganic (mg/L)			Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS		
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	0.11	Uranium	---	---	
		Sulfate	---	WS	Zinc	TVS	TVS	
		Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

4b. Mainstems of Lost Creek and Snell Creek, including all wetlands and tributaries, from the Flat Tops Wilderness area to the boundary of the White River National Forest.							
COLCWH04B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
OW	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T) TVS	
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS TVS	
					Iron	---	WS
					Iron	---	1000(T)
		5. Deleted.					
COLCWH05	Classifications	Physical and Biological			Metals (ug/L)		
Designation		DM	MWAT	acute	chronic		
Qualifiers:		acute	chronic				
Other:							

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

6. Mainstem of the South Fork of the White River, including all tributaries and wetlands, from the boundary of the Flat Tops Wilderness Area to the confluence with the North Fork of the White River.										
COLCWH06	Classifications			Physical and Biological			Metals (ug/L)			
Designation	Agriculture			DM	MWAT	acute			chronic	
Reviewable	Aq Life Cold 1			Temperature °C	CS-I	CS-I	Aluminum	---	---	
	Recreation E			acute	chronic	Arsenic	340	0.02(T)		
	Water Supply			D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:				D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:				pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
				chlorophyll a (mg/m²)		---	150	Chromium VI	TVS	TVS
				E. Coli (per 100 mL)		---	126	Copper	TVS	TVS
								Iron	---	WS
				Inorganic (mg/L)			Iron	---	1000(T)	
				acute	chronic	Lead	TVS	TVS		
				Ammonia	TVS	TVS	Manganese	TVS	TVS	
				Boron	---	0.75	Manganese	---	WS	
				Chloride	---	250	Mercury	---	0.01(t)	
				Chlorine	0.019	0.011	Molybdenum	---	160(T)	
				Cyanide	0.005	---	Nickel	TVS	TVS	
				Nitrate	10	---	Selenium	TVS	TVS	
				Nitrite	---	0.05	Silver	TVS	TVS(tr)	
				Phosphorus	---	0.11	Uranium	---	---	
				Sulfate	---	WS	Zinc	TVS	TVS	
				Sulfide	---	0.002	Zinc	---	TVS(sc)	
7. Mainstem of the White River from a point immediately above the confluence with Miller Creek to a point immediately above the confluence with Piceance Creek.										
COLCWH07	Classifications			Physical and Biological			Metals (ug/L)			
Designation	Agriculture			DM	MWAT	acute			chronic	
Reviewable	Aq Life Cold 1			Temperature °C	CS-II	CS-II	Aluminum	---	---	
	Recreation E                      3/2 - 11/30			acute	chronic	Arsenic	340	0.02(T)		
	Recreation P                      12/1 - 3/1			D.O. (mg/L)	---	6.0	Beryllium	---	---	
	Water Supply			D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Qualifiers:				pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 37.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 37.5(4).				chlorophyll a (mg/m²)		---	150*	Chromium VI	TVS	TVS
				E. Coli (per 100 mL)                      3/2 - 11/30		---	126	Copper	TVS	TVS
				E. Coli (per 100 mL)                      12/1 - 3/1		---	205	Iron	---	WS
				Inorganic (mg/L)			Iron	---	1000(T)	
				acute	chronic	Lead	TVS	TVS		
				Ammonia	TVS	TVS	Manganese	TVS	TVS	
				Boron	---	0.75	Manganese	---	WS	
				Chloride	---	250	Mercury	---	0.01(t)	
				Chlorine	0.019	0.011	Molybdenum	---	160(T)	
				Cyanide	0.005	---	Nickel	TVS	TVS	
				Nitrate	10	---	Selenium	TVS	TVS	
				Nitrite	---	0.05	Silver	TVS	TVS(tr)	
				Phosphorus	---	0.11*	Uranium	---	---	
				Sulfate	---	WS	Zinc	TVS	TVS	
				Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

8. All tributaries to the White River, including all wetlands, from the confluence of the North and South Forks to a point immediately above the confluence with Piceance Creek, which are within the boundaries of White River National Forest.

COLCWH08	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM		MWAT	acute		chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---	
	Recreation P	acute		chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)	---	205	Copper	TVS	TVS	
					Iron	---	WS	
		Inorganic (mg/L)			Iron	---	1000(T)	
				acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	0.11	Uranium	---	---	
		Sulfate	---	WS	Zinc	TVS	TVS	
		Sulfide	---	0.002				

9a. All tributaries to the White River, including all wetlands, from the confluence of the North and South Forks to a point immediately above the confluence with Flag Creek, which are not within the boundary of National Forest lands, except for the specific listings in Segments 9c, 9d and 10b.

COLCWH09A	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM		MWAT	acute		chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---	---	
	Recreation N	acute		chronic	Arsenic	340	0.02-10(T) <sup>A</sup>	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)	---	630	Copper	TVS	TVS	
					Iron	---	WS	
		Inorganic (mg/L)			Iron	---	1000(T)	
				acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	0.11	Uranium	---	---	
		Sulfate	---	WS	Zinc	TVS	TVS	
		Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

9b. All tributaries to the White River, including wetlands, from a point immediately above the confluence with Flag Creek, to a point immediately above the confluence with Piceance Creek, which are not within the boundary of National Forest lands, except for the specific listings in segments 9c and 9d.

COLCWH09B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation N	acute		chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
		Qualifiers:	D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	630	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute		chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

9c. Mainstems of Flag Creek, including all tributaries and wetlands, from the source to a point just below the confluence with the East Fork of Flag Creek.

COLCWH09C	Classifications		Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT	acute		chronic		
Reviewable	Aq Life Cold 2		Temperature °C	CS-I	CS-I	Aluminum	---	---	
	Recreation E		6/1 - 8/31	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>	
	Recreation N		9/1 - 5/31	D.O. (mg/L)	---	6.0	Beryllium	---	
	Water Supply		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Qualifiers:			pH	6.5 - 9.0	---	Chromium III	50(T)	TVS	
Other:			chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS	
			E. Coli (per 100 mL)	6/1 - 8/31	---	126	Copper	TVS	TVS
			E. Coli (per 100 mL)	9/1 - 5/31	---	630	Iron	---	WS
			Inorganic (mg/L)			Iron	---	1000(T)	
			acute			chronic	Lead	TVS	TVS
			Ammonia	TVS	TVS	Manganese	TVS	TVS	
			Boron	---	0.75	Manganese	---	WS	
			Chloride	---	250	Mercury	---	0.01(t)	
			Chlorine	0.019	0.011	Molybdenum	---	160(T)	
			Cyanide	0.005	---	Nickel	TVS	TVS	
			Nitrate	10	---	Selenium	TVS	TVS	
			Nitrite	---	0.05	Silver	TVS	TVS(tr)	
			Phosphorus	---	0.11	Uranium	---	---	
			Sulfate	---	WS	Zinc	TVS	TVS	
			Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

9d. Sulphur Creek, including all tributaries and wetlands, from the source to the confluence with the White River. Flag Creek, including all tributaries and wetlands, from a point just below the confluence with the East Fork of Flag Creek to the confluence with the White River.									
COLCWH09D	Classifications		Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT	acute		chronic		
Reviewable	Aq Life Cold 2		Temperature °C	CS-II	CS-II	Aluminum	---		
	Recreation E 6/1 - 8/31		acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>		
	Recreation N 9/1 - 5/31		D.O. (mg/L)	---	6.0	Beryllium	---		
	Water Supply		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS		
Qualifiers:			pH	6.5 - 9.0	---	Chromium III	50(T) TVS		
Other:			chlorophyll a (mg/m²)		---	150	Chromium VI	TVS TVS	
			E. Coli (per 100 mL) 6/1 - 8/31	---	126	Copper	TVS	TVS	
			E. Coli (per 100 mL) 9/1 - 5/31	---	630	Iron	---	WS	
			Inorganic (mg/L)		Iron	---	1000(T)		
			acute chronic		Lead	TVS	TVS		
			Ammonia	TVS	TVS	Manganese	TVS	TVS	
			Boron	---	0.75	Manganese	---	WS	
			Chloride	---	250	Mercury	---	0.01(t)	
			Chlorine	0.019	0.011	Molybdenum	---	160(T)	
			Cyanide	0.005	---	Nickel	TVS	TVS	
			Nitrate	10	---	Selenium	TVS	TVS	
			Nitrite	---	0.05	Silver	TVS	TVS(tr)	
			Phosphorus	---	0.11	Uranium	---	---	
			Sulfate	---	WS	Zinc	TVS	TVS	
			Sulfide	---	0.002				
10a. All lakes and reservoirs tributary to the White River, from the confluence of the North and South Forks of the White River to a point immediately above the confluence of the White River and Piceance Creek, except for specific listing in Segments 11, 25 and 27.									
COLCWH10A	Classifications		Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT	acute		chronic		
Reviewable	Aq Life Cold 1		Temperature °C	CL	CL	Aluminum	---		
	Recreation E		acute	chronic	Arsenic	340	0.02(T)		
	Water Supply		D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:			D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS		
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.			pH	6.5 - 9.0	---	Chromium III	50(T) TVS		
			chlorophyll a (ug/L)		---	8*	Chromium VI	TVS	TVS
			E. Coli (per 100 mL)	---	126	Copper	TVS	TVS	
					Iron	---	WS		
			Inorganic (mg/L)		Iron	---	1000(T)		
			acute chronic		Lead	TVS	TVS		
			Ammonia	TVS	TVS	Manganese	TVS	TVS	
			Boron	---	0.75	Manganese	---	WS	
			Chloride	---	250	Mercury	---	0.01(t)	
			Chlorine	0.019	0.011	Molybdenum	---	160(T)	
			Cyanide	0.005	---	Nickel	TVS	TVS	
			Nitrate	10	---	Selenium	TVS	TVS	
			Nitrite	---	0.05	Silver	TVS	TVS(tr)	
			Phosphorus	---	0.025*	Uranium	---	---	
			Sulfate	---	WS	Zinc	TVS	TVS	
Sulfide	---	0.002							

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

10b. Mainstem of Big Beaver Creek, Miller Creek, and North Elk Creek, including their tributaries and wetlands, from their boundary with National Forest lands to their confluences with the White River. Mainstem of Coal Creek, including all tributaries and wetlands, from the source to the confluence with the White River.						
COLCWH10B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation P	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	205	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

11. Rio Blanco Lake and Taylor Draw Reservoir (a.k.a. Kenney Reservoir).						
COLCWH11	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WL	WL	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
	DUWS*	pH	6.5 - 9.0	---	Cadmium	TVS
Qualifiers:		chlorophyll a (ug/L)	---	20*	Chromium III	50(T)
Other:		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Iron	1000(T)
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	0.01(t)
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.083*	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

12. Mainstem of the White River from a point immediately above the confluence with Piceance Creek to a point immediately above the confluence with Douglas Creek.							
COLCWH12	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)	
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)			Copper	TVS	TVS
		acute	chronic	Iron	---	WS	
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	160(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	---	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS
		Sulfide	---	0.002	Uranium	---	---
					Zinc	TVS	TVS
		13a. All tributaries to the White River, including all wetlands, from a point immediately below the confluence with Piceance Creek to a point immediately above the confluence with Douglas Creek, except for the specific listings in Segments 13b through 20.					
COLCWH13A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---	
	Recreation N	acute	chronic	Arsenic	---	100(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
Other:		pH	6.5 - 9.0	---	Cadmium	---	
		chlorophyll a (mg/m²)	---	---	Chromium III	---	
		E. Coli (per 100 mL)	---	630	Chromium VI	---	
		Inorganic (mg/L)			Copper	---	
		acute	chronic	Iron	---		
		Ammonia	---	---	Lead	---	
		Boron	---	0.75	Manganese	---	
		Chloride	---	---	Mercury	---	
		Chlorine	---	---	Molybdenum	---	
		Cyanide	0.2	---	Nickel	---	
		Nitrate	100	---	Selenium	---	
		Nitrite	---	10	Silver	---	
		Phosphorus	---	0.17	Uranium	---	
		Sulfate	---	---	Zinc	---	
		Sulfide	---	---			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

13b. Mainstem of Yellow Creek including all wetlands from the source to immediately below the confluence with Barcus Creek. All tributaries to Yellow Creek from the source to the White River, including wetlands.						
COLCWH13B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---
	Recreation P	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
<b>Other:</b>  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 37.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 37.5(4). *Selenium(chronic) = 5.7 ug/L for Corral Gulch. 6.0 ug/L for Greasewood Creek. 6.9 ug/L for Yellow Creek. 7.9 ug/L for Duck Creek. TVS for all other tributaries. See assessment locations at 37.6(4)		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)
		E. Coli (per 100 mL)	---	205	Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Iron	1000(T)
		Boron	---	5.0	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.17*	Selenium	varies*
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS
13c. Mainstem of Yellow Creek, including all wetlands from immediately below the confluence with Barcus Creek to the confluence with the White River.						
COLCWH13C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation P	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
<b>Other:</b>  *Iron(chronic) = See assessment location at 37.6(4)		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	TVS
		E. Coli (per 100 mL)	---	205	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic		Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	5.0	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	10	Selenium	TVS
		Phosphorus	---	0.17	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

13d. Violet Springs Ponds.								
COLCWH13D	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 2	Temperature °C	CL	CL	Aluminum	---		
	Recreation P	acute	chronic	Arsenic	340	100(T)		
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---		
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Cadmium	TVS		
		chlorophyll a (ug/L)	---	8*	Chromium III	TVS	TVS	
		E. Coli (per 100 mL)	---	205	Chromium III	---	100(T)	
		Inorganic (mg/L)		Chromium VI	TVS	TVS		
		acute	chronic	Copper	TVS	TVS		
		Ammonia	TVS	TVS	Iron	---	1000(T)	
		Boron	---	5.0	Lead	TVS	TVS	
		Chloride	---	---	Manganese	TVS	TVS	
		Chlorine	0.019	0.011	Mercury	---	0.01(t)	
		Cyanide	0.005	---	Molybdenum	---	160(T)	
		Nitrate	100	---	Nickel	TVS	TVS	
		Nitrite	---	10	Selenium	TVS	TVS	
		Phosphorus	---	0.025*	Silver	TVS	TVS	
		Sulfate	---	---	Uranium	---	---	
		Sulfide	---	0.002	Zinc	TVS	TVS	
		14a. Mainstem of Piceance Creek from the source to a point just below the confluence with Hunter Creek.						
		COLCWH14A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---		
	Recreation P	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)		
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS	
		E. Coli (per 100 mL)	---	205	Copper	TVS	TVS	
				Iron	---	WS		
		Inorganic (mg/L)		Iron	---	1000(T)		
		acute	chronic	Lead	TVS	TVS		
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	160(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus	---	0.11	Uranium	---	---	
		Sulfate	---	WS	Zinc	TVS	TVS	
		Sulfide	---	0.002				

14a. Mainstem of Piceance Creek from the source to a point just below the confluence with Hunter Creek.							
COLCWH14A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute		chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation P	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	205	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)		Iron	---	1000(T)	
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
Sulfide	---	0.002					

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

14b. Mainstem of Piceance Creek from a point just below the confluence with Hunter Creek to a point just below the confluence with Ryan Gulch.						
COLCWH14B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation P	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
		E. Coli (per 100 mL)	---	205	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

15. Mainstem of Piceance Creek from a point just below the confluence with Ryan Gulch to the confluence with the White River. The Dry Fork of Piceance Creek, including all tributaries and wetlands, from a point just below the confluence with Little Reigan Gulch to the confluence with Piceance Creek, except for the specific listings in Segment 18.						
COLCWH15	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation P	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	TVS
		E. Coli (per 100 mL)	---	205	Chromium III	---
					Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Manganese	TVS
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	100	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	---	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

16a. All tributaries to Piceance Creek, including all wetlands, from the source to a point immediately below the confluence with Dry Thirteenmile Creek, except for the specific listings in Segments 15, 17, 18, 19 and 20. Dudley Gulch.

COLCWH16A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---	---
	Recreation N	acute		chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	630	Chromium VI	TVS	TVS
		Inorganic (mg/L)			Copper	TVS	TVS
		acute		chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	160(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS
		Sulfide	---	0.002	Uranium	---	---
					Zinc	TVS	TVS

16b. All tributaries to Piceance Creek, including all wetlands, from a point immediately below the confluence with Dry Thirteenmile Creek to the confluence with the White River, except for the specific listings in Segments 15, 17, 18, 19 and 20.

COLCWH16B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---	---
	Recreation N	acute		chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
		chlorophyll a (mg/m²)	---	---	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	630	Chromium III	---	100(T)
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute		chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Mercury	---	0.01(t)
		Cyanide	0.005	---	Molybdenum	---	160(T)
		Nitrate	100	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Selenium	TVS	TVS
		Phosphorus	---	0.11	Silver	TVS	TVS
		Sulfate	---	---	Uranium	---	---
		Sulfide	---	0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

17. Stewart Gulch from the sources of the East Middle, and West Forks to the confluence with Piceance Creek.							
COLCWH17	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---	
	Recreation P	acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	
Fish Ingestion		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS	
Other:		pH	6.5 - 9.0	---	Chromium III	TVS TVS	
		chlorophyll a (mg/m²)	---	---	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	205	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury	---	0.01(t)
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS(tr)
		Nitrite	---	0.05	Uranium	---	---
		Phosphorus	---	0.11	Zinc	TVS	TVS
		Sulfate	---	---			
		Sulfide	---	0.002			
		18a. Willow and Hunter Creeks, including all tributaries and wetlands, from their sources to their confluences with Piceance Creek.					
COLCWH18A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation N	acute	chronic	Arsenic	340	100(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS	
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m²)	---	---	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	630	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	1000(T)
		acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury	---	0.01(t)
		Chloride	---	---	Molybdenum	---	160(T)
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS(tr)
		Nitrite	---	0.05	Uranium	---	---
		Phosphorus	---	0.11	Zinc	TVS	TVS
		Sulfate	---	---			
		Sulfide	---	0.002			

18a. Willow and Hunter Creeks, including all tributaries and wetlands, from their sources to their confluences with Piceance Creek.						
COLCWH18A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT		
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation N		acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m²)	---	---	Chromium III	---
		E. Coli (per 100 mL)	---	630	Chromium VI	TVS
					Copper	TVS
					Iron	---
					Lead	TVS
					Manganese	TVS
					Mercury	---
					Molybdenum	---
					Nickel	TVS
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

18b. Mainstem of the Dry Fork of Piceance Creek, including all tributaries and wetlands, from the source to a point just below the confluence with Little Reigan Gulch. Box D Gulch from its source to the confluence with the Dry Fork of Piceance Creek.						
COLCWH18B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	205	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

19. Mainstem of Fawn Creek from the source to the confluence with Black Sulphur Creek.						
COLCWH19	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	7.6(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
		E. Coli (per 100 mL)	---	205	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	1000(T)
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	160(T)
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

20. Mainstems of Black Sulphur Creek including all tributaries and wetlands from the source to the confluence with Piceance Creek.						
COLCWH20	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	205	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

21. Mainstem of the White River from a point immediately above the confluence with Douglas Creek to the Colorado/Utah border.						
COLCWH21	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Iron	---
		Chloride	---	250	Lead	TVS
		Chlorine	0.019	0.011	Manganese	TVS
		Cyanide	0.005	---	Manganese	---
		Nitrate	10	---	Mercury	---
		Nitrite	---	0.05	Molybdenum	---
		Phosphorus	---	---	Nickel	TVS
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

22. All tributaries to the White River, including all wetlands, from a point immediately above the confluence with Douglas Creek to the Colorado/Utah border, except for specific listing in Segment 23.						
COLCWH22	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 2 Recreation P	Temperature °C	WS-III WS-III		Aluminum	---
Qualifiers:		acute	chronic		Arsenic	---
Other:		D.O. (mg/L)	---	5.0	Beryllium	---
		pH	6.5 - 9.0	---	Cadmium	---
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	---
		E. Coli (per 100 mL)	---	205	Chromium VI	---
		Inorganic (mg/L)			Copper	---
		acute	chronic		Iron	---
		Ammonia	---	---	Lead	---
		Boron	---	0.75	Manganese	---
		Chloride	---	---	Mercury	---
		Chlorine	---	---	Molybdenum	---
		Cyanide	0.2	---	Nickel	---
		Nitrate	100	---	Selenium	---
		Nitrite	---	10	Silver	---
		Phosphorus	---	0.17	Uranium	---
		Sulfate	---	---	Zinc	---
		Sulfide	---	---		2000(T)

23. Mainstems of East Douglas Creek and West Douglas Creek, including all tributaries and wetlands, from their sources to their confluence.						
COLCWH23	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1 Recreation E Water Supply	Temperature °C	CS-I CS-I		Aluminum	---
Qualifiers:		acute	chronic		Arsenic	340
Other:		D.O. (mg/L)	---	6.0	Beryllium	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Manganese	TVS
		Chloride	---	250	Manganese	---
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	10	---	Nickel	---
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	0.11	Silver	TVS
		Sulfate	---	WS	Uranium	---
		Sulfide	---	0.002	Zinc	---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

24. All lakes and reservoirs tributary to the White River, which are within the boundaries of the Flat Tops Wilderness Area, including Trappers Lake.							
COLCWH24	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Chromium III	50(T)	
		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS	
		E. Coli (per 100 mL)	---	126	Copper	TVS	
					Iron	---	
		Inorganic (mg/L)			Iron	---	
					Lead	TVS	
					Manganese	TVS	
		Ammonia	TVS	TVS	Manganese	---	
		Boron	---	0.75	Mercury	---	
		Chloride	---	250	Molybdenum	---	
		Chlorine	0.019	0.011	Nickel	TVS	
		Cyanide	0.005	---	Selenium	TVS	
		Nitrate	10	---	Silver	TVS	
		Nitrite	---	0.05	Uranium	---	
		Phosphorus	---	0.025*	Zinc	TVS	
		Sulfate	---	WS			
Sulfide	---	0.002					
25. Lake Avery (a.k.a Big Beaver Reservoir).							
COLCWH25	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	1/1 - 3/31	CLL	CLL	Aluminum	---
	Recreation E	Temperature °C	4/1 - 12/31	CLL	20.7 <sup>B</sup>	Arsenic	340
	Water Supply				Beryllium	---	
Qualifiers:		acute	chronic	Cadmium	TVS(tr)	TVS	
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		D.O. (mg/L)	---	6.0	Chromium III	50(T)	
		D.O. (spawning)	---	7.0	Chromium VI	TVS	
		pH	6.5 - 9.0	---	Copper	TVS	
		chlorophyll a (ug/L)	---	8*	Iron	---	
		E. Coli (per 100 mL)	---	126	Iron	---	
					Lead	TVS	
		Inorganic (mg/L)			Manganese	TVS	
					Manganese	---	
		Ammonia	TVS	TVS	Mercury	---	
		Boron	---	0.75	Molybdenum	---	
		Chloride	---	250	Nickel	TVS	
		Chlorine	0.019	0.011	Selenium	TVS	
		Cyanide	0.005	---	Silver	TVS	
		Nitrate	10	---	Uranium	---	
		Nitrite	---	0.05	Zinc	TVS	
		Phosphorus	---	0.025*			
Sulfate	---	WS					
Sulfide	---	0.002					

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## White River

26. All lakes and reservoirs tributary to the North and South Forks of the White River, from the Flat Tops Wilderness Area boundary to the confluence with the North and South Forks of the White River.					
COLCWH26	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	---	---
	Recreation U	acute	chronic	Arsenic	340
	Water Supply	---	6.0	Beryllium	---
<b>Qualifiers:</b>		D.O. (mg/L)	---	Cadmium	TVS(tr)
<b>Other:</b>		D.O. (spawning)	---	Chromium III	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	Chromium VI	TVS
		chlorophyll a (ug/L)	---	Copper	TVS
		E. Coli (per 100 mL)	---	Iron	---
		Inorganic (mg/L)		WS	---
		acute	chronic	Iron	1000(T)
		Ammonia	TVS	Lead	TVS
		Boron	---	Manganese	TVS
		Chloride	---	Manganese	---
		Chlorine	0.019	Mercury	0.01(t)
		Cyanide	0.005	Molybdenum	---
		Nitrate	10	Nickel	160(T)
		Nitrite	---	Selenium	---
		Phosphorus	0.025*	Silver	TVS
		Sulfate	---	Silver	TVS(tr)
		Sulfide	---	Uranium	---
			0.002	Zinc	---
				Zinc	TVS
					TVS
27. All lakes and reservoirs tributary to the White River, from a point immediately above the confluence with Piceance Creek to the Colorado/Utah border, except for the specific listings in segments 11 and 13d.					
COLCWH27	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1	WL	WL	---	---
	Recreation U	acute	chronic	Arsenic	340
<b>Qualifiers:</b>		D.O. (mg/L)	---	Beryllium	---
<b>Other:</b>		pH	6.5 - 9.0	Cadmium	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	Chromium III	100(T)
		Inorganic (mg/L)		Chromium VI	TVS
		acute	chronic	Copper	TVS
		Ammonia	TVS	Iron	---
		Boron	---	Lead	1000(T)
		Chloride	---	Manganese	TVS
		Chlorine	0.019	Mercury	---
		Cyanide	0.005	Molybdenum	0.01(t)
		Nitrate	100	Nickel	---
		Nitrite	---	Selenium	160(T)
		Phosphorus	0.083*	Silver	TVS
		Sulfate	---	Silver	TVS
		Sulfide	---	Uranium	---
			0.002	Uranium	---
				Zinc	---
				Zinc	TVS
					TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

1. Mainstem of the Colorado River from the confluence with the Roaring Fork River to immediately below the confluence with Rifle Creek.						
COLCLC01	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
2a. Mainstem of the Colorado River from immediately below the confluence with Rifle Creek to immediately above the confluence of Rapid Creek.						
COLCLC02A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Arsenic(chronic) = hybrid		Inorganic (mg/L)			Copper	TVS
Expiration Date of 12/31/2021		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

2b. Mainstem of the Colorado River from a point immediately above the confluence with Rapid Creek to immediately above the confluence of the Gunnison River.						
COLCLC02B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Arsenic(chronic) = hybrid		Inorganic (mg/L)			Copper	TVS
Expiration Date of 12/31/2021		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Iron	1000(T)
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	0.01(t)
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	---	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

3. Mainstem of the Colorado River from immediately above the confluence of the Gunnison River to the Colorado-Utah state line.						
COLCLC03	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	100(T)
		acute	chronic		Chromium VI	TVS
		Ammonia	TVS	TVS	Copper	TVS
		Boron	---	0.75	Iron	---
		Chloride	---	---	Iron	1000(T)
		Chlorine	0.019	0.011	Lead	TVS
		Cyanide	0.005	---	Manganese	TVS
		Nitrate	100	---	Manganese	---
		Nitrite	---	0.05	Mercury	0.01(t)
		Phosphorus	---	---	Molybdenum	---
		Sulfate	---	---	Molybdenum	160(T)
		Sulfide	---	0.002	Nickel	TVS
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

4a. All tributaries, including wetlands, to the Colorado River from the confluence with the Roaring Fork River to a point immediately below the confluence with Parachute Creek except for the specific listings in Segments 4b, 4c, 4d, 4e, 5, 6, 7a, 7b, 8, 9a, 9c, 10, 11a - h, and 12a.

COLCLC04A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340 0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	630	Copper	TVS
				Iron	---
		Inorganic (mg/L)		Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS
		Phosphorus	0.11	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

4b. South Canyon Hot Springs.

COLCLC04B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Aq Life Warm 2	DM	MWAT	acute	chronic
Reviewable	Recreation E			Aluminum	---
Qualifiers:		acute	chronic	Arsenic	340 100(T)
Other:		D.O. (mg/L)	5.0	Beryllium	---
		pH	6.5 - 9.0	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium III	TVS
		E. Coli (per 100 mL)	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS
		acute	chronic	Iron	1000(T)
		Ammonia	TVS	Lead	TVS
		Boron	---	Manganese	TVS
		Chloride	---	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	---
		Cyanide	0.005	Nickel	TVS
		Nitrate	---	Selenium	TVS
		Nitrite	---	Silver	TVS
		Phosphorus	0.17	Uranium	---
		Sulfate	---	Zinc	TVS
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

4c. The mainstem of South Canyon Creek from the South Canyon Hot Springs to the confluence with the Colorado River.							
COLCLC04C	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 1	Temperature °C	WS-III	WS-III	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	
Other:		chlorophyll a (mg/m²)	---	150*	Chromium III	50(T)	
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	
Arsenic(chronic) = hybrid		Inorganic (mg/L)		Copper	TVS	TVS	
Expiration Date of 12/31/2021		acute	chronic	Iron	---	WS	
*chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 37.5(4).		Ammonia	TVS	TVS	Iron	---	
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	160(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.17	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS
		Sulfide	---	0.002	Uranium	---	---
					Zinc	TVS	TVS
		4d. The mainstem of Dry Hollow Creek, including all tributaries and wetlands, from the source to the confluence with the Colorado River.					
COLCLC04D	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation N	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	
Other:		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)	
		E. Coli (per 100 mL)	---	630	Chromium VI	TVS	
		Inorganic (mg/L)		Copper	TVS	TVS	
		acute	chronic	Iron	---	WS	
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	160(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS
Sulfide	---	0.002	Uranium	---	---		
			Zinc	TVS	TVS		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

4e. Mainstem of Dry Creek including all tributaries and wetlands from the source to immediately above the Last Chance Ditch.						
COLCLC04E	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
UP	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation N	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
Copper(ac/ch) = current conditions		E. Coli (per 100 mL)	---	630	Chromium III	---
Expiration Date of 6/30/2017		Inorganic (mg/L)			Chromium VI	TVS
Iron(chronic) = current conditions		acute	chronic		Copper	TVS
Expiration Date of 12/31/2017		Ammonia	TVS	TVS	Iron	---
*Phosphorus(chronic) = applies only above the facilities listed at 37.5(4).		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	0.11*	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

4f. Mainstem of Dry Creek including all tributaries and wetlands from a point immediately above the Last Chance Ditch to the confluence with the Colorado River.						
COLCLC04F	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation N	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
Copper(ac/ch) = current conditions		E. Coli (per 100 mL)	---	630	Chromium III	---
Expiration Date of 6/30/2017		Inorganic (mg/L)			Chromium VI	TVS
Iron(chronic) = current conditions		acute	chronic		Copper	TVS
Expiration Date of 12/31/2017		Ammonia	TVS	TVS	Iron	---
*Phosphorus(chronic) = applies only above the facilities listed at 37.5(4).		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	0.11*	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

5. All tributaries to the Colorado River, including wetlands, which are within the boundaries of White River National Forest, except for the specific listing in Segments 9a and 9c.						
COLCLC05	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	205	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

6. Mainstem of Oasis Creek including all tributaries and wetlands from the boundary of White River National Forest to the confluence with the Colorado River.						
COLCLC06	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	205	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

7a. Mainstem of Mitchell, Canyon, Elk, Garfield, Beaver, and Cache Creeks, including all tributaries and wetlands, from the boundary of the White River National Forest to their confluences with the Colorado River. Battlement Creek from the most downstream boundary of BLM lands to the confluence with the Colorado River.						
COLCLC07A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11*	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
7b. Mainstem of Divide Creek, including all tributaries and wetlands, from the boundary of the White River National Forest to the confluence with the Colorado River.						
COLCLC07B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

8. Mainstem of Northwater and Trapper Creeks, including all tributaries and wetlands, from their sources to the confluence with the East Middle Fork of Parachute Creek. East Middle Fork of Parachute Creek, including all tributaries and wetlands, from the source to the confluence with the Middle Fork of Parachute Creek.

COLCLC08	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
OW	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium VI	TVS
		E. Coli (per 100 mL)	205	Copper	TVS
		Inorganic (mg/L)		Iron	---
				Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Manganese	---
		Chloride	250	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	160(T)
		Cyanide	0.005	Nickel	TVS
		Nitrate	10	Selenium	TVS
		Nitrite	0.05	Silver	TVS(tr)
		Phosphorus	0.11	Uranium	---
		Sulfate	WS	Zinc	TVS
		Sulfide	0.002		

9a. Middle Rifle Creek, including all tributaries and wetlands, from its source to the confluence with West Rifle Creek. East Rifle Creek, including all tributaries and wetlands, from the source to the boundary of the White River National Forest.

COLCLC09A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	6.0	Beryllium	---
Other:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium III	100(T)
		E. Coli (per 100 mL)	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS
				Iron	1000(T)
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	0.75	Mercury	0.01(t)
		Chloride	---	Molybdenum	160(T)
		Chlorine	0.019	Nickel	TVS
		Cyanide	0.005	Selenium	TVS
		Nitrate	100	Silver	TVS(tr)
		Nitrite	0.05	Uranium	---
		Phosphorus	0.11	Zinc	TVS
		Sulfate	---		
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

9b. All lakes and reservoirs tributary to the Colorado River from the confluence of the Colorado and the Roaring Fork River to a point immediately below the confluence of the Colorado River and Parachute Creek, and all lakes and reservoirs within the White River National Forest or the Grand Mesa National Forest, except for the specific listing in segment 20.

COLCLC09B	Classifications	Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (ug/L)	---	8*	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.025*	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

9c. Battlement Creek, including all tributaries and wetlands, from the source to the most downstream boundary of BLM lands.

COLCLC09C	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron	---	WS
		Inorganic (mg/L)			Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	160(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS(tr)
		Phosphorus	---	0.11	Uranium	---	---
		Sulfate	---	WS	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

10. West Rifle Creek, including all tributaries and wetlands, from the source to Rifle Gap Reservoir. East Rifle Creek, including all tributaries and wetlands, from the White River National Forest boundary to Rifle Gap Reservoir. Rifle Creek, including all tributaries and wetlands, from Rifle Gap Reservoir to the confluence with the Colorado River.					
COLCLC10	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum ---
	Recreation E	acute	chronic	Arsenic 340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium ---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III 50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper TVS
Expiration Date of 12/31/2021					Iron ---
					WS
		Inorganic (mg/L)			Iron ---
					1000(T)
		acute	chronic	Lead TVS	TVS
	Ammonia	TVS	TVS	Manganese TVS	TVS
	Boron	---	0.75	Manganese	---
	Chloride	---	250	Mercury	---
	Chlorine	0.019	0.011	Molybdenum	---
	Cyanide	0.005	---	Nickel	TVS
	Nitrate	10	---	Selenium	TVS
	Nitrite	---	0.05	Silver	TVS
	Phosphorus	---	0.11	Uranium	---
	Sulfate	---	WS	Zinc	TVS
	Sulfide	---	0.002		

11a. Mainstem of the West Fork of Parachute Creek, including all tributaries, from its source to West Fork Falls. Mainstem of East Fork of Parachute Creek, including all tributaries and wetlands, from a point immediately below the mouth of First Anvil Creek to the east boundary line of S27, T5S, R95W.					
COLCLC11A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum ---
	Recreation N	acute	chronic	Arsenic 340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium ---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III 50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI TVS
		E. Coli (per 100 mL)	---	630	Copper TVS
					Iron ---
					WS
		Inorganic (mg/L)			Iron ---
					1000(T)
		acute	chronic	Lead TVS	TVS
	Ammonia	TVS	TVS	Manganese TVS	TVS
	Boron	---	0.75	Manganese	---
	Chloride	---	250	Mercury	---
	Chlorine	0.019	0.011	Molybdenum	---
	Cyanide	0.005	---	Nickel	TVS
	Nitrate	10	---	Selenium	TVS
	Nitrite	---	0.05	Silver	TVS
	Phosphorus	---	0.11	Uranium	---
	Sulfate	---	WS	Zinc	TVS
	Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

11b. Mainstem of the West Fork of Parachute Creek from West Fork Falls to the confluence with Parachute Creek; mainstem of the Middle Fork of Parachute Creek, including all tributaries, from the source to the confluence with East Middle Fork of Parachute Creek.					
COLCLC11B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	---	Beryllium	---
Other:		D.O. (spawning)	---	Cadmium	TVS(tr)
		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	---
		E. Coli (per 100 mL)	---	Chromium VI	TVS
				Copper	TVS
		Inorganic (mg/L)		Iron	---
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	---	Mercury	---
		Chloride	---	Molybdenum	---
		Chlorine	0.019	Nickel	TVS
		Cyanide	0.005	Selenium	TVS
		Nitrate	100	Silver	TVS
		Nitrite	---	Uranium	---
		Phosphorus	---	Zinc	TVS
		Sulfate	---		
		Sulfide	---		
11c. Deleted.					
COLCLC11C	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Qualifiers:		acute	chronic		
Other:					
		Inorganic (mg/L)			
		acute	chronic		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

11d. Mainstem of Middle Fork of Parachute Creek from the confluence with East Middle Fork to a point immediately above the confluence with the West Fork of Parachute Creek.						
COLCLC11D	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation N	acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	---
		E. Coli (per 100 mL)	---	630	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic		Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

11e. That portion of the mainstem of the East Fork of Parachute Creek, including all tributaries and wetlands, within Sections 27, 28, and 29, T5S, R95W.						
COLCLC11E	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation N	acute	chronic		Arsenic	---
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	4.0(T)
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	5.0(T)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	---
		E. Coli (per 100 mL)	---	630	Copper	---
					Iron	WS
		Inorganic (mg/L)			Lead	50(T)
		acute	chronic		Manganese	---
		Ammonia	---	---	Manganese	200(T)
		Boron	---	0.75	Mercury	---
		Chloride	---	250	Molybdenum	---
		Chlorine	---	---	Nickel	---
		Cyanide	0.2	---	Selenium	---
		Nitrate	10	---	Silver	100(T)
		Nitrite	---	1.0	Uranium	---
		Phosphorus	---	0.11	Zinc	---
		Sulfate	---	WS		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

11f. Mainstem of the East Fork of Parachute Creek from the west boundary line of S29, T5S, R95W to the confluence with Middle Fork of Parachute Creek.						
COLCLC11F	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	630	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
	Ammonia	TVS	TVS	Manganese	TVS	TVS
	Boron	---	0.75	Manganese	---	WS
	Chloride	---	250	Mercury	---	0.01(t)
	Chlorine	0.019	0.011	Molybdenum	---	160(T)
	Cyanide	0.005	---	Nickel	TVS	TVS
	Nitrate	10	---	Selenium	TVS	TVS
	Nitrite	---	0.05	Silver	TVS	TVS(tr)
	Phosphorus	---	0.11	Uranium	---	---
	Sulfate	---	WS	Zinc	TVS	TVS
	Sulfide	---	0.002			
11g. All tributaries to East Fork Parachute Creek on the south side of the East Fork Parachute Creek from a point immediately below First Anvil Creek to the confluence with Parachute Creek; all tributaries to Parachute Creek on the east side of Parachute Creek from a point immediately below the East Fork of Parachute Creek to the confluence with the Colorado River; and all tributaries to the Colorado River on the north side of the Colorado River from a point immediately below Cottonwood Creek to the confluence with Parachute Creek except for specific listings in segment 7a and 9c.						
COLCLC11G	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation N	acute	chronic	Arsenic	---	100(T)
		D.O. (mg/L)	---	6.0	Beryllium	---
		D.O. (spawning)	---	7.0	Cadmium	---
Other:		pH	6.5 - 9.0	---	Chromium III	---
		chlorophyll a (mg/m²)	---	---	Chromium VI	---
		E. Coli (per 100 mL)	---	630	Copper	---
					Iron	---
		Inorganic (mg/L)			Lead	---
		acute	chronic	Manganese	---	200(T)
	Ammonia	---	---	Mercury	---	---
	Boron	---	0.75	Molybdenum	---	160(T)
	Chloride	---	---	Nickel	---	200(T)
	Chlorine	---	---	Selenium	---	20(T)
	Cyanide	0.2	---	Silver	---	---
	Nitrate	100	---	Uranium	---	---
	Nitrite	---	10	Zinc	---	2000(T)
	Phosphorus	---	0.11			
	Sulfate	---	---			
	Sulfide	---	---			

11g. All tributaries to East Fork Parachute Creek on the south side of the East Fork Parachute Creek from a point immediately below First Anvil Creek to the confluence with Parachute Creek; all tributaries to Parachute Creek on the east side of Parachute Creek from a point immediately below the East Fork of Parachute Creek to the confluence with the Colorado River; and all tributaries to the Colorado River on the north side of the Colorado River from a point immediately below Cottonwood Creek to the confluence with Parachute Creek except for specific listings in segment 7a and 9c.

COLCLC11G	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation N	acute	chronic		Arsenic	---	100(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	100(T)
Other:		D.O. (spawning)	---	7.0	Cadmium	---	10(T)
		pH	6.5 - 9.0	---	Chromium III	---	100(T)
		chlorophyll a (mg/m²)	---	---	Chromium VI	---	100(T)
		E. Coli (per 100 mL)	---	630	Copper	---	200(T)
					Iron	---	---
		Inorganic (mg/L)			Lead	---	100(T)
					Manganese	---	200(T)
					Mercury	---	---
		Ammonia	---	---	Molybdenum	---	160(T)
		Boron	---	0.75	Nickel	---	200(T)
		Chloride	---	---	Selenium	---	20(T)
		Chlorine	---	---	Silver	---	---
		Cyanide	0.2	---	Uranium	---	---
		Nitrate	100	---	Zinc	---	2000(T)
		Nitrite	---	10			
		Phosphorus	---	0.11			
		Sulfate	---	---			
		Sulfide	---	---			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

11h. Mainstem of Parachute Creek, including all tributaries and wetlands, from the confluence of the West and East Forks to the confluence with the Colorado River except for specific listings in segment 11g.						
COLCLC11H	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	205	Copper	TVS
Expiration Date of 12/31/2021					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
12a. All tributaries to East Fork Parachute Creek from its source to a point immediately below the mouth of First Anvil Creek.						
COLCLC12A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340	7.6(T)
		D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	---
		E. Coli (per 100 mL)	---	630	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Mercury	---
		Chloride	---	---	Molybdenum	---
		Chlorine	0.019	0.011	Nickel	TVS
		Cyanide	0.005	---	Selenium	TVS
		Nitrate	100	---	Silver	TVS
		Nitrite	---	0.05	Uranium	---
		Phosphorus	---	0.11	Zinc	TVS
		Sulfate	---	---		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

12b. All tributaries and wetlands to the Colorado River from a point immediately below the confluence of Parachute Creek to a point immediately below the confluence with Roan Creek, except for the specific listings in segments 14a, 14b and 14c.						
COLCLC12B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	205	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
					Lead	TVS
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
		13a. All tributaries to the Colorado River including wetlands, from a point immediately below the confluence of Roan Creek to the Colorado/Utah border except for the specific listings in Segments 13b through 19.				
COLCLC13A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---
	Recreation P	acute	chronic	Arsenic	---	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m²)	---	150	Chromium III	TVS
		E. Coli (per 100 mL)	---	205	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
					Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	---	---	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	10	Selenium	TVS
		Phosphorus	---	0.17	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

13b. All tributaries to the Colorado River, including wetlands, from the Government Highline Canal Diversion to a point immediately below Salt Creek, and downgradient from the Government Highline Canal, the Orchard Mesa Canal No. 2, Orchard Mesa Drain, Stub Ditch and the northeast Colorado National Monument boundary.						
COLCLC13B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
UP	Aq Life Warm 2	WS-II	WS-II	Temperature °C	---	---
	Recreation E	acute	chronic			
<b>Qualifiers:</b>		D.O. (mg/L)	---	5.0	Beryllium	---
<b>Other:</b>		pH	6.5 - 9.0	---	Cadmium	TVS
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 37.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 37.5(4).		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic		Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	0.17*	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
13c. Walker Wildlife Area Ponds.						
COLCLC13C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	WL	WL	Temperature °C	---	---
	Recreation E	acute	chronic			
<b>Qualifiers:</b>		D.O. (mg/L)	---	5.0	Beryllium	---
<b>Other:</b>		pH	6.5 - 9.0	---	Cadmium	TVS
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	20*	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic		Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	0.083*	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

13d. Coal Canyon Creek downgradient of the Government Highline Canal.							
COLCLC13D	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation P	acute	chronic	Arsenic	340	100(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
Other:  *Copper(acute) = 0.96e^(0.9801 [ln(hard)]-1.4747) *Copper(chronic) = 0.96e^(0.5897 [ln(hard)]-0.3193)		pH	6.5 - 9.0	---	Cadmium	TVS	
		chlorophyll a (mg/m²)	---	150	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	205	Chromium III	---	100(T)
		Inorganic (mg/L)		Chromium VI	TVS	TVS	
		acute	chronic	Copper	---	SSE*	
		Ammonia	TVS	TVS	Copper	SSE*	---
		Boron	---	5.0	Iron	---	1000
		Chloride	---	---	Lead	TVS	TVS
		Chlorine	0.019	0.011	Manganese	TVS	TVS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	100	---	Molybdenum	---	160(T)
		Nitrite	---	10	Nickel	TVS	TVS
		Phosphorus	---	0.17	Selenium	TVS	TVS
		Sulfate	---	---	Silver	TVS	TVS
		Sulfide	---	0.002	Uranium	---	---
					Zinc	TVS	TVS
13e. All tributaries to the Colorado River, from Lewis Wash to the West Salt Creek drainage, from an elevation of 5,200 feet to the Government Highline Canal, excluding the mainstems of Big Salt Wash, East Salt Creek and West Salt Creek.							
COLCLC13E	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---	
	Recreation P	acute	chronic	Arsenic	---	100(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
Other:		pH	6.5 - 9.0	---	Cadmium	---	
		chlorophyll a (mg/m²)	---	150	Chromium III	---	100(T)
		E. Coli (per 100 mL)	---	205	Chromium VI	---	100(T)
		Inorganic (mg/L)		Copper	---	200(T)	
		acute	chronic	Iron	---	---	
		Ammonia	---	---	Lead	---	100(T)
		Boron	---	0.75	Manganese	---	200(T)
		Chloride	---	---	Mercury	---	---
		Chlorine	---	---	Molybdenum	---	160(T)
		Cyanide	0.2	---	Nickel	---	200(T)
		Nitrate	100	---	Selenium	---	20(T)
		Nitrite	---	10	Silver	---	---
		Phosphorus	---	0.17	Uranium	---	---
		Sulfate	---	---	Zinc	---	2000(T)
		Sulfide	---	---			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

13f. Asbury Creek and Sand Wash from their sources to their confluences with the Colorado River.								
COLCLC13F	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
UP	Aq Life Warm 2	Temperature °C	WS-III WS-III	Aluminum	---	---		
	Recreation P	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>		
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---		
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS		
Other:		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)		
		E. Coli (per 100 mL)	---	205	Chromium VI	TVS		
		Inorganic (mg/L)		Copper	TVS			
		acute	chronic	Iron	---			
		Ammonia	TVS	TVS	Iron	1000(T)		
		Boron	---	0.75	Lead	TVS		
		Chloride	---	250	Manganese	TVS		
		Chlorine	0.019	0.011	Manganese	---		
		Cyanide	0.005	---	Mercury	0.01(t)		
		Nitrate	10	---	Molybdenum	---		
		Nitrite	---	0.05	Nickel	TVS		
		Phosphorus	---	0.17	Selenium	TVS		
		Sulfate	---	WS	Silver	TVS		
		Sulfide	---	0.05	Uranium	---		
					Zinc	TVS		
		14a. Mainstem of Roan Creek including all wetlands and tributaries, from its source to a point immediately above the confluence with Clear Creek, except for the specific listing in segment 14b. Clear Creek, including all tributaries and wetlands, from the source to a point immediately below the confluence with Tom Creek.						
		COLCLC14A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---	---		
	Recreation P	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)		
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS		
		E. Coli (per 100 mL)	---	205	Copper	TVS		
		Inorganic (mg/L)		Iron	---			
		acute	chronic	Iron	1000(T)			
		Ammonia	TVS	TVS	Lead	TVS		
		Boron	---	0.75	Manganese	TVS		
		Chloride	---	250	Manganese	---		
		Chlorine	0.019	0.011	Mercury	0.01(t)		
		Cyanide	0.005	---	Molybdenum	---		
		Nitrate	10	---	Nickel	160(T)		
		Nitrite	---	0.05	Selenium	TVS		
		Phosphorus	---	0.11	Silver	TVS		
		Sulfate	---	WS	Silver	TVS(tr)		
		Sulfide	---	0.002	Uranium	---		
					Zinc	TVS		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

14b. Clear Creek, including all tributaries and wetlands, from a point immediately below the confluence with Tom Creek to the confluence with Roan Creek. Roan Creek, including all tributaries and wetlands, from a point immediately above the confluence with Clear Creek to a point immediately below the confluence with Kimball Creek.					
COLCLC14B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum ---
	Recreation P	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium ---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium TVS(tr) TVS
Other:		pH	6.5 - 9.0	---	Chromium III 50(T) TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium VI TVS TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	205	Copper TVS TVS
Expiration Date of 12/31/2021		Inorganic (mg/L)		Iron	---
				Iron	---
		acute	chronic	Lead	TVS TVS
		Ammonia	TVS	TVS	Manganese TVS TVS
		Boron	---	0.75	Manganese --- WS
		Chloride	---	250	Mercury --- 0.01(t)
		Chlorine	0.019	0.011	Molybdenum --- 160(T)
		Cyanide	0.005	---	Nickel TVS TVS
		Nitrate	10	---	Selenium TVS TVS
		Nitrite	---	0.05	Silver TVS TVS(tr)
		Phosphorus	---	0.11	Uranium ---
		Sulfate	---	WS	Zinc TVS TVS
		Sulfide	---	0.002	
14c. Mainstem of Roan Creek including all tributaries and wetlands, from a point immediately below the confluence with Kimball Creek to the confluence with the Colorado River.					
COLCLC14C	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum ---
	Recreation P	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium ---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium TVS TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III 50(T) TVS
Temporary Modification(s):		E. Coli (per 100 mL)	---	205	Chromium VI TVS TVS
Arsenic(chronic) = hybrid		Inorganic (mg/L)		Copper	TVS TVS
Expiration Date of 12/31/2021				Iron	---
		acute	chronic	Iron	---
		Ammonia	TVS	TVS	Lead --- 1000(T)
		Boron	---	0.75	Lead TVS TVS
		Chloride	---	250	Manganese TVS TVS
		Chlorine	0.019	0.011	Manganese --- WS
		Cyanide	0.005	---	Mercury --- 0.01(t)
		Nitrate	10	---	Molybdenum --- 160(T)
		Nitrite	---	0.05	Nickel TVS TVS
		Phosphorus	---	0.17	Selenium TVS TVS
		Sulfate	---	WS	Silver TVS TVS
		Sulfide	---	0.002	Uranium ---
				Zinc	TVS TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

15a. Mainstem of Plateau Creek from its source to the inlet of Vega Reservoir. All tributaries and wetlands to Plateau Creek from its source to a point immediately above the confluence with Buzzard Creek. Kimball Creek, Grove Creek, Big Creek, Cottonwood Creek, Bull Creek, Spring Creek, Coon Creek, and Mesa Creek, including all wetlands and tributaries, from their sources to their confluences with Plateau Creek. The mainstem of Buzzard Creek, including all tributaries and wetlands, within the Grand Mesa National Forest.

COLCLC15A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
<b>Qualifiers:</b>		D.O. (spawning)	7.0	Cadmium	TVS(tr)
<b>Other:</b>		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150*	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS
Expiration Date of 12/31/2021				Iron	---
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 37.5(4).				Iron	1000(T)
*Phosphorus(chronic) = applies only above the facilities listed at 37.5(4).		Inorganic (mg/L)		Lead	TVS
		acute	chronic	Manganese	TVS
		Ammonia	TVS	Manganese	---
		Boron	0.75	Mercury	0.01(t)
		Chloride	250	Molybdenum	---
		Chlorine	0.019	Nickel	160(T)
		Cyanide	0.005	Selenium	TVS
		Nitrate	10	Silver	TVS
		Nitrite	0.05	Uranium	---
		Phosphorus	0.11*	Zinc	TVS
		Sulfate	WS		
		Sulfide	0.002		

15b. All tributaries and wetlands to Buzzard Creek from the Grand Mesa National Forest boundary to the confluence with Plateau Creek.

COLCLC15B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
<b>Qualifiers:</b>		D.O. (spawning)	7.0	Cadmium	TVS(tr)
<b>Other:</b>		pH	6.5 - 9.0	Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Copper	TVS
Expiration Date of 12/31/2021				Iron	---
				Iron	1000(T)
		Inorganic (mg/L)		Lead	TVS
		acute	chronic	Manganese	TVS
		Ammonia	TVS	Manganese	---
		Boron	0.75	Mercury	0.01(t)
		Chloride	250	Molybdenum	---
		Chlorine	0.019	Nickel	160(T)
		Cyanide	0.005	Selenium	TVS
		Nitrate	10	Silver	TVS
		Nitrite	0.05	Uranium	---
		Phosphorus	0.11	Zinc	TVS
		Sulfate	WS		
		Sulfide	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

15c. Mainstem of Plateau Creek from the outlet of Vega Reservoir to a point immediately below the confluence with Buzzard Creek.									
COLCLC15C	Classifications	Physical and Biological			Metals (ug/L)				
Designation	Agriculture		DM	MWAT	acute	chronic			
Reviewable	Aq Life Cold 1	Temperature °C	15.7*	11.2*	Aluminum	---			
	Recreation E		acute	chronic	Arsenic	340			
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---			
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)			
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)			
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150*	Chromium VI	TVS			
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Copper	TVS			
Expiration Date of 12/31/2021					Iron	---			
*chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 37.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 37.5(4). *Temperature = DM=15.7 and MWAT=11.2 from 10/1-10/31 DM=14.1 from 11/1-3/31 DM=27.3 and MWAT=21.6 from 4/1-9/30		Inorganic (mg/L)			Iron	---			
			acute	chronic	Lead	TVS			
		Ammonia	TVS	TVS	Manganese	TVS			
		Boron	---	0.75	Manganese	---			
		Chloride	---	250	Mercury	---			
		Chlorine	0.019	0.011	Molybdenum	---			
		Cyanide	0.005	---	Nickel	TVS			
		Nitrate	10	---	Selenium	TVS			
		Nitrite	---	0.05	Silver	TVS			
		Phosphorus	---	0.11*	Uranium	---			
		Sulfate	---	WS	Zinc	TVS			
		Sulfide	---	0.002					
		15d. Mainstem of Buzzard Creek from the Grand Mesa National Forest boundary to its confluence with Plateau Creek.							
		COLCLC15D	Classifications	Physical and Biological			Metals (ug/L)		
		Designation	Agriculture		DM	MWAT	acute	chronic	
		Reviewable	Aq Life Cold 1	Temperature °C	11/1 - 3/31	CS-II	CS-II	Aluminum	---
			Recreation E	Temperature °C	4/1 - 10/31	25.1	18.9	Arsenic	340
			Water Supply					Beryllium	---
Qualifiers:			acute	chronic	Cadmium	TVS			
Other:		D.O. (mg/L)	---	6.0	Chromium III	50(T)			
Temporary Modification(s):		D.O. (spawning)	---	7.0	Chromium VI	TVS			
Arsenic(chronic) = hybrid		pH	6.5 - 9.0	---	Copper	TVS			
Expiration Date of 12/31/2021		chlorophyll a (mg/m²)	---	150	Iron	---			
		E. Coli (per 100 mL)	---	126	Iron	---			
					Lead	TVS			
		Inorganic (mg/L)			Manganese	TVS			
			acute	chronic	Manganese	---			
		Ammonia	TVS	TVS	Mercury	---			
		Boron	---	0.75	Molybdenum	---			
		Chloride	---	250	Nickel	TVS			
		Chlorine	0.019	0.011	Selenium	TVS			
		Cyanide	0.005	---	Silver	TVS			
		Nitrate	10	---	Uranium	---			
		Nitrite	---	0.05	Zinc	TVS			
		Phosphorus	---	0.11					
		Sulfate	---	WS					
		Sulfide	---	0.002					

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

16. Plateau Creek including all tributaries and wetlands, from a point immediately below the confluence with Buzzard Creek, to the confluence with the Colorado River, excluding specific listings in segment 15.							
COLCLC16	Classifications	Physical and Biological				Metals (ug/L)	
Designation	Agriculture	DM		MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	3/1 - 11/30	31	WS-II	Aluminum	---
	Recreation E	Temperature °C		WS-II	WS-II	Arsenic	340
	Water Supply					Beryllium	---
Qualifiers:		acute		chronic		Cadmium	TVS
Other:		D.O. (mg/L)	---	6.0		Chromium III	50(T)
Temporary Modification(s):		D.O. (spawning)	---	7.0		Chromium VI	TVS
Arsenic(chronic) = hybrid		pH	6.5 - 9.0	---		Copper	TVS
Expiration Date of 12/31/2021		chlorophyll a (mg/m <sup>2</sup> )	---	150*		Iron	---
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 37.5(4).		E. Coli (per 100 mL)	---	126		Iron	1000(T)
*Phosphorus(chronic) = applies only above the facilities listed at 37.5(4).						Lead	TVS
		Inorganic (mg/L)				Manganese	TVS
		acute		chronic		Manganese	---
		Ammonia	TVS	TVS		Mercury	---
		Boron	---	0.75		Molybdenum	---
		Chloride	---	250		Nickel	TVS
		Chlorine	0.019	0.011		Selenium	TVS
		Cyanide	0.005	---		Silver	TVS
		Nitrate	10	---		Uranium	---
		Nitrite	---	0.05		Zinc	TVS
		Phosphorus	---	0.11*			
		Sulfate	---	WS			
		Sulfide	---	0.002			
17a. Mainstem of Rapid Creek, including all tributaries and wetlands, from its source to a point immediately below the confluence with Cottonwood Creek including Kruzen Springs.							
COLCLC17A	Classifications	Physical and Biological				Metals (ug/L)	
Designation	Agriculture	DM		MWAT		acute	chronic
OW	Aq Life Cold 1	Temperature °C		CS-II	CS-II	Aluminum	---
	Recreation P					Arsenic	340
	Water Supply					Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0		Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---		Chromium III	50(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150		Chromium VI	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	205		Copper	TVS
Expiration Date of 12/31/2021						Iron	---
		Inorganic (mg/L)				Iron	1000(T)
		acute		chronic		Lead	TVS
		Ammonia	TVS	TVS		Manganese	TVS
		Boron	---	0.75		Manganese	---
		Chloride	---	250		Mercury	---
		Chlorine	0.019	0.011		Molybdenum	---
		Cyanide	0.005	---		Nickel	TVS
		Nitrate	10	---		Selenium	TVS
		Nitrite	---	0.05		Silver	TVS
		Phosphorus	---	0.11		Uranium	---
		Sulfate	---	WS		Zinc	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

17b. Rapid Creek, including all tributaries and wetlands, from a point immediately below the confluence with Cottonwood Creek to the confluence with the Colorado River.						
COLCLC17B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM		MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Chromium III	50(T)
		chlorophyll a (mg/m²)	---	150	Chromium VI	TVS
		E. Coli (per 100 mL)	---	205	Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	---
		acute	chronic	Lead	TVS	
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS
		Phosphorus	---	0.11	Uranium	---
		Sulfate	---	WS	Zinc	TVS
		Sulfide	---	0.002		
		18. Mainstem of Little Dolores River, including all tributaries and wetlands, from its source to immediately below the confluence with Hay Press Creek.				
COLCLC18	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM		MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	10/31 - 4/30	13.9	CS-I	Aluminum
	Recreation P	Temperature °C	5/1 - 9/30	24.4	CS-I	Arsenic
	Water Supply					Beryllium
Qualifiers:		acute	chronic	Cadmium	TVS(tr)	TVS
Other:	Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021	D.O. (mg/L)	---	6.0	Chromium III	50(T)
		D.O. (spawning)	---	7.0	Chromium VI	TVS
		pH	6.5 - 9.0	---	Copper	TVS
		chlorophyll a (mg/m²)	---	150	Iron	---
		E. Coli (per 100 mL)	---	205	Iron	---
					Lead	TVS
		Inorganic (mg/L)			Manganese	TVS
		acute	chronic	Manganese	---	
		Ammonia	TVS	TVS	Mercury	---
		Boron	---	0.75	Molybdenum	---
		Chloride	---	250	Nickel	TVS
		Chlorine	0.019	0.011	Selenium	TVS
		Cyanide	0.005	---	Silver	TVS
		Nitrate	10	---	Uranium	---
		Nitrite	---	0.05	Zinc	TVS
		Phosphorus	---	0.11		
		Sulfate	---	WS		
Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout  
sc = sculpin

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.



# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

19. All lakes and reservoirs tributary to the Colorado River from a point immediately below the confluence of the Colorado River and Parachute Creek to the Colorado-Utah border, except for specific listings in segments 9b, 13c, 20, and 21. This segment includes Highline Reservoir.								
COLCLC19	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM		MWAT	acute	chronic		
Reviewable	Aq Life Warm 1	Temperature °C	WL	WL	Aluminum	---		
	Recreation E		acute	chronic	Arsenic	340		
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---		
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Cadmium	TVS		
		chlorophyll a (ug/L)	---	20*	Chromium III	TVS		
		E. Coli (per 100 mL)	---	126	Chromium III	---		
		Inorganic (mg/L)			Chromium VI	TVS		
			acute	chronic	Copper	TVS		
		Ammonia	TVS	TVS	Iron	---		
		Boron	---	0.75	Lead	TVS		
		Chloride	---	---	Manganese	TVS		
		Chlorine	0.019	0.011	Mercury	---		
		Cyanide	0.005	---	Molybdenum	---		
		Nitrate	100	---	Nickel	TVS		
		Nitrite	---	0.05	Selenium	TVS		
		Phosphorus	---	0.083*	Silver	TVS		
		Sulfate	---	---	Uranium	---		
		Sulfide	---	0.002	Zinc	TVS		
		20. Rifle Gap Reservoir, Harvey Gap Reservoir, and Vega Reservoir.						
		COLCLC20	Classifications	Physical and Biological			Metals (ug/L)	
		Designation	Agriculture	DM		MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	4/1 - 12/31	CLL*	21.5* <sup>B</sup>	Aluminum		
	Recreation E	Temperature °C	4/1 - 12/31	CLL*	23* <sup>B</sup>	Arsenic		
	Water Supply	Temperature °C		CLL	CLL	Beryllium		
Qualifiers:			acute	chronic	Cadmium	TVS(tr)		
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Temperature(4/1 - 12/31) = Vega Reservoir (MWAT=21.5) *Temperature(4/1 - 12/31) = Rifle Gap Reservoir (MWAT=23)		D.O. (mg/L)	---	6.0	Chromium III	50(T)		
		D.O. (spawning)	---	7.0	Chromium VI	TVS		
		pH	6.5 - 9.0	---	Copper	TVS		
		chlorophyll a (ug/L)	---	8*	Iron	---		
		E. Coli (per 100 mL)	---	126	Iron	---		
		Inorganic (mg/L)			Lead	TVS		
			acute	chronic	Manganese	TVS		
		Ammonia	TVS	TVS	Manganese	---		
		Boron	---	0.75	Mercury	---		
		Chloride	---	250	Molybdenum	---		
		Chlorine	0.019	0.011	Nickel	TVS		
		Cyanide	0.005	---	Selenium	TVS		
		Nitrate	10	---	Silver	TVS		
		Nitrite	---	0.05	TVS(tr)	TVS(tr)		
		Phosphorus	---	0.025*	Uranium	---		
		Sulfate	---	WS	Zinc	TVS		
		Sulfide	---	0.002		TVS		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

# REGULATION #37 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower Colorado River

21. All lakes and reservoirs tributary to Roan Creek from the source to a point just below the confluence with Clear Creek. All lakes and reservoirs tributary to Rapid Creek from the source to the confluence with the Colorado River. All lakes and reservoirs tributary to the Little Dolores River from the source to a point immediately below the confluence with Hay Press Creek. All lakes and reservoirs tributary to Plateau Creek and within the Grand Mesa National Forest.					
COLCLC21	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum ---
	Recreation U	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium ---
	DUWS*	D.O. (spawning)	---	7.0	Cadmium TVS(tr) TVS
Qualifiers:		pH	6.5 - 9.0	---	Chromium III 50(T) TVS
<b>Other:</b>  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Classification: Jerry Creek Reservoir Number 1 and Number 2 = DUWS, Palisade Cabin Reservoir = DUWS *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	8*	Chromium VI TVS TVS
		E. Coli (per 100 mL)	---	126	Copper TVS TVS
		Inorganic (mg/L)		Iron	---
		acute	chronic	Iron	---
		Ammonia	TVS	TVS	Lead TVS TVS
		Boron	---	0.75	Manganese TVS TVS
		Chloride	---	250	Manganese --- WS
		Chlorine	0.019	0.011	Mercury --- 0.01(t)
		Cyanide	0.005	---	Molybdenum --- 160(T)
		Nitrate	10	---	Nickel TVS TVS
		Nitrite	---	0.05	Selenium TVS TVS
		Phosphorus	---	0.025*	Silver TVS TVS(tr)
		Sulfate	---	WS	Uranium ---
		Sulfide	---	0.002	Zinc TVS TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout  
 sc = sculpin

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 37.6 for details on TVS, TVS(tr), TVS(sc), WS, temperature standards.

## **STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS – FOOTNOTES**

- A) Whenever a range of standards is listed and referenced to this footnote, the first number in the range is a strictly health-based value, based on the Commission's established methodology for human health-based standards. The second number in the range is a maximum contaminant level, established under the federal Safe Drinking Water Act that has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range. Water bodies will be considered in attainment of this standard, and not included on the Section 303(d) List, so long as the existing ambient quality does not exceed the second number in the range.
- B) Assessment of adequate refuge shall rely on the Cold Large Lake table value temperature criterion and applicable dissolved oxygen standard rather than the site-specific temperature standard.

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00763

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

**Water Quality Control Commission (1002 Series)**

**on 01/11/2016**

**5 CCR 1002-37**

**REGULATION NO. 37 - CLASSIFICATIONS AND NUMERIC STANDARDS FOR LOWER  
COLORADO RIVER BASIN**

The above-referenced rules were submitted to this office on 01/12/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 29, 2016 11:22:23

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Public Health and Environment

### **Agency**

Water Quality Control Commission (1002 Series)

### **CCR number**

5 CCR 1002-37

### **Rule title**

5 CCR 1002-37 REGULATION NO. 37 - CLASSIFICATIONS AND NUMERIC  
STANDARDS FOR LOWER COLORADO RIVER BASIN 1 - eff 06/30/2016

### **Effective date**

06/30/2016

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**  
**WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-37**

**REGULATION NO. 37**  
**CLASSIFICATIONS AND NUMERIC STANDARDS**  
**FOR**  
**LOWER COLORADO RIVER BASIN**

....

**37.36 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016**

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

**BASIS AND PURPOSE**

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2017, to determine whether the temporary modification should be modified, eliminated or extended. Temporary modifications of standards on one segment was reviewed.

Lower Colorado segment 4e: Temporary modifications of the copper and iron standards. Tri-state Generation and Transmission, Inc. provided evidence that it is making progress on the plan for eliminating the need for the temporary modification and on resolving the uncertainty regarding the underlying standards. The Commission made no change to the expiration date of 6/30/2017 for copper, and 12/31/2017 for iron as the time allotment was deemed adequate.

**PARTIES TO THE RULEMAKING HEARING**

1. City of Delta
2. Resurrection Mining Company
3. U.S. Energy Corp.
4. City of Pueblo
5. Peabody Sage Creek Mining and Seneca Coal Company
6. Climax Molybdenum Company
7. Rio Grande Silver
8. City of Colorado Springs and Colorado Springs Utilities
9. Tri-State Generation and Transmission Association, Inc.
10. High Country Conservation Advocates
11. U.S. Environmental Protection Agency
12. Colorado Parks and Wildlife
13. Town of Crested Butte and Coal Creek Watershed Coalition
14. Public Service Company of Colorado

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00520

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

Water Quality Control Commission (1002 Series)

**on 01/11/2016**

5 CCR 1002-37

**REGULATION NO. 37 - CLASSIFICATIONS AND NUMERIC STANDARDS FOR LOWER  
COLORADO RIVER BASIN**

The above-referenced rules were submitted to this office on 01/12/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 29, 2016 11:21:26

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Public Health and Environment

### **Agency**

Water Quality Control Commission (1002 Series)

### **CCR number**

5 CCR 1002-38

### **Rule title**

5 CCR 1002-38 REGULATION NO. 38 - CLASSIFICATIONS AND NUMERIC  
STANDARDS SOUTH PLATTE RIVER BASIN LARAMIE RIVER BASIN REPUBLICAN  
RIVER BASIN SMOKY HILL RIVER BASIN 1 - eff 03/01/2016

### **Effective date**

03/01/2016



# **WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-38**

## **REGULATION NO. 38 CLASSIFICATIONS AND NUMERIC STANDARDS FOR SOUTH PLATTE RIVER BASIN, LARAMIE RIVER BASIN REPUBLICAN RIVER BASIN, SMOKY HILL RIVER BASIN**

### **38.1 AUTHORITY**

These regulations are promulgated pursuant to section 25-8-101 et seq C.R.S., as amended, and in particular, 25-8-203 and 25-8-204.

### **38.2 PURPOSE**

These regulations establish classification and numeric standards for the South Platte River, the Laramie River, the Republican River and the Smoky Hill River, including all tributaries and standing bodies of water as indicated in section 38.6. The classifications identify the actual beneficial uses of the water. The numeric standards are assigned to determine the allowable concentrations of various parameters. Discharge permits will be issued by the Water Quality Control Division to comply with basic, narrative, and numeric standards and control regulations so that all discharges to waters of the state protect the classified uses. (See section 31.14). It is intended that these and all other stream classifications and numeric standards be used in conjunction with and be an integral part of Regulation 31.0 - BASIC STANDARDS AND METHODOLOGIES FOR SURFACE WATER.

### **38.3 INTRODUCTION**

These regulations and Tables present the classifications and numeric standards assigned to stream segments listed in the attached Tables (See section 38.6). As additional stream segments are classified and numeric standards for this drainage system are adopted, they will be added to or replace the numeric standards in the Tables in section 38.6. Any additions or revisions of classifications or numeric standards can be accomplished only after public hearing by the Commission and proper consideration of evidence and testimony as specified by the statute and the "basic regulations".

### **38.4 DEFINITIONS**

See the Colorado Water Quality Control Act and the codified water quality regulations for definitions.

### **38.5 BASIC STANDARDS**

#### **(1) TEMPERATURE**

All waters of the South Platte, Laramie, Republican and Smoky Hill River Basins are subject to the following standard for temperature. (Discharges regulated by permits, which are within the permit limitations, shall not be subject to enforcement proceedings under this standard.)

Temperature shall maintain a normal pattern of diurnal and seasonal fluctuations with no abrupt changes and shall have no increase in temperature of a magnitude, rate, and duration deemed deleterious to the resident aquatic life. This standard shall not be interpreted or applied in a manner inconsistent with section 25-8-104, C.R.S.

#### **(2) QUALIFIERS**

See Basic Standards and Methodologies for Surface Water for a listing of organic standards at 31.11 and metal standards found at 31.16 Table III. The column in the tables headed "Water + Fish" are presumptively applied to all aquatic life class 1 streams which also have a water supply classification, and are applied to aquatic life class 2 streams which also have a water supply classification, on a case-by-case basis as shown in the Tables 38.6. The column in the tables at 31.11 headed "Fish Ingestion" is presumptively applied to all aquatic life class 1 streams which do not have a water supply classification, and are applied to aquatic life class 2 streams which do not have a water supply classification, on a case-by-case basis, as shown in the Tables in 38.6.

(3) URANIUM

- (a) All waters of the South Platte River Basin are subject to the following basic standard for uranium, unless otherwise specified by a water quality standard applicable to a particular segment. However, discharges of uranium regulated by permits which are within these permit limitations shall not be a basis for enforcement proceedings under this basic standard.
- (b) Uranium level in surface waters shall be maintained at the lowest practicable level.
- (c) In no case shall uranium levels in waters assigned a water supply classification be increased by any cause attributable to municipal, industrial, or agricultural discharges so as to exceed 16.8-30 µg/l or naturally-occurring concentrations (as determined by the State of Colorado), whichever is greater.
  - (i) The first number in the 16.8-30 µg/l range is a strictly health-based value, based on the Commission's established methodology for human health-based standards. The second number in the range is a maximum contaminant level, established under the federal Safe Drinking Water Act that has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range. Water bodies will be considered in attainment of this standard, and not included on the Section 303(d) List, so long as the existing ambient quality does not exceed the second number in the range.

(4) NUTRIENTS

Prior to May 31, 2022, interim nutrient values will be considered for adoption only in the limited circumstances defined at 31.17(e). These circumstances include headwaters, Direct Use Water Supply (DUWS) Lakes and Reservoirs, and other special circumstances determined by the Commission. Additionally, prior to May 31, 2017, only total phosphorus and chlorophyll a will be considered for adoption. After May 31, 2017, total nitrogen will be considered for adoption per the circumstances outlined in 31.17(e).

Prior to May 31, 2022, nutrient criteria will be adopted for headwaters on a segment by segment basis for the South Platte River Basin. Moreover, pursuant to 31.17(e), nutrient standards will only be adopted for waters upstream of all permitted domestic wastewater treatment facilities discharging prior to May 31, 2012 or with preliminary effluent limits requested prior to May 31, 2012, and any non-domestic facilities subject to Regulation 85 effluent limits and discharging prior to May 31, 2012. The following is a list of all permitted domestic wastewater treatment facilities discharging prior to May 31, 2012 or with preliminary effluent limits requested prior to May 31, 2012, and any non-domestic facilities subject to Regulation 85 effluent limits and discharging prior to May 31, 2012 in the South Platte River Basin:

Segment	Permittee	Facility name	Permit No.
COSPUS01a	Alma Town of	ALMA, TOWN OF	CO0035769
COSPUS01a	Fairplay Sanitation District	FAIRPLAY SANITATION DISTRICT WWTF	CO0040088
COSPUS01a	Boy Scouts of America Pikes Peak Council	CAMP ALEXANDER	COG588036
COSPUS02a	Florissant Water and San Dist	FLORISSANT WATER & SAN DIST	CO0041416
COSPUS02a	Teller County	TELLER COUNTY WW UTILITY BOARD	CO0044211
COSPUS03	Woodland Park City of	WOODLAND PARK, CITY OF	CO0043214
COSPUS03	YMCA Camp Shady Brook	CAMP SHADY BROOK	CO0045993
COSPUS03	Lost Valley Ranch Corporation	LOST VALLEY RANCH	COG588122
COSPUS04	Will-O-Wisp Metro District	WILL-O-WISP METRO DISTRICT	CO0041521
COSPUS04	Bailey WSD	BAILEY WSD WWTF	COG588056
COSPUS04	Platte Canyon School Dist 1	PLATTE CANYON SCHOOL DIST 1	COG588114
COSPUS05c	Mountain Water and Sanitation District	MOUNTAIN WATER & SAN DISTRICT	CO0022730
COSPUS06a	Roxborough Water and Sanitation District	ROXBOROUGH PARK WATER & SAN WWTF	CO0041645
COSPUS10a	Plum Creek Water Reclamation Authority	PLUM CREEK WW AUTHORITY WWTF	CO0038547
COSPUS10a	Perry Park Water and Sanitation District	SAGEPORT WWTF	CO0043044
COSPUS11b	Perry Park Water and Sanitation District	WAUCONDAH WWTP	CO0022551
COSPUS14	Littleton/Englewood Cities of	LITTLETON/ENGLEWOOD, CITIES OF	CO0032999
COSPUS15	Metro Waste Water Reclamation District	METRO WASTEWATER RECLAM DIST	CO0026638
COSPUS15	Brighton City of	BRIGHTON WWTF	CO0021547
COSPUS15	South Adams County WSD	WILLIAMS MONOCO WWTF	CO0026662
COSPUS15	Metro Waste Water Reclamation District	NORTHERN TREATMENT PLANT	CO0048959
COSPUS16c	Ascentia Real Estate Holding Company LLC	FOXBRIDGE FARMS MH COMMUNITY	CO0028908
COSPUS16c	SouthWest Water Company	HI-LAND ACRES W&SD WWTF	COG589072
COSPUS16c	Mile High Racing and Enter dba Arapahoe Park	ARAPAHOE PARK RACETRACK	COG589073
COSPUS16c	Rangeview Metro District	COAL CREEK WW RECLAMATION FAC	COG589108
COSPUS16g	Centennial Water and San Dist	MARCY GULCH WWTF	CO0037966
COSPUS16i	Aurora City of - Aurora Water	SAND CREEK WATER REUSE FACILITY	CO0026611
COSPCH01	Stonegate Village Metropolitan District	STONEGATE VILLAGE WWTF	CO0040291
COSPCH01	Pinery Water and Wastewater District	PINERY WWTF	CO0041092
COSPCH01	Parker Water and Sanitation District	PARKER NORTH WRF	CO0046507

Segment	Permittee	Facility name	Permit No.
COSPCH04	Arapahoe County W and WW Authority	LONE TREE CREEK WWTP	CO0040681
COSPBE01a	Amen Real Estate LLC	SINGIN' RIVER RANCH WWTF	CO0035971
COSPBE01b	Morrison Town of	MORRISON TOWN OF	CO0041432
COSPBE01e	Kittredge Sanitation and Water District	KITTREDGE SAN & WATER DISTRICT	CO0023841
COSPBE01e	Bruce & Jayne Hungate DBA Bear Creek Cabins	BEAR CREEK CABINS	CO0030856
COSPBE01e	Evergreen Metropolitan District	EVERGREEN METROPOLITAN DIST WWTF	CO0031429
COSPBE04a	Genesee WSD	GENESEE WATER & SAN DISTRICT	CO0022951
COSPBE04a	Forest Hills Metro District	FOREST HILLS METROPOLITAN DIST	CO0037044
COSPBE05	West Jefferson County MD	W. JEFFERSON COUNTY METRO DIST	CO0020915
COSPBE05	Historic Brook Forest Inn LLC	BROOK FOREST INN	CO0030261
COSPBE06a	Tiny Town Foundation Inc	TINY TOWN	CO0036129
COSPBE06a	Aspen Park Metropolitan District	ASPEN PARK METROPOLITAN DISTRICT	CO0000001
COSPBE06b	Jefferson County Public Schools R-1	CONIFER HIGH SCHOOL WW REC PLT	CO0047988
COSPCL01	Colorado Dept of Transportation	EISENHOWER/JOHNSON MEMORIAL TUNNELS	CO0026069
COSPCL01	Clear Creek Skiing Corp	LOVELAND SKI AREA WWTF	CO0040835
COSPCL02a	Georgetown Town of	GEORGETOWN WWTF	CO0027961
COSPCL02c	Central Clear Creek SD	CENTRAL CLEAR CREEK SD WWTF	COG588055
COSPCL05	Empire Town of	EMPIRE TOWN OF	COG588065
COSPCL09a	St Marys Glacier WSD	ST. MARYS GLACIER WSD	CO0023094
COSPCL10	Shwayder Camp Wastewater	SHWAYDER CAMP WWTF	CO0047473
COSPCL11	Idaho Springs City of	IDAHO SPRINGS WWTF	CO0041068
COSPCL12	Clear Creek WWTP	CLEAR CREEK WWTP	CO0046574
COSPCL13b	Black Hawk/Central City Sanitation District	BLACK HAWK/CENTRAL CITY SD WWTF	CO0046761
COSPCL14a	MillerCoors LLC	MILLERCOORS GOLDEN FACILITY	CO0001163
COSPBD01	Westminster City of	BIG DRY CREEK WWTF	CO0024171
COSPBD01	Broomfield City and County	BROOMFIELD WWTF	CO0026409
COSPBD01	Northglenn City of	NORTHGLENN WWTF	CO0036757
COSPBO02b	San Lazaro Park Properties LLP c/o	SAN LAZARO MHP WWTF	CO0020184
COSPBO02b	BaseCamp Ventures LLC	BOULDER MOUNTAIN LODGEWWTF	CO0040819
COSPBO02b	Mueller Red Lion Inn	RED LION INN WWTF	COG588118
COSPBO03	Nederland Town of	NEDERLAND TOWN OF WWTF	CO0020222
COSPBO04b	Eldorado Springs Wastewater	ELDORADO SPRINGS WWTF	CO0047651

Segment	Permittee	Facility name	Permit No.
COSPBO04b	San Souci MHP	SAN SOUCI MHP	COG588101
COSPBO07b	Louisville City of	LOUISVILLE WWTF	CO0023078
COSPBO07b	Lafayette City of	LAFAYETTE WWTF	CO0023124
COSPBO07b	Erie Town of	ERIE WWTF	CO0045926
COSPBO08	Superior Metropolitan District No 1	SUPERIOR METROPOLITAN DIST NO1	CO0043010
COSPBO09	Boulder City of	75TH ST WWTP	CO0024147
COSPBO10	Erie Town of	ERIE NORTH WATER RECLAMATION FACILITY	CO0048445
COSPBO10	B & B Mobile Home and RV Park	B & B MOBILE HOME & RV PARK	COG588107
COSPBO14	Lake Eldora WSD	LAKE ELDORA WSD WWTF	CO0020010
COSPSV02a	Peaceful Valley Ranch LLC	PEACEFUL VALLEY RANCH WWTF	CO0048828
COSPSV02a	Seventh-Day Adventist Assoc of Colorado	GLACIER VIEW RANCH	CO0030112
COSPSV02a	Aspen Lodge at Estes Park Corp	ASPEN LODGE AT ESTES PARK CORP	CO0042820
COSPSV02b	Lyons Town of	LYONS TOWN OF	CO0020877
COSPSV03	Longmont City of	LONGMONT WWTF	CO0026671
COSPSV03	St Vrain Sanitation District	ST VRAIN SANITATION DISTRICT	CO0041700
COSPSV06	Niwot Sanitation District	NIWOT SANITATION DISTRICT	CO0021695
COSPSV06	Mead Town of	LAKE THOMAS SUBDIVISION WWTF	CO0046868
COSPSV06	Mead Town of	MEAD, TOWN OF	CO0046876
COSPSV06	Fairways Metro Dist	FAIRWAYS WWTF	CO0048411
COSPMS01a	Fort Lupton City of	FORT LUPTON WWTF	CO0021440
COSPMS01b	Evans City of	EVANS CITY OF WWTF	CO0020508
COSPMS01b	Kersey Town of	KERSEY WWTF	CO0021954
COSPMS01b	Platteville Town of	PLATTEVILLE WWTF	CO0040355
COSPMS01b	Evans City of	HILL-N-PARK SANITATION DIST.	CO0047287
COSPMS01b	La Salle Town of	LA SALLE TOWN OF	COG588058
COSPMS01b	Gilcrest Town of	GILCREST WWTF	COG588121
COSPMS03a	Elizabeth Town of	GOLD CREEK	COG589037
COSPMS03a	Galeton Water and Sanitation District	GALETON WATER & SAN DISTRICT	CO0043320
COSPMS03a	Orica USA Inc	ORICA USA, INC.	CO0046221
COSPMS03a	Spring Valley Ranch	SPRING VALLEY RANCH WWTF	CO0046965
COSPMS03a	Front Range Airport WWTF	FRONT RANGE AIRPORT WWTF	CO0047741
COSPMS04	Lochbuie Town of	LOCHBUIE TOWN OF	CO0047198
COSPMS05a	Swift Beef Company	SWIFT BEEF - LONE TREE	CO0027707

Segment	Permittee	Facility name	Permit No.
COSPMS05c	Hudson WWTF	HUDSON MECHANICAL WWTF	COG589104
COSPMS06	Keenesburg Town of	KEENESBURG TOWN OF	CO0041254
COSPMS06	Bennett Town of	BENNETT TOWN OF	COG589069
COSPBT02	Estes Park Sanitation District	ESTES PARK SANITATION DISTRICT	CO0020290
COSPBT02	Upper Thompson Sanitation District	UTSD WWTF	CO0031844
COSPBT04c	Loveland City of	LOVELAND WWTP	CO0026701
COSPBT05	Milliken Town of	MILLIKEN SANITATION DISTRICT	CO0042528
COSPBT05	Johnstown Town of	LOW POINT WWTP	CO0047058
COSPBT07	Hidden View Estates HOA	HIDDEN VIEW ESTATES HOA WWTF	CO0048861
COSPBT09	Johnstown Town of	JOHNSTOWN CENTRAL WWTF	CO0021156
COSPBT09	Riverglen Homeowners Assoc	RIVERGLEN HOA WWTF	CO0029742
COSPBT09	Berthoud Town of	BERTHOUD, TOWN OF	CO0046663
COSPBT10	Berthoud Town of	SERENITY RIDGE WWTF	CO0047007
COSPBT10	Western Mini-Ranch/Vaquero Estates Sewer Assoc.	WESTERN MINI-RANCH/VAQUERO EST	COG589095
COSPBT10	Berthoud Estates Community Assoc	BERTHOUD ESTATES WWTF	COG589097
COSPCP08	Fox Acres Community Services Corp	FOX ACRES WWTF	COG589112
COSPCP08	Girl Scouts of Colorado	MAGIC SKY RANCH G.S. CAMP	CO0047317
COSPCP11	Fort Collins City of	MULBERRY WWTP	CO0026425
COSPCP11	Fort Collins City of	DRAKE WWTP	CO0047627
COSPCP12	Windsor, Town of	WINDSOR TOWN OF WWTF	CO0020320
COSPCP12	Greeley City of	GREELEY CITY OF	CO0040258
COSPCP12	Leprino Foods Company	LEPRINO GREELEY FACILITY WWTF	CO0048860
COSPCP13a	Anheuser Busch Inc	NUTRI-TURF, INC.	CO0039977
COSPCP13a	Eaton Town of	EATON, TOWN OF	CO0047414
COSPCP13a	Saddler Ridge Metro Dist Water Reclamation Facility	SADDLER RIDGE METRO DIST WATER RECLAMATION FACILITY	COG589107
COSPCP13b	Boxelder Sanitation District	BOXELDER SANITATION DISTRICT WWTF	CO0020478
COSPCP13b	Wellington Town of	WELLINGTON WWTF	CO0046451
COSPCP22	South Fort Collins Sanitation District	SOUTH FORT COLLINS SAN DIST	CO0020737
COSPLS01	Western Sugar Cooperative	FORT MORGAN FACILITY	CO0041351
COSPLS01	Cargill Meat Solutions	FORT MORGAN BEEF PLANT	CO0044270
COSPLS01	Julesburg Town of	JULESBURG TOWN OF	CO0021113
COSPLS01	Brush City of	BRUSH CITY OF	CO0021245
COSPLS01	Sterling City of	STERLING CITY OF	CO0026247

Segment	Permittee	Facility name	Permit No.
COSPLS01	Fort Morgan City of	FORT MORGAN CITY OF	CO0044849
COSPLS01	Snyder Sanitation District	SNYDER SANITATION DISTRICT	COG588016
COSPLS01	Morgan Heights WSD	MORGAN HEIGHTS WATER&SEWER INC	COG588040
COSPLS01	Ovid Town of	OVID TOWN OF	COG588106
COSPLS02a	Leprino Foods Company	FORT MORGAN CHEESE FACILITY	CO0043958
COSPLS02a	Deer Trail Town of	DEER TRAIL WWTF	COG589002
COSPLS02a	Hillrose Town of	HILLROSE WWTF	COG589030
COSPLS02a	Byers Water and Sanitation District	BYERS WATER AND SANITATION DISTRICT	COG589033
COSPLS02a	Eastern Adams County Metro District	EASTERN ADAMS CO METRO DIST WWTF	COG589035
COSPLS02b	Kiowa Town of	KIOWA WWTF	CO0033405
COSPLS02b	Elbert Water Sanitation District	ELBERT WATER & SANITATION DIST WWTF	COG589065
COSPRE03	Wray City of	WRAY CITY OF	CO0023833
COSPRE06	Flagler Town of	FLAGLER WWTF	COG589036
COSPRE06	Arriba Town of	ARRIBA WWTF	COG589055
COSPRE06	Holyoke City of	HOLYOKE, CIY OF	COG589059
COSPRE06	Akron Town of	AKRON WWTF	COG589061
COSPRE06	Haxtun Town of	HAXTUN, TOWN OF	COG589062
COSPRE06	Stratton Town of	STRATTON WWTF	COG589100
COSPRE06	Burlington City of	BURLINGTON CITY OF WWTF	COG589114
COSPRE06	Seibert Town of	SEIBERT WWTF	COG589120
COSPRE07	Cheyenne Wells Sanitation District No 1	CHEYENNE WELLS SANITATION DIST	COG589039
Unclassified	Silco Oil Co	TOMAHAWK TRUCK STOP	COG589003

Prior to May 31, 2022:

- For segments located entirely above these facilities, nutrient standards apply to the entire segment.
- For segments with portions downstream of these facilities, *nutrient standards only apply above these facilities*. A footnote was added to the total phosphorus and chlorophyll a standards in these segments. The footnote references the table of qualified facilities at 38.5(4).
- For segments located entirely below these facilities, nutrient standards do not apply.

A footnote was added to the total phosphorus and chlorophyll a standards in lakes segments as nutrients standards apply only to lakes and reservoirs larger than 25 acres surface area.

## 38.6 TABLES

### (1) Introduction

The numeric standards for various parameters in this regulation and in the tables in Appendix 38-1 were assigned by the Commission after a careful analysis of the data presented on actual stream conditions and on actual and potential water uses.

Numeric standards are not assigned for all parameters listed in the Tables attached to 31.0. If additional numeric standards are found to be needed during future periodic reviews, they can be assigned by following the proper hearing procedures.

### (2) Abbreviations:

(a) The following abbreviations are used in this regulation and in the tables in Appendix 38-1:

ac	=	acute (1-day)
°C	=	degrees celsius
ch	=	chronic (30-day)
CL	=	cold lake temperature tier
CLL	=	cold large lake temperature tier
CS-I	=	cold stream temperature tier one
CS-II	=	cold stream temperature tier two
D.O.	=	Dissolved oxygen
DM	=	daily maximum
DUWS	=	direct use water supply
E. coli	=	Eschericia coli
mg/l	=	milligrams per liter
MWAT	=	maximum weekly average temperature
OW	=	outstanding waters
sp	=	Spawning
SSE	=	site-specific equation
T	=	total recoverable
t	=	total
tr	=	trout
TVS	=	table value standard
µg/l	=	micrograms per liter
UP	=	use-protected
WAT	=	weekly average temperature
WL	=	warm lake temperature tier
WS	=	water supply
WS-I	=	warm stream temperature tier one
WS-II	=	warm stream temperature tier two
WS-III	=	warm stream temperature tier three

(b) In addition, the following abbreviations are used:

Fe(ch)	=	WS
Mn(ch)	=	WS
SO <sub>4</sub>	=	WS

These abbreviations mean: For all surface waters with an actual water supply use, the less restrictive of the following two options shall apply as numerical standards, as specified in the Basic Standards and Methodologies at 31.11(6);



- (i) existing quality as of January 1, 2000; or
- (ii)
 

Iron	=	300 µg/l (dissolved)
Manganese	=	50 µg/l (dissolved)
SO <sub>4</sub>	=	250 mg/l

For all surface waters with a “water supply” classification that are not in actual use as a water supply, no water supply standards are applied for iron, manganese or sulfate, unless the Commission determines as the result of a site-specific rulemaking hearing that such standards are appropriate.

(c) Temporary Modification for Water + Fish Chronic Arsenic Standard

- (i) The temporary modification for chronic arsenic standards applied to segments with an arsenic standard of 0.02 µg/l that has been set to protect the Water+Fish qualifier is listed in the temporary modification and qualifiers column as As(ch)=hybrid.
- (ii) For discharges existing on or before 6/1/2013, the temporary modification is: As(ch)=current condition, expiring on 12/31/2021.
- (iii) For new or increased discharges commencing on or after 6/1/2013, the temporary modification is: As(ch)=0.02-3.0 µg/l (Trec), expiring on 12/31/2021.
  - (a) The first number in the range is the health-based water quality standard previously adopted by the Commission for the segment.
  - (b) The second number in the range is a technology based value established by the Commission for the purpose of this temporary modification.
  - (c) Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an “end-of-pipe” discharge level more restrictive than the second number in the range.

(3) Table Value Standards

In certain instances in the tables in Appendix 38-1, the designation “TVS” is used to indicate that for a particular parameter a “table value standard” has been adopted. This designation refers to numerical criteria set forth in the Basic Standards and Methodologies for Surface Water. The criteria for which the TVS are applicable are on the following table.

**TABLE VALUE STANDARDS**  
(Concentrations in µg/l unless noted)

PARAMETER <sup>(1)</sup>	TABLE VALUE STANDARDS <sup>(2)(3)</sup>
Aluminum (T)	<p>Acute = <math>e^{(1.3695[\ln(\text{hardness})]+1.8308)}</math></p> <p>pH equal to or greater than 7.0</p> <p>Chronic=<math>e^{(1.3695[\ln(\text{hardness})]-0.1158)}</math></p> <p>pH less than 7.0</p> <p>Chronic= <math>e^{(1.3695[\ln(\text{hardness})]-0.1158)}</math> or 87, whichever is more stringent</p>

Ammonia <sup>(4)</sup>	<p>Cold Water = (mg/l as N)Total</p> $acute = \frac{0.275}{1 + 10^{7.204 - pH}} + \frac{39.0}{1 + 10^{pH - 7.204}}$ $chronic = \left[ \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right] * MIN(2.85, 1.45 * 10^{0.028(25 - T)})$
	<p>Warm Water = (mg/l as N)Total</p> $acute = \frac{0.411}{1 + 10^{7.204 - pH}} + \frac{58.4}{1 + 10^{pH - 7.204}}$
	$chronic (Apr 1 - Aug 31) = \left[ \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right] * MIN(2.85, 1.45 * 10^{0.028(25 - T)})$ $chronic (Sep 1 - Mar 31) = \left[ \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right] * 1.45 * 10^{0.028 * (25 - MAX(T, 7))}$
Cadmium	<p>Acute = <math>(1.136672 - [\ln(hardness) \times (0.041838)]) * e^{(0.9151[\ln(hardness)] - 3.1485)}</math></p> <p>Acute(Trout) = <math>(1.136672 - [\ln(hardness) \times (0.041838)]) * e^{(0.9151[\ln(hardness)] - 3.6236)}</math></p> <p>Chronic = <math>(1.101672 - [\ln(hardness) \times (0.041838)]) * e^{(0.7998[\ln(hardness)] - 4.4451)}</math></p>
Chromium III <sup>(5)</sup>	<p>Acute = <math>e^{(0.819[\ln(hardness)] + 2.5736)}</math></p> <p>Chronic = <math>e^{(0.819[\ln(hardness)] + 0.5340)}</math></p>
Chromium VI <sup>(5)</sup>	<p>Acute = 16</p> <p>Chronic = 11</p>
Copper	<p>Acute = <math>e^{(0.9422[\ln(hardness)] - 1.7408)}</math></p> <p>Chronic = <math>e^{(0.8545[\ln(hardness)] - 1.7428)}</math></p>
Lead	<p>Acute = <math>(1.46203 - [\ln(hardness) * (0.145712)]) * e^{(1.273[\ln(hardness)] - 1.46)}</math></p> <p>Chronic = <math>(1.46203 - [\ln(hardness) * (0.145712)]) * e^{(1.273[\ln(hardness)] - 4.705)}</math></p>
Manganese	<p>Acute = <math>e^{(0.3331[\ln(hardness)] + 6.4676)}</math></p> <p>Chronic = <math>e^{(0.3331[\ln(hardness)] + 5.8743)}</math></p>
Nickel	<p>Acute = <math>e^{(0.846[\ln(hardness)] + 2.253)}</math></p> <p>Chronic = <math>e^{(0.846[\ln(hardness)] + 0.0554)}</math></p>
Selenium <sup>(6)</sup>	<p>Acute = 18.4</p> <p>Chronic = 4.6</p>
Silver	<p>Acute = <math>\frac{1}{2} e^{(1.72[\ln(hardness)] - 6.52)}</math></p>

	Chronic = e <sup>(1.72[ln(hardness)]-9.06)</sup>  Chronic(Trout) = e <sup>(1.72[ln(hardness)]-10.51)</sup>					
Temperature	TEMPERATURE TIER	TIER CODE	SPECIES EXPECTED TO BE PRESENT	APPLICABLE MONTHS	TEMPERATURE STANDARD (°C)	
					(MWAT)	(DM)
	Cold Stream Tier I	CS-I	brook trout, cutthroat trout	June – Sept.	17.0	21.7
				Oct. - May	9.0	13.0
	Cold Stream Tier II	CS-II	all other cold-water species	April – Oct.	18.3	23.9
				Nov. - March	9.0	13.0
	Cold Lake	CL	brook trout, brown trout, cutthroat trout, lake trout, rainbow trout, Arctic grayling, sockeye salmon	April – Dec.	17.0	21.2
				Jan. - March	9.0	13.0
Temperature	Cold Large Lake (>100 acres surface area)	CLL	brown trout, lake trout, rainbow trout	April – Dec.	18.3	23.8
				Jan. - March	9.0	13.0
	Warm Stream Tier I	WS-I	common shiner, Johnny darter, orangethroat darter	March – Nov.	24.2	29.0
				Dec. – Feb.	12.1	14.5
	Warm Stream Tier II	WS-II	brook stickleback, central stoneroller, creek chub, longnose dace, Northern redbelly dace, finescale dace, razorback sucker, white sucker	March – Nov.	27.5	28.6
				Dec. – Feb.	13.8	14.3
	Warm Stream Tier III	WS-III	all other warm-water species	March – Nov.	28.7	31.8
				Dec. – Feb.	14.3	15.9
	Warm Lakes	WL	Yellow perch, walleye, pumpkinseed, smallmouth bass, striped bass, white bass, largemouth bass, bluegill, spottail shiner, Northern pike, tiger muskellunge, black crappie, common carp, gizzard shad, sauger, white crappie, wiper	April – Dec.	26.3	29.5
Jan. - March				13.2	14.8	
Uranium	Acute = e <sup>(1.1021[ln(hardness)]+2.7088)</sup>  Chronic = e <sup>(1.1021[ln(hardness)]+2.2382)</sup>					
Zinc	Acute = 0.978*e <sup>(0.9094[ln(hardness)]+0.9095)</sup>  Chronic = 0.986*e <sup>(0.9094[ln(hardness)]+0.6235)</sup>					

#### TABLE VALUE STANDARDS - FOOTNOTES

- (1) Metals are stated as dissolved unless otherwise specified.
- (2) Hardness values to be used in equations are in mg/l as calcium carbonate and shall be no greater than 400 mg/L except for aluminum for which hardness shall be no greater than 220 mg/L. The hardness values used in calculating the appropriate metal standard should be based on the lower 95 per cent confidence limit of the mean hardness value at the periodic low flow criteria as determined from a regression analysis of site-specific data. Where insufficient site-specific data

*exists to define the mean hardness value at the periodic low flow criteria, representative regional data shall be used to perform the regression analysis. Where a regression analysis is not appropriate, a site-specific method should be used. In calculating a hardness value, regression analyses should not be extrapolated past the point that data exist.*

- (3) *Both acute and chronic numbers adopted as stream standards are levels not to be exceeded more than once every three years on the average.*
- (4) *For acute conditions the default assumption is that salmonids could be present in cold water segments and should be protected, and that salmonids do not need to be protected in warm water segments. For chronic conditions, the default assumptions are that early life stages could be present all year in cold water segments and should be protected. In warm water segments the default assumption is that early life stages are present and should be protected only from April 1 through August 31. These assumptions can be modified by the Commission on a site-specific basis where appropriate evidence is submitted.*
- (5) *Unless the stability of the chromium valence state in receiving waters can be clearly demonstrated, the standard for chromium should be in terms of chromium VI. In no case can the sum of the instream levels of Hexavalent and Trivalent Chromium exceed the water supply standard of 50 µg/l total chromium in those waters classified for domestic water use.*
- (6) *Selenium is a bioaccumulative metal and subject to a range of toxicity values depending upon numerous site-specific variables.*
- (7) *E.coli criteria and resulting standards for individual water segments, are established as indicators of the potential presence of pathogenic organisms. Standards for E. coli are expressed as a two-month geometric mean. Site-specific or seasonal standards are also two-month geometric means unless otherwise specified.*
- (8) *All phosphorus standards are based upon the concentration of total phosphorus.*
- (9) *The pH standards of 6.5 (or 5.0) and 9.0 are an instantaneous minimum and maximum, respectively to be applied as effluent limits. In determining instream attainment of water quality standards for pH, appropriate averaging periods may be applied, provided that beneficial uses will be fully protected.*

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(4) Assessment Criteria

The following criteria shall be used when assessing whether a specified waterbody is in attainment of the specified standard.

- (a) Upper South Platte Segment 6b, Chatfield Reservoir: Assessment Thresholds  
  
chlorophyll = 11.2 µg/l, summer average, 1 in 5 year allowable exceedance frequency  
phosphorus(Tot) = 0.035 mg/l, summer average, 1 in 5 year allowable exceedance frequency.
- (b) Upper South Platte Segment 16h: Selenium Standards and Assessment Locations  
  
Selenium Standards:  
  
West Toll Gate Creek: Selenium(chronic)=50.6, Selenium(acute)=119.2  
  
East Toll Gate Creek: Selenium(chronic)=14.3, Selenium(acute)=15.9

Toll Gate Creek: Selenium(chronic)=26.5, Selenium(acute)=29.5

Selenium Assessment Locations:

- Toll Gate Creek (TG6): Downstream of the confluence of East and West Toll Gate Creeks, at 6<sup>th</sup> Avenue near the gage station.
- East Toll Gate Creek (ET1): Upstream of the confluence with West Toll Gate Creek, at Chambers Road and 1<sup>st</sup> Avenue.
- West Toll Gate Creek (WT1): Upstream of the confluence with East Toll Gate Creek, at 2<sup>nd</sup> Avenue.

(c) Upper South Platte Segment 15 and Middle South Platte Segment 1a: Dissolved Oxygen Assessment Locations

For the purpose of determining attainment of the standard, dissolved oxygen measurements shall only be taken in the flowing portion of the stream and at mid depth, and at least six inches above the bottom of the channel. Dissolved oxygen measurements in man-made pools are not to be used for determination of attainment of the standards.

(d) Big Dry Creek Segment 1: Selenium Assessment Locations

- bdc 1.5: Upstream of Broomfield Wastewater Treatment Plant
- bdc 2.0: Upstream of Westminster Big Dry Creek Wastewater Treatment Facility
- bdc 4.5: Upstream of Northglenn Wastewater Treatment Plant

(e) Big Dry Creek Segment 2 (Standley Lake): Assessment Thresholds

Chlorophyll = 4.4 µg/L, Mar-Nov average, 1 in 5 yr allowable exceedance frequency

(f) Upper South Platte Segment 16i, Sand Creek from Toll Gate Creek to the confluence with the South Platte River: assessment locations for selenium and total mercury.

Selenium Standards:

Upper: Selenium(chronic)=38.2, Selenium(acute)=45.1

Lower: Selenium(chronic)=9.0, Selenium(acute)=TVS

Selenium Assessment Locations:

- Upper – (SWA): Downstream of the confluence of Sand Creek and Toll Gate Creek approximately 250 meters upstream of the Sand Creek Water Reuse Facility (SCWRF) discharge near the Peoria Street Bridge.
- Lower – (SW1): Above Suncor, approximately 60 meters upstream of the Union Pacific Railroad crossing and upstream of Brighton Boulevard.

Mercury Assessment Locations and Method:

- Sand Creek (SWP) – Downstream of the sheet piling drop structure located near the Brighton Blvd. Bridge.

- Sand Creek (SWP2-1) – Approximately 600 feet downstream of Suncor Outfall 003 and immediately upstream of the Burlington Ditch Siphon.
- Attainment of the standard below Brighton Blvd. shall be assessed using the weighted 85th percentile total mercury concentration from both assessment locations.

(g) Upper South Platte Segment 16g (Marcy Gulch): Selenium assessment.

Determination of attainment of the chronic and acute selenium standards will be based on the 85<sup>th</sup> and 95<sup>th</sup> percentile, respectively, of paired samples taken the same day from from the two following locations:

- L29: Marcy Gulch upstream of Santa Fe Drive, immediately upstream of the Centennial Water & Sanitation District WWTF
- L36: Marcy Gulch upstream of the confluence with the South Platte River.

(h) Upper South Platte Segment 16j: Selenium standards and assessment.

Lee Gulch: Selenium(chronic)=10, Selenium(acute)=TVS

Little's Creek: Selenium(chronic)=6, Selenium(acute)= TVS

Big Dry Creek: Selenium(chronic)=23, Selenium(acute)=26

Little Dry Creek: Selenium(chronic)=11, Selenium(acute)=TVS

Determination of attainment of the chronic and acute selenium standards will be based on the 85<sup>th</sup> and 95<sup>th</sup> percentile, respectively. The selenium assessment locations are:

- Lee Gulch: Upstream of the confluence with the South Platte River
- Little's Creek: Upstream of the confluence with the South Platte River
- Big Dry Creek: Upstream of the confluence with the South Platte River
- Little Dry Creek: Upstream of the confluence with the South Platte River

(i) Cherry Creek Segment 4b: Selenium standards and assessment

Upper Cottonwood Creek:

October–February Selenium(acute/chronic)=TVS/14.0

March–September Selenium(acute/chronic)=TVS/7.1

Lower Cottonwood Creek:

October–February Selenium(acute/chronic)=TVS/5.1

March–September Selenium(acute/chronic)=TVS

Break between Upper and Lower Cottonwood Creek is at the confluence with Lone Tree Creek.

Upper Lone Tree Creek:

October–February Selenium(acute/chronic)=41.0/37.2

March–September Selenium(acute/chronic)=19.3/19.0

Lower Lone Tree Creek: Selenium(acute/chronic)=TVS

Break between Upper and Lower Lone Tree Creek is at the ACCWA Lone Tree Facility Outfall.

Upper Windmill Creek: Selenium(acute/chronic)=TVS

Middle Windmill Creek:

October–February Selenium(acute/chronic)=TVS/15.1

March–September Selenium(acute/chronic)=TVS/8.4

Lower Windmill Creek: Selenium(acute/chronic)=TVS

Break between Upper, Middle and Lower Windmill Creek is at the assessment locations.

Determination of attainment of the chronic and acute selenium standards will be based on the 85th and 95th percentile, respectively.

- Upper Cottonwood Creek: From headwaters to confluence with Lone Tree Creek, to be assessed at CT-P2 — 39.605694, -104.84825. At Peoria St.
- Lower Cottonwood Creek: From confluence with Lone Tree Creek to terminus at Cherry Creek Reservoir, to be assessed at CT2-39.627861, -104.85025. West of Perimeter Road and south of bike path.

- Upper Lone Tree Creek: From headwaters to just above site LTC-3, to be assessed using data from LTC-1 and LTC-2  
LTC-1 — 39.58435, -104.838017. Approximately 0.15 miles N of S. Revere Pkwy.  
LTC-2 — 39.59685, -104.838217. Approximately 10 yards N of E. Peakview Ave.
- Lower Lone Tree Creek: From site LTC-3 to confluence with Cottonwood Creek, to be assessed using data from LTC-3 and LTC-4  
LTC-3 — 39.604817, - 104.837083. Below ACWWA Lone Tree facility outfall.  
LTC-4 — 39.614483, 104.840217. Downstream of confluence with Windmill Creek
- Upper Windmill Creek: From Headwaters to WC-1 — Site WC-1-39.574967, -104.830017. West of Potomac St and South of Broncos Pkwy.
- Middle Windmill Creek: All sites between (but not including) WC-1 and WC-2.  
WC-1—39.574967, -104.830017. West of Potomac St and South of Broncos Pkwy.  
WC-2—39.59655, -104.821767. North of Cherry Creek Trail.
- Lower Windmill Creek: From site WC-2 to confluence with Lone Tree Creek, to be assessed at WC-2-39.59655, -104.821767. North of Cherry Creek Trail.

(j) Clear Creek Segment 5: Manganese assessment

- Below Woods Creek: West Fork of Clear Creek approximately 0.3 miles downstream of Berthoud Falls (39.771829°, -105.803418°).
- Mouth of West Fork: West Fork of Clear Creek near County Road 257.

(5) Stream Classifications and Water Quality Standards Tables

The stream classifications and water quality standards tables in Appendix 38-1 are incorporated herein by reference.

**38.7 COMMISSION'S DETERMINATION REGARDING STATE WATERS**

(1) Introduction

The following list describes the Commission's determinations regarding water bodies that do not contain "State Waters."

(2) Determinations

- (a) Marston Forebay located in Upper South Platte Segment 23 within Sections 11, 12, 13 and 14 in Township 5 South, Range 69 West of the 6th P.M. in the City and County of Denver, Colorado.

**38.8-38.9 RESERVED**

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**38.91 STATEMENT OF BASIS AND PURPOSE REGARDING THE ADOPTION OF NON-SUBSTANTIVE CHANGES TO THE CLASSIFICATION AND NUMERIC STANDARDS FOR**



**SOUTH PLATTE RIVER BASIN, LARAMIE RIVER BASIN, REPUBLICAN RIVER BASIN,  
SMOKY HILL RIVER BASIN, JANUARY 11, 2016 RULEMAKING; EFFECTIVE DATE MARCH  
1, 2016**

The provisions of C.R.S. 25-8-202(1)(i) and 25-8-401(2) provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

**BASIS AND PURPOSE**

The Commission, in a public rulemaking hearing adopted extensive changes to the format of this regulation. The Commission does not intend to change any existing designations, use classifications or standards, or the implementation of any standards as the results of changing the format.

This rulemaking was in response to longstanding issues with managing the information contained in the standards tables. The changes made in this hearing reflect a change from storing the information in word processing documents to storing the information in a relational database. This change in platform will provide better consistency, facilitate error checking as well as a more readable format for the standards tables. Storing the information in a database allows it to be used more efficiently by other programs in the Division.

While it was the Commission's intent not to change the substantive meaning of the regulations in this rulemaking, in cases where there was ambiguity the revised regulation reflects the Commission's interpretation of the previous format based on Regulation #31 (the Basic Standards and Methodologies for Surface Water ) and the experience of the Commission and its staff.

Overall format changes: The new format displays parameters by name, rather than by period table element abbreviations. The section formerly titled "Temporary Modifications and Qualifiers" does not appear in the new format. Instead, there is a separate section for qualifiers, and an "Other" section. Temporary modifications, variances and other footnotes are displayed in the "Other" section. Many items that were formerly in the "Temporary Modifications and Qualifiers" column will be displayed in the "Other" column and will have a different appearance or modified wording, although the information is substantively the same. Each footnote in the "Other" section is preceded by a heading that indicates where the footnote applies:

- Footnotes regarding a use classification will begin with the heading "Classification..."
- Footnotes regarding the antidegradation designation begin with the heading "Designation..."
- Footnotes that relate to a particular standard begin with the name of the parameter, for example "Selenium(chronic)= ..."

Also, since there is more room for information within each segment, footnotes "B" and "C" were replaced with the full text in each segment where these footnotes were applied. Footnote "A" was maintained because the text is too long to be displayed in the "Other" section for each segment where it applies. Footnote "D" was changed to footnote "B" and was maintained because the text is too long to be displayed in the "Other" section.

Constraints of the new format: Some adjustments were made to the way that data is displayed in order to be compatible with the functions of the Standards Database. Database organization requires that information which relates to multiple standards must be attached to each individual parameter. For example, a segment with a temporary modification listed for "all parameters" in the old format will have a temporary modification listed for each individual parameter in the new format. There are also spacing constraints in the new format, which require some information to be moved either to the "other" box on the new format, or moved out of the segment entirely and into another location in the regulation.

Clarification of changes: The shift to a database organizational structure required consistency in the way each data element is addressed. To insure that data is stored and displayed correctly, the following changes were made.

- The “type” of temporary modification is no longer displayed in the segment tables, since they have no regulatory effect and have been inconsistently displayed.
- In the old format, waters that had a reviewable antidegradation designation were identified by the absence of either “UP” or “OW” in the designation column. These segments now display the word “reviewable” under the designation heading. There needed to be a value in the designation column for every segment.
- Dissolved standards are not specifically noted as dissolved in the new format. All metals standards are dissolved unless noted with a “T” or a “t”. For example, a manganese standard in the old format of “WS(dis)” is displayed as “WS” in the new format.
- A new footnote 7 was added to clarify that although E. coli is listed in the “chronic” column, the standard is a two-month geometric mean rather than a 30-day average. The language of footnote 7 was taken from Regulation 31, Table 1, footnote 7.
- A new footnote 8 was added to indicate that all phosphorus standards are based upon the concentration of total phosphorus. In the old format, individual phosphorus standards were noted as “total” in some basins and not others.
- A new footnote 9 was added to clarify that although pH is listed in the “acute” column, the standard is not applied as a 1-day average. The language of footnote 7 was taken from Regulation 31, Table 1, footnote 3.
- Physical and Biological Parameters: Some parameters are not specifically identified in the old format segment tables as acute or chronic. The new format requires that each parameter is placed in either the acute or chronic column. Specifically, these parameters and the basis for being identified as acute or chronic are as follows:
  - pH (acute) – Regulation #31, Table 1, footnote 3
  - E. Coli (chronic) – Regulation #31, Table 1, footnote 7
  - D.O. (chronic) – Regulation #31, Table 1, footnote 1
  - cyanide (acute) – Regulation #31, Table 2
  - sulfide (chronic) - Regulation #31, Table 2
  - nitrate (acute) - Regulation #31, Table 2
  - nitrite (chronic) – not specified in Regulation #31. Nitrite has been implemented as a 30-day average standard in permits and assessments.
  - chloride (chronic) Regulation #31, Table 2
  - boron (chronic) - Regulation #31, Table 2
  - sulfate (chronic) Regulation #31, Table 2

- In the old format, uranium standards for Big Dry Creek were shown in the attached table, but not listed with each segment. The new format includes the uranium standards for Big Dry Creek Segments 2-7. These were added because the new format displays every parameter. If uranium standards are not listed in the segment table, then it appears to communicate that there is not a uranium standard. There is still a footnote to refer to the table for the other site-specific radionuclide standards.
- Some site-specific standards had too much information to be contained in the new table, so it was moved to 38.6(4) (Upper South Platte Segments 16h, 16i, 16j and Cherry Creek Segment 4b).

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-38**

**REGULATION NO. 38  
CLASSIFICATIONS AND NUMERIC STANDARDS  
FOR  
SOUTH PLATTE RIVER BASIN, LARAMIE RIVER BASIN  
REPUBLICAN RIVER BASIN, SMOKY HILL RIVER BASIN**

**APPENDIX 38-1  
Stream Classifications and Water Quality Standards Tables**

Effective 03/01/2016

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

1a. Mainstem of the South Platte River from the source of the South and Middle Forks to the inlet of Cheesman Reservoir.

COSPUS01A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I*	CS-I*	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4). *Temperature = summer criteria apply from 4/1-10/31		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11*	Nickel	---	100(T)
Sulfate	---	WS	Selenium	TVS	TVS		
Sulfide	---	0.002	Silver	TVS	TVS(tr)		
			Uranium	---	---		
			Zinc	TVS	TVS		

1b. All tributaries to the South Platte River, including wetlands within the Lost Creek and Mt. Evans Wilderness Areas.

COSPUS01B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr = trout

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

2a. All tributaries to the South Platte River system, including all wetlands from the headwaters of the South and Middle Forks to a point immediately below the confluence with Tarryall Creek except for specific listings in Segment 1b, 2b and 2c.						
COSPUS02A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Expiration Date of 12/31/2021					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Lead	50(T)
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.11*	Nickel	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS

2b. Mainstem of Mosquito Creek from the confluence with South Mosquito Creek to its confluence with the Middle Fork of the South Platte River.						
COSPUS02B	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Expiration Date of 12/31/2021					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Lead	50(T)
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	---	Nickel	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

2c. South Mosquito Creek from the source to confluence with Mosquito Creek and No Name Creek from the source to the confluence with South Mosquito Creek.					
COSPUS02C	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr) TVS
Other:		pH	6.5 - 9.0 ---	Cadmium	5.0(T) ---
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	50(T) TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	Chromium VI	TVS TVS
Expiration Date of 12/31/2021				Copper	TVS TVS
		Inorganic (mg/L)		Iron	---
		acute	chronic	Iron	---
		Ammonia	TVS TVS	Lead	TVS TVS
		Boron	---	Lead	50(T) ---
		Chloride	---	Manganese	TVS TVS
		Chlorine	0.019 0.011	Manganese	---
		Cyanide	0.005 ---	Mercury	---
		Nitrate	10 ---	Molybdenum	---
		Nitrite	---	Nickel	TVS TVS
		Phosphorus	---	Nickel	---
		Sulfate	---	Selenium	TVS TVS
		Sulfide	---	Silver	TVS TVS(tr)
				Uranium	---
				Zinc	---
3. All tributaries to the South Platte River, including all wetlands from a point immediately below the confluence with Tarryall Creek to a point immediately above the confluence with the North Fork of the South Platte River, except for specific listings in Segment 1b.					
COSPUS03	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr) TVS
Other:		pH	6.5 - 9.0 ---	Cadmium	5.0(T) ---
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	50(T) TVS
Ammonia(ac/ch) = current condition*		E. Coli (per 100 mL)	---	Chromium VI	TVS TVS
Expiration Date of 12/31/2017				Copper	TVS TVS
Arsenic(chronic) = hybrid		Inorganic (mg/L)		Iron	---
Expiration Date of 12/31/2021		acute	chronic	Iron	---
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4).		Ammonia	TVS TVS	Lead	TVS TVS
*Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		Boron	---	Lead	50(T) ---
*TempMod: Ammonia = below the Florissant Wastewater Treatment Facility outfall.		Chloride	---	Manganese	TVS TVS
		Chlorine	0.019 0.011	Manganese	---
		Cyanide	0.005 ---	Mercury	---
		Nitrate	10 ---	Molybdenum	---
		Nitrite	---	Nickel	TVS TVS
		Phosphorus	---	Nickel	---
		Sulfate	---	Selenium	TVS TVS
		Sulfide	---	Silver	TVS TVS(tr)
				Uranium	---
				Zinc	TVS TVS

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr = trout

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

4. Mainstem of the North Fork of the South Platte River, including all tributaries and wetlands from the source to the confluence with the South Platte River, except for specific listings in Segments 1b, 5a, 5b, and 5c.

COSPUS04	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2021					Copper	TVS	TVS
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4).		Inorganic (mg/L)			Iron	---	WS
*Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		acute	chronic	Iron	---	1000(T)	
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11*	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

5a. Mainstem of Geneva Creek from the source to the confluence with Scott Gomer Creek.

COSPUS05A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute		chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	---
Other:		D.O. (spawning)	---	7.0	Cadmium	---	2(T)
		pH	3.5-9.0	---	Chromium III	---	100(T)
		chlorophyll a (mg/m²)	---	150	Chromium VI	---	25(T)
		E. Coli (per 100 mL)	---	126	Copper	---	18
					Iron	---	1200(T)
		Inorganic (mg/L)		Lead	---	4(T)	
			acute	chronic	Manganese	---	530
		Ammonia	TVS	TVS	Mercury	---	0.05(T)
		Boron	---	0.75	Molybdenum	---	150(T)
		Chloride	---	---	Nickel	---	50(T)
		Chlorine	0.019	0.011	Selenium	---	4.6(T)
		Cyanide	0.005	---	Silver	---	1(T)
		Nitrate	100	---	Uranium	---	---
		Nitrite	---	0.05	Zinc	---	190
		Phosphorus	---	0.11			
		Sulfate	---	---			
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr = trout

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 38.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

5b. Mainstem of Geneva Creek from the confluence with Scott Gomer Creek to the confluence with the North Fork of the South Platte River; all tributaries of Geneva Creek including wetlands from source to confluence with the North Fork of the South Platte River.

COSPUS05B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute chronic			
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
		acute chronic			Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
			Zinc	TVS	TVS		

5c. Mainstem of Gooseberry Gulch and all tributaries from source to Sunset Trail.

COSPUS05C	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT				
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation U	acute	chronic	Arsenic	340	0.02-10(T)	<sup>A</sup>
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Cadmium	5.0(T)	---
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
					Copper	TVS	TVS
					Ammonia	TVS	TVS
					Boron	---	0.75
					Chloride	---	250
					Chlorine	0.019	0.011
					Cyanide	0.005	---
					Nitrate	10	---
					Nitrite	---	0.05
					Phosphorus	---	---
					Sulfate	---	WS
					Sulfide	---	0.002
					Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr = trout

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

5d. Mainstem of Gooseberry Gulch and all tributaries from Sunset Trail to confluence with Elk Creek.							
COSPUS05D	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation U	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS	
Other:	pH	6.5 - 9.0	---	Cadmium	5.0(T)	---	
	chlorophyll a (mg/m²)	---	---	Chromium III	50(T)	TVS	
	E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
				Copper	TVS	TVS	
	Inorganic (mg/L)			Iron	---	WS	
	acute chronic			Iron	---	1000(T)	
	Ammonia	TVS	TVS	Lead	TVS	TVS	
	Boron	---	0.75	Lead	50(T)	---	
	Chloride	---	250	Manganese	TVS	TVS	
	Chlorine	0.019	0.011	Manganese	---	WS	
	Cyanide	0.005	---	Mercury	---	0.01(t)	
	Nitrate	10	---	Molybdenum	---	150(T)	
	Nitrite	---	0.05	Nickel	TVS	TVS	
	Phosphorus	---	---	Nickel	---	100(T)	
	Sulfate	---	WS	Selenium	TVS	TVS	
	Sulfide	---	0.002	Silver	TVS	TVS(tr)	
				Uranium	---	---	
				Zinc	TVS	TVS	
	6a. Mainstem of the South Platte River from the outlet of Cheesman Reservoir to the inlet of Chatfield Reservoir.						
	COSPUS06A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS	
Other:	pH	6.5 - 9.0	---	Cadmium	5.0(T)	---	
	chlorophyll a (mg/m²)	---	---	Chromium III	50(T)	TVS	
	E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
				Copper	TVS	TVS	
	Inorganic (mg/L)			Iron	---	WS	
	acute chronic			Iron	---	1000(T)	
	Ammonia	TVS	TVS	Lead	TVS	TVS	
	Boron	---	0.75	Lead	50(T)	---	
	Chloride	---	250	Manganese	---	TVS	
	Chlorine	0.019	0.011	Manganese	TVS	WS	
	Cyanide	0.005	---	Mercury	---	0.01(t)	
	Nitrate	10	---	Molybdenum	---	150(T)	
	Nitrite	---	0.05	Nickel	TVS	TVS	
	Phosphorus	---	---	Nickel	---	100(T)	
	Sulfate	---	WS	Selenium	TVS	TVS	
	Sulfide	---	0.002	Silver	TVS	TVS(tr)	
				Uranium	---	---	
				Zinc	TVS	TVS	

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr = trout

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

6b. Chatfield Reservoir

COSPUS06B	Classifications	Physical and Biological				Metals (ug/L)		
Designation	Agriculture			DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	1/1 - 3/31	CLL	CLL	Aluminum	---	---
	Recreation E	Temperature °C	4/1 - 12/31	CLL	23.5	Arsenic	340	0.02(T)
	Water Supply					Beryllium	---	---
Qualifiers:				acute	chronic	Cadmium	TVS(tr)	TVS
Other:		D.O. (mg/L)		---	6.0	Cadmium	5.0(T)	---
		D.O. (spawning)		---	7.0	Chromium III	50(T)	TVS
		pH		6.5 - 9.0	---	Chromium VI	TVS	TVS
		chlorophyll a (ug/L)	7/1 - 9/30	---	10*	Copper	TVS	TVS
		E. Coli (per 100 mL)		---	126	Iron	---	WS
						Iron	---	1000(T)
		Inorganic (mg/L)				Lead	TVS	TVS
				acute	chronic	Lead	50(T)	---
		Ammonia		TVS	TVS	Manganese	TVS	TVS
		Boron		---	0.75	Manganese	---	WS
		Chloride		---	250	Mercury	---	0.01(t)
		Chlorine		0.019	0.011	Molybdenum	---	150(T)
		Cyanide		0.005	---	Nickel	TVS	TVS
		Nitrate		10	---	Nickel	---	100(T)
		Nitrite		---	0.05	Selenium	TVS	TVS
		Phosphorus		---	0.03*	Silver	TVS	TVS(tr)
		Sulfate		---	WS	Uranium	---	---
		Sulfide		---	0.002	Zinc	TVS	TVS

6c. Deleted.

COSPUS06C	Classifications	Physical and Biological				Metals (ug/L)		
Designation				DM	MWAT		acute	chronic
Qualifiers:				acute	chronic			
Other:								
		Inorganic (mg/L)						
				acute	chronic			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

7. All tributaries to the South Platte River, including all wetlands from a point immediately below the confluence with the North Fork of the South Platte River to the outlet of Chatfield Reservoir except for specific listings in Segments 8, 9, 10, 11, 12, and 13.

COSPUS07	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340 0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr) TVS
Other:		pH	6.5 - 9.0	Cadmium	5.0(T) ---
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	50(T) TVS
		E. Coli (per 100 mL)	---	Chromium VI	TVS TVS
				Copper	TVS TVS
		Inorganic (mg/L)		Iron	---
		acute	chronic	Iron	---
		Ammonia	TVS	Lead	TVS TVS
		Boron	---	Lead	50(T) ---
		Chloride	---	Manganese	TVS TVS
		Chlorine	0.019 0.011	Manganese	---
		Cyanide	0.005	Mercury	---
		Nitrate	10	Molybdenum	---
		Nitrite	---	Nickel	TVS TVS
		Phosphorus	---	Nickel	---
		Sulfate	---	Selenium	TVS TVS
		Sulfide	---	Silver	TVS TVS(tr)
				Uranium	---
				Zinc	TVS TVS

8. Mainstems of East and West Plum Creek from the source to the boundary of National Forest lands, including all tributaries and wetlands within the Plum Creek drainage which are on National Forest Lands, except for the specific listing in Segment 9.

COSPUS08	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr) TVS
Other:		pH	6.5 - 9.0	Cadmium	5.0(T) ---
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	50(T) TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	Chromium VI	TVS TVS
Expiration Date of 12/31/2021				Copper	TVS TVS
		Inorganic (mg/L)		Iron	---
		acute	chronic	Iron	---
		Ammonia	TVS	Lead	TVS TVS
		Boron	---	Lead	50(T) ---
		Chloride	---	Manganese	TVS TVS
		Chlorine	0.019 0.011	Manganese	---
		Cyanide	0.005	Mercury	---
		Nitrate	10	Molybdenum	---
		Nitrite	---	Nickel	TVS TVS
		Phosphorus	---	Nickel	---
		Sulfate	---	Selenium	TVS TVS
		Sulfide	---	Silver	TVS TVS(tr)
				Uranium	---
				Zinc	TVS TVS

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr = trout

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

9. Mainstem of Bear Creek, including all tributaries and wetlands from the source to the inlet of Perry Park Reservoir, a.k.a. Waucondah Reservoir (Douglas County).						
COSPUS09	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Lead	50(T)
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.11	Nickel	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS

10a. Mainstems of East Plum Creek, West Plum Creek, and Plum Creek from the boundary of National Forest lands to Chatfield Reservoir, mainstems of Stark Creek and Gove Creek from the boundary of National Forest lands to their confluence.						
COSPUS10A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-I	WS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Cadmium	5.0(T)
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)
		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Iron	---
		Chloride	---	250	Lead	TVS
		Chlorine	0.019	0.011	Lead	50(T)
		Cyanide	0.005	---	Manganese	TVS
		Nitrate	10	---	Manganese	---
		Nitrite	---	0.5	Mercury	---
		Phosphorus	---	0.17*	Molybdenum	---
		Sulfate	---	WS	Nickel	TVS
		Sulfide	---	0.002	Nickel	---
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr = trout

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

10b. Deleted.						
COSPUS10B	Classifications	Physical and Biological		Metals (ug/L)		
Designation		DM	MWAT	acute	chronic	
Qualifiers:		acute	chronic			
Other:		Inorganic (mg/L)				
		acute	chronic			
11a. All tributaries to the East Plum Creek system, including all wetlands which are not on national forest lands.						
COSPUS11A	Classifications	Physical and Biological		Metals (ug/L)		
Designation		DM	MWAT	acute	chronic	
UP	Agriculture	WS-II	WS-II	---	---	
	Aq Life Warm 2	acute	chronic	340	0.02-10(T) <sup>A</sup>	
	Recreation E	---	5.0	---	---	
	Water Supply	pH	6.5 - 9.0	TVS	TVS	
Qualifiers:		chlorophyll a (mg/m <sup>2</sup> )	---	5.0(T)	---	
Other:		E. Coli (per 100 mL)	---	50(T)	TVS	
		Inorganic (mg/L)		TVS	TVS	
		acute	chronic	TVS	TVS	
	Ammonia	TVS	TVS	---	WS	
	Boron	---	0.75	---	1000(T)	
	Chloride	---	250	TVS	TVS	
	Chlorine	0.019	0.011	50(T)	---	
	Cyanide	0.005	---	TVS	TVS	
	Nitrate	10	---	---	WS	
	Nitrite	---	0.5	---	0.01(t)	
	Phosphorus	---	0.17	---	150(T)	
	Sulfate	---	WS	TVS	TVS	
	Sulfide	---	0.002	---	100(T)	
				Selenium	TVS	TVS
				Silver	TVS	TVS
				Uranium	---	---
				Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr = trout

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

## REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

### Upper South Platte River Basin

11b. All tributaries to the West Plum Creek system, including all wetlands, which are not on national forest lands, except for specific listings in Segments 9 and 12.

COSPUS11B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
UP	Aq Life Warm 2	Temperature °C	WS-I	WS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	100(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---
Other:  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
		chlorophyll a (mg/m²)	---	150*	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute		chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	---	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Mercury	---	0.01(t)
		Cyanide	0.005	---	Molybdenum	---	150(T)
		Nitrate	100	---	Nickel	TVS	TVS
		Nitrite	---	0.5	Selenium	TVS	TVS
		Phosphorus	---	0.17*	Silver	TVS	TVS
		Sulfate	---	---	Uranium	---	---
Sulfide	---	0.002	Zinc	TVS	TVS		

12. Mainstem of Garber Creek and Jackson Creek from the boundary of National Forest lands to the confluence with West Plum Creek; mainstem of Bear Creek from the outlet of Perry Park Reservoir, a.k.a. Waucondah Reservoir, to the confluence with West Plum Creek.

COSPUS12	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-I	WS-I	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
<b>Other:</b>  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		chlorophyll a (mg/m²)	---	150	Cadmium	5.0(T)	---
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute		chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	0.17	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
			Zinc	TVS	TVS		

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

| tr = trout |

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

13. Mainstem of Deer Creek, including the North and South Forks, from the source to Chatfield Reservoir.							
COSPUS13	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2021					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	---	TVS
		Phosphorus	---	0.11	Nickel	TVS	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

14. Mainstem of the South Platte River from the outlet of Chatfield Reservoir to the Burlington Ditch diversion in Denver, Colorado.							
COSPUS14	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-I*	WS-I*	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:		chlorophyll a (mg/m²)	---	---	Cadmium	5.0(T)	---
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
Arsenic(chronic) = hybrid		Inorganic (mg/L)			Chromium VI	TVS	TVS
Expiration Date of 12/31/2021			acute	chronic	Copper	---	TVS*
Chloride(chronic) = current condition		Ammonia	TVS	TVS	Copper	TVS*	---
temperature(DM/MWAT) = current condition		Boron	---	0.75	Iron	---	WS
Expiration Date of 12/31/2020		Chloride	---	250	Iron	---	1000(T)
		Chlorine	0.019	0.011	Lead	TVS	TVS
		Cyanide	0.005	---	Lead	50(T)	---
		Nitrate	10	---	Manganese	TVS	190
		Nitrite	---	0.5	Manganese	---	TVS
		Phosphorus	---	---	Mercury	---	0.01(t)
		Sulfate	---	WS	Molybdenum	---	150(T)
		Sulfide	---	0.002	Nickel	TVS	TVS
					Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr = trout

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 38.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

15. Mainstem of the South Platte River from the Burlington Ditch diversion in Denver, Colorado, to a point immediately below the confluence with Big Dry Creek.						
COSPUS15	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-I	WS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	varies*	varies*	Beryllium	---
Qualifiers:		pH	6.0-9.0*	---	Cadmium	TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)
Chloride(chronic) = current condition		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Sulfate(chronic) = current condition					Copper	---
temperature(DM/MWAT) = current condition		Inorganic (mg/L)			Copper	TVS*
Expiration Date of 12/31/2020					Iron	---
*Ammonia(acute) = See attached table for site-specific standards.		acute			Iron	WS
*Ammonia(chronic) = See attached table for site-specific standards.		Ammonia	TVS*	TVS*	Lead	1000(T)
*Copper(acute) = Copper BLM-based FMB Cu FMB(ac)=35.1 ug/l		Boron	---	0.75	Lead	TVS
Downstream of the Metro Hite WWTF outfall.		Chloride	---	250	Lead	50(T)
*Copper(chronic) = Copper BLM-based FMB Cu FMB(ch)= 23.5 ug/l		Chlorine	0.019	0.011	Manganese	TVS
Downstream of the Metro Hite WWTF outfall.		Cyanide	0.005	---	Manganese	---
*D.O. (mg/L)(acute) = See attached table for site-specific standards.		Nitrate	10	---	Mercury	---
*D.O. (mg/L)(chronic) = See attached table for site-specific standards.		Nitrite	---	1.0	Mercury	0.01(t)
*pH(acute) = 6.0 - 9.0 from 64th Ave. downstream 2 miles		Phosphorus	---	---	Molybdenum	---
		Sulfate	---	WS	Molybdenum	150(T)
		Sulfide	---	0.002	Nickel	TVS
					Nickel	---
					Selenium	100(T)
					Selenium	TVS
					Silver	TVS
					Silver	TVS
					Uranium	---
					Uranium	---
					Zinc	TVS
					Zinc	TVS

16a. Mainstem of Sand Creek from the confluence of		Murphy and Coal Creek in Arapahoe County to the confluence with the Toll Gate Creek.					
COSPUS16A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
		chlorophyll a (mg/m²)	---	---	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)
		Inorganic (mg/L)			Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	---	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Mercury	---	0.01(t)
		Cyanide	0.005	---	Molybdenum	---	150(T)
		Nitrate	100	---	Nickel	TVS	TVS
		Nitrite	---	0.5	Selenium	TVS	TVS
		Phosphorus	---	---	Silver	TVS	TVS
		Sulfate	---	---	Uranium	---	---
		Sulfide	---	0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

16b. Aurora Reservoir.								
COSPUS16B	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Aq Life Warm 1	Temperature °C	WL	WL	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---		
	DUWS	pH	6.5 - 9.0	---	Cadmium	TVS		
Qualifiers:		chlorophyll a (ug/L)	---	---	Cadmium	5.0(T)		
Other:		E. Coli (per 100 mL)	---	126	Chromium III	50(T)		
		Inorganic (mg/L)			Chromium VI	TVS		
		acute	chronic	Copper	TVS			
		Ammonia	TVS	TVS	Iron	---		
		Boron	---	0.75	Iron	---		
		Chloride	---	250	Lead	TVS		
		Chlorine	0.019	0.011	Lead	50(T)		
		Cyanide	0.005	---	Manganese	---		
		Nitrate	10	---	Manganese	TVS		
		Nitrite	---	0.5	Mercury	---		
		Phosphorus	---	---	Molybdenum	---		
		Sulfate	---	WS	Nickel	TVS		
		Sulfide	---	0.002	Nickel	---		
		Selenium	TVS	TVS	Silver	TVS		
		Uranium	---	---	Uranium	---		
		Zinc	TVS	TVS				
		16c. All tributaries to the South Platte River, including all wetlands, from the outlet of Chatfield Reservoir, to a point immediately below the confluence with Big Dry Creek, except for specific listings in the subbasins of the South Platte River, and in Segments 16a, 16d, 16e, 16f, 16g, 16h, 16i, 16j, and 16k.						
		COSPUS16C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic			
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	100(T)		
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---		
Other:  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		pH	6.5 - 9.0	---	Cadmium	TVS		
		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	TVS		
		E. Coli (per 100 mL)	---	126	Chromium III	---		
		Inorganic (mg/L)			Chromium VI	TVS		
		acute	chronic	Copper	TVS			
		Ammonia	TVS	TVS	Iron	---		
		Boron	---	0.75	Lead	TVS		
		Chloride	---	---	Manganese	TVS		
		Chlorine	0.019	0.011	Mercury	---		
		Cyanide	0.005	---	Molybdenum	---		
		Nitrate	100	---	Nickel	TVS		
		Nitrite	---	0.5	Selenium	TVS		
		Phosphorus	---	0.17*	Silver	TVS		
		Sulfate	---	---	Uranium	---		
		Sulfide	---	0.002	Zinc	TVS		

16c. All tributaries to the South Platte River, including all wetlands, from the outlet of Chatfield Reservoir, to a point immediately below the confluence with Big Dry Creek, except for specific listings in the subbasins of the South Platte River, and in Segments 16a, 16d, 16e, 16f, 16g, 16h, 16i, 16j, and 16k.

COSPUS16C	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---
Other:  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
		chlorophyll a (mg/m²)	---	150*	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)
		Inorganic (mg/L)			Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	---	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Mercury	---	0.01(t)
		Cyanide	0.005	---	Molybdenum	---	150(T)
		Nitrate	100	---	Nickel	TVS	TVS
		Nitrite	---	0.5	Selenium	TVS	TVS
		Phosphorus	---	0.17*	Silver	TVS	TVS
		Sulfate	---	---	Uranium	---	---
		Sulfide	---	0.002	Zinc	TVS	TVS

\*chlorophyll a (mg/m<sup>2</sup>)(chronic) = applies only above the facilities listed at 38.5(4).  
 \*Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

16d. Second Creek from the source to the O'Brian Canal.

COSPUS16D	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Warm 2	WS-III	WS-III	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
Qualifiers:	D.O. (mg/L)	---	3.3*	Beryllium	---
Other:	pH	6.5 - 9.0	---	Cadmium	TVS
	chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	TVS
	E. Coli (per 100 mL)	---	126	Chromium III	---
	Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic	Copper	TVS
	Ammonia	TVS	TVS	Iron	---
	Boron	---	0.75	Lead	TVS
	Chloride	---	---	Manganese	TVS
	Chlorine	0.019	0.011	Mercury	---
	Cyanide	0.005	---	Molybdenum	---
	Nitrate	100	---	Nickel	TVS
	Nitrite	---	0.5	Selenium	TVS
	Phosphorus	---	0.17*	Silver	TVS
	Sulfate	---	---	Uranium	---
	Sulfide	---	0.002	Zinc	TVS

16e. Third Creek from the source to the O'Brian Canal.

COSPUS16E	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Warm 2	WS-III	WS-III	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
Qualifiers:	D.O. (mg/L)	---	4.0*	Beryllium	---
Other:	pH	6.5 - 9.0	---	Cadmium	TVS
	chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
	E. Coli (per 100 mL)	---	126	Chromium III	---
	Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic	Copper	TVS
	Ammonia	TVS	TVS	Iron	---
	Boron	---	0.75	Lead	TVS
	Chloride	---	---	Manganese	TVS
	Chlorine	0.019	0.011	Mercury	---
	Cyanide	0.005	---	Molybdenum	---
	Nitrate	100	---	Nickel	TVS
	Nitrite	---	0.5	Selenium	TVS
	Phosphorus	---	---	Silver	TVS
	Sulfate	---	---	Uranium	---
	Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr = trout

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

16f. Barr Lake Tributary from the source to the Denver Hudson Canal.					
COSPUS16F	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture UP Aq Life Warm 2 Recreation E	DM	MWAT	acute	chronic
		WS-III	WS-III		
		Temperature °C		Aluminum	---
		acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	narrative*	Beryllium	100(T)
Other:		pH	6.5 - 9.0	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	150*	Chromium III	TVS
		E. Coli (per 100 mL)	126	Chromium III	100(T)
		Inorganic (mg/L)		Chromium VI	TVS
		acute	chronic	Copper	TVS
		Ammonia	TVS	Iron	1000(T)
		Boron	0.75	Lead	TVS
		Chloride	---	Manganese	TVS
		Chlorine	0.019	Mercury	0.01(t)
		Cyanide	0.005	Molybdenum	150(T)
		Nitrate	100	Nickel	TVS
		Nitrite	0.5	Selenium	TVS
		Phosphorus	0.17*	Silver	TVS
		Sulfate	---	Uranium	---
		Sulfide	0.002	Zinc	TVS

\*chlorophyll a (mg/m<sup>2</sup>)(chronic) = applies only above the facilities listed at 38.5(4).  
 \*Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).  
 \*D.O. (mg/L)(chronic) = When water is present, D.O. concentrations shall be maintained at levels that protect classified uses.

16g. Marcy Gulch, including all wetlands from the source to the confluence with the South Platte.					
COSPUS16G	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture UP Aq Life Warm 2 Recreation E	DM	MWAT	acute	chronic
		WS-II	WS-II		
		Temperature °C		Aluminum	---
		acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	5.0	Beryllium	100(T)
Other:		pH	6.5 - 9.0	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	TVS
		E. Coli (per 100 mL)	126	Chromium III	100(T)
		Inorganic (mg/L)		Chromium VI	TVS
		acute	chronic	Copper	TVS*
		Ammonia	TVS	Copper	---
		Boron	0.75	Iron	1000(T)
		Chloride	---	Lead	TVS
		Chlorine	0.019	Manganese	TVS
		Cyanide	0.005	Mercury	0.01(t)
		Nitrate	100	Molybdenum	---
		Nitrite	0.5	Nickel	TVS
		Phosphorus	---	Selenium	21*
		Sulfate	---	Silver	TVS
		Sulfide	0.002	Uranium	---
				Zinc	TVS

Temporary Modification(s):  
 temperature(DM/MWAT) = current 12/1 - 2/29  
 condition\*  
 Expiration Date of 12/31/2020

\*Copper(acute) = Copper BLM-based FMB Cu FMB(ac)=67.1 ug/l below the Centennial WWTF.  
 \*Copper(chronic) = Copper BLM-based FMB Cu FMB(ch)=43.3 ug/l below the Centennial WWTF.  
 \*Selenium(acute) = See section 38.6(4)(b) for assessment locations.  
 \*Selenium(chronic) = See section 38.6(4)(b) for assessment locations.  
 \*TempMod: temperature(12/1 - 2/29) = downstream of Centennial WWTF

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

16h. Mainstem of West Toll Gate Creek, including all tributaries and wetlands, upstream of the confluence with East Toll Gate Creek. Mainstem of East Toll Gate Creek, including all tributaries and wetlands, upstream of the confluence with West Toll Gate Creek. Mainstem of Toll Gate Creek, downstream of the confluence of East and West Toll Gate Creeks, to the confluence with Sand Creek.

COSPUS16H		Classifications	Physical and Biological		Metals (ug/L)			
Designation	Agriculture		DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---	
	Recreation E		acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---	
Fish Ingestion Standards		pH	6.5 - 9.0	---	Cadmium	TVS	TVS	
Other:  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4). *Selenium(acute) = See section 38.6(4)(b) for selenium standards and assessment locations. *Selenium(chronic) = See section 38.6(4)(b) for selenium standards and assessment locations.		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)	
		Inorganic (mg/L)				Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	1000(T)	
		Boron	---	0.75	Lead	TVS	TVS	
		Chloride	---	---	Manganese	TVS	TVS	
		Chlorine	0.019	0.011	Mercury	---	0.01(t)	
		Cyanide	0.005	---	Molybdenum	---	150(T)	
		Nitrate	100	---	Nickel	TVS	TVS	
		Nitrite	---	0.5	Selenium	varies*	varies*	
		Phosphorus	---	0.17*	Silver	TVS	TVS	
		Sulfate	---	---	Uranium	---	---	
		Sulfide	---	0.002	Zinc	TVS	TVS	

16i. Mainstem of Sand Creek from the confluence with Toll Gate Creek to the confluence with the South Platte River.

COSPUS16I	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---
Fish Ingestion Standards		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
<b>Other:</b>  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4). *Mercury(chronic) = 0.026 below Brighton Blvd, see section 38.6(4)(f) for mercury assessment locations *Selenium(acute) = See section 38.6(4)(f) for selenium standards and assessment locations. *Selenium(chronic) = See section 38.6(4)(f) for selenium standards and assessment locations.		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Cadmium	5.0(T)	---
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	---	Lead	50(T)	---
		Chlorine	0.019	0.011	Manganese	TVS	TVS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Mercury	---	0.026(t)*
		Nitrite	---	0.5	Molybdenum	---	150(T)
		Phosphorus	---	0.17*	Nickel	TVS	TVS
		Sulfate	---	---	Nickel	---	100(T)
		Sulfide	---	0.002	Selenium	---	varies*
					Selenium	varies*	---
					Silver	TVS	TVS
					Uranium	---	---
			Zinc	TVS	TVS		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

16j. Lee Gulch, Little's Creek, Big Dry Creek (Douglas and Arapahoe Counties), and Little Dry Creek, including all wetlands from the source to the confluence with the South Platte.						
COSPUS16J	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
<b>Other:</b>  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4). *Selenium(acute) = See section 38.6(4)(h) for selenium standards and assessment locations. *Selenium(chronic) = See section 38.6(4)(h) for selenium standards and assessment locations.		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Cadmium	5.0(T)
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)
		Inorganic (mg/L)			Chromium VI	TVS
			acute	chronic	Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Iron	---
		Chloride	---	250	Lead	TVS
		Chlorine	0.019	0.011	Lead	50(T)
		Cyanide	0.005	---	Manganese	TVS
		Nitrate	10	---	Manganese	---
		Nitrite	---	0.5	Mercury	---
		Phosphorus	---	0.17*	Molybdenum	---
		Sulfate	---	WS	Nickel	TVS
		Sulfide	---	0.002	Nickel	---
					Selenium	varies*
					Silver	TVS
					Uranium	---
					Zinc	TVS
16k. Mainstem of Lakewood Gulch from the source to the confluence with the South Platte.						
COSPUS16K	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
<b>Other:</b>  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
			acute	chronic	Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.5	Selenium	TVS
		Phosphorus	---	0.17*	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

17a. Washington Park Lakes, City Park Lakes, Rocky Mountain Lake, Berkely Lake.

COSPUS17A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1 Recreation E	WL	WL	---	---
		acute	chronic	Arsenic	340
Qualifiers:	D.O. (mg/L)	---	5.0	Beryllium	---
Other:	pH	6.5 - 9.0	---	Cadmium	TVS
	chlorophyll a (ug/L)	---	---	Chromium III	TVS
	E. Coli (per 100 mL)	---	126	Chromium III	---
	Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic	Copper	TVS
	Ammonia	TVS	TVS	Iron	---
	Boron	---	0.75	Lead	TVS
	Chloride	---	---	Manganese	TVS
	Chlorine	0.019	0.011	Mercury	---
	Cyanide	0.005	---	Molybdenum	---
	Nitrate	100	---	Nickel	TVS
	Nitrite	---	0.5	Selenium	TVS
	Phosphorus	---	---	Silver	TVS
	Sulfate	---	---	Uranium	---
	Sulfide	---	0.002	Zinc	TVS

17b. Sloan's Lake.

COSPUS17B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1 Recreation E	WL	WL	---	---
		acute	chronic	Arsenic	340
Qualifiers:	D.O. (mg/L)	---	5.0	Beryllium	---
Other:	pH	6.5 - 9.0	---	Cadmium	TVS
	chlorophyll a (ug/L)	---	---	Chromium III	TVS
	E. Coli (per 100 mL)	---	126	Chromium III	---
	Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic	Copper	TVS
	Ammonia	TVS	TVS	Iron	---
	Boron	---	0.75	Lead	TVS
	Chloride	---	---	Manganese	TVS
	Chlorine	0.019	0.011	Mercury	---
	Cyanide	0.005	---	Molybdenum	---
	Nitrate	100	---	Nickel	TVS
	Nitrite	---	0.5	Selenium	TVS
	Phosphorus	---	---	Silver	TVS
	Sulfate	---	---	Uranium	---
	Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr = trout

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

17c. Bowles Lake, a.k.a. Patrick Reservoir or Bow Mar Lake.

COSPUS17C	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1	WL	WL	Aluminum	TVS
	Recreation E	acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	---	Beryllium	---
Other:		D.O. (spawning)	---	Cadmium	TVS
		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (ug/L)	---	Chromium III	---
		E. Coli (per 100 mL)	---	Chromium VI	TVS
				Copper	TVS
		Inorganic (mg/L)		Iron	---
		acute	chronic	Lead	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	---	Mercury	---
		Chloride	---	Molybdenum	---
		Chlorine	0.019	Nickel	TVS
		Cyanide	0.005	Selenium	TVS
		Nitrate	100	Silver	TVS
		Nitrite	---	Uranium	---
		Phosphorus	---	Zinc	TVS
		Sulfate	---		
		Sulfide	---		

18. Lakes and reservoirs within the boundaries of the Lost Creek and Mt. Evans Wilderness areas.

COSPUS18	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
OW	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Cadmium	5.0(T)
		chlorophyll a (ug/L)	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	Chromium VI	TVS
				Copper	TVS
		Inorganic (mg/L)		Iron	---
		acute	chronic	Iron	---
		Ammonia	TVS	Lead	TVS
		Boron	---	Lead	50(T)
		Chloride	---	Manganese	TVS
		Chlorine	0.019	Manganese	---
		Cyanide	0.005	Mercury	---
		Nitrate	10	Molybdenum	---
		Nitrite	---	Nickel	TVS
		Phosphorus	---	Nickel	---
		Sulfate	---	Selenium	TVS
		Sulfide	---	Silver	TVS
				Uranium	---
				Zinc	TVS

\*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.  
\*Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.



## REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

### Upper South Platte River Basin

19. Lakes and reservoirs in the South Platte River system from headwaters to Chatfield Reservoir, except for specific listings in Segment 18. Includes Antero, Spinney Mountain, Elevenmile, Cheesman, and Strontia Springs.

COSPUS19	Classifications	Physical and Biological				Metals (ug/L)				
Designation	Agriculture			DM	MWAT		acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	3/1 - 12/31	CLL *	25.0*	Aluminum	---	---		
	Recreation E	Temperature °C	4/1 - 12/31	CLL *	19.6*	Arsenic	340	0.02(T)		
	Water Supply	Temperature °C	4/1 - 12/31	CLL *	19.8* <sup>B</sup>	Beryllium	---	---		
	DUWS*	Temperature °C	4/1 - 12/31	CLL *	20.2*	Cadmium	TVS(tr)	TVS		
Qualifiers:		Temperature °C	4/1 - 12/31	CLL *	21.9*	Cadmium	5.0(T)	---		
<b>Other:</b>  *chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Classification: DUWS applies to Strontia Springs only. *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Temperature(3/1 - 12/31) = Platte Canyon Res (MWAT=25.0) *Temperature(4/1 - 12/31) = Antero Reservoir (MWAT=19.6) *Temperature(4/1 - 12/31) = Elevenmile Reservoir (MWAT=19.8) *Temperature(4/1 - 12/31) = Spinney Mt Reservoir (MWAT=20.2) *Temperature(4/1 - 12/31) = Cheesman Reservoir (MWAT=21.9) *Temperature(4/1 - 12/31) = Strontia Springs Res (MWAT=22.6)		Temperature °C	4/1 - 12/31	CLL *	22.6*	Chromium III	50(T)	TVS		
		Temperature °C		CL,CLL	CL,CLL		Chromium VI	TVS	TVS	
						acute	chronic	Copper	TVS	TVS
		D.O. (mg/L)		---	6.0		Iron	---	WS	
		D.O. (spawning)		---	7.0		Iron	---	1000(T)	
		pH		6.5 - 9.0	---		Lead	TVS	TVS	
		chlorophyll a (ug/L)		---	8*		Lead	50(T)	---	
		E. Coli (per 100 mL)		---	126		Manganese	TVS	TVS	
							Manganese	---	WS	
							Mercury	---	0.01(t)	
							Molybdenum	---	150(T)	
						acute	chronic	Nickel	TVS	TVS
		Ammonia		TVS	TVS		Nickel	---	100(T)	
		Boron		---	0.75		Selenium	TVS	TVS	
		Chloride		---	250		Silver	TVS	TVS(tr)	
		Chlorine		0.019	0.011		Uranium	---	---	
		Cyanide		0.005	---		Zinc	TVS	TVS	
		Nitrate		10	---					
		Nitrite		---	0.05					
		Phosphorus		---	0.025*					
Sulfate		---	WS							
Sulfide		---	0.002							

T = total recoverable

| tr = trout |

DM = daily maximum

See 38.6 for details on TVS, TVS(tr), WS, tempe

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

20. Lakes and reservoirs in the Plum Creek system within National Forest boundaries; and lakes and reservoirs in the Bear Creek drainage between the National Forest boundary and to the inlet of Perry Park Reservoir, a.k.a. Waucondah Reservoir (Douglas County).					
COSPUS20	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Reviewable	Agriculture				
	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum
	Recreation E				
	Water Supply				
Qualifiers:		acute	chronic	Arsenic	340
Other:	D.O. (mg/L)	---	6.0	Beryllium	---
	D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
	pH	6.5 - 9.0	---	Cadmium	5.0(T)
	chlorophyll a (ug/L)	---	---	Chromium III	50(T)
	E. Coli (per 100 mL)	---	126	Chromium VI	TVS
				Copper	TVS
				Iron	---
				Iron	---
				Lead	TVS
				Lead	50(T)
				Manganese	TVS
				Manganese	---
				Mercury	---
				Molybdenum	---
				Nickel	TVS
				Nickel	---
				Selenium	TVS
				Silver	TVS
				Uranium	---
				Zinc	TVS

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr = trout

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

21. Lakes and reservoirs in the Plum Creek system except for specific listings in Segment 20.					
COSPUS21	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 2	WL	WL	---	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	---	5.0	Beryllium	---
	DUWS*	pH	6.5 - 9.0	Cadmium	TVS
Qualifiers:		chlorophyll a (ug/L)	---	Cadmium	5.0(T)
Other:		E. Coli (per 100 mL)	---	Chromium III	50(T)
*Classification: DUWS applies to Aurora Rampart only.		Inorganic (mg/L)		Chromium VI	TVS
		acute	chronic	Copper	TVS
		Ammonia	TVS	Iron	---
		Boron	---	Iron	1000(T)
		Chloride	---	Lead	TVS
		Chlorine	0.019	Lead	50(T)
		Cyanide	0.005	Manganese	TVS
		Nitrate	10	Manganese	---
		Nitrite	---	Mercury	0.01(t)
		Phosphorus	---	Molybdenum	150(T)
		Sulfate	---	Nickel	TVS
		Sulfide	---	Nickel	100(T)
				Selenium	TVS
				Silver	TVS
				Uranium	---
				Zinc	TVS
22a. Lakes and reservoirs in watersheds tributary to the South Platte River from the outlet of Chatfield Reservoir to a point immediately below the confluence with Big Dry Creek, except for specific listings in the subbasins of the South Platte River, and in Segments 16b, 17a, 17b, 17c, 22b, and 23.					
COSPUS22A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 2	WL	WL	---	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	---	5.0	Beryllium	---
	DUWS*	pH	6.5 - 9.0	Cadmium	TVS
Qualifiers:		chlorophyll a (ug/L)	---	Cadmium	5.0(T)
Fish Ingestion Standards		E. Coli (per 100 mL)	---	Chromium III	50(T)
Other:		Inorganic (mg/L)		Chromium VI	TVS
Temporary Modification(s):		acute	chronic	Copper	TVS
Arsenic(chronic) = hybrid		Ammonia	TVS	Iron	---
Expiration Date of 12/31/2021		Boron	---	Iron	1000(T)
*Classification: DUWS applies to McLellan and Quincy only.		Chloride	---	Lead	TVS
*Molybdenum(chronic) = 210 ug/L for McLellan Reservoir		Chlorine	0.019	Lead	50(T)
		Cyanide	0.005	Manganese	TVS
		Nitrate	10	Manganese	---
		Nitrite	---	Mercury	0.01(t)
		Phosphorus	---	Molybdenum	150(T)
		Sulfate	---	Molybdenum	210(T)*
		Sulfide	---	Nickel	TVS
				Nickel	100(T)
				Selenium	TVS
				Silver	TVS
				Uranium	---
				Zinc	TVS

All metals are dissolved unless otherwise noted.

T = total recoverable

t = total

tr = trout

D.O. = dissolved oxygen

DM = daily maximum

MWAT = maximum weekly average temperature

See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Upper South Platte River Basin

22b. Lakes and reservoirs located in the Rocky Mountain Arsenal National Wildlife Refuge					
COSPUS22B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum
	Recreation E	acute	chronic	Artenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium
Other:		pH	6.5 - 9.0	---	Cadmium
		chlorophyll a (ug/L)	---	---	Chromium III
		E. Coli (per 100 mL)	---	126	Chromium III
		Inorganic (mg/L)		Chromium VI	TVS
		acute	chronic	Copper	TVS
		Ammonia	TVS	TVS	Iron
		Boron	---	0.75	Lead
		Chloride	---	---	Manganese
		Chlorine	0.019	0.011	Mercury
		Cyanide	0.005	---	Molybdenum
		Nitrate	100	---	Nickel
		Nitrite	---	0.5	Selenium
		Phosphorus	---	---	Silver
		Sulfate	---	---	Uranium
		Sulfide	---	0.002	Zinc

23. Lakes and reservoirs in watersheds tributary to the Upper South Platte River and within the City and County of Denver, except for specific listings in the other subbasins of the South Platte River and in Segments 17a and 17b..					
COSPUS23	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum
	Recreation E	acute	chronic	Artenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium
Fish Ingestion Standards		pH	6.5 - 9.0	---	Cadmium
Other:		chlorophyll a (ug/L)	---	---	Chromium III
		E. Coli (per 100 mL)	---	126	Chromium III
		Inorganic (mg/L)		Chromium VI	TVS
		acute	chronic	Copper	TVS
		Ammonia	TVS	TVS	Iron
		Boron	---	0.75	Lead
		Chloride	---	---	Manganese
		Chlorine	0.019	0.011	Mercury
		Cyanide	0.005	---	Molybdenum
		Nitrate	100	---	Nickel
		Nitrite	---	0.5	Selenium
		Phosphorus	---	---	Silver
		Sulfate	---	---	Uranium
		Sulfide	---	0.002	Zinc

\*See section 38.7 (Marston Forebay).

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

## UPPER SOUTH PLATTE RIVER SEGMENT 15

### Site-Specific Minimum Dissolved Oxygen and Ammonia Standards

#### UNDERLYING STANDARDS

##### Dissolved Oxygen

###### Early Life Stage Protection Period (April 1 through July 31)

1-Day<sup>1,5,6</sup> 3.0 mg/L (acute)

7-Day Average<sup>1,2,4</sup> 5.0 mg/L

###### Older Life Stage Protection Period (August 1 through March 31)

1-Day<sup>1,5</sup> 2.0 mg/L (acute)

7-Day Mean of Minimums<sup>1,3</sup> 2.5 mg/L

30-Day Average<sup>1,2</sup> 4.5 mg/L

#### TEMPORARY MODIFICATION

During the period until October 31, 2001, the Segment 15 dissolved oxygen standards from 88<sup>th</sup> Avenue north to the end of the Segment shall be the currently existing ambient conditions as monitored in 1992, 1993, and 1994 by the Division and by the Metro District. Beginning November 1, 2001, the standards shall apply to all sections of Segment 15 south of the Brighton Ditch diversion. The standards north of the Brighton Ditch diversion shall continue to be the ambient conditions existing in 1992, 1993, and 1994. Beginning November 1, 2004, the standards shall apply to all sections of Segment 15.

Refer to Section 38(6)(4)(c) for Dissolved Oxygen assessment locations.

#### Footnotes

1. For the purposes of determining compliance with the standards, dissolved oxygen measurements shall only be taken in the flowing portion of the stream at mid-depth, and at least six inches above the bottom of the channel. All sampling protocols and test procedures shall be in accordance with procedures and protocols approved by the Division.

2. A minimum of four independent daily means must be used to calculate the average for the 7-Day Average standard. A minimum of eight independent daily means must be used to calculate the average for the 30-Day Average standard. The four days and the eight days must be representative of the 7-Day and the 30-Day periods respectively. The daily means shall be the mean of the daily high and low values. In calculating the mean values, the dissolved oxygen saturation value shall be used in place of any dissolved oxygen measurements which exceed saturation.
3. The 7-Day Mean minimum is the average of the daily minimums measured at the location on each day during any 7-Day period.
4. North of the Lupton Bottoms Ditch diversion, the ELS 7-Day average standards for the period July 1 – June 31 shall be 4.6 mg/L.
5. During a 24 hour day dissolved oxygen levels are likely to be lower during the nighttime when there is no photosynthesis. The dissolved oxygen levels should not drop below the acute standard (ELS acute standard of 3.0 mg/L or the OLS standards of 2.0 mg/L). However, if during the ELS period multiple measurements are below 3.0 mg/L during the same nighttime period, the multiple measurements shall be considered a single exceedance of the acute standard. For measurements below 2.0 mg/L during either the ELS or the OLS periods, each hourly measurement below 2.0 mg/L shall be considered an exceedance of the acute standards.
6. In July, the dissolved oxygen level in Segment 15 may be lower than the 3.0 mg/L acute standard for up to 14 exceedances in any one year and up to a total of 21 exceedances in three years before there is a determination that the acute dissolved oxygen standards is not being met. Exceedances shall be counted as described in Footnote 5.

Ammonia:

Early Life Stage Protection Period (April 1 through July 31)

Ammonia

Warm Water = (mg/l as N)Total

$$acute = \frac{0.411}{1 + 10^{7.204 - pH}} + \frac{58.4}{1 + 10^{pH - 7.204}}$$

$$chronic (Apr 1 - July 31) = \left( \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right) * MIN \left( 2.85, 1.45 * 10^{0.028(25 - T)} \right)$$

$$chronic(Aug 1 - Mar 31) = \left( \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right) * 1.45 * 10^{0.028 * (25 - MAX(T, 7))}$$

NH<sub>3</sub> = old TVS

Warm Water Acute = 0.62/FT/FP/2<sup>(4 old)</sup> in mg/ (N)

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cherry Creek Basin

1. Mainstem of Cherry Creek from the source of East and West Cherry Creek to the inlet of Cherry Creek Reservoir.						
COSPCH01	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Cadmium	5.0(T)
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Chromium III	50(T)
Copper(ac/ch) = current condition*		Inorganic (mg/L)		Chromium VI	TVS	TVS
Expiration Date of 12/31/2020		acute	chronic	Copper	TVS	TVS
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4).		Ammonia	TVS	TVS	Iron	---
*Phosphorus(chronic) = effective 12/31/2020.		Boron	---	0.75	Iron	---
Applies only above the facilities listed at 38.5(4).		Chloride	---	250	Lead	TVS
*TempMod: Copper = below the PWSD WWTF outfall.		Chlorine	0.019	0.011	Lead	50(T)
		Cyanide	0.005	---	Manganese	TVS
		Nitrate	10	---	Manganese	---
		Nitrite	---	0.5	Mercury	---
		Phosphorus	---	0.17*	Molybdenum	---
		Sulfate	---	WS	Nickel	TVS
		Sulfide	---	0.002	Nickel	---
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS

2. Cherry Creek Reservoir.						
COSPCH02	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (ug/L)	7/1 - 9/30	---	Cadmium	5.0(T)
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)
*chlorophyll a (ug/L)(chronic) = Season mean concentration measured in the upper three meters of the water column for the months of July through September with an exceedance frequency of once in five years.		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Iron	---
		Chloride	---	250	Lead	TVS
		Chlorine	0.019	0.011	Lead	50(T)
		Cyanide	0.005	---	Manganese	TVS
		Nitrate	10	---	Manganese	---
		Nitrite	---	0.5	Mercury	---
		Phosphorus	---	---	Molybdenum	---
		Sulfate	---	WS	Nickel	TVS
		Sulfide	---	0.002	Nickel	---
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cherry Creek Basin

3. Mainstem of Cherry Creek from the outlet of Cherry Creek Reservoir to the confluence with the South Platte River.

3. Mainstem of Cherry Creek from the outlet of Cherry Creek Reservoir to the confluence with the South Platte River.							
COSPCCH03	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T)	A
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:		chlorophyll a (mg/m²)	---	---	Cadmium	5.0(T)	---
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	---	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

4a. All tributaries to Cherry Creek, including all wetlands, from the source of East and West Cherry Creeks to the confluence with the South Platte River except for specific listings in Segment 4b.

COSPCH04A		Classifications		Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic		
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---		
	Recreation E		acute	chronic	Arsenic	340	0.02-10(T)	<sup>A</sup>	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---		
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS		
<b>Other:</b>  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = effective 12/31/2020. Applies only above the facilities listed at 38.5(4).		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Cadmium	5.0(T)	---		
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS		
		Inorganic (mg/L)			Chromium VI	TVS	TVS		
			acute	chronic	Copper	TVS	TVS		
		Ammonia	TVS	TVS	Iron	---	WS		
		Boron	---	0.75	Lead	TVS	TVS		
		Chloride	---	250	Lead	50(T)	---		
		Chlorine	0.019	0.011	Manganese	TVS	TVS		
		Cyanide	0.005	---	Manganese	---	WS		
		Nitrate	10	---	Mercury	---	0.01(t)		
		Nitrite	---	0.5	Molybdenum	---	150(T)		
		Phosphorus	---	0.17*	Nickel	TVS	TVS		
		Sulfate	---	WS	Nickel	---	100(T)		
		Sulfide	---	0.002	Selenium	TVS	TVS		
					Silver	TVS	TVS		
					Uranium	---	---		
					Zinc	TVS	TVS		

\*chlorophyll a (mg/m<sup>2</sup>)(chronic) = applies only above the facilities listed at 38.5(4).

\*Phosphorus(chronic) = effective 12/31/2020.

Applies only above the facilities listed at 38.5(4).

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cherry Creek Basin

4b. Cottonwood Creek, including all tributaries and wetlands, from the source to Cherry Creek Reservoir.

COSPCH04B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
<b>Other:</b>  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = effective 12/31/2020. Applies only above the facilities listed at 38.5(4). *Selenium(acute) = See section 38.6(4)(i) for selenium standards and assessment locations. *Selenium(chronic) = See section 38.6(4)(i) for selenium standards and assessment locations.		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Cadmium	5.0(T)	---
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Lead	50(T)	---
		Chlorine	0.019	0.011	Manganese	TVS	TVS
		Cyanide	0.005	---	Manganese	---	WS
		Nitrate	10	---	Mercury	---	0.01(t)
		Nitrite	---	0.5	Molybdenum	---	150(T)
		Phosphorus	---	0.17*	Nickel	TVS	TVS
		Sulfate	---	WS	Nickel	---	100(T)
		Sulfide	---	0.002	Selenium	varies*	varies*
					Silver	TVS	TVS
					Uranium	---	---
			Zinc	TVS	TVS		

5. Lakes and reservoirs in the Cherry Creek system from the source of East and West Cherry Creeks to the confluence with the South Platte River, except for specific listings in Segments 2 and 6.

COSPCH05	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:  *chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	20*	Cadmium	5.0(T)	---
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	0.083*	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
			Zinc	TVS	TVS		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cherry Creek Basin

6. Lakes and reservoirs in watersheds tributary to Cherry Creek within the City and County of Denver.						
COSPCH06	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM		MWAT	acute	chronic
Reviewable	Aq Life Warm 2	WL		WL	Aluminum	---
	Recreation E	acute		chronic	Arsenic	340
		D.O. (mg/L)		5.0	Beryllium	---
Qualifiers:		pH		6.5 - 9.0	Cadmium	TVS
Fish Ingestion Standards		chlorophyll a (ug/L)		---	Chromium III	TVS
Other:		E. Coli (per 100 mL)		126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
		acute		chronic	Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.5	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Bear Creek Basin

1a. Mainstem of Bear Creek from the boundary of the Mt. Evans Wilderness area to the inlet of Evergreen Lake.						
COSPBE01A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Expiration Date of 12/31/2021					Copper	TVS
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Lead	50(T)
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.11*	Nickel	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS
						TVS
1b. Mainstem of Bear Creek from Harriman Ditch to the inlet of Bear Creek Reservoir.						
COSPBE01B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	11/1 - 3/31	CS-II	CS-II	Aluminum
	Recreation E	Temperature °C	4/1 - 10/31	CS-II	19.3	Arsenic
	Water Supply					340
Qualifiers:						0.02(T)
Water + Fish Standards		acute	chronic	Beryllium	---	---
Other:		D.O. (mg/L)	---	6.0	Cadmium	TVS(tr)
Temporary Modification(s):		D.O. (spawning)	---	7.0	Cadmium	5.0(T)
Arsenic(chronic) = hybrid		pH	6.5 - 9.0	---	Chromium III	50(T)
Expiration Date of 12/31/2021		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium VI	TVS
		E. Coli (per 100 mL)	---	126	Copper	TVS
					Iron	---
					Iron	---
		Inorganic (mg/L)		Lead	TVS	1000(T)
		acute	chronic	Lead	50(T)	---
		Ammonia	TVS	TVS	Manganese	TVS
		Boron	---	0.75	Manganese	---
		Chloride	---	250	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	10	---	Nickel	---
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	WS	Uranium	---
		Sulfide	---	0.002	Zinc	TVS
						TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Bear Creek Basin

1c. Bear Creek Reservoir.

COSPBE01C	Classifications	Physical and Biological				Metals (ug/L)		
Designation	Agriculture Aq Life Cold 1 Recreation E Water Supply			DM	MWAT		acute	chronic
Reviewable		Temperature °C	1/1 - 3/31	CLL	CLL	Aluminum	---	---
		Temperature °C	4/1 - 12/31	CLL	23.3	Arsenic	340	0.02(T)
						Beryllium	---	---
Qualifiers:				acute	chronic	Cadmium	TVS(tr)	TVS
<b>Other:</b>  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021 chlorophyll a (ug/L)(chronic) = current condition Phosphorus(chronic) = current condition Expiration Date of 12/31/2020  *chlorophyll a (ug/L)(chronic) = mean concentration measured through collection of samples that are representative of the mixed layer during summer months (July, August, September) and with an exceedance frequency of once in five years. *Phosphorus(chronic) = mean concentration measured through collection of samples that are representative of the mixed layer during summer months (July, August, September) and with an exceedance frequency of once in five years.		D.O. (mg/L)		---	6.0	Cadmium	5.0(T)	---
		D.O. (spawning)		---	7.0	Chromium III	50(T)	TVS
		pH		6.5 - 9.0	---	Chromium VI	TVS	TVS
		chlorophyll a (ug/L)	7/1 - 9/30	---	12.2*	Copper	TVS	TVS
		E. Coli (per 100 mL)		---	126	Iron	---	WS
						Iron	---	1000(T)
		Inorganic (mg/L)				Lead	TVS	TVS
				acute	chronic	Lead	50(T)	---
		Ammonia		TVS	TVS	Manganese	TVS	TVS
		Boron		---	0.75	Manganese	---	WS
		Chloride		---	250	Mercury	---	0.01(t)
		Chlorine		0.019	0.011	Molybdenum	---	150(T)
		Cyanide		0.005	---	Nickel	TVS	TVS
		Nitrate		10	---	Nickel	---	100(T)
		Nitrite		---	0.05	Selenium	TVS	TVS
		Phosphorus	7/1 - 9/30	---	22.2*	Silver	TVS	TVS(tr)
		Sulfate		---	WS	Uranium	---	---
		Sulfide		---	0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Bear Creek Basin

1d. Evergreen Lake.					
COSPBE01D	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture Aq Life Cold 1 Recreation E Water Supply DUWS	DM	MWAT	acute	chronic
Reviewable		CLL	CLL	Aluminum	---
		acute	chronic	Arsenic	340
		D.O. (mg/L)	6.0	Beryllium	0.02(T)
		D.O. (spawning)	7.0	Cadmium	---
Qualifiers:		pH	6.5 - 9.0	Cadmium	TVS(tr)
Other:		chlorophyll a (ug/L)	---	Cadmium	TVS
		E. Coli (per 100 mL)	---	Chromium III	50(T)
			126	Chromium VI	TVS
				Copper	TVS
		Inorganic (mg/L)		Iron	TVS
		acute	chronic	Iron	---
		Ammonia	TVS	Lead	WS
		Boron	---	Lead	1000(T)
		Chloride	0.75	Manganese	TVS
		Chlorine	250	Manganese	TVS
		Cyanide	0.019	Manganese	---
		Nitrate	0.011	Mercury	WS
		Nitrite	0.005	Mercury	---
		Phosphorus	10	Molybdenum	0.01(t)
		Sulfate	---	Nickel	150(T)
		Sulfide	0.05	Nickel	TVS
			---	Selenium	TVS
			WS	Silver	TVS
			0.002	Silver	TVS(tr)
				Uranium	---
				Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Bear Creek Basin

1e. Mainstem of Bear Creek from the outlet of Evergreen Lake to the Harriman Ditch.							
COSPBE01E	Classifications	Physical and Biological				Metals (ug/L)	
Designation	Agriculture			DM	MWAT		
Reviewable	Aq Life Cold 1	Temperature °C	11/1 - 3/31	CS-II	CS-II	Aluminum	---
	Recreation E	Temperature °C	4/1 - 10/31	CS-II	19.3	Arsenic	340
	Water Supply					Beryllium	---
Qualifiers:				acute	chronic	Cadmium	TVS(tr)
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		D.O. (mg/L)		---	6.0	Cadmium	5.0(T)
		D.O. (spawning)		---	7.0	Chromium III	50(T)
		pH		6.5 - 9.0	---	Chromium VI	TVS
		chlorophyll a (mg/m²)		---	---	Copper	TVS
		E. Coli (per 100 mL)		---	126	Iron	---
						Iron	---
						Lead	TVS
						Lead	50(T)
						Manganese	TVS
						Manganese	---
						Mercury	---
						Molybdenum	---
						Nickel	TVS
						Nickel	---
						Selenium	TVS
						Silver	TVS
						Uranium	---
						Sulfate	---
						Sulfide	---
2. Mainstem of Bear Creek from the outlet of Bear Creek Reservoir to the confluence with the South Platte River.							
COSPBE02	Classifications	Physical and Biological				Metals (ug/L)	
Designation	Agriculture			DM	MWAT		
Reviewable	Aq Life Warm 1	Temperature °C		WS-II	WS-II	Aluminum	---
	Recreation E			acute	chronic	Arsenic	340
	Water Supply					Beryllium	---
Qualifiers:		pH		6.5 - 9.0	---	Cadmium	TVS
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		chlorophyll a (mg/m²)		---	---	Cadmium	5.0(T)
		E. Coli (per 100 mL)		---	126	Chromium III	50(T)
						Chromium VI	TVS
						Copper	TVS
						Iron	---
						Iron	---
						Lead	TVS
						Lead	50(T)
						Manganese	TVS
						Manganese	---
						Mercury	---
						Molybdenum	---
						Nickel	TVS
						Nickel	---
						Selenium	TVS
						Silver	TVS
						Uranium	---
						Sulfate	---
						Sulfide	---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Bear Creek Basin

3. All tributaries to Bear Creek, including all wetlands, from the source to the outlet of Evergreen Lake. Except for specific listings in Segment 7.

COSPBE03	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2021					Copper	TVS	TVS
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		Inorganic (mg/L)			Iron	---	WS
		acute		chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	---	TVS
		Phosphorus	---	0.11*	Nickel	TVS	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

4a. All tributaries to Bear Creek, including all wetlands, from the outlet of Evergreen Lake to the confluence with the South Platte River, except for specific listings in Segments 5, 6a, and 6b.

COSPBE04A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-I	WS-I	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Water + Fish Standards		chlorophyll a (mg/m²)	---	---	Cadmium	5.0(T)	---
Other:		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute		chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	---	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
			Zinc	TVS	TVS		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Bear Creek Basin

4b. Deleted.

COSPBE04B	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Qualifiers:		acute	chronic		
Other:					
		Inorganic (mg/L)			
		acute	chronic		

4c. Deleted.

COSPBE04C	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Qualifiers:		acute	chronic		
Other:					
		Inorganic (mg/L)			
		acute	chronic		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Bear Creek Basin

5. Swede, Kerr, Sawmill, Troublesome, and Cold Springs Gulches, and mainstem of Cub Creek from the source to the confluence with Bear Creek.								
COSPBE05	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---		
	Recreation E		acute	chronic	Arsenic	340		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Water + Fish Standards		pH	6.5 - 9.0	---	Cadmium	5.0(T)		
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)		
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS		
					Copper	TVS		
		Inorganic (mg/L)			Iron	---		
			acute	chronic	Iron	---		
		Ammonia	TVS	TVS	Lead	TVS		
		Boron	---	0.75	Lead	50(T)		
		Chloride	---	250	Manganese	TVS		
		Chlorine	0.019	0.011	Manganese	---		
		Cyanide	0.005	---	Mercury	---		
		Nitrate	10	---	Molybdenum	---		
		Nitrite	---	0.05	Nickel	TVS		
		Phosphorus	---	0.11*	Nickel	---		
		Sulfate	---	WS	Selenium	TVS		
		Sulfide	---	0.002	Silver	TVS		
					Uranium	---		
					Zinc	TVS		
		6a. Turkey Creek system, including all tributaries and wetlands, from the source to the inlet of Bear Creek Reservoir, except for specific listings in Segment 6b.						
		COSPBE06A	Classifications	Physical and Biological			Metals (ug/L)	
		Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---		
	Recreation E		acute	chronic	Arsenic	340		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Water + Fish Standards		pH	6.5 - 9.0	---	Cadmium	5.0(T)		
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)		
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS		
					Copper	TVS		
		Inorganic (mg/L)			Iron	---		
			acute	chronic	Iron	---		
		Ammonia	TVS	TVS	Lead	TVS		
		Boron	---	0.75	Lead	50(T)		
		Chloride	---	250	Manganese	TVS		
		Chlorine	0.019	0.011	Manganese	---		
		Cyanide	0.005	---	Mercury	---		
		Nitrate	10	---	Molybdenum	---		
		Nitrite	---	0.05	Nickel	TVS		
		Phosphorus	---	0.11*	Nickel	---		
		Sulfate	---	WS	Selenium	TVS		
		Sulfide	---	0.002	Silver	TVS		
					Uranium	---		
					Zinc	TVS		

6a. Turkey Creek system, including all tributaries and wetlands, from the source to the inlet of Bear Creek Reservoir, except for specific listings in Segment 6b.						
COSPBE06A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Water + Fish Standards		pH	6.5 - 9.0	---	Cadmium	5.0(T)
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Arsenic(chronic) = hybrid					Copper	TVS
Expiration Date of 12/31/2021			Inorganic (mg/L)		Iron	---
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4).			acute	chronic	Iron	---
*Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Lead	50(T)
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.11*	Nickel	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Bear Creek Basin

6b. Mainstem of North Turkey Creek, from the source to the confluence with Turkey Creek.						
COSPBE06B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Expiration Date of 12/31/2021					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Lead	50(T)
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	---	Nickel	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS

7. Mainstem and all tributaries to Bear Creek, including wetlands, within the Mt. Evans Wilderness Area.						
COSPBE07	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic		Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)
*Phosphorus(chronic) = effective 12/31/2020		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Lead	50(T)
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.11*	Nickel	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Bear Creek Basin

8. Lakes and reservoirs in the Bear Creek system from the sources to the boundary of the Mt. Evans Wilderness area.					
COSPBE08	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
OW	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply			Beryllium	0.02(T)
Qualifiers:		D.O. (mg/L)	---	6.0	
Other:		D.O. (spawning)	---	7.0	
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	
		chlorophyll a (ug/L)	---	8*	
		E. Coli (per 100 mL)	---	126	
		Inorganic (mg/L)			
		acute	chronic		
		Ammonia	TVS	TVS	
		Boron	---	0.75	
		Chloride	---	250	
		Chlorine	0.019	0.011	
		Cyanide	0.005	---	
		Nitrate	10	---	
		Nitrite	---	0.05	
		Phosphorus	---	0.025*	
		Sulfate	---	WS	
		Sulfide	---	0.002	
				Iron	---
				Iron	---
				Lead	TVS
				Lead	50(T)
				Manganese	TVS
				Manganese	---
				Mercury	---
				Molybdenum	---
				Nickel	TVS
				Nickel	---
				Selenium	TVS
				Silver	TVS
				Uranium	---
				Zinc	TVS
9. Lakes and reservoirs in the Bear Creek system from the boundary of the Mt. Evans Wilderness area to the inlet of Evergreen Lake; includes Summit Lake.					
COSPBE09	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply			Beryllium	0.02(T)
Qualifiers:		D.O. (mg/L)	---	6.0	
Other:		D.O. (spawning)	---	7.0	
*chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	
		chlorophyll a (ug/L)	---	8*	
		E. Coli (per 100 mL)	---	126	
		Inorganic (mg/L)			
		acute	chronic		
		Ammonia	TVS	TVS	
		Boron	---	0.75	
		Chloride	---	250	
		Chlorine	0.019	0.011	
		Cyanide	0.005	---	
		Nitrate	10	---	
		Nitrite	---	0.05	
		Phosphorus	---	0.025*	
		Sulfate	---	WS	
		Sulfide	---	0.002	
				Iron	---
				Iron	---
				Lead	TVS
				Lead	50(T)
				Manganese	TVS
				Manganese	---
				Mercury	---
				Molybdenum	---
				Nickel	TVS
				Nickel	---
				Selenium	TVS
				Silver	TVS
				Uranium	---
				Zinc	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Bear Creek Basin

10. Lakes and reservoirs in drainages of Swede Gulch, Sawmill Gulch, Troublesome Gulch, and Cold Springs Gulch from source to confluence with Bear Creek.					
COSPBE10	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply			Beryllium	0.02(T)
Qualifiers:		D.O. (mg/L)	---	6.0	---
		D.O. (spawning)	---	7.0	---
Water + Fish Standards		pH	6.5 - 9.0	---	---
				Cadmium	5.0(T)
Other:		chlorophyll a (ug/L)	---	---	---
		E. Coli (per 100 mL)	---	126	---
		Inorganic (mg/L)		Cadmium	5.0(T)
		acute	chronic	Chromium III	50(T)
		Ammonia	TVS	TVS	TVS
		Boron	---	0.75	---
		Chloride	---	250	---
		Chlorine	0.019	0.011	---
		Cyanide	0.005	---	---
		Nitrate	10	---	---
		Nitrite	---	0.05	---
		Phosphorus	---	---	---
		Sulfate	---	WS	---
		Sulfide	---	0.002	---
				Chromium VI	TVS
				Copper	TVS
				Iron	---
				Iron	1000(T)
				Lead	TVS
				Lead	50(T)
				Manganese	TVS
				Manganese	---
				Mercury	---
				Molybdenum	---
				Nickel	TVS
				Nickel	---
				Selenium	TVS
				Silver	TVS
				Uranium	---
				Zinc	TVS

11. Lakes and reservoirs in the Bear Creek system from the outlet of Evergreen Lake to the confluence with the South Platte River, except as specified in Segments 1c, 10, and 12; includes Soda Lakes.

COSPBE11	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 2	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply			Beryllium	0.02(T)
Qualifiers:		D.O. (mg/L)	---	5.0	---
		pH	6.5 - 9.0	---	---
Water + Fish Standards		chlorophyll a (ug/L)	---	---	---
		E. Coli (per 100 mL)	---	126	---
Other:		Inorganic (mg/L)		Chromium III	50(T)
		acute	chronic	Chromium VI	TVS
		Ammonia	TVS	TVS	TVS
		Boron	---	0.75	---
		Chloride	---	250	---
		Chlorine	0.019	0.011	---
		Cyanide	0.005	---	---
		Nitrate	10	---	---
		Nitrite	---	0.5	---
		Phosphorus	---	---	---
		Sulfate	---	WS	---
		Sulfide	---	0.002	---
				Copper	TVS
				Iron	---
				Iron	1000(T)
				Lead	TVS
				Lead	50(T)
				Manganese	TVS
				Manganese	---
				Mercury	---
				Molybdenum	---
				Nickel	TVS
				Nickel	---
				Selenium	TVS
				Silver	TVS
				Uranium	---
				Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Bear Creek Basin

12. Lakes and reservoirs in the Turkey Creek system from the source to the inlet of Bear Creek Reservoir.					
COSPBE12	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Water + Fish Standards		pH	6.5 - 9.0	Cadmium	5.0(T)
Other:		chlorophyll a (ug/L)	---	Chromium III	50(T)
		E. Coli (per 100 mL)	126	Chromium VI	TVS
				Copper	TVS
		Inorganic (mg/L)		Iron	WS
		acute	chronic	Iron	1000(T)
		Ammonia	TVS	Lead	TVS
		Boron	0.75	Lead	50(T)
		Chloride	250	Manganese	TVS
		Chlorine	0.019	Manganese	WS
		Cyanide	0.005	Mercury	0.01(t)
		Nitrate	10	Molybdenum	150(T)
		Nitrite	0.05	Nickel	TVS
		Phosphorus	---	Nickel	100(T)
		Sulfate	WS	Selenium	TVS
		Sulfide	0.002	Silver	TVS(tr)
				Uranium	---
				Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

1. Mainstem of Clear Creek, including all tributaries and wetlands, from the source to the I-70 bridge above Silver Plume.

COSPCL01	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable*	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr) TVS
Other:		pH	6.5 - 9.0 ---	Cadmium	5.0(T) ---
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	50(T) TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	Chromium VI	TVS TVS
Expiration Date of 12/31/2021				Copper	TVS TVS
		Inorganic (mg/L)		Iron	---
		acute	chronic	Iron	---
		Ammonia	TVS TVS	Lead	TVS TVS
		Boron	---	Lead	50(T) ---
		Chloride	---	Manganese	TVS TVS
		Chlorine	0.019 0.011	Manganese	---
		Cyanide	0.005 ---	Mercury	---
		Nitrate	10 ---	Molybdenum	---
		Nitrite	---	Nickel	TVS TVS
		Phosphorus	---	Nickel	---
		Sulfate	---	Selenium	TVS TVS
		Sulfide	---	Silver	TVS TVS(tr)
				Uranium	---
				Zinc	TVS TVS

2a. Mainstem of Clear Creek, including all tributaries and wetlands, from the I-70 bridge above Silver Plume to a point just above the confluence with West Fork Clear Creek, except for specific listings in Segments 3a and 3b.

COSPCL02A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable*	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340 0.02(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr) TVS
Other:		pH	6.5 - 9.0 ---	Cadmium	5.0(T) ---
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	50(T) TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	Chromium VI	TVS TVS
Expiration Date of 12/31/2021				Copper	TVS TVS
		Inorganic (mg/L)		Iron	---
		acute	chronic	Iron	---
		Ammonia	TVS TVS	Lead	TVS TVS
		Boron	---	Lead	50(T) ---
		Chloride	---	Manganese	TVS TVS
		Chlorine	0.019 0.011	Manganese	---
		Cyanide	0.005 ---	Mercury	---
		Nitrate	10 ---	Molybdenum	---
		Nitrite	---	Nickel	TVS TVS
		Phosphorus	---	Nickel	---
		Sulfate	---	Selenium	TVS TVS
		Sulfide	---	Silver	TVS TVS(tr)
				Uranium	---
				Zinc	---
				Zinc	SSE* ---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

2b. Mainstem of Clear Creek, including all tributaries and wetlands, from the confluence with West Fork Clear Creek to a point just below the confluence with Mill Creek, except for specific listings in Segments 4 through 8.

COSPCL02B	Classifications	Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable*	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Designation: 9/30/00 Baseline does not apply *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)		Copper	TVS	TVS	
			Iron	---	WS		
			Iron	---	1000(T)		
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11*	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

2c. Mainstem of Clear Creek, including all tributaries and wetlands, from a point just below the confluence with Mill Creek to a point just above the Argo Tunnel discharge, except for specific listings in Segments 9a, 9b, and 10.

COSPCL02C	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable*	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
<b>Other:</b>  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021 Cadmium(chronic) = current condition Copper(chronic) = current condition Expiration Date of 7/1/2020  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 38.5(4). *Designation: 9/30/00 Baseline does not apply *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4). *Zinc(acute) = 0.978e^(0.8537[ln(hardness)]+1.9467) *Zinc(chronic) = 0.986e^(0.8537[ln(hardness)]+1.8032)		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
		chlorophyll a (mg/m²)	---	150*	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
		acute		chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11*	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
			Zinc	---	SSE*		
			Zinc	SSE*	---		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

3a. Mainstem of South Clear Creek, including all tributaries and wetlands, from the source to the confluence with Clear Creek, except for the specific listings in Segments 3b and 19.					
COSPCL03A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable*	Aq Life Cold 1	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Cadmium	5.0(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium III	50(T)
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Chromium VI	TVS
Expiration Date of 12/31/2021				Copper	TVS
		Inorganic (mg/L)		Iron	---
*Designation: 9/30/00 Baseline does not apply		acute	chronic	Iron	---
*Zinc(acute) = $0.978e^{(0.8537[\ln(\text{hardness})]+1.9467)}$		Ammonia	TVS	Lead	TVS
*Zinc(chronic) = $0.986e^{(0.8537[\ln(\text{hardness})]+1.8032)}$		Boron	---	Lead	50(T)
		Chloride	250	Manganese	TVS
		Chlorine	0.019	Manganese	---
		Cyanide	0.005	Mercury	---
		Nitrate	10	Molybdenum	---
		Nitrite	---	Nickel	TVS
		Phosphorus	---	Nickel	---
		Sulfate	---	Selenium	TVS
		Sulfide	---	Silver	TVS
				Uranium	---
				Zinc	---
				Zinc	SSE*

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

3b. Mainstem of Leavenworth Creek from source to confluence with South Clear Creek.

COSPCL03B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable*	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	6.0	Arsenic	50(T)	---
Qualifiers:		D.O. (spawning)	---	7.0	Beryllium	---	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS(tr)	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Cadmium	5.0(T)	---
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
					Chromium VI	TVS	TVS
					Copper	TVS	TVS
					Iron	---	WS
					Iron	---	1000(T)
					Lead	TVS	TVS
					Lead	50(T)	---
					Manganese	TVS	TVS
					Manganese	---	WS
					Mercury	---	0.01(t)
					Molybdenum	---	150(T)
					Nickel	TVS	TVS
					Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	---	SSE*
					Zinc	SSE*	---

\*Designation: 9/30/00 Baseline does not apply

\*Zinc(acute) =  $0.978e^{(0.8537[\ln(\text{hardness})]+1.9467)}$

\*Zinc(chronic) =  $0.986e^{(0.8537[\ln(\text{hardness})]+1.8032)}$

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

4. Mainstem of West Fork Clear Creek from the source to the confluence with Woods Creek.						
COSPCL04	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable*	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)
*Designation: 9/30/00 Baseline does not apply		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
					Iron	---
		Inorganic (mg/L)			Iron	WS
			acute	chronic	Iron	---
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Lead	50(T)
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.11	Nickel	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

5. Mainstem of West Fork Clear Creek from the confluence with Woods Creek to the confluence with Clear Creek.							
COSPCLO5	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute chronic			
Reviewable	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
	Temporary Modification(s):	chlorophyll a (mg/m²)	---	150*	Chromium III	50(T)	TVS
	Arsenic(chronic) = hybrid	E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
	Expiration Date of 12/31/2021				Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
		acute	chronic	Iron	---	1000(T)	
	*chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 38.5(4).	Ammonia	TVS	TVS	Lead	TVS	TVS
	*Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).	Boron	---	0.75	Lead	50(T)	---
	*Manganese(chronic) = 393 ug/L at the mouth of West Fork, see section 38.6(4)(j) for manganese assessment locations.	Chloride	---	250	Manganese	---	393*
	*Manganese(chronic) = 1480 ug/L below Woods Creek, see section 38.6(4)(j) for manganese assessment locations.	Chlorine	0.019	0.011	Manganese	---	1480*
	*Zinc(acute) = e^(0.8404[ln(hardness)]+1.8810)	Cyanide	0.005	---	Manganese	TVS	TVS
	*Zinc(chronic) = e^(08404[ln(hardness)]+1.5127)	Nitrate	10	---	Mercury	---	0.01(t)
		Nitrite	---	0.05	Molybdenum	---	210(T)
		Phosphorus	---	0.11*	Nickel	TVS	TVS
		Sulfate	---	WS	Nickel	---	100(T)
		Sulfide	---	0.002	Selenium	TVS	TVS
					Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	---	SSE*
					Zinc	SSE*	---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

6. All tributaries to West Fork Clear Creek, including all wetlands, from the source to the confluence with Clear Creek, except for specific listings in Segments 7 and 8.					
COSPCL06	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable*	Aq Life Cold 1	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Cadmium	5.0(T)
*Designation: 9/30/00 Baseline does not apply		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium III	50(T)
		E. Coli (per 100 mL)	126	Chromium VI	TVS
				Copper	TVS
		Inorganic (mg/L)		Iron	---
		acute	chronic	Iron	---
		Ammonia	TVS	Lead	TVS
		Boron	0.75	Lead	50(T)
		Chloride	250	Manganese	TVS
		Chlorine	0.019	Manganese	---
		Cyanide	0.005	Mercury	---
		Nitrate	10	Molybdenum	---
		Nitrite	0.05	Nickel	TVS
		Phosphorus	0.11	Nickel	---
		Sulfate	WS	Selenium	TVS
		Sulfide	0.002	Silver	TVS
				Uranium	---
				Zinc	TVS
					TVS
					TVS
					TVS
					TVS
7a. Mainstem of Woods Creek from the outlet of Upper Urad Reservoir to the confluence with West Fork Clear Creek.					
COSPCL07A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Aq Life Cold 2	DM	MWAT	acute	chronic
UP	Recreation N	CS-I	CS-I	Aluminum	---
Qualifiers:		acute	chronic	Arsenic	340
Other:		D.O. (mg/L)	6.0	Beryllium	---
		D.O. (spawning)	7.0	Cadmium	TVS(tr)
		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	TVS
		E. Coli (per 100 mL)	630	Copper	TVS
				Iron	---
		Inorganic (mg/L)		Lead	TVS
		acute	chronic	Manganese	TVS
		Ammonia	TVS	Mercury	---
		Boron	---	Molybdenum	---
		Chloride	---	Nickel	TVS
		Chlorine	0.019	Selenium	TVS
		Cyanide	0.005	Silver	TVS
		Nitrate	---	Uranium	---
		Nitrite	0.05	Zinc	TVS
		Phosphorus	0.11		
		Sulfate	---		
		Sulfide	0.002		
Temporary Modification(s):					
Cadmium(chronic) = current condition					
Copper(ac/ch) = current condition					
Iron(chronic) = current condition					
Lead(chronic) = current condition					
Mercury(chronic) = current condition					
Nickel(chronic) = current condition					
Silver(chronic) = current condition					
temperature(DM/MWAT) = current condition	10/1 - 11/30				
temperature(DM/MWAT) = current condition	4/1 - 5/31				
Zinc(ac/ch) = current condition					
Expiration Date of 6/30/2023					

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

7b. Lower Urad Reservoir					
COSPCL07B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Aq Life Cold 2	DM	MWAT	acute	chronic
UP	Recreation N	Temperature °C	CL CL	Aluminum	---
Qualifiers:		acute	chronic	Arsenic	340 150
Other:		D.O. (mg/L)	---	Beryllium	---
Temporary Modification(s):		D.O. (spawning)	---	Cadmium	TVS(tr) TVS
Cadmium(chronic) = current condition		pH	6.5 - 9.0 ---	Chromium III	TVS TVS
Copper(ac/ch) = current condition		chlorophyll a (ug/L)	---	Chromium VI	TVS TVS
Iron(chronic) = current condition		E. Coli (per 100 mL)	---	Copper	TVS TVS
Lead(chronic) = current condition				Iron	---
Mercury(chronic) = current condition		Inorganic (mg/L)		Lead	TVS TVS
Nickel(chronic) = current condition		acute	chronic	Manganese	TVS TVS
Silver(chronic) = current condition		Ammonia	TVS TVS	Mercury	---
temperature(DM/MWAT) = current condition	10/1 - 11/30	Boron	---	Molybdenum	---
temperature(DM/MWAT) = current condition	4/1 - 5/31	Chloride	---	Nickel	TVS TVS
Zinc(ac/ch) = current condition		Chlorine	0.019 0.011	Selenium	TVS TVS
Expiration Date of 6/30/2023		Cyanide	0.005 ---	Silver	TVS TVS(tr)
		Nitrate	---	Uranium	---
		Nitrite	---	Zinc	TVS TVS
		Phosphorus	---		
		Sulfate	---		
		Sulfide	---		

8. Mainstem of Lion Creek from the source to the confluence with West Fork Clear Creek.					
COSPCL08	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Aq Life Cold 2	DM	MWAT	acute	chronic
UP	Recreation E	Temperature °C	CS-I CS-I	Aluminum	---
Qualifiers:		acute	chronic	Arsenic	---
Other:		D.O. (mg/L)	---	Beryllium	---
		D.O. (spawning)	---	Cadmium	---
		pH	3.0-9.0 ---	Chromium III	---
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium VI	---
		E. Coli (per 100 mL)	---	Copper	---
				Iron	---
		Inorganic (mg/L)		Lead	---
		acute	chronic	Manganese	---
		Ammonia	---	Mercury	---
		Boron	---	Molybdenum	---
		Chloride	---	Nickel	---
		Chlorine	---	Selenium	---
		Cyanide	---	Silver	---
		Nitrate	---	Uranium	---
		Nitrite	---	Zinc	---
		Phosphorus	---		
		Sulfate	---		
		Sulfide	---		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

9a. Mainstem of Fall River, including all tributaries and wetlands, from the source to the confluence with Clear Creek.

COSPCL09A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable*	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	0.02(T)
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Cadmium	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150*	Chromium III	50(T)
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Chromium VI	TVS
Expiration Date of 12/31/2021				Copper	TVS
		Inorganic (mg/L)		Iron	WS
		acute	chronic	Iron	1000(T)
		Ammonia	TVS	Lead	TVS
		Boron	0.75	Lead	50(T)
		Chloride	250	Manganese	TVS
		Chlorine	0.019	Manganese	WS
		Cyanide	0.005	Mercury	0.01(t)
		Nitrate	10	Molybdenum	150(T)
		Nitrite	0.05	Nickel	TVS
		Phosphorus	0.11*	Nickel	100(T)
		Sulfate	WS	Selenium	TVS
		Sulfide	0.002	Silver	TVS(tr)
				Uranium	---
				Zinc	TVS

9b. Mainstem of Trail Creek, including all tributaries and wetlands from the source to the confluence with Clear Creek.

COSPCL09B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable*	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	0.02(T)
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium III	50(T)
		E. Coli (per 100 mL)	126	Chromium VI	TVS
				Copper	TVS
		Inorganic (mg/L)		Iron	WS
		acute	chronic	Iron	1000(T)
		Ammonia	TVS	Lead	TVS
		Boron	0.75	Lead	50(T)
		Chloride	250	Manganese	TVS
		Chlorine	0.019	Manganese	WS
		Cyanide	0.005	Mercury	0.01(t)
		Nitrate	10	Molybdenum	150(T)
		Nitrite	0.05	Nickel	TVS
		Phosphorus	0.11	Nickel	100(T)
		Sulfate	WS	Selenium	TVS
		Sulfide	0.002	Silver	TVS(tr)
				Uranium	---
				Zinc	200

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

10. Mainstem of Chicago Creek, including all tributaries and wetlands, from the source to the confluence with Clear Creek, except for specific listings in Segment 19.							
COSPCL10	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable*	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150*	Chromium III	50(T)	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2021					Copper	TVS	TVS
*chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 38.5(4).		Inorganic (mg/L)			Iron	---	WS
*Designation: 9/30/00 Baseline does not apply		acute	chronic	Iron	---	1000(T)	
*Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11*	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS
11. Mainstem of Clear Creek from a point just above the Argo Tunnel discharge to the Farmers Highline Canal diversion in Golden, Colorado.							
COSPCL11	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2021					Copper	---	17
temperature(DM/MWAT) = current condition*		Inorganic (mg/L)			Iron	---	WS
Expiration Date of 6/30/2019		acute	chronic	Iron	---	1000(T)	
*Zinc(acute) = 0.978e^(0.8537[ln(hardness)]+1.9467)		Ammonia	TVS	TVS	Lead	TVS	TVS
*Zinc(chronic) = 0.986e^(0.8537[ln(hardness)]+1.8032)		Boron	---	0.75	Lead	50(T)	---
*TempMod: temperature = from a point just downstream of the US 6 Bridge to the Farmers Highline Canal diversion in Golden, Colorado.		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	---	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	---	SSE*
					Zinc	SSE*	---

11. Mainstem of Clear Creek from a point just above the Argo Tunnel discharge to the Farmers Highline Canal diversion in Golden, Colorado.							
COSPCL11	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
UP	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2021					Copper	---	17
temperature(DM/MWAT) = current condition*		Inorganic (mg/L)			Iron	---	WS
Expiration Date of 6/30/2019		acute		chronic	Iron	---	1000(T)
*Zinc(acute) = 0.978e^(0.8537[ln(hardness)]+1.9467)		Ammonia	TVS	TVS	Lead	TVS	TVS
*Zinc(chronic) = 0.986e^(0.8537[ln(hardness)]+1.8032)		Boron	---	0.75	Lead	50(T)	---
*TempMod: temperature = from a point just downstream of the US 6 Bridge to the Farmers Highline Canal diversion in Golden, Colorado.		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	---	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	---	SSE*
					Zinc	SSE*	---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

12a. All tributaries to Clear Creek, including all wetlands, from the Argo Tunnel discharge to the Farmers Highline Canal diversion in Golden, Colorado, except for specific listings in Segments 12b, 13a and 13b.

COSPCL12A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable*	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02-10(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4).  *Designation: 9/30/00 Baseline does not apply *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
		acute		chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11*	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

12b. Beaver Brook from the source to Highway 40.

COSPCL12B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable*	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
*Designation: 9/30/00 Baseline does not apply		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
		acute		chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

13a. Mainstem of North Clear Creek, including all tributaries and wetlands, from its source to its confluence with Chase Gulch, and Four Mile Gulch, including all tributaries and wetlands, from their sources to their confluence with North Clear Creek and Eureka Gulch, including all tributaries and wetlands, from its source to its confluence with Gregory Gulch.								
COSPCL13A	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT	acute	chronic		
Reviewable*	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---		
	Recreation E		acute	chronic	Arsenic	340		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *Designation: 9/30/00 Baseline does not apply		pH	6.5 - 9.0	---	Cadmium	5.0(T)		
		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)		
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS		
					Copper	TVS		
		Inorganic (mg/L)			Iron	---		
			acute	chronic	Iron	---		
		Ammonia	TVS	TVS	Lead	TVS		
		Boron	---	0.75	Lead	50(T)		
		Chloride	---	250	Manganese	TVS		
		Chlorine	0.019	0.011	Manganese	---		
		Cyanide	0.005	---	Mercury	---		
		Nitrate	10	---	Molybdenum	---		
		Nitrite	---	0.05	Nickel	TVS		
		Phosphorus	---	0.11	Nickel	---		
		Sulfate	---	WS	Selenium	TVS		
		Sulfide	---	0.002	Silver	TVS		
					Uranium	---		
					Zinc	TVS		
		13b. Mainstem of North Clear Creek including all tributaries and wetlands from a point just below the confluence with Chase Gulch to the confluence with Clear Creek, except for the specific listings in Segment 13a.						
		COSPCL13B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic		
UP	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---		
	Recreation E		acute	chronic	Arsenic	340		
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---		
Other:  Temporary Modification(s): Cadmium(chronic) = 4.7 Expiration Date of 12/31/2018 temperature(DM/MWAT) = current condition Expiration Date of 12/31/2020  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
		pH	6.5 - 9.0	---	Chromium III	TVS		
		chlorophyll a (mg/m²)	---	150*	Chromium III	---		
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS		
					Copper	---		
		Inorganic (mg/L)			Iron	---		
			acute	chronic	Lead	TVS		
		Ammonia	TVS	TVS	Manganese	TVS		
		Boron	---	0.75	Mercury	---		
		Chloride	---	---	Molybdenum	---		
		Chlorine	0.019	0.011	Nickel	TVS		
		Cyanide	0.005	---	Selenium	TVS		
		Nitrate	100	---	Silver	TVS		
		Nitrite	---	0.05	Uranium	---		
		Phosphorus	---	0.11*	Zinc	---		
		Sulfate	---	---				
		Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

14a. Mainstem of Clear Creek from the Farmers Highline Canal diversion in Golden, Colorado to the Denver Water conduit #16 crossing.						
COSPCL14A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340	0.02-10(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:	pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021 temperature(DM/MWAT) = current condition Expiration Date of 6/30/2019  *Zinc(acute) = TVS x (times) the FWER (final water effect ratio). Expiration date of 12/31/20. *Zinc(chronic) = TVS x (times) the FWER (final water effect ratio). Expiration date of 12/31/20.	chlorophyll a (mg/m²)	---	---	Cadmium	5.0(T)	---
	E. Coli (per 100 mL)	---	630	Chromium III	50(T)	TVS
	Inorganic (mg/L)			Chromium VI	TVS	TVS
	acute	chronic	Copper	TVS	TVS	
	Ammonia	TVS	TVS	Iron	---	WS
	Boron	---	0.75	Iron	---	1000(T)
	Chloride	---	250	Lead	TVS	TVS
	Chlorine	0.019	0.011	Lead	50(T)	---
	Cyanide	0.005	---	Manganese	TVS	244
	Nitrate	10	---	Mercury	---	0.01(t)
	Nitrite	---	0.5	Molybdenum	---	150(T)
	Phosphorus	---	---	Nickel	TVS	TVS
	Sulfate	---	WS	Nickel	---	100(T)
	Sulfide	---	0.002	Selenium	TVS	TVS
				Silver	TVS	TVS
				Uranium	---	---
				Zinc	TVSx1.57*	TVSx1.57*

14b. Mainstem of Clear Creek from the Denver Water conduit #16 crossing to a point just below Youngfield Street in Wheat Ridge, Colorado.						
COSPCL14B	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:	pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Water + Fish Standards	chlorophyll a (mg/m²)	---	---	Cadmium	5.0(T)	---
Other:  Temporary Modification(s): temperature(DM/MWAT) = current condition Expiration Date of 6/30/2019  *Zinc(acute) = TVS x (times) the FWER (final water effect ratio). Expiration date of 12/31/20. *Zinc(chronic) = TVS x (times) the FWER (final water effect ratio). Expiration date of 12/31/20.	E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
	Inorganic (mg/L)			Chromium VI	TVS	TVS
	acute	chronic	Copper	TVS	TVS	
	Ammonia	TVS	TVS	Iron	---	WS
	Boron	---	0.75	Iron	---	1000(T)
	Chloride	---	250	Lead	TVS	TVS
	Chlorine	0.019	0.011	Lead	50(T)	---
	Cyanide	0.005	---	Manganese	TVS	244
	Nitrate	10	---	Mercury	---	0.01(t)
	Nitrite	---	0.5	Molybdenum	---	150(T)
	Phosphorus	---	---	Nickel	TVS	TVS
	Sulfate	---	WS	Nickel	---	100(T)
	Sulfide	---	0.002	Selenium	TVS	TVS
				Silver	TVS	TVS
				Uranium	---	---
				Zinc	TVSx1.57*	TVSx1.57*

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

15. Mainstem of Clear Creek from Youngfield Street in Wheat Ridge, Colorado, to the confluence with the South Platte River.							
COSPCL15	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 1 *	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021 temperature(DM/MWAT) = current condition Expiration Date of 6/30/2019  *Classification: Aquatic life warm 1 goal qualifier. *Zinc(acute) = TVS x (times) the FWER (final water effect ratio). Expiration date of 12/31/20. *Zinc(chronic) = TVS x (times) the FWER (final water effect ratio). Expiration date of 12/31/20.		chlorophyll a (mg/m²)	---	---	Cadmium	5.0(T)	
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	---	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
		Selenium	TVS	TVS			
		Silver	TVS	TVS			
		Uranium	---	---			
Zinc	TVSx1.57*	TVSx1.57*					

16a. Mainstem of Lena Gulch including all tributaries and wetlands from its source to the inlet of Maple Grove Reservoir.							
COSPCL16A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) A	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	
Other:		chlorophyll a (mg/m²)	---	150	Cadmium	5.0(T)	
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.05	Mercury	---	0.01(t)
		Phosphorus	---	0.17	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
		Selenium	TVS	TVS			
		Silver	TVS	TVS			
		Uranium	---	---			
Zinc	TVS	TVS					

16a. Mainstem of Lena Gulch including all tributaries and wetlands from its source to the inlet of Maple Grove Reservoir.						
COSPCL16A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM		MWAT	acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m²)	---	150	Cadmium	5.0(T)
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)
		Inorganic (mg/L)			Chromium VI	TVS
					Copper	TVS
					Iron	WS
					Iron	1000(T)
					Lead	TVS
					Lead	50(T)
					Manganese	TVS
					Manganese	WS
					Mercury	0.01(t)
					Molybdenum	150(T)
					Nickel	TVS
					Nickel	100(T)
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

16b. All tributaries to Clear Creek from the Farmers Highline Canal diversion in Golden, Colorado to the confluence with the South Platte River, except for specific listings in Segments 16a, 17a, 17b, 18a and 18b.

COSPCL16B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
		chlorophyll a (mg/m²)	---	150	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)
		Inorganic (mg/L)			Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	---	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Mercury	---	0.01(t)
		Cyanide	0.005	---	Molybdenum	---	150(T)
		Nitrate	100	---	Nickel	TVS	TVS
		Nitrite	---	0.5	Selenium	TVS	TVS
		Phosphorus	---	0.17	Silver	TVS	TVS
		Sulfate	---	---	Uranium	---	---
		Sulfide	---	0.002	Zinc	TVS	TVS

17a. Arvada Reservoir.

COSPCL17A	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM		MWAT	acute		chronic	
UP	Aq Life Cold 2	Temperature °C	CLL	CLL	Aluminum	---	---	
	Recreation E	acute		chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
	DUWS	D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---	
Qualifiers:		chlorophyll a (ug/L)		---	8	Chromium III	50(T)	TVS
Water + Fish Standards		E. Coli (per 100 mL)		---	126	Chromium VI	TVS	TVS
Other:					Copper	TVS	TVS	
		Inorganic (mg/L)			Iron	---	WS	
		acute		chronic	Iron	---	1000(T)	
		Ammonia	TVS	TVS	Lead	TVS	TVS	
		Boron	---	0.75	Lead	50(T)	---	
		Chloride	---	250	Manganese	TVS	TVS	
		Chlorine	0.019	0.011	Manganese	---	WS	
		Cyanide	0.005	---	Mercury	---	0.01(t)	
		Nitrate	10	---	Molybdenum	---	150(T)	
		Nitrite	---	0.05	Nickel	TVS	TVS	
		Phosphorus	---	0.025	Nickel	---	100(T)	
		Sulfate	---	WS	Selenium	TVS	TVS	
		Sulfide	---	0.002	Silver	TVS	TVS(tr)	
					Uranium	---	---	
					Zinc	TVS	TVS	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

17b. Mainstem of Ralston Creek, including all tributaries and wetlands, from the source to the inlet of Arvada Reservoir.

COSPCL17B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	Aluminum	---
	Recreation U	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Water + Fish Standards		pH	6.5 - 9.0	Cadmium	5.0(T)
Other:		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium III	50(T)
Temporary Modification(s):		E. Coli (per 100 mL)	126	Chromium VI	TVS
Arsenic(chronic) = hybrid				Copper	TVS
Expiration Date of 12/31/2021		Inorganic (mg/L)		Iron	---
		acute	chronic	Iron	1000(T)
		Ammonia	TVS	Lead	TVS
		Boron	0.75	Lead	50(T)
		Chloride	250	Manganese	TVS
		Chlorine	0.019	Manganese	---
		Cyanide	0.005	Mercury	0.01(t)
		Nitrate	10	Molybdenum	150(T)
		Nitrite	0.05	Nickel	TVS
		Phosphorus	0.11	Nickel	100(T)
		Sulfate	WS	Selenium	TVS
		Sulfide	0.002	Silver	TVS
				Uranium	---
				Zinc	TVS

18a. Mainstem of Ralston Creek, including all tributaries and wetlands, from the outlet of Arvada Reservoir to the confluence with Clear Creek.

COSPCL18A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	150	Cadmium	5.0(T)
		E. Coli (per 100 mL)	126	Chromium III	50(T)
		Inorganic (mg/L)		Chromium VI	TVS
		acute	chronic	Copper	TVS
		Ammonia	TVS	Iron	---
		Boron	0.75	Iron	1000(T)
		Chloride	250	Lead	TVS
		Chlorine	0.019	Lead	50(T)
		Cyanide	0.005	Manganese	TVS
		Nitrate	10	Manganese	---
		Nitrite	0.5	Mercury	0.01(t)
		Phosphorus	0.17	Molybdenum	150(T)
		Sulfate	WS	Nickel	TVS
		Sulfide	0.002	Nickel	100(T)
				Selenium	TVS
				Silver	TVS
				Uranium	---
				Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

18b. Mainstem of Leyden Creek and Van Bibber Creek from their source to their confluence with Ralston Creek. Mainstem of Little Dry Creek from its source to its confluence with Clear Creek.

COSPCL18B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute                      chronic			
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T)	<sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	150	Cadmium	5.0(T)	---
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute                      chronic			Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	0.17	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

19. All tributaries to Clear Creek, including wetlands, within the Mt. Evans Wilderness Area.

COSPCL19	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
		acute		chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11	Nickel	---	100(T)
		Sulfate	---	250	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

20. Lakes and reservoirs in the Clear Creek system that are within the boundary of the Mt. Evans Wilderness Area.								
COSPCL20	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
OW	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Cadmium	5.0(T)		
		chlorophyll a (ug/L)	---	8*	Chromium III	50(T)		
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS		
					Copper	TVS		
		Inorganic (mg/L)			Iron	---		
					Iron	---		
					Lead	TVS		
					Lead	50(T)		
					Manganese	TVS		
					Manganese	---		
					Mercury	---		
					Molybdenum	---		
					Nickel	TVS		
					Nickel	---		
					Selenium	TVS		
					Silver	TVS		
					Uranium	---		
					Zinc	TVS		
		21. Lakes and reservoirs in the Clear Creek system from sources to the Farmer's Highline Canal diversion in Golden, CO, except as specified in Segments 7, 20, 22 and 25. Upper Long Lake.						
		COSPCL21	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable*	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---		
	Recreation E	acute	chronic	Arsenic	340	0.02(T)		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Designation: 9/30/00 Baseline does not apply *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Cadmium	5.0(T)		
		chlorophyll a (ug/L)	---	8*	Chromium III	50(T)		
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS		
					Copper	TVS		
		Inorganic (mg/L)			Iron	---		
					Iron	---		
					Lead	TVS		
					Lead	50(T)		
					Manganese	TVS		
					Manganese	---		
					Mercury	---		
					Molybdenum	---		
					Nickel	TVS		
					Nickel	---		
					Selenium	TVS		
					Silver	TVS		
					Uranium	---		
					Zinc	TVS		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 38.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

22. Lakes and reservoirs in the North Clear Creek drainage from a point just below the confluence with Chase Gulch to the confluence with Clear Creek.					
COSPCL22	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable*	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
				Beryllium	---
Qualifiers:		D.O. (mg/L)	6.0	Cadmium	TVS(tr)
Other:		D.O. (spawning)	7.0	Chromium III	TVS
		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (ug/L)	8*	Chromium III	---
		E. Coli (per 100 mL)	126	Chromium VI	100(T)
				Copper	TVS
				Iron	TVS
		Inorganic (mg/L)		Lead	---
				Lead	1000(T)
				Manganese	TVS
		Ammonia	TVS	Manganese	TVS
		Boron	---	Mercury	---
		Chloride	---	Mercury	0.01(t)
		Chlorine	0.019	Molybdenum	---
		Cyanide	0.005	Molybdenum	150(T)
		Nitrate	100	Nickel	TVS
		Nitrite	---	Nickel	TVS
		Phosphorus	---	Selenium	TVS
		Sulfate	---	Selenium	TVS
		Sulfide	---	Silver	TVS(tr)
				Uranium	---
				Uranium	---
				Zinc	TVS
				Zinc	TVS

23. Ralston Reservoir					
COSPCL23	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 2	CLL	CLL	Aluminum	---
	Recreation U	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
	DUWS	D.O. (spawning)	7.0	Cadmium	0.02(T)
Qualifiers:		pH	6.5 - 9.0	Cadmium	TVS(tr)
Water + Fish Standards		chlorophyll a (ug/L)	8*	Cadmium	5.0(T)
Other:		E. Coli (per 100 mL)	126	Chromium III	---
				Chromium III	TVS
				Chromium VI	TVS
				Chromium VI	TVS
				Copper	TVS
				Copper	TVS
		Inorganic (mg/L)		Iron	TVS
				Iron	---
				Iron	1000(T)
		Ammonia	TVS	Lead	TVS
		Boron	---	Lead	---
		Chloride	---	Lead	50(T)
		Chlorine	0.019	Manganese	---
		Cyanide	0.005	Manganese	TVS
		Nitrate	10	Manganese	---
		Nitrite	---	Mercury	WS
		Phosphorus	---	Mercury	---
		Sulfate	---	Mercury	0.01(t)
		Sulfide	---	Molybdenum	---
				Molybdenum	150(T)
				Nickel	TVS
				Nickel	TVS
				Nickel	---
				Nickel	100(T)
				Selenium	TVS
				Selenium	TVS
				Silver	TVS
				Silver	TVS(tr)
				Uranium	---
				Uranium	---
				Zinc	TVS
				Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Clear Creek Basin

24. Lakes and reservoirs in the Clear Creek system from the Farmers Highline Canal diversion in Golden, Colorado to the confluence with the South Platte River, except for specific listings in Segments 17a, 21 and 23.

COSPCL24	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute chronic			
Reviewable	Aq Life Warm 1	Temperature °C	WL	WL	Aluminum	---	---
	Recreation U	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
	DUWS*	pH	6.5 - 9.0	---	Cadmium	TVS	TVS
		chlorophyll a (ug/L)	---	20*	Cadmium	5.0(T)	---
Qualifiers:		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
<b>Other:</b>  Temporary Modification(s):  Arsenic(chronic) = hybrid  Expiration Date of 12/31/2021  *chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Classification: DUWS applies to Maple Grove Reservoir only. *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	0.083*	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
			Zinc	TVS	TVS		

25. Guanella Reservoir (near Town of Empire, 39.758,-105.700)

COSPCL25	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	---	
	Recreation E		acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---	---	
<b>Other:</b>  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS	
		chlorophyll a (ug/L)	---	8*	Chromium III	---	100(T)	
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
					Copper	TVS	TVS	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Big Dry Creek Basin

1. Mainstem of Big Dry Creek, including all tributaries and wetlands, from the source to the confluence with the South Platte River, except for specific listing in Segments 4a, 4b, 5 and 6.							
COSPBD01	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT				
UP	Aq Life Warm 2	Temperature °C	WS-I	WS-I	Aluminum	---	
	Recreation P	acute	chronic	Arsenic	340	100(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
<b>Other:</b>  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4). *Selenium(acute) = 19.1 ug/L from 11/1 - 3/31 TVS from 4/1 - 10/31. Refer to Section 38.6(4)(d). *Selenium(chronic) = 15 ug/L from 11/1 - 3/31 7.4 ug/L from 4/1 - 10/31. Refer to Section 38.6(4)(d).		pH	6.5 - 9.0	---	Cadmium	TVS	
		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	205	Chromium III	---	100(T)
		Inorganic (mg/L)			Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	---	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Mercury	---	0.01(t)
		Cyanide	0.005	---	Molybdenum	---	150(T)
		Nitrate	100	---	Nickel	TVS	TVS
		Nitrite	---	4.5	Selenium	---	varies*
		Phosphorus	---	0.17*	Selenium	varies*	---
		Sulfate	---	---	Silver	TVS	TVS
		Sulfide	---	0.002	Uranium	---	---
					Zinc	TVS	TVS
2. Standley Lake.							
COSPBD02	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT				
Reviewable	Aq Life Warm 1	Temperature °C	WL	WL	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	
	DUWS	pH	6.5 - 9.0	---	Cadmium	TVS	
Qualifiers:		chlorophyll a (ug/L)	---	4.0*	Cadmium	5.0(T)	
<b>Other:</b>  *chlorophyll a (ug/L)(chronic) = The trophic status of Standley Lake shall be maintained as mesotrophic as measured by a combination of common indicator parameters such as total phosphorus, chlorophyll a, secchi depth, and dissolved oxygen. Refer to Section 38.6(4)(e). *Uranium(chronic) = 3(t) Picocuries/Liter. See attached table 2 for additional standards for segment 2.		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	
		Inorganic (mg/L)			Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	---	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	3(t)*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Big Dry Creek Basin

### 3. Great Western Reservoir.

COSPBD03	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Warm 2	Temperature °C	WL WL	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340 100(T)
	Water Supply	D.O. (mg/L)	---	Beryllium	100(T)
Qualifiers:		pH	6.5 - 9.0 ---	Cadmium	TVS TVS
Other:  *Uranium(chronic) = 4(t) Picocuries/Liter. See attached table 2 for additional standards for segment 3.		chlorophyll a (ug/L)	---	Chromium III	TVS TVS
		E. Coli (per 100 mL)	---	Chromium III	100(T)
		Inorganic (mg/L)		Chromium VI	TVS TVS
		acute	chronic	Copper	TVS TVS
		Ammonia	TVS TVS	Iron	1000(T)
		Boron	---	Lead	TVS TVS
		Chloride	---	Manganese	TVS TVS
		Chlorine	0.019 0.011	Mercury	0.01(t)
		Cyanide	0.005 ---	Molybdenum	150(T)
		Nitrate	100 ---	Nickel	TVS TVS
		Nitrite	---	Selenium	TVS TVS
		Phosphorus	---	Silver	TVS TVS
		Sulfate	---	Uranium	4(t)*
		Sulfide	---	Zinc	TVS TVS
			0.002		

### 4a. Mainstem and all tributaries to Woman and Walnut Creeks from sources to Standley Lake and Great Western Reservoir except for specific listings in Segments 4b and 5.

COSPBD04A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-I WS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340 0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	Beryllium	4.0
Qualifiers:		pH	6.5 - 9.0 ---	Cadmium	TVS TVS
Other:  *Uranium(chronic) = See attached table 2 for additional standards for segment 4a.		chlorophyll a (mg/m <sup>2</sup> )	---	Cadmium	5.0(T) ---
		E. Coli (per 100 mL)	---	Chromium III	50(T) TVS
		Inorganic (mg/L)		Chromium VI	TVS TVS
		acute	chronic	Copper	TVS TVS
		Ammonia	TVS TVS	Iron	1000(T)
		Boron	---	Lead	TVS TVS
		Chloride	---	Lead	50(T) ---
		Chlorine	0.019 0.011	Manganese	TVS TVS
		Cyanide	0.005 ---	Mercury	0.01(t)
		Nitrate	10 ---	Molybdenum	150(T)
		Nitrite	---	Nickel	TVS TVS
		Phosphorus	---	Nickel	100(T)
		Sulfate	---	Selenium	TVS TVS
		Sulfide	---	Silver	TVS TVS
			0.002	Uranium	16.8(t)*
				Zinc	TVS TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Big Dry Creek Basin

4b. North and South Walnut Creek and Walnut Creek, from the eastern edge of the Central Operable Unit on Rocky Flats Property to Indiana Street and North Walnut Creek from its source to the western edge of the Central Operable Unit.

COSPBD04B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation P		acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	4.0
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:  *Uranium(chronic) = See attached table 2 for additional standards for segment 4b.		chlorophyll a (mg/m²)	---	150	Cadmium	5.0(T)	---
		E. Coli (per 100 mL)	---	205	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS
		Ammonia	---	---	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	---	Lead	50(T)	---
		Chlorine	0.019	0.011	Manganese	TVS	TVS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.5	Nickel	TVS	TVS
		Phosphorus	---	0.17	Nickel	---	100(T)
		Sulfate	---	---	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS
					Uranium	---	16.8(t)*
					Zinc	TVS	TVS

5. North Walnut Creek from the western edge of the Central Operable Unit and South Walnut Creek from its source, including all tributaries, lakes, reservoirs and wetlands, to the eastern boundary of the Central Operable Unit and Pond C-2 on Woman Creek.

COSPBD05	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---	---
	Recreation N	Temperature °C	WS-II	WS-II	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply				Beryllium	---	4.0
Qualifiers:			acute	chronic	Cadmium	TVS	TVS
Other:  *Uranium(chronic) = See attached table 2 for additional standards for segment 5.		D.O. (mg/L)	---	5.0	Cadmium	5.0(T)	---
		pH	6.5 - 9.0	---	Chromium III	50(T)	TVS
		chlorophyll a (mg/m²)	---	---	Chromium VI	TVS	TVS
		E. Coli (per 100 mL)	---	630	Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	1000(T)
			acute	chronic	Lead	TVS	TVS
		Ammonia	---	---	Lead	50(T)	---
		Boron	---	0.75	Manganese	TVS	TVS
		Chloride	---	---	Mercury	---	0.01(t)
		Chlorine	0.019	0.011	Molybdenum	---	150(T)
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	10	---	Nickel	---	100(T)
		Nitrite	---	0.5	Selenium	TVS	TVS
		Phosphorus	---	0.17	Silver	TVS	TVS
		Sulfate	---	---	Uranium	---	16.8(t)*
		Sulfide	---	0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Big Dry Creek Basin

6. Upper Big Dry Creek and South Upper Big Dry Creek, from their source to Standley Lake.						
COSPBD06	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-I	WS-I	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Cadmium	5.0(T)
		E. Coli (per 100 mL)	---	630	Chromium III	50(T)
		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Iron	---
		Chloride	---	250	Lead	TVS
		Chlorine	0.019	0.011	Lead	50(T)
		Cyanide	0.005	---	Manganese	TVS
		Nitrate	10	---	Manganese	---
		Nitrite	---	0.5	Mercury	---
		Phosphorus	---	0.17	Molybdenum	---
		Sulfate	---	WS	Nickel	TVS
		Sulfide	---	0.002	Nickel	---
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS
						TVS
						TVS
7. Lakes and reservoirs in the Big Dry Creek system from the source to the confluence with the South Platte River, except for specific listings in Segments 2, 3, and 5.						
COSPBD07	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (ug/L)	---	20*	Cadmium	5.0(T)
		E. Coli (per 100 mL)	---	205	Chromium III	50(T)
		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Iron	---
		Chloride	---	250	Lead	TVS
		Chlorine	0.019	0.011	Lead	50(T)
		Cyanide	0.005	---	Manganese	TVS
		Nitrate	10	---	Manganese	---
		Nitrite	---	0.5	Mercury	---
		Phosphorus	---	0.083*	Molybdenum	---
		Sulfate	---	WS	Nickel	TVS
		Sulfide	---	0.002	Nickel	---
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS
						TVS
						TVS
<p>*chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.</p> <p>*Phosphorus(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.</p>						

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Boulder Creek Basin

1. All tributaries to Boulder Creek, including all wetlands, within the Indian Peaks and James Peak Wilderness Areas.

1. All tributaries to Boulder Creek, including all wetlands, within the Indian Peaks and James Peak Wilderness Areas.							
COSPBO01	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute chronic			
OW	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---	---	
	Recreation E	acute chronic		Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	--- 6.0	Beryllium	---	---	
		D.O. (spawning)	--- 7.0	Cadmium	TVS(tr)	TVS	
Qualifiers:		pH	6.5 - 9.0 ---	Cadmium	5.0(T)	---	
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		chlorophyll a (mg/m²)	--- 150	Chromium III	50(T)	TVS	
		E. Coli (per 100 mL)	--- 126	Chromium VI	TVS	TVS	
				Copper	TVS	TVS	
		Inorganic (mg/L)		Iron	---	WS	
		acute chronic	Iron	---	1000(T)		
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
				Uranium	---	---	
				Zinc	TVS	TVS	

2a. Mainstem of Boulder Creek, including all tributaries and wetlands, from the boundary of the Indian Peaks Wilderness Area to a point immediately below the confluence with North Boulder Creek, except for the specific listings in Segment 3.

COSPBO02A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute		chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
<b>Other:</b>  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
					Iron	---	1000(T)
					Lead	TVS	TVS
					Lead	50(T)	---
					Manganese	TVS	TVS
					Manganese	---	WS
					Mercury	---	0.01(t)
					Molybdenum	---	150(T)
					Nickel	TVS	TVS
					Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Boulder Creek Basin

2b. Mainstem of Boulder Creek, including all tributaries and wetlands, from a point immediately below the confluence with North Boulder Creek to a point immediately above the confluence with South Boulder Creek.						
COSPBO02B	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
<b>Qualifiers:</b>		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
<b>Other:</b>		pH	6.5 - 9.0	---	Cadmium	5.0(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Expiration Date of 12/31/2021					Copper	TVS
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Lead	50(T)
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.11*	Nickel	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS
						TVS
						TVS
						TVS
3. Mainstem of Middle Boulder Creek, including all tributaries and wetlands, from the source to the outlet of Barker Reservoir, except for specific listings in Segment 1.						
COSPBO03	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
<b>Qualifiers:</b>		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
<b>Other:</b>		pH	6.5 - 9.0	---	Cadmium	5.0(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Expiration Date of 12/31/2021					Copper	TVS
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Lead	50(T)
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.11*	Nickel	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS
						TVS
						TVS
						TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 38.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Boulder Creek Basin

4a. Mainstem of South Boulder Creek, including all tributaries and wetlands, from the source to the outlet of Gross Reservoir except for specific listings in Segment 1.					
COSPBO04A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Cadmium	5.0(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium III	50(T)
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Chromium VI	TVS
Expiration Date of 12/31/2021				Copper	TVS
		Inorganic (mg/L)		Iron	---
		acute	chronic	Iron	---
		Ammonia	TVS	Lead	TVS
		Boron	---	Lead	50(T)
		Chloride	250	Manganese	TVS
		Chlorine	0.019	Manganese	---
		Cyanide	0.005	Mercury	---
		Nitrate	10	Molybdenum	---
		Nitrite	---	Nickel	TVS
		Phosphorus	---	Nickel	---
		Sulfate	---	Selenium	TVS
		Sulfide	---	Silver	TVS
				Uranium	---
				Zinc	TVS

4b. Mainstem of South Boulder Creek, including all tributaries and wetlands, from the outlet of Gross Reservoir to South Boulder Road, except for specific listings in Segments 4c and 4d.					
COSPBO04B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Cadmium	5.0(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150*	Chromium III	50(T)
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Chromium VI	TVS
Expiration Date of 12/31/2021				Copper	TVS
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4).		Inorganic (mg/L)		Iron	---
*Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		acute	chronic	Iron	---
		Ammonia	TVS	Lead	TVS
		Boron	---	Lead	50(T)
		Chloride	250	Manganese	TVS
		Chlorine	0.019	Manganese	---
		Cyanide	0.005	Mercury	---
		Nitrate	10	Molybdenum	---
		Nitrite	---	Nickel	TVS
		Phosphorus	---	Nickel	---
		Sulfate	---	Selenium	TVS
		Sulfide	---	Silver	TVS
				Uranium	---
				Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Boulder Creek Basin

4c. Mainstem of Cowdrey Drainage from the source below Cowdrey Reservoir #2 to the Davidson Ditch.					
COSPBO04C	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture Aq Life Warm 2 Recreation E Water Supply	DM	MWAT	acute	chronic
UP		Temperature °C	WS-II	Aluminum	---
		acute	chronic	Arsenic	340 0.02-10(T) <sup>A</sup>
		D.O. (mg/L)	---	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Cadmium	5.0(T)
		E. Coli (per 100 mL)	---	Chromium III	50(T)
		Inorganic (mg/L)		Chromium VI	TVS
		acute	chronic	Copper	TVS
		Ammonia	TVS	Iron	---
		Boron	---	Iron	1000(T)
		Chloride	---	Lead	TVS
		Chlorine	0.019	Lead	50(T)
		Cyanide	0.005	Manganese	TVS
		Nitrate	10	Manganese	---
		Nitrite	---	Mercury	0.01(t)
		Phosphorus	---	Molybdenum	150(T)
		Sulfate	---	Nickel	TVS
		Sulfide	---	Nickel	100(T)
				Selenium	TVS
				Silver	TVS
				Uranium	---
				Zinc	TVS

4d. Mainstem of Cowdrey Drainage from immediately downstream of the Davidson Ditch to the confluence with South Boulder Creek.					
COSPBO04D	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture Aq Life Warm 2 Recreation E Water Supply	DM	MWAT	acute	chronic
UP		Temperature °C	WS-II	Aluminum	---
		acute	chronic	Arsenic	340 0.02-10(T) <sup>A</sup>
		D.O. (mg/L)	---	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	Cadmium	5.0(T)
		E. Coli (per 100 mL)	---	Chromium III	50(T)
		Inorganic (mg/L)		Chromium VI	TVS
		acute	chronic	Copper	TVS
		Ammonia	TVS	Iron	---
		Boron	---	Iron	1000(T)
		Chloride	---	Lead	TVS
		Chlorine	0.019	Lead	50(T)
		Cyanide	0.005	Manganese	TVS
		Nitrate	10	Manganese	---
		Nitrite	---	Mercury	0.01(t)
		Phosphorus	---	Molybdenum	150(T)
		Sulfate	---	Nickel	TVS
		Sulfide	---	Nickel	100(T)
				Selenium	TVS
				Silver	TVS
				Uranium	---
				Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Boulder Creek Basin

5. Mainstem of South Boulder Creek from South Boulder Road to the confluence with Boulder Creek.							
COSPBO05	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		chlorophyll a (mg/m²)	---	---	Cadmium	5.0(T)	
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)		Chromium VI	TVS	TVS	
		acute	chronic	Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	---	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
		Selenium	TVS	TVS			
		Silver	TVS	TVS			
		Uranium	---	---			
Zinc	TVS	TVS					
6. Mainstem of Coal Creek, including all tributaries and wetlands, from the source to Highway 93.							
COSPBO06	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	
		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)		Copper	TVS	TVS	
		acute	chronic	Iron	---	WS	
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Lead	50(T)	---
		Chlorine	0.019	0.011	Manganese	TVS	TVS
		Cyanide	0.005	---	Manganese	---	WS
		Nitrate	10	---	Mercury	---	0.01(t)
		Nitrite	---	0.05	Molybdenum	---	150(T)
		Phosphorus	---	0.11	Nickel	TVS	TVS
		Sulfate	---	WS	Nickel	---	100(T)
		Sulfide	---	0.002	Selenium	TVS	TVS
		Silver	TVS	TVS(tr)			
		Uranium	---	---			
		Zinc	TVS	TVS			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Boulder Creek Basin

7a. Mainstem of Coal Creek from Highway 93 to Highway 36 (Boulder Turnpike).						
COSPBO07A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		chlorophyll a (mg/m²)	---	150	Cadmium	5.0(T)
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)
		Inorganic (mg/L)			Chromium VI	TVS
			acute	chronic	Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Iron	---
		Chloride	---	250	Lead	TVS
		Chlorine	0.019	0.011	Lead	50(T)
		Cyanide	0.005	---	Manganese	TVS
		Nitrate	10	---	Manganese	---
		Nitrite	---	0.5	Mercury	---
		Phosphorus	---	0.17	Molybdenum	---
		Sulfate	---	WS	Nickel	TVS
		Sulfide	---	0.002	Nickel	---
					Selenium	TVS
					Silver	TVS
			Uranium	---		
			Zinc	TVS		

7b. Mainstem of Coal Creek from Highway 36 to the confluence with Boulder Creek.						
COSPBO07B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:   						

7b. Mainstem of Coal Creek from Highway 36 to the confluence with Boulder Creek.							
COSPBO07B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:		chlorophyll a (mg/m²)	---	---	Cadmium	5.0(T)	---
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	---	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Boulder Creek Basin

8. All tributaries to South Boulder Creek, including all wetlands from South Boulder Road to the confluence with Boulder Creek and all tributaries to Coal Creek, including all wetlands from Highway 93 to the confluence with Boulder Creek.

COSPBO08	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	TVS	TVS
Selenium(chronic) = current condition		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)
Expiration Date of 12/31/2020		Inorganic (mg/L)			Chromium VI	TVS	TVS
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Iron	---	---
		Chloride	---	---	Lead	TVS	TVS
		Chlorine	0.019	0.011	Manganese	TVS	TVS
		Cyanide	0.005	---	Manganese	---	---
		Nitrate	100	---	Mercury	---	0.01(t)
		Nitrite	---	0.5	Molybdenum	---	150(T)
		Phosphorus	---	0.17*	Nickel	TVS	TVS
		Sulfate	---	---	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

9. Mainstem of Boulder Creek from a point immediately above the confluence with South Boulder Creek to the confluence with Coal Creek.

COSPBO09	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid  Expiration Date of 12/31/2021 temperature(DM/MWAT) = current condition Expiration Date of 12/31/2020		chlorophyll a (mg/m <sup>2</sup> )	---	---	Cadmium	5.0(T)	---
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute		chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	---	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
		Selenium	TVS	TVS			
		Silver	TVS	TVS			
Uranium	---	---					
Zinc	TVS	TVS					

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Boulder Creek Basin

10. Mainstem of Boulder Creek from the confluence with Coal Creek to the confluence with St. Vrain Creek.

10. Mainstem of Boulder Creek from the confluence with Coal Creek to the confluence with St. Vrain Creek.							
COSPBO10	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:  Temporary Modification(s):  Arsenic(chronic) = hybrid  Expiration Date of 12/31/2021		chlorophyll a (mg/m²)	---	---	Cadmium	5.0(T)	---
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	---	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

11. All tributaries to Boulder Creek, including all wetlands from a point immediately above the confluence with South Boulder Creek to the confluence with St. Vrain Creek, except for specific listings in Segments 5, 7a and 7b.

COSPBO11	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:		chlorophyll a (mg/m²)	---	---	Cadmium	5.0(T)	---
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	---	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Boulder Creek Basin

12. Deleted.					
COSPBO12	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Qualifiers:		acute	chronic		
Other:					
		Inorganic (mg/L)			
		acute	chronic		
13. All lakes and reservoirs tributary to Boulder Creek that are within the boundary of the Indian Peaks and James Peak Wilderness Areas.					
COSPBO13	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
OW	Agriculture				
	Aq Life Cold 1	Temperature °C	CL	CL	CL
	Recreation E	acute	chronic		
	Water Supply	D.O. (mg/L)	---	6.0	
Qualifiers:		D.O. (spawning)	---	7.0	
Other:		pH	6.5 - 9.0	---	
		chlorophyll a (ug/L)	---	8*	
		E. Coli (per 100 mL)	---	126	
		Inorganic (mg/L)			
		acute	chronic		
		Ammonia	TVS	TVS	
		Boron	---	0.75	
		Chloride	---	250	
		Chlorine	0.019	0.011	
		Cyanide	0.005	---	
		Nitrate	10	---	
		Nitrite	---	0.05	
		Phosphorus	---	0.025*	
		Sulfate	---	WS	
		Sulfide	---	0.002	
				Aluminum	---
				Arsenic	340
				Beryllium	---
				Cadmium	TVS(tr)
				Cadmium	5.0(T)
				Chromium III	50(T)
				Chromium VI	TVS
				Copper	TVS
				Iron	---
				Iron	1000(T)
				Lead	TVS
				Lead	50(T)
				Manganese	TVS
				Manganese	---
				Mercury	---
				Molybdenum	---
				Nickel	TVS
				Nickel	---
				Selenium	TVS
				Silver	TVS
				Uranium	---
				Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Boulder Creek Basin

14. All lakes and reservoirs tributary to Boulder Creek from the source to a point immediately above the South Boulder Creek confluence, except as specified in Segment 13. This segment includes Barker and Lakewood Reservoir.

COSPB014	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 1	Temperature °C	CL,CLL	CL,CLL	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
	DUWS*	D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
Other:		chlorophyll a (ug/L)	---	8*	Chromium III	50(T)	TVS
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid					Copper	TVS	TVS
Expiration Date of 12/31/2021		Inorganic (mg/L)			Iron	---	WS
*chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Classification: DUWS applies to Lakewood Reservoir only. *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.		acute		chronic	Iron	---	1000(T)
	Ammonia	TVS	TVS	Lead	TVS	TVS	
	Boron	---	0.75	Lead	50(T)	---	
	Chloride	---	250	Manganese	TVS	TVS	
	Chlorine	0.019	0.011	Manganese	---	WS	
	Cyanide	0.005	---	Mercury	---	0.01(t)	
	Nitrate	10	---	Molybdenum	---	150(T)	
	Nitrite	---	0.05	Nickel	TVS	TVS	
	Phosphorus	---	0.025*	Nickel	---	100(T)	
	Sulfate	---	WS	Selenium	TVS	TVS	
	Sulfide	---	0.002	Silver	TVS	TVS(tr)	
				Uranium	---	---	
				Zinc	TVS	TVS	

15. All lakes and reservoirs tributary to South Boulder Creek from the source to Highway 93. All lakes and reservoirs tributary to Coal Creek from the source to Highway 93 except for specific listings in segments 13 and 18.

COSPBO15	Classifications	Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 2	Temperature °C	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
	DUWS*	D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
<b>Other:</b>  *chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Classification: DUWS applies to Kossler Lake only. *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	8*	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
					Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.025*	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Boulder Creek Basin

16. All lakes and reservoirs tributary to South Boulder Creek system from Highway 93 to the confluence with Boulder Creek. All lakes and reservoirs tributary to Coal Creek system from Highway 93 to the confluence with Boulder Creek.

COSPBO16	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT				
Reviewable	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Other:		chlorophyll a (ug/L)	---	---	Cadmium	5.0(T)	---
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
					Copper	TVS	TVS
					Iron	---	WS
					Iron	---	1000(T)
					Lead	TVS	TVS
					Lead	50(T)	---
					Manganese	TVS	TVS
					Manganese	---	WS
					Mercury	---	0.01(t)
					Molybdenum	---	150(T)
					Nickel	TVS	TVS
					Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

17. All lakes and reservoirs tributary to Boulder Creek from a point immediately below the confluence with South Boulder Creek to the confluence with St. Vrain Creek, except as specified in Segments 15 and 16.

COSPBO17	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
	DUWS*	pH	6.5 - 9.0	---	Cadmium	TVS	TVS
		chlorophyll a (ug/L)	---	---	Cadmium	5.0(T)	---
Qualifiers: Water + Fish Standards		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
Other:  *Classification: DUWS applies to Baseline, Marshall, Thomas and Waneka Reservoirs only.		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute	chronic		Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	---	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

\*Classification: DUWS applies to Baseline, Marshall, Thomas and Waneka Reservoirs only.

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Boulder Creek Basin

18. Gross Reservoir.

COSPBO18	Classifications	Physical and Biological				Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	1/1 - 3/31	CLL	CLL	Aluminum	---	---
	Recreation E	Temperature °C	4/1 - 12/31	CLL	19.4	Arsenic	340	0.02(T)
	Water Supply					Beryllium	---	---
Qualifiers:			acute	chronic		Cadmium	TVS(tr)	TVS
<b>Other:</b>  *chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.		D.O. (mg/L)	---	6.0		Cadmium	5.0(T)	---
		D.O. (spawning)	---	7.0		Chromium III	50(T)	TVS
		pH	6.5 - 9.0	---		Chromium VI	TVS	TVS
		chlorophyll a (ug/L)	---	8*		Copper	TVS	TVS
		E. Coli (per 100 mL)	---	126		Iron	---	WS
						Iron	---	1000(T)
		Inorganic (mg/L)				Lead	TVS	TVS
			acute	chronic		Lead	50(T)	---
		Ammonia	TVS	TVS		Manganese	TVS	TVS
		Boron	---	0.75		Manganese	---	WS
		Chloride	---	250		Mercury	---	0.01(t)
		Chlorine	0.019	0.011		Molybdenum	---	150(T)
		Cyanide	0.005	---		Nickel	TVS	TVS
		Nitrate	10	---		Nickel	---	100(T)
		Nitrite	---	0.05		Selenium	TVS	TVS
		Phosphorus	---	0.025*		Silver	TVS	TVS(tr)
		Sulfate	---	WS		Uranium	---	---
		Sulfide	---	0.002		Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## St. Vrain Creek Basin

1. All tributaries to St. Vrain Creek, including all wetlands, which are within the Indian Peaks Wilderness Area and Rocky Mountain National Park.

1. All tributaries to St. Vrain Creek, including all wetlands, which are within the Indian Peaks Wilderness Area and Rocky Mountain National Park.						
COSPSV01	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT		
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Cadmium	5.0(T)
		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
					Iron	---
					Lead	TVS
		Ammonia	TVS	TVS	Lead	50(T)
		Boron	---	0.75	Manganese	TVS
		Chloride	---	250	Manganese	---
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	10	---	Nickel	TVS
		Nitrite	---	0.05	Nickel	---
		Phosphorus	---	0.11	Selenium	TVS
		Sulfate	---	WS	Silver	TVS
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS

2a. Mainstem of St. Vrain Creek, including all tributaries and wetlands, from the boundary of the Indian Peaks Wilderness Area and Rocky Mountain National Park to the eastern boundary of Roosevelt National Forest.

COSPSV02A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11*	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## St. Vrain Creek Basin

2b. Mainstem of St. Vrain Creek, including all tributaries and wetlands, from the eastern boundary of Roosevelt National Forest to Hygiene Road.					
COSPSV02B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	0.02(T)
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Cadmium	5.0(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150*	Chromium III	50(T)
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Chromium VI	TVS
Expiration Date of 12/31/2021				Copper	TVS
		Inorganic (mg/L)		Iron	WS
		acute	chronic	Iron	1000(T)
		Ammonia	TVS	Lead	TVS
		Boron	0.75	Lead	50(T)
		Chloride	250	Manganese	TVS
		Chlorine	0.019	Manganese	WS
		Cyanide	0.005	Mercury	0.01(t)
		Nitrate	10	Molybdenum	150(T)
		Nitrite	0.05	Nickel	TVS
		Phosphorus	0.11*	Nickel	100(T)
		Sulfate	WS	Selenium	TVS
		Sulfide	0.002	Silver	TVS(tr)
				Uranium	---
				Zinc	TVS

\*chlorophyll a (mg/m<sup>2</sup>)(chronic) = applies only above the facilities listed at 38.5(4).  
\*Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).

3. Mainstem of St. Vrain Creek from Hygiene Road to the confluence with the South Platte River.					
COSPSV03	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-I	WS-I	Aluminum
	Recreation E	acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	Chromium III	TVS
		E. Coli (per 100 mL)	126	Chromium III	100(T)
		Inorganic (mg/L)		Chromium VI	TVS
		acute	chronic	Copper	TVS
		Ammonia	TVS	Iron	1000(T)
		Boron	0.75	Lead	TVS
		Chloride	---	Manganese	TVS
		Chlorine	0.019	Mercury	0.01(t)
		Cyanide	0.005	Molybdenum	150(T)
		Nitrate	100	Nickel	TVS
		Nitrite	0.5	Selenium	TVS
		Phosphorus	---	Silver	TVS
		Sulfate	---	Uranium	---
		Sulfide	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## St. Vrain Creek Basin

4a. Mainstem of Left Hand Creek, including all tributaries and wetlands, from the source to a point immediately below the confluence with James Creek, except for specific listings in Segment 4b.

COSPSV04A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
UP	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
		acute		chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

4b. Mainstem of James Creek, including all tributaries and wetlands, from the source to the confluence with Left Hand Creek.

COSPSV04B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2021					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
		acute		chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## St. Vrain Creek Basin

4c. Mainstem of Left Hand Creek, including all tributaries and wetlands, from a point immediately below the confluence with James Creek to Highway 36.						
COSPSV04C	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	50(T)
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Expiration Date of 12/31/2021		Inorganic (mg/L)		Copper	TVS	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Lead	50(T)
		Chlorine	0.019	0.011	Manganese	TVS
		Cyanide	0.005	---	Manganese	---
		Nitrate	10	---	Mercury	---
		Nitrite	---	0.05	Molybdenum	---
		Phosphorus	---	0.11	Nickel	---
		Sulfate	---	WS	Nickel	100(T)
		Sulfide	---	0.002	Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS
						TVS

5. Mainstem of Left Hand Creek, including all tributaries and wetlands from Highway 36 to the confluence with St. Vrain Creek.						
COSPSV05	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-I	WS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	150	Cadmium	5.0(T)
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)
		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Iron	---
		Chloride	---	250	Lead	TVS
		Chlorine	0.019	0.011	Lead	50(T)
		Cyanide	0.005	---	Manganese	TVS
		Nitrate	10	---	Manganese	---
		Nitrite	---	0.5	Mercury	---
		Phosphorus	---	0.17	Molybdenum	---
		Sulfate	---	WS	Nickel	---
		Sulfide	---	0.002	Nickel	100(T)
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS
						TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## St. Vrain Creek Basin

6. All tributaries to St. Vrain Creek, including wetlands from Hygiene Road to the confluence with the South Platte River, except for specific listings in the Boulder Creek subbasin and in Segments 4a, 4b, 4c and 5.

COSPSV06	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
		chlorophyll a (mg/m²)	---	---	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)
		Inorganic (mg/L)			Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	---	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Mercury	---	0.01(t)
		Cyanide	0.005	---	Molybdenum	---	150(T)
		Nitrate	100	---	Nickel	TVS	TVS
		Nitrite	---	0.5	Selenium	TVS	TVS
		Phosphorus	---	---	Silver	TVS	TVS
		Sulfate	---	---	Uranium	---	---
		Sulfide	---	0.002	Zinc	TVS	TVS

7. Boulder Reservoir, Coot Lake, Left Hand Valley Reservoir and Spurgeon Reservoir.

COSPSV07	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 1	Temperature °C	WL	WL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
	DUWS*	pH	6.5 - 9.0	---	Cadmium	TVS	TVS
		chlorophyll a (ug/L)	---	---	Cadmium	5.0(T)	---
Qualifiers:		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
<b>Other:</b>  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *Classification: DUWS applies to Boulder, Spurgeon and Left Hand Valley Reservoirs only.		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	---	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

Temporary Modification(s):

Arsenic(chronic) = hybrid

Expiration Date of 12/31/2021

\*Classification: DUWS applies to Boulder, Spurgeon and Left Hand Valley Reservoirs only.

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## St. Vrain Creek Basin

8. All lakes and reservoirs tributary to St. Vrain Creek that are within the boundary of the Indian Peaks Wilderness Area and Rocky Mountain National Park.								
COSPSV08	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT	acute	chronic		
OW	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---		
	Recreation E		acute	chronic	Arsenic	340		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)		
		chlorophyll a (ug/L)	---	---	Chromium III	50(T)		
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS		
					Copper	TVS		
		Inorganic (mg/L)			Iron	---		
			acute	chronic	Iron	---		
		Ammonia	TVS	TVS	Lead	TVS		
		Boron	---	0.75	Lead	50(T)		
		Chloride	---	250	Manganese	TVS		
		Chlorine	0.019	0.011	Manganese	---		
		Cyanide	0.005	---	Mercury	---		
		Nitrate	10	---	Molybdenum	---		
		Nitrite	---	0.05	Nickel	TVS		
		Phosphorus	---	---	Nickel	---		
		Sulfate	---	WS	Selenium	TVS		
		Sulfide	---	0.002	Silver	TVS		
					Uranium	---		
					Zinc	TVS		
		9. All lakes and reservoirs tributary to St. Vrain Creek from sources to Hygiene Road, including Button Rock Reservoir, except as specified in Segment 8.						
		COSPSV09	Classifications	Physical and Biological			Metals (ug/L)	
		Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CL,CLL	CL,CLL	Aluminum	---		
	Recreation E		acute	chronic	Arsenic	340		
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Cadmium	5.0(T)		
		chlorophyll a (ug/L)	---	---	Chromium III	50(T)		
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS		
					Copper	TVS		
		Inorganic (mg/L)			Iron	---		
			acute	chronic	Iron	---		
		Ammonia	TVS	TVS	Lead	TVS		
		Boron	---	0.75	Lead	50(T)		
		Chloride	---	250	Manganese	TVS		
		Chlorine	0.019	0.011	Manganese	---		
		Cyanide	0.005	---	Mercury	---		
		Nitrate	10	---	Molybdenum	---		
		Nitrite	---	0.05	Nickel	TVS		
		Phosphorus	---	---	Nickel	---		
		Sulfate	---	WS	Selenium	TVS		
		Sulfide	---	0.002	Silver	TVS		
					Uranium	---		
					Zinc	TVS		

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 38.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## St. Vrain Creek Basin

10. All lakes and reservoirs tributary to Left Hand Creek from sources to Highway 36.

COSPSV10	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
	DUWS*	D.O. (spawning)	7.0	Cadmium	TVS(tr)
Qualifiers:		pH	6.5 - 9.0	Cadmium	5.0(T)
Other:		chlorophyll a (ug/L)	8*	Chromium III	50(T)
		E. Coli (per 100 mL)	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS
		acute	chronic	Iron	---
		Ammonia	TVS	Iron	1000(T)
		Boron	0.75	Lead	TVS
		Chloride	250	Lead	50(T)
		Chlorine	0.019	Manganese	TVS
		Cyanide	0.005	Manganese	---
		Nitrate	10	Mercury	---
		Nitrite	0.05	Molybdenum	150(T)
		Phosphorus	0.025*	Nickel	TVS
		Sulfate	WS	Nickel	100(T)
		Sulfide	0.002	Selenium	TVS
				Silver	TVS
				Uranium	---
				Zinc	TVS

11. Barbour Ponds.

COSPSV11	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	Cadmium	TVS
Other:		chlorophyll a (ug/L)	---	Cadmium	5.0(T)
		E. Coli (per 100 mL)	126	Chromium III	50(T)
		Inorganic (mg/L)		Chromium VI	TVS
		acute	chronic	Copper	TVS
		Ammonia	TVS	Iron	---
		Boron	0.75	Iron	1000(T)
		Chloride	250	Lead	TVS
		Chlorine	0.019	Lead	50(T)
		Cyanide	0.005	Manganese	TVS
		Nitrate	10	Manganese	---
		Nitrite	0.5	Mercury	---
		Phosphorus	---	Molybdenum	150(T)
		Sulfate	WS	Nickel	TVS
		Sulfide	0.002	Nickel	100(T)
				Selenium	TVS
				Silver	TVS
				Uranium	---
				Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## St. Vrain Creek Basin

12. All lakes and reservoirs tributary to Left Hand Creek from Highway 36 to the confluence with St. Vrain Creek, except as specified in Segment 7.

COSPSV12	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 2	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	5.0	Beryllium	0.02(T)
Qualifiers:		pH	6.5 - 9.0	Cadmium	TVS
Water + Fish Standards		chlorophyll a (ug/L)	---	Cadmium	TVS
Other:		E. Coli (per 100 mL)	---	Chromium III	50(T)
		Inorganic (mg/L)		Chromium VI	TVS
		acute	chronic	Copper	TVS
		Ammonia	TVS	Iron	---
		Boron	---	Iron	WS
		Chloride	0.75	Lead	1000(T)
		Chlorine	---	Lead	TVS
		Cyanide	250	Lead	TVS
		Nitrate	0.019	Manganese	50(T)
		Nitrite	0.011	Manganese	---
		Phosphorus	0.005	Mercury	TVS
		Sulfate	---	Mercury	WS
		Sulfide	10	Molybdenum	---
			---	Nickel	150(T)
			0.5	Nickel	TVS
			---	Nickel	TVS
			---	Selenium	---
			---	Silver	---
			---	Uranium	---
			---	Zinc	---

13. All lakes and reservoirs tributary to St. Vrain Creek from Hygiene Road to the confluence with the South Platte River, except as specified in Segments 7, 10, 11 and 12.

COSPSV13	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 2	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	5.0	Beryllium	0.02-10(T) <sup>A</sup>
	DUWS*	pH	6.5 - 9.0	Cadmium	---
Qualifiers:		chlorophyll a (ug/L)	---	Cadmium	TVS
Other:		E. Coli (per 100 mL)	---	Chromium III	TVS
		Inorganic (mg/L)		Chromium VI	50(T)
		acute	chronic	Copper	TVS
		Ammonia	TVS	Iron	TVS
		Boron	---	Iron	---
		Chloride	0.75	Lead	WS
		Chlorine	---	Lead	1000(T)
		Cyanide	250	Lead	TVS
		Nitrate	0.019	Manganese	TVS
		Nitrite	0.011	Manganese	---
		Phosphorus	0.005	Mercury	WS
		Sulfate	---	Mercury	0.01(t)
		Sulfide	10	Molybdenum	---
			---	Nickel	150(T)
			0.5	Nickel	TVS
			---	Nickel	TVS
			---	Selenium	---
			---	Silver	---
			---	Uranium	---
			---	Zinc	---

\*Classification: DUWS applies to Burch lake only.

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle South Platte River Basin

1a. Mainstem of the South Platte River from a point immediately below the confluence with Big Dry Creek to the confluence with St. Vrain Creek.

COSPMS01A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	varies*	varies*	Beryllium	---	---
		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
<b>Qualifiers:</b>		chlorophyll a (mg/m²)	---	---	Cadmium	5.0(T)	---
<b>Water + Fish Standards</b>		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
<b>Other:</b>		Inorganic (mg/L)			Chromium VI	TVS	TVS
Temporary Modification(s):			acute	chronic	Copper	---	23.5*
Arsenic(chronic) = hybrid		Ammonia	TVS*	TVS*	Copper	35.1*	---
Expiration Date of 12/31/2021		Boron	---	0.75	Iron	---	WS
*Ammonia(acute) = See attached table for site-specific standards.		Chloride	---	250	Iron	---	1000(T)
*Ammonia(chronic) = See attached table for site-specific standards.		Chlorine	0.019	0.011	Lead	TVS	TVS
*Copper(acute) = Copper BLM-based FMB		Cyanide	0.005	---	Lead	50(T)	---
Cu FMB(ac)=35.1 ug/l		Nitrate	10	---	Manganese	TVS	TVS
*Copper(chronic) = Copper BLM-based FMB		Nitrite	---	0.5	Manganese	---	WS
Cu FMB(ch)= 23.5 ug/l		Phosphorus	---	---	Mercury	---	0.01(t)
*D.O. (mg/L)(acute) = See attached table for site-specific standards.		Sulfate	---	WS	Molybdenum	---	150(T)
*D.O. (mg/L)(chronic) = See attached table for site-specific standards.		Sulfide	---	0.002	Nickel	TVS	TVS
					Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

1b. Mainstem of the South Platte River from a point immediately below the confluence with St. Vrain Creek to the Weld/Morgan County Line.

COSPMS01B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Water + Fish Standards		chlorophyll a (mg/m²)	---	---	Cadmium	5.0(T)	---
Other:  Temporary Modification(s):  Arsenic(chronic) = hybrid  Expiration Date of 12/31/2021		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	---	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle South Platte River Basin

2. Deleted.

COSPMS02	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Qualifiers:		acute	chronic		
Other:					
		Inorganic (mg/L)			
		acute	chronic		

3a. All tributaries to the South Platte River, including all wetlands, from a point immediately below the confluence with Big Dry Creek to the Weld/Morgan County line, except for specific listings in the subbasins of the South Platte River, and in Segments 3b, 5a, 5b, 5c, and 6.

COSPMS03A	Classifications	Physical and Biological		Metals (ug/L)			
Designation		DM	MWAT	acute	chronic		
UP	Agriculture						
	Aq Life Warm 2	Temperature °C	WS-I	WS-I	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Water + Fish Standards		chlorophyll a (mg/m²)	---	150*	Cadmium	5.0(T)	---
Other:		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute	chronic		Copper	TVS	TVS
Temporary Modification(s):		Ammonia	TVS	TVS	Iron	---	WS
Arsenic(chronic) = hybrid		Boron	---	0.75	Iron	---	1000(T)
Expiration Date of 12/31/2021		Chloride	---	250	Lead	TVS	TVS
*chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 38.5(4).		Chlorine	0.019	0.011	Lead	50(T)	---
*Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	0.17*	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle South Platte River Basin

3b. Hayesmount Tributaries including the Upper Hayesmount Tributary from the source to the confluence with Box Elder Creek and the Lower Hayesmount Tributaries from the source to the Denver Hudson Canal.						
COSPMS03B	Classifications	Physical and Biological		Metals (ug/L)		
Designation		DM	MWAT	acute	chronic	
UP	Agriculture					
	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	narrative*	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
*D.O. (mg/L)(chronic) = When water is present, D.O. concentrations shall be maintained at levels that protect classified uses.		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)		100(T)	Chromium VI	TVS
		acute	chronic	TVS	Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.5	Selenium	TVS
		Phosphorus	---	0.17	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

4. Barr Lake and Milton Reservoir.

COSPMS04	Classifications	Physical and Biological		Metals (ug/L)		
Designation		DM	MWAT	acute	chronic	
UP	Agriculture					
	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Water + Fish Standards		chlorophyll a (mg/m <sup>2</sup> )	---	---	Cadmium	5.0(T)
Other:		E. Coli (per 100 mL)	---	126	Chromium III	50(T)
Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		Inorganic (mg/L)		TVS	Chromium VI	TVS
		acute	chronic	TVS	Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Iron	---
		Chloride	---	250	Lead	TVS
		Chlorine	0.019	0.011	Lead	50(T)
		Cyanide	0.005	---	Manganese	TVS
		Nitrate	10	---	Manganese	---
		Nitrite	---	0.5	Mercury	---
		Phosphorus	---	---	Molybdenum	---
		Sulfate	---	WS	Nickel	TVS
		Sulfide	---	0.002	Nickel	---
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle South Platte River Basin

5a. Mainstem of Lone Tree Creek from the source to the confluence with the South Platte River.						
COSPMS05A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-I	WS-I	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Cadmium	5.0(T)
*Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		E. Coli (per 100 mL)	---	630	Chromium III	50(T)
		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Iron	---
		Chloride	---	250	Lead	TVS
		Chlorine	0.019	0.011	Lead	50(T)
		Cyanide	0.005	---	Manganese	TVS
		Nitrate	10	---	Manganese	---
		Nitrite	---	0.5	Mercury	---
		Phosphorus	---	0.17*	Molybdenum	---
		Sulfate	---	WS	Nickel	TVS
		Sulfide	---	0.002	Nickel	---
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS

5b. Mainstem of Box Elder Creek from the confluence with Coyote Run to the Denver Hudson Canal.						
COSPMS05B	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---
	Recreation N	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	4.7*	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
*D.O. (mg/L)(chronic) = 15th percentile of D.O. measurements collected between 6:30 a.m. and 6:30 p.m.		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
		E. Coli (per 100 mL)	---	630	Chromium III	---
		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	10	Selenium	TVS
		Phosphorus	---	---	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle South Platte River Basin

5c. Mainstems of Crow Creek and Box Elder Creek from their sources to their confluences with the South Platte River, except for specific listings in Segment 5b.								
COSPMS05C	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT				
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---		
	Recreation N		acute	chronic	Arsenic	340		
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---		
Other:  *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		pH	6.5 - 9.0	---	Cadmium	TVS		
		chlorophyll a (mg/m²)	---	---	Chromium III	TVS		
		E. Coli (per 100 mL)	---	630	Chromium III	---		
		Inorganic (mg/L)			Chromium VI	TVS		
			acute	chronic	Copper	TVS		
		Ammonia	TVS	TVS	Iron	---		
		Boron	---	0.75	Lead	TVS		
		Chloride	---	---	Manganese	TVS		
		Chlorine	0.019	0.011	Mercury	---		
		Cyanide	0.005	---	Molybdenum	---		
		Nitrate	100	---	Nickel	TVS		
		Nitrite	---	0.5	Selenium	TVS		
		Phosphorus	---	0.17*	Silver	TVS		
		Sulfate	---	---	Uranium	---		
		Sulfide	---	0.002	Zinc	TVS		
		6. Lost Creek from the source to Interstate 76, including all its tributaries, stock ponds and wetlands.						
		COSPMS06	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT				
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---		
	Recreation N		acute	chronic	Arsenic	340		
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---		
Other:  *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		pH	6.5 - 9.0	---	Cadmium	---		
		chlorophyll a (mg/m²)	---	---	Chromium III	---		
		E. Coli (per 100 mL)	---	630	Chromium VI	---		
		Inorganic (mg/L)			Copper	---		
			acute	chronic	Iron	---		
		Ammonia	---	---	Lead	---		
		Boron	---	0.75	Manganese	---		
		Chloride	---	---	Mercury	---		
		Chlorine	---	---	Molybdenum	---		
		Cyanide	0.2	---	Nickel	---		
		Nitrate	100	---	Selenium	---		
		Nitrite	---	10	Silver	---		
		Phosphorus	---	0.17*	Uranium	---		
		Sulfate	---	---	Zinc	---		
		Sulfide	---	0.002				

6. Lost Creek from the source to Interstate 76, including all its tributaries, stock ponds and wetlands.						
COSPMS06	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---
	Recreation N		acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:  *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		pH	6.5 - 9.0	---	Cadmium	---
		chlorophyll a (mg/m²)	---	---	Chromium III	---
		E. Coli (per 100 mL)	---	630	Chromium VI	---
		Inorganic (mg/L)			Copper	---
			acute	chronic	Iron	---
		Ammonia	---	---	Lead	---
		Boron	---	0.75	Manganese	---
		Chloride	---	---	Mercury	---
		Chlorine	---	---	Molybdenum	---
		Cyanide	0.2	---	Nickel	---
		Nitrate	100	---	Selenium	---
		Nitrite	---	10	Silver	---
		Phosphorus	---	0.17*	Uranium	---
		Sulfate	---	---	Zinc	---
		Sulfide	---	0.002		2000(T)

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Middle South Platte River Basin

7. All lakes and reservoirs tributary to the South Platte River from a point immediately below the confluence with Big Dry Creek to the Weld/Morgan County line, except for specific listings in the subbasins of the South Platte River, and in Segment 4.

COSPMS07	Classifications	Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Water + Fish Standards		chlorophyll a (mg/m²)	---	---	Cadmium	5.0(T)	---
Other:		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)		Chromium VI	TVS	TVS	
		acute	chronic	Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	---	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.



## Site-Specific Minimum Dissolved Oxygen and Ammonia Standards for Middle South Platte Segment 1a

### Dissolved Oxygen:

#### STANDARDS

Early Life Stage Protection Period (April 1 through July 31)

1-Day<sup>1,4,5</sup> 3.0 mg/L (acute)

7-Day Average<sup>1,2</sup> 5.0 mg/L

Older Life Stage Protection Period (August 1 through March 31)

1-Day<sup>1,4</sup> 2.0 mg/L (acute)

7-Day Mean of Minimums<sup>1,3</sup> 2.5 mg/L

30-Day Average<sup>1,2</sup> 4.5 mg/L

Refer to Section 38(6)(4)(c) for Dissolved Oxygen assessment locations.

### Footnotes

1. For the purpose of determining compliance with the standards, dissolved oxygen measurements shall only be taken in the flowing portion of the stream at mid-depth, and at least six inches above the bottom of the channel. All sampling protocols and test procedures shall be in accordance with procedures and protocols approved by the Division.
2. A minimum of four independent daily means must be used to calculate the average for the 7-Day Average standard. A minimum of eight independent daily means must be used to calculate the average for the 30-Day Average standard. The four days and the eight days must be representative of the 7-Day and the 30-Day periods respectively. The daily mean shall be the mean of the daily high and low values. In calculating the mean values, the dissolved oxygen saturation value shall be used in place of any dissolved oxygen measurements which exceed saturation.
3. The 7-Day Mean Minimum is the average of the daily minimums measured at a location on each day during any 7-Day period.
4. During a 24 hour day, dissolved oxygen levels are likely to be lower during the nighttime when there is no photosynthesis. The dissolved oxygen levels should not drop below the acute standard (ELS acute standard of 3.0 mg/L or the OLS standard of 2.0 mg/L). However, if during the ELS period multiple measurements are below 3.0 mg/L during the same nighttime period, the multiple measurements shall be considered a single exceedance of the acute standard. For measurements below 2.0 mg/L during either the ELS or the OLS periods, each hourly measurement below 2.0 mg/L shall be considered an exceedance of the acute standard.
5. In July, the dissolved oxygen level in Segment 1a may be lower than the 3.0 mg/L acute standard for up to 14 exceedances in any one year and up to a total of 21 exceedances in three years before there is a determination that the acute dissolved oxygen standards is not being met. Exceedances shall be counted as described in Footnote 4.

### Ammonia:

Early Life Stage Protection Period (April 1 through July 31)

---

Ammonia

Warm Water = (mg/l as N)Total

$$acute = \frac{0.411}{1 + 10^{7.204 - pH}} + \frac{58.4}{1 + 10^{pH - 7.204}}$$

$$chronic (Apr1 - July31) = \left( \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right) * MIN \left( 2.85, 1.45 * 10^{0.028(25 - T)} \right)$$

$$chronic(Aug1 - Mar31) = \left( \frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right) * 1.45 * 10^{0.028 * (25 - MAX(T, 7))}$$

---

NH<sub>3</sub> = old TVS

---

Warm Water Acute = 0.62/FT/FPH/2<sup>(4 old)</sup> in mg/ (N)

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Big Thompson River Basin

1. Mainstem of the Big Thompson River, including all tributaries and wetlands, within Rocky Mountain National Park, except for specific listings in Segment 2.					
COSPBT01	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
OW	Agriculture				
	Aq Life Cold 1	Temperature °C	CS-I	Aluminum	---
	Recreation E			Arsenic	340
	Water Supply			Beryllium	0.02(T)
Qualifiers:					
Other:		D.O. (mg/L)	6.0		
		D.O. (spawning)	7.0		
		pH	6.5 - 9.0		
		chlorophyll a (mg/m <sup>2</sup> )	150		
		E. Coli (per 100 mL)	126		
		Inorganic (mg/L)			

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Big Thompson River Basin

2. Mainstem of the Big Thompson River, including all tributaries and wetlands from the boundary of Rocky Mountain National Park to the Home Supply Canal diversion, except for the specific listing in Segment 7; mainstem of Black Canyon Creek and Glacier Creek below Estes Park water treatment plant.

COSPBT02	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
UP	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
<b>Qualifiers:</b>		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
<b>Other:</b>		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2021					Copper	---	7.5*
*chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4). *Copper(acute) = 11 ug/L from immediately above the Upper Thompson Sanitation District's wastewater treatment plant outfall to the Home Supply Canal Diversion. *Copper(chronic) = 7.5 ug/L from immediately above the Upper Thompson Sanitation District's wastewater treatment plant outfall to the Home Supply Canal Diversion.		Inorganic (mg/L)			Copper	11*	TVS
		acute	chronic		Copper	TVS	---
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.05	Mercury	---	0.01(t)
		Phosphorus	---	0.11*	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Big Thompson River Basin

3. Mainstem of the Big Thompson River from the Home Supply Canal diversion to the Big Barnes Ditch diversion.									
COSPBT03	Classifications		Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT	acute		chronic		
Reviewable	Aq Life Cold 2		Temperature °C	CS-II	CS-II	Aluminum	---		
	Recreation E			acute	chronic	Arsenic	340		
	Water Supply		D.O. (mg/L)	---	6.0	Beryllium	---		
Qualifiers:			D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Water + Fish Standards			pH	6.5 - 9.0	---	Cadmium	5.0(T)		
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021			chlorophyll a (mg/m²)	---	---	Chromium III	50(T)		
			E. Coli (per 100 mL)	---	126	Chromium VI	TVS		
								Copper	TVS
		Inorganic (mg/L)						Iron	---
					acute	chronic	Iron	---	
		Ammonia	TVS	TVS	Lead	TVS	TVS		
		Boron	---	0.75	Lead	50(T)	---		
		Chloride	---	250	Manganese	TVS	TVS		
		Chlorine	0.019	0.011	Manganese	---	WS		
		Cyanide	0.005	---	Mercury	---	0.01(t)		
		Nitrate	10	---	Molybdenum	---	150(T)		
		Nitrite	---	0.05	Nickel	TVS	TVS		
		Phosphorus	---	---	Nickel	---	100(T)		
		Sulfate	---	WS	Selenium	TVS	TVS		
		Sulfide	---	0.002	Silver	TVS	TVS(tr)		
					Uranium	---	---		
					Zinc	TVS	TVS		
		4a. Mainstem of the Big Thompson from the Big Barnes Ditch diversion to the Greeley-Loveland Canal diversion.							
		COSPBT04A	Classifications		Physical and Biological			Metals (ug/L)	
		Designation	Agriculture		DM	MWAT	acute		chronic
Reviewable	Aq Life Cold 1		Temperature °C	CS-II	CS-II	Aluminum	---		
	Recreation E	5/1 - 10/15		acute	chronic	Arsenic	340		
	Recreation N	10/16 - 4/30	D.O. (mg/L)	---	6.0	Beryllium	---		
	Water Supply		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)		
Qualifiers:			pH	6.5 - 9.0	---	Cadmium	5.0(T)		
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021			chlorophyll a (mg/m²)	---	---	Chromium III	50(T)		
			E. Coli (per 100 mL)	5/1 - 10/15	---	126	Chromium VI	TVS	
			E. Coli (per 100 mL)	10/16 - 4/30	---	630	Copper	TVS	
		Inorganic (mg/L)						Iron	---
					acute	chronic	Iron	---	
		Ammonia	TVS	TVS	Lead	TVS	TVS		
		Boron	---	0.75	Lead	50(T)	---		
		Chloride	---	250	Manganese	TVS	TVS		
		Chlorine	0.019	0.011	Manganese	---	WS		
		Cyanide	0.005	---	Mercury	---	0.01(t)		
		Nitrate	10	---	Molybdenum	---	150(T)		
		Nitrite	---	0.5	Nickel	TVS	TVS		
		Phosphorus	---	---	Nickel	---	100(T)		
		Sulfate	---	WS	Selenium	TVS	TVS		
		Sulfide	---	0.002	Silver	TVS	TVS(tr)		
					Uranium	---	---		
					Zinc	TVS	TVS		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Big Thompson River Basin

4b. Mainstem of the Big Thompson from the Greeley-Loveland Canal diversion to County Road 11H.						
COSPBT04B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	WS-I	WS-I	---	---	
	Recreation E 5/1 - 10/15	acute	chronic	340	0.02(T)	
	Recreation N 10/16 - 4/30	---	5.0	---	---	
	Water Supply	6.5 - 9.0	---	TVS	TVS	
Qualifiers:		chlorophyll a (mg/m <sup>2</sup> )	---	5.0(T)	---	
Other:		E. Coli (per 100 mL) 5/1 - 10/15	---	126	50(T)	TVS
Temporary Modification(s):		E. Coli (per 100 mL) 10/16 - 4/30	---	630	TVS	TVS
Arsenic(chronic) = hybrid				TVS	TVS	
Expiration Date of 12/31/2021				TVS	TVS	
Selenium(chronic) = current condition				---	WS	
Expiration Date of 12/31/2020				---	1000(T)	
		Inorganic (mg/L)		---	---	
		acute	chronic	---	---	
	Ammonia	TVS	TVS	TVS	TVS	
	Boron	---	0.75	50(T)	---	
	Chloride	---	250	TVS	TVS	
	Chlorine	0.019	0.011	---	WS	
	Cyanide	0.005	---	---	0.01(t)	
	Nitrate	10	---	---	150(T)	
	Nitrite	---	0.5	TVS	TVS	
	Phosphorus	---	---	---	100(T)	
	Sulfate	---	WS	TVS	TVS	
	Sulfide	---	0.002	TVS	TVS	
				---	---	
				TVS	TVS	

4c. Mainstem of the Big Thompson from County Road 11H to I-25.						
COSPBT04C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 2	WS-I	WS-I	---	---	
	Recreation E 5/1 - 10/15	acute	chronic	340	7.6(T)	
	Recreation N 10/16 - 4/30	---	5.0	---	---	
Qualifiers:		pH	6.5 - 9.0	---	TVS	TVS
Fish Ingestion Standards		chlorophyll a (mg/m <sup>2</sup> )	---	TVS	TVS	
Other:		E. Coli (per 100 mL) 5/1 - 10/15	---	126	---	100(T)
		E. Coli (per 100 mL) 10/16 - 4/30	---	630	TVS	TVS
				TVS	TVS	
		Inorganic (mg/L)		---	1000(T)	
		acute	chronic	---	---	
	Ammonia	TVS	TVS	TVS	TVS	
	Boron	---	0.75	---	0.01(t)	
	Chloride	---	---	---	150(T)	
	Chlorine	0.019	0.011	TVS	TVS	
	Cyanide	0.005	---	TVS	TVS	
	Nitrate	100	---	TVS	TVS	
	Nitrite	---	0.5	---	---	
	Phosphorus	---	---	TVS	TVS	
	Sulfate	---	---	---	---	
	Sulfide	---	0.002	---	---	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Big Thompson River Basin

5. Mainstem of The Big Thompson River from I-25 to the confluence with the South Platte River.						
COSPBT05	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM		MWAT	acute	chronic
Reviewable	Aq Life Warm 2	WS-I		WS-I	---	---
	Recreation N	acute		chronic	340	100(T)
	Recreation P	---		5.0	---	---
Qualifiers:		pH		6.5 - 9.0	TVS	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )		---	TVS	TVS
		E. Coli (per 100 mL)		5/1 - 10/15	---	100(T)
		E. Coli (per 100 mL)		10/16 - 4/30	TVS	TVS
				---	TVS	TVS
		Inorganic (mg/L)			---	1000(T)
		acute		chronic	TVS	TVS
		Ammonia		TVS	TVS	TVS
		Boron		---	---	0.01(t)
		Chloride		---	---	150(T)
		Chlorine		0.019	TVS	TVS
		Cyanide		0.005	TVS	TVS
		Nitrate		100	TVS	TVS
		Nitrite		---	---	---
		Phosphorus		---	TVS	TVS
		Sulfate		---	---	---
		Sulfide		---	---	0.002

6. All tributaries to the Big Thompson River, including all wetlands, from the Home Supply Canal diversion to the confluence with the South Platte River.						
COSPBT06	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM		MWAT	acute	chronic
UP	Aq Life Warm 2	WS-I		WS-I	---	---
	Recreation E	acute		chronic	340	7.6(T)
Qualifiers:		D.O. (mg/L)		---	---	---
Fish Ingestion Standards		pH		6.5 - 9.0	TVS	TVS
Other:		chlorophyll a (mg/m <sup>2</sup> )		---	TVS	TVS
		E. Coli (per 100 mL)		---	---	100(T)
		Inorganic (mg/L)			TVS	TVS
		acute		chronic	TVS	TVS
		Ammonia		TVS	---	1000(T)
		Boron		---	TVS	TVS
		Chloride		---	TVS	TVS
		Chlorine		0.019	---	0.01(t)
		Cyanide		0.005	---	150(T)
		Nitrate		100	TVS	TVS
		Nitrite		---	TVS	TVS
		Phosphorus		---	TVS	TVS
		Sulfate		---	---	---
		Sulfide		---	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Big Thompson River Basin

7. Mainstem of the North Fork of the Big Thompson River from the boundary of Rocky Mountain National Park to the confluence with the Big Thompson River; mainstem of Buckhorn Creek from the source to the confluence with the Big Thompson River.

COSPBT07	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:  Temporary Modification(s):  Arsenic(chronic) = hybrid  Expiration Date of 12/31/2021  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
		chlorophyll a (mg/m²)	---	150*	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
		acute		chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11*	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

8. Mainstem of the Little Thompson River, including all tributaries and wetlands, from the source to the Culver Ditch diversion.

COSPBT08	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
		acute		chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Big Thompson River Basin

9. Mainstem of the Little Thompson River from the Culver Ditch diversion to the confluence with the Big Thompson River.							
COSPBT09	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	
Other:  Temporary Modification(s): Selenium(chronic) = 12.3 Expiration Date of 12/31/2020  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		chlorophyll a (mg/m²)	---	150*	Cadmium	5.0(T)	
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)		Chromium VI	TVS	TVS	
		acute	chronic	Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	0.17*	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
		Selenium	TVS	TVS			
		Silver	TVS	TVS			
		Uranium	---	---			
Zinc	TVS	TVS					
10. All tributaries to the Little Thompson River, including all wetlands, from the Culver Ditch diversion to the confluence with the Big Thompson River.							
COSPBT10	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	100(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
Other:  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		pH	6.5 - 9.0	---	Cadmium	TVS	
		chlorophyll a (mg/m²)	---	150*	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)
		Inorganic (mg/L)		Chromium VI	TVS	TVS	
		acute	chronic	Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	---	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Mercury	---	0.01(t)
		Cyanide	0.005	---	Molybdenum	---	150(T)
		Nitrate	100	---	Nickel	TVS	TVS
		Nitrite	---	0.5	Selenium	TVS	TVS
		Phosphorus	---	0.17*	Silver	TVS	TVS
		Sulfate	---	---	Uranium	---	---
		Sulfide	---	0.002	Zinc	TVS	TVS

10. All tributaries to the Little Thompson River, including all wetlands, from the Culver Ditch diversion to the confluence with the Big Thompson River.						
COSPBT10	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---
		Inorganic (mg/L)			Chromium VI	TVS
			acute	chronic	Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.5	Selenium	TVS
		Phosphorus	---	0.17*	Silver	TVS
		Sulfate	---	---	Uranium	---
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Big Thompson River Basin

11. Carter Lake.									
COSPBT11	Classifications	Physical and Biological				Metals (ug/L)			
Designation	Agriculture			DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	1/1 - 3/31	CLL	CLL	Aluminum	---	---	
	Recreation E	Temperature °C	4/1 - 12/31	CLL	22.7	Arsenic	340	0.02(T)	
	Water Supply					Beryllium	---	---	
	DUWS								
Qualifiers:				acute	chronic	Cadmium	TVS(tr)	TVS	
Other:		D.O. (mg/L)		---	6.0	Cadmium	5.0(T)	---	
		D.O. (spawning)		---	7.0	Chromium III	50(T)	TVS	
		pH		6.5 - 9.0	---	Chromium VI	TVS	TVS	
		chlorophyll a (ug/L)		---	---	Copper	TVS	TVS	
		E. Coli (per 100 mL)		---	126	Iron	---	WS	
						Iron	---	1000(T)	
		Inorganic (mg/L)				Lead	TVS	TVS	
				acute	chronic	Lead	50(T)	---	
		Ammonia		TVS	TVS	Manganese	TVS	TVS	
		Boron		---	0.75	Manganese	---	WS	
		Chloride		---	250	Mercury	---	0.01(t)	
		Chlorine		0.019	0.011	Molybdenum	---	150(T)	
		Cyanide		0.005	---	Nickel	TVS	TVS	
		Nitrate		10	---	Nickel	---	100(T)	
		Nitrite		---	0.05	Selenium	TVS	TVS	
		Phosphorus		---	---	Silver	TVS	TVS(tr)	
		Sulfate		---	WS	Uranium	---	---	
		Sulfide		---	0.002	Zinc	TVS	TVS	
		12. Lake Loveland, Horseshoe Lake, Boyd Lake.							
		COSPBT12	Classifications	Physical and Biological				Metals (ug/L)	
Designation	Agriculture			DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 1	Temperature °C		WL	WL	Aluminum	---	---	
	Recreation E			acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)		---	5.0	Beryllium	---	---	
	DUWS*	pH		6.5 - 9.0	---	Cadmium	TVS	TVS	
Qualifiers:		chlorophyll a (ug/L)		---	---	Cadmium	5.0(T)	---	
Other:		E. Coli (per 100 mL)		---	126	Chromium III	50(T)	TVS	
		Inorganic (mg/L)				Chromium VI	TVS	TVS	
				acute	chronic	Copper	TVS	TVS	
		Ammonia		TVS	TVS	Iron	---	WS	
		Boron		---	0.75	Iron	---	1000(T)	
		Chloride		---	250	Lead	TVS	TVS	
		Chlorine		0.019	0.011	Lead	50(T)	---	
		Cyanide		0.005	---	Manganese	TVS	TVS	
		Nitrate		10	---	Manganese	---	WS	
		Nitrite		---	0.5	Mercury	---	0.01(t)	
		Phosphorus		---	---	Molybdenum	---	150(T)	
		Sulfate		---	WS	Nickel	TVS	TVS	
		Sulfide		---	0.002	Nickel	---	100(T)	
						Selenium	TVS	TVS	
						Silver	TVS	TVS	
						Uranium	---	---	
						Zinc	TVS	TVS	
		Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *Classification: DUWS Applies to Boyd and Loveland Lakes only.							

12. Lake Loveland, Horseshoe Lake, Boyd Lake.							
COSPBT12	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WL	WL	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
	DUWS*	pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Qualifiers:		chlorophyll a (ug/L)	---	---	Cadmium	5.0(T)	---
Other:		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *Classification: DUWS Applies to Boyd and Loveland Lakes only.		Inorganic (mg/L)			Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	---	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Big Thompson River Basin

13. Berthoud Reservoir, Johnstown Reservoir.						
COSPBT13	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
	DUWS	pH	6.5 - 9.0	---	Cadmium	TVS
Qualifiers:		chlorophyll a (ug/L)	---	---	Cadmium	5.0(T)
Water + Fish Standards		E. Coli (per 100 mL)	---	126	Chromium III	50(T)
Other:		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Iron	---
		Chloride	---	250	Lead	TVS
		Chlorine	0.019	0.011	Lead	50(T)
		Cyanide	0.005	---	Manganese	TVS
		Nitrate	10	---	Manganese	---
		Nitrite	---	0.5	Mercury	---
		Phosphorus	---	---	Molybdenum	---
		Sulfate	---	WS	Nickel	TVS
		Sulfide	---	0.002	Nickel	---
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS
						TVS
14. Welch Reservoir, Lonetree Reservoir, Boedecker Lake, Lon Hagler Reservoir.						
COSPBT14	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
	DUWS*	pH	6.5 - 9.0	---	Cadmium	TVS
Qualifiers:		chlorophyll a (ug/L)	---	---	Cadmium	5.0(T)
Other:		E. Coli (per 100 mL)	---	126	Chromium III	50(T)
*Classification: DUWS applies to Lonetree Reservoir only.		Inorganic (mg/L)		Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Iron	---
		Chloride	---	250	Lead	TVS
		Chlorine	0.019	0.011	Lead	50(T)
		Cyanide	0.005	---	Manganese	TVS
		Nitrate	10	---	Manganese	---
		Nitrite	---	0.5	Mercury	---
		Phosphorus	---	---	Molybdenum	---
		Sulfate	---	WS	Nickel	TVS
		Sulfide	---	0.002	Nickel	---
					Selenium	TVS
					Silver	TVS
					Uranium	---
					Zinc	TVS
						TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Big Thompson River Basin

15. All lakes and reservoirs tributary to the Big Thompson River within Rocky Mountain National Park.						
COSPBT15	Classifications	Physical and Biological		Metals (ug/L)		
Designation		DM	MWAT	acute	chronic	
OW	Agriculture					
	Aq Life Cold 1	CL	CL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T) ---
		chlorophyll a (ug/L)	---	---	Chromium III	50(T) TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS TVS
					Copper	TVS TVS
		Inorganic (mg/L)			Iron	---
					Iron	---
		acute	chronic		Lead	TVS TVS
		Ammonia	TVS	TVS	Lead	50(T) ---
		Boron	---	0.75	Manganese	TVS TVS
		Chloride	---	250	Manganese	---
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	10	---	Nickel	TVS TVS
		Nitrite	---	0.05	Nickel	---
		Phosphorus	---	---	Selenium	TVS TVS
		Sulfate	---	WS	Silver	TVS TVS(tr)
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS TVS
16. All lakes and reservoirs tributary to the Big Thompson River from the boundary of Rocky Mountain National Park to the Home Supply Canal diversion. This segment includes Lake Estes and St Mary's Lake.						
COSPBT16	Classifications	Physical and Biological		Metals (ug/L)		
Designation		DM	MWAT	acute	chronic	
Reviewable	Agriculture					
	Aq Life Cold 1	CL,CLL	CL,CLL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
	DUWS*	D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	5.0(T) ---
Other:		chlorophyll a (ug/L)	---	---	Chromium III	50(T) TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS TVS
					Copper	TVS TVS
		Inorganic (mg/L)			Iron	---
					Iron	---
		acute	chronic		Lead	TVS TVS
		Ammonia	TVS	TVS	Lead	50(T) ---
		Boron	---	0.75	Manganese	TVS TVS
		Chloride	---	250	Manganese	---
		Chlorine	0.019	0.011	Mercury	---
		Cyanide	0.005	---	Molybdenum	---
		Nitrate	10	---	Nickel	TVS TVS
		Nitrite	---	0.05	Nickel	---
		Phosphorus	---	---	Selenium	TVS TVS
		Sulfate	---	WS	Silver	TVS TVS(tr)
		Sulfide	---	0.002	Uranium	---
					Zinc	TVS TVS
*Classification: DUWS applies to St.Mary's Lake only.						

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Big Thompson River Basin

17. All lakes and reservoirs tributary to the Big Thompson River from the Home Supply Canal diversion to the confluence with the South Platte River, except for specific listings in Segments 12 and 14.

COSPBT17	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute chronic			
Reviewable	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Water + Fish Standards		chlorophyll a (ug/L)	---	---	Cadmium	5.0(T)	---
Other:	E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS	
	Inorganic (mg/L)			Chromium VI	TVS	TVS	
	acute chronic			Copper	TVS	TVS	
	Ammonia	TVS	TVS	Iron	---	WS	
	Boron	---	0.75	Iron	---	1000(T)	
	Chloride	---	250	Lead	TVS	TVS	
	Chlorine	0.019	0.011	Lead	50(T)	---	
	Cyanide	0.005	---	Manganese	TVS	TVS	
	Nitrate	10	---	Manganese	---	WS	
	Nitrite	---	0.5	Mercury	---	0.01(t)	
	Phosphorus	---	---	Molybdenum	---	150(T)	
	Sulfate	---	WS	Nickel	TVS	TVS	
	Sulfide	---	0.002	Nickel	---	100(T)	
				Selenium	TVS	TVS	
				Silver	TVS	TVS	
				Uranium	---	---	
				Zinc	TVS	TVS	

18. All lakes and reservoirs tributary to the Little Thompson River from the source to the Culver Ditch diversion.

COSPBT18	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
		chlorophyll a (ug/L)	---	---	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	---	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Big Thompson River Basin

19. All lakes and reservoirs tributary to the Little Thompson River from the Culver Ditch diversion to the confluence with the Big Thompson River, except for specific listings in Segments 11 and 13.

COSPBT19	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM		MWAT	acute		chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---	---	
	Recreation E	acute		chronic	Arsenic	340	0.02-10(T) <sup>A</sup>	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---	
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS	
Other:		chlorophyll a (ug/L)	---	---	Cadmium	5.0(T)	---	
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS	
		Inorganic (mg/L)			Chromium VI	TVS	TVS	
				acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	WS	
		Boron	---	0.75	Iron	---	1000(T)	
		Chloride	---	250	Lead	TVS	TVS	
		Chlorine	0.019	0.011	Lead	50(T)	---	
		Cyanide	0.005	---	Manganese	TVS	TVS	
		Nitrate	10	---	Manganese	---	WS	
		Nitrite	---	0.5	Mercury	---	0.01(t)	
		Phosphorus	---	---	Molybdenum	---	150(T)	
		Sulfate	---	WS	Nickel	TVS	TVS	
		Sulfide	---	0.002	Nickel	---	100(T)	
					Selenium	TVS	TVS	
					Silver	TVS	TVS	
					Uranium	---	---	
					Zinc	TVS	TVS	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cache La Poudre River Basin

1. Mainstem of the Cache La Poudre River, and all tributaries and wetlands, within Rocky Mountain National Park and the Rawah, Neota, Comanche Peak, and Cache La Poudre Wilderness Areas.						
COSPCP01	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Expiration Date of 12/31/2021					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Lead	50(T)
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.11	Nickel	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS
2a. Mainstem of the Cache La Poudre River, including all tributaries and wetlands, from the boundaries of Rocky Mountain National Park and the Rawah, Neota, Comanche Peak, and Cache La Poudre Wilderness Areas to a point immediately below the confluence with the South Fork Cache La Poudre River.						
COSPCP02A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)
Temporary Modification(s):		chlorophyll a (mg/m²)	---	150*	Chromium III	50(T)
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Expiration Date of 12/31/2021					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Lead	50(T)
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.11*	Nickel	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cache La Poudre River Basin

2b. Mainstem of the Cache La Poudre River, including all tributaries and wetlands, from a point immediately below the confluence with the South Fork Cache La Poudre River to the Munroe Gravity Canal Headgate (also known as the North Poudre Supply Canal diversion).

COSPCP02B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	Cadmium	5.0(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	150	Chromium III	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	126	Chromium VI	TVS
Expiration Date of 12/31/2021				Copper	TVS
		Inorganic (mg/L)		Iron	WS
		acute	chronic	Iron	1000(T)
		Ammonia	TVS	Lead	TVS
		Boron	0.75	Lead	50(T)
		Chloride	250	Manganese	TVS
		Chlorine	0.019	Manganese	WS
		Cyanide	0.005	Mercury	0.01(t)
		Nitrate	10	Molybdenum	150(T)
		Nitrite	0.05	Nickel	TVS
		Phosphorus	0.11	Nickel	100(T)
		Sulfate	WS	Selenium	TVS
		Sulfide	0.002	Silver	TVS(tr)
				Uranium	---
				Zinc	TVS

3. Deleted.					
COSPCP03	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
Qualifiers:		acute	chronic		
Other:		Inorganic (mg/L)			
		acute	chronic		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cache La Poudre River Basin

4. Deleted.				
<b>COSPCP04</b>	<b>Classifications</b>	<b>Physical and Biological</b>		<b>Metals (ug/L)</b>
<b>Designation</b>		<b>DM</b>	<b>MWAT</b>	<b>acute      chronic</b>
<b>Qualifiers:</b>		<b>acute</b>	<b>chronic</b>	
<b>Other:</b>				
		<b>Inorganic (mg/L)</b>		
		<b>acute</b>	<b>chronic</b>	

5. Deleted.				
<b>COSPCP05</b>	<b>Classifications</b>	<b>Physical and Biological</b>		<b>Metals (ug/L)</b>
<b>Designation</b>		<b>DM</b>	<b>MWAT</b>	<b>acute      chronic</b>
<b>Qualifiers:</b>		<b>acute</b>	<b>chronic</b>	
<b>Other:</b>				
		<b>Inorganic (mg/L)</b>		
		<b>acute</b>	<b>chronic</b>	

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cache La Poudre River Basin

6. Mainstem of the North Fork of the Cache La Poudre River, including all tributaries and wetlands, from the source to the inlet of Halligan Reservoir.						
COSPCP06	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	50(T)
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Expiration Date of 12/31/2021					Copper	TVS
		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Lead	50(T)
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.11	Nickel	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS

7. Mainstem of the North Fork of the Cache La Poudre River from the inlet of Halligan Reservoir to the confluence with the Cache La Poudre River, except for specific listings in Segment 20.						
COSPCP07	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Lead	50(T)
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	---	Nickel	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cache La Poudre River Basin

8. All tributaries to the North Fork of the Cache La Poudre River, including all wetlands, from the inlet of Halligan Reservoir to the confluence with the Cache La Poudre River, except for specific listings in Segment 9.

COSPCP08	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation E	acute	chronic		Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
<b>Qualifiers:</b>		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
<b>Water + Fish Standards</b>		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)	TVS
<b>Other:</b>  Temporary Modification(s):  Arsenic(chronic) = hybrid  Expiration Date of 12/31/2021  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		<b>Inorganic (mg/L)</b>			Iron	---	WS
			<b>acute</b>	<b>chronic</b>	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11*	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

9. Mainstem of Rabbit Creek and Lone Pine Creek from the source to the confluence with the North Fork of the Cache La Poudre River.

COSPCP09	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute chronic			
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
<b>Other:</b>  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)		Iron	---	WS	
			acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11*	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
			Zinc	TVS	TVS		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cache La Poudre River Basin

10a. Mainstem of the Cache La Poudre River from the Munroe Gravity Canal Headgate (also known as the North Poudre Supply Canal diversion) to a point immediately above the Larimer County Ditch diversion (40.657, -105.185).

COSPCP10A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
Temporary Modification(s):		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)	TVS
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2021					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	---	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

10b. Mainstem of the Cache La Poudre River from a point immediately above the Larimer County Ditch diversion (40.657, -105.185) to Shields Street in Ft. Collins, Colorado.

COSPCP10B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute		chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum	---	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Water + Fish Standards		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
Other:		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)	TVS
Temporary Modification(s):		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid					Copper	TVS	TVS
Expiration Date of 12/31/2021		Inorganic (mg/L)			Iron	---	WS
		acute	chronic	Iron	---	1000(T)	
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	---	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cache La Poudre River Basin

11. Mainstem of the Cache La Poudre River from Shields Street in Ft. Collins to a point immediately above the confluence with Boxelder Creek.						
COSPCP11	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-I	WS-I	Aluminum	---
	Recreation E					
		acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
temperature(DM/MWAT) = current	12/1 - 2/29	E. Coli (per 100 mL)	---	126	Chromium III	---
condition					Chromium VI	TVS
Expiration Date of 12/31/2020		Inorganic (mg/L)			Copper	TVS
		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Manganese	TVS
		Chloride	---	---	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	100	---	Selenium	TVS
		Nitrite	---	2.7	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	---	Zinc	TVS
		Sulfide	---	0.002		

12. Mainstem of the Cache La Poudre River from a point immediately above the confluence with Boxelder Creek to the confluence with the South Platte River.						
COSPCP12	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-I	WS-I	Aluminum	---
	Recreation E					
		acute	chronic		Arsenic	340
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	TVS
temperature(DM/MWAT) = current		E. Coli (per 100 mL)	---	126	Chromium III	---
condition					Chromium VI	TVS
Expiration Date of 12/31/2020		Inorganic (mg/L)			Copper	TVS
		acute	chronic		Iron	---
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Manganese	TVS
		Chloride	---	---	Mercury	---
		Chlorine	0.019	0.011	Molybdenum	---
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	100	---	Selenium	TVS
		Nitrite	---	2.7	Silver	TVS
		Phosphorus	---	---	Uranium	---
		Sulfate	---	---	Zinc	TVS
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cache La Poudre River Basin

13a. All tributaries to the Cache La Poudre River, including all wetlands, from the Munroe Gravity Canal/North Poudre Supply canal diversion to the confluence with the South Platte River, except for specific listings in Segments 6, 7, 8, 13b and 13c.

COSPCP13A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WS-I	WS-I	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
<b>Other:</b>  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		chlorophyll a (mg/m²)	---	150*	Cadmium	5.0(T)	---
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	0.17*	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

13b. Mainstem of Boxelder Creek from its source to the confluence with the Cache La Poudre River.

COSPCP13B	Classifications		Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM		MWAT	acute		chronic	
Reviewable	Aq Life Warm 2		Temperature °C	WS-II	WS-II	Aluminum	---	---	
	Recreation N	9/16 - 5/14	acute		chronic	Arsenic	340	100(T)	
	Recreation P	5/15 - 9/15	D.O. (mg/L)		---	5.0	Beryllium	---	---
Qualifiers:			pH	6.5 - 9.0	---	Cadmium	TVS	TVS	
Other:			chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	TVS	TVS	
Temporary Modification(s):			E. Coli (per 100 mL)	5/15 - 9/15	---	205	Chromium III	---	100(T)
Selenium(chronic) = current condition			E. Coli (per 100 mL)	9/16 - 5/14	---	630	Chromium VI	TVS	TVS
Expiration Date of 12/31/2020						Copper	TVS	TVS	
			Inorganic (mg/L)			Iron	---	1000(T)	
			acute		chronic	Lead	TVS	TVS	
			Ammonia	TVS	TVS	Manganese	TVS	TVS	
			Boron	---	0.75	Mercury	---	0.01(t)	
			Chloride	---	---	Molybdenum	---	150(T)	
			Chlorine	0.019	0.011	Nickel	TVS	TVS	
			Cyanide	0.005	---	Selenium	TVS	TVS	
			Nitrate	100	---	Silver	TVS	TVS	
			Nitrite	---	0.5	Uranium	---	---	
			Phosphorus	---	0.17*	Zinc	TVS	TVS	
			Sulfate	---	---				
			Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cache La Poudre River Basin

13c. Mainstems of South Branch of Boxelder Creek, North Branch of Boxelder Creek, and Sand Creek from their sources to their confluences with the mainstem of Boxelder Creek.								
COSPCP13C	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum	---	---	
	Recreation E		acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS	
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---	
		chlorophyll a (mg/m²)	---	150	Chromium III	50(T)	TVS	
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
					Copper	TVS	TVS	
		Inorganic (mg/L)			Iron	---	WS	
		acute	chronic	Iron	---	1000(T)		
		Ammonia	TVS	TVS	Lead	TVS	TVS	
		Boron	---	0.75	Lead	50(T)	---	
		Chloride	---	250	Manganese	TVS	TVS	
		Chlorine	0.019	0.011	Manganese	---	WS	
		Cyanide	0.005	---	Mercury	---	0.01(t)	
		Nitrate	10	---	Molybdenum	---	150(T)	
		Nitrite	---	0.05	Nickel	TVS	TVS	
		Phosphorus	---	0.11	Nickel	---	100(T)	
		Sulfate	---	WS	Selenium	TVS	TVS	
		Sulfide	---	0.002	Silver	TVS	TVS(tr)	
					Uranium	---	---	
					Zinc	TVS	TVS	
		14. Horsetooth Reservoir.						
		COSPCP14	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	1/1 - 3/31	CLL	CLL	Aluminum	---	---
	Recreation E	Temperature °C	4/1 - 12/31	CLL	22.8 <sup>B</sup>	Arsenic	340	0.02(T)
	Water Supply					Beryllium	---	---
	DUWS		acute	chronic	Cadmium	TVS(tr)	TVS	
Qualifiers:		D.O. (mg/L)	---	6.0	Cadmium	5.0(T)	---	
Other:		D.O. (spawning)	---	7.0	Chromium III	50(T)	TVS	
		pH	6.5 - 9.0	---	Chromium VI	TVS	TVS	
		chlorophyll a (ug/L)	---	---	Copper	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Iron	---	WS	
					Iron	---	1000(T)	
		Inorganic (mg/L)			Lead	TVS	TVS	
		acute	chronic	Lead	50(T)	---		
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese	---	WS	
		Chloride	---	250	Mercury	---	0.01(t)	
		Chlorine	0.019	0.011	Molybdenum	---	150(T)	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	10	---	Nickel	---	100(T)	
		Nitrite	---	0.05	Selenium	TVS	TVS	
		Phosphorus	---	---	Silver	TVS	TVS(tr)	
		Sulfate	---	WS	Uranium	---	---	
		Sulfide	---	0.002	Zinc	TVS	TVS	

14. Horsetooth Reservoir.

COSPCP14	Classifications	Physical and Biological				Metals (ug/L)			
Designation	Agriculture	DM		MWAT	acute		chronic		
Reviewable	Aq Life Cold 1	Temperature °C	1/1 - 3/31	CLL	CLL	Aluminum	---	---	
	Recreation E	Temperature °C	4/1 - 12/31	CLL	22.8 <sup>B</sup>	Arsenic	340	0.02(T)	
	Water Supply				Beryllium	---	---		
	DUWS				Cadmium	TVS(tr)	TVS		
Qualifiers:					acute	chronic	Cadmium	TVS(tr)	TVS
Other:		D.O. (mg/L)		---	6.0	Cadmium	5.0(T)	---	
		D.O. (spawning)		---	7.0	Chromium III	50(T)	TVS	
		pH		6.5 - 9.0	---	Chromium VI	TVS	TVS	
		chlorophyll a (ug/L)		---	---	Copper	TVS	TVS	
		E. Coli (per 100 mL)		---	126	Iron	---	WS	
							Iron	---	1000(T)
				Inorganic (mg/L)			Lead	TVS	TVS
							Lead	50(T)	---
				acute	chronic	Manganese	TVS	TVS	
		Ammonia		TVS	TVS	Manganese	---	WS	
		Boron		---	0.75	Mercury	---	0.01(t)	
		Chloride		---	250	Molybdenum	---	150(T)	
		Chlorine		0.019	0.011	Nickel	TVS	TVS	
		Cyanide		0.005	---	Nickel	---	100(T)	
		Nitrate		10	---	Selenium	TVS	TVS	
		Nitrite		---	0.05	Silver	TVS	TVS(tr)	
		Phosphorus		---	---	Uranium	---	---	
		Sulfate		---	WS	Zinc	TVS	TVS	
		Sulfide		---	0.002				

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cache La Poudre River Basin

15. Watson Lake.					
COSPCP15	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	---	6.0	Beryllium	0.02(T)
Qualifiers:		D.O. (mg/L)	---	Cadmium	TVS(tr)
Other:		D.O. (spawning)	---	Cadmium	TVS
		pH	6.5 - 9.0	Cadmium	5.0(T)
		chlorophyll a (ug/L)	---	Chromium III	---
		E. Coli (per 100 mL)	---	Chromium III	TVS
			126	Chromium VI	TVS
				Copper	TVS
				Iron	TVS
				Iron	---
				Iron	WS
				Iron	---
				Iron	1000(T)
				Lead	TVS
				Lead	TVS
				Lead	50(T)
				Lead	---
				Manganese	---
				Manganese	TVS
				Manganese	WS
				Manganese	TVS
				Mercury	---
				Mercury	0.01(t)
				Molybdenum	---
				Molybdenum	150(T)
				Nickel	---
				Nickel	TVS
				Nickel	TVS
				Nickel	---
				Nickel	100(T)
				Selenium	---
				Selenium	TVS
				Selenium	TVS
				Silver	TVS
				Silver	TVS(tr)
				Uranium	---
				Uranium	---
				Zinc	---
				Zinc	TVS
				Zinc	TVS

16. Reservoir #4 (T 9 N, R 68 W), Water Supply Reservoir #3 (T 8 N, R 68 W), Claymore Lake, College Lake, Dixon Reservoir, Robert Benson Lake, Black Hollow Reservoir, Seeley Lake.

COSPCP16	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Warm 1	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
Qualifiers:		D.O. (mg/L)	---	Beryllium	7.6(T)
Other:		pH	6.5 - 9.0	Beryllium	---
		chlorophyll a (ug/L)	---	Cadmium	TVS
		E. Coli (per 100 mL)	---	Cadmium	TVS
			126	Chromium III	TVS
				Chromium III	TVS
				Chromium III	---
				Chromium III	100(T)
				Chromium VI	---
				Chromium VI	TVS
				Chromium VI	TVS
				Copper	TVS
				Copper	TVS
				Iron	---
				Iron	1000(T)
				Lead	---
				Lead	TVS
				Lead	TVS
				Manganese	---
				Manganese	TVS
				Manganese	TVS
				Mercury	---
				Mercury	0.01(t)
				Molybdenum	---
				Molybdenum	150(T)
				Nickel	---
				Nickel	TVS
				Nickel	TVS
				Selenium	---
				Selenium	TVS
				Selenium	TVS
				Silver	---
				Silver	TVS
				Silver	TVS
				Uranium	---
				Uranium	---
				Zinc	---
				Zinc	TVS
				Zinc	TVS

\*chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.  
 \*Phosphorus(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 38.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cache La Poudre River Basin

17. All lakes and reservoirs tributary to the Cache La Poudre River within Rocky Mountain National Park and the Rawah, Neota, Comanche Peak, and Cache La Poudre Wilderness Areas.

COSPCP17	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute		chronic
OW	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)
		chlorophyll a (ug/L)	---	---	Chromium III	50(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
				Copper	TVS	
		Inorganic (mg/L)		Iron	---	
		acute		chronic	Iron	---
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Lead	50(T)
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	---	Nickel	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
				Uranium	---	
				Zinc	TVS	

18. All lakes and reservoirs tributary to the Cache La Poudre River from the boundaries of Rocky Mountain National Park, and the Rawah, Neota, Comanche Peak, and Cache La Poudre Wilderness Areas to the Munroe Gravity Canal/North Poudre Supply canal diversion.

COSPCP18	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CL,CLL	CL,CLL	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
		chlorophyll a (ug/L)	---	8*	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.025*	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cache La Poudre River Basin

19. All lakes and reservoirs tributary to the North Fork of the Cache La Poudre River from the source to the inlet of Halligan Reservoir.

COSPCP19	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	TVS
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	---
		chlorophyll a (ug/L)	---	8*	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.025*	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
					Zinc	TVS	TVS

20. All lakes and reservoirs tributary to the North Fork of the Cache La Poudre River from the inlet of Halligan Reservoir to the confluence with the Cache La Poudre River. This segment includes Halligan Reservoir and Seaman Reservoir.

COSPCP20	Classifications	Physical and Biological				Metals (ug/L)			
Designation	Agriculture	DM		MWAT		acute		chronic	
Reviewable	Aq Life Cold 2	Temperature °C	1/1 - 3/31	CL,CLL	CL,CLL	Aluminum	---	---	
	Recreation E	Temperature °C	4/1 - 12/31	CLL *	22.5*	Arsenic	340	0.02(T)	
	Water Supply					Beryllium	---	---	
Qualifiers:									
Water + Fish Standards									
Other:  *chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Temperature(4/1 - 12/31) = Seaman Reservoir									

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Cache La Poudre River Basin

21. All lakes and reservoirs tributary to the Cache La Poudre River from the Munroe Gravity Canal/North Poudre Supply canal diversion to the confluence with the South Platte River, except for specific listings in Segments 14, 15, 16, 19, 20 and 22.

COSPCP21	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---	---
	Recreation E		acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	---
	DUWS*	pH	6.5 - 9.0	---	Cadmium	TVS	TVS
Qualifiers:		chlorophyll a (ug/L)	---	20*	Cadmium	5.0(T)	---
<b>Other:</b>  *chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Classification: DUWS applies to North Poudre Reservoir No. 3 only. *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	TVS
		Inorganic (mg/L)			Chromium VI	TVS	TVS
			acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	0.083*	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS

22. Fossil Creek Reservoir.

COSPCP22	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
UP	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---	---
	Recreation E	acute		chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	TVS
		chlorophyll a (ug/L)	---	---	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute		chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	---	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Mercury	---	0.01(t)
		Cyanide	0.005	---	Molybdenum	---	150(T)
		Nitrate	100	---	Nickel	TVS	TVS
		Nitrite	---	0.5	Selenium	TVS	TVS
		Phosphorus	---	---	Silver	TVS	TVS
		Sulfate	---	---	Uranium	---	---
		Sulfide	---	0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Laramie River Basin

1. All tributaries to the Laramie River, including all wetlands, which are within the Rawah Wilderness Area.						
COSPLA01	Classifications	Physical and Biological		Metals (ug/L)		
Designation		DM	MWAT	acute	chronic	
OW	Agriculture					
	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---	---
	Recreation E					
	Water Supply	acute	chronic	Arsenic	340	0.02(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS
Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Cadmium	5.0(T) ---
		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T) TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS TVS
					Copper	TVS TVS
		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS TVS
		Boron	---	0.75	Lead	50(T) ---
		Chloride	---	250	Manganese	TVS TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS TVS
		Phosphorus	---	---	Nickel	---
		Sulfate	---	WS	Selenium	TVS TVS
		Sulfide	---	0.002	Silver	TVS TVS(tr)
					Uranium	---
					Zinc	TVS TVS

2a. Mainstem of the Laramie River from the source to the National Forest boundary, and all tributaries and wetlands, from the source to the Colorado/Wyoming border, except for specific listings in Segment 1.

COSPLA02A	Classifications	Physical and Biological		Metals (ug/L)		
Designation		DM	MWAT	acute	chronic	
Reviewable	Agriculture					
	Aq Life Cold 1	Temperature °C	CS-I CS-I	Aluminum	---	---
	Recreation E					
	Water Supply	acute	chronic	Arsenic	340	0.02(T)
Qualifiers:		D.O. (mg/L)	---	6.0	Beryllium	---
Other:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr) TVS
Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		pH	6.5 - 9.0	---	Cadmium	5.0(T) ---
		chlorophyll a (mg/m <sup>2</sup> )	---	150	Chromium III	50(T) TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS TVS
					Copper	TVS TVS
		Inorganic (mg/L)		Iron	---	WS
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS TVS
		Boron	---	0.75	Lead	50(T) ---
		Chloride	---	250	Manganese	TVS TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS TVS
		Phosphorus	---	0.11	Nickel	---
		Sulfate	---	WS	Selenium	TVS TVS
		Sulfide	---	0.002	Silver	TVS TVS(tr)
					Uranium	---
					Zinc	TVS TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Laramie River Basin

2b. Mainstem of the Laramie River from the National Forest boundary to the Colorado/Wyoming border.						
COSPLA02B	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)
Temporary Modification(s):		chlorophyll a (mg/m <sup>2</sup> )	---	---	Chromium III	50(T)
Arsenic(chronic) = hybrid		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
Expiration Date of 12/31/2021					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Lead	50(T)
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	---	Nickel	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS

3. All lakes and reservoirs tributary to the Laramie River within the Rawah Wilderness Area.						
COSPLA03	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)
Other:		pH	6.5 - 9.0	---	Cadmium	5.0(T)
*chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	---	8*	Chromium III	50(T)
*Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		E. Coli (per 100 mL)	---	126	Chromium VI	TVS
					Copper	TVS
		Inorganic (mg/L)			Iron	---
		acute	chronic	Iron	---	1000(T)
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Lead	50(T)
		Chloride	---	250	Manganese	TVS
		Chlorine	0.019	0.011	Manganese	---
		Cyanide	0.005	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	0.025*	Nickel	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	---
					Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Laramie River Basin

4. All lakes and reservoirs tributary to the Laramie River from the source to the Colorado/Wyoming border, except for specific listings in Segment 3.					
COSPLA04	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	---	6.0	Beryllium	0.02(T)
		D.O. (mg/L)	---	Cadmium	---
Qualifiers:		D.O. (spawning)	---	Cadmium	TVS(tr)
Other:  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	Cadmium	5.0(T)
		chlorophyll a (ug/L)	---	Chromium III	---
		E. Coli (per 100 mL)	---	Chromium VI	TVS
			126	Chromium VI	TVS
				Copper	TVS
				Iron	TVS
				Iron	WS
				Iron	---
				Lead	1000(T)
				Lead	TVS
				Lead	TVS
				Lead	50(T)
				Manganese	---
				Manganese	TVS
				Manganese	WS
				Mercury	---
				Mercury	0.01(t)
				Molybdenum	---
				Molybdenum	150(T)
				Nickel	TVS
				Nickel	TVS
				Nickel	---
				Nickel	100(T)
				Selenium	TVS
				Selenium	TVS
				Silver	TVS
				Silver	TVS(tr)
				Uranium	---
				Uranium	---
				Zinc	TVS
				Zinc	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower South Platte River Basin

1. Mainstem of the South Platte River from the Weld/Morgan County line to the Colorado/Nebraska border.							
COSPLS01	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS	
Water + Fish Standards		chlorophyll a (mg/m²)	---	---	Cadmium	5.0(T)	
Other:		E. Coli (per 100 mL)	---	126	Chromium III	50(T)	
Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021		Inorganic (mg/L)		Chromium VI	TVS	TVS	
		acute	chronic	Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron	---	1000(T)
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead	50(T)	---
		Cyanide	0.005	---	Manganese	TVS	TVS
		Nitrate	10	---	Manganese	---	WS
		Nitrite	---	0.5	Mercury	---	0.01(t)
		Phosphorus	---	---	Molybdenum	---	150(T)
		Sulfate	---	WS	Nickel	TVS	TVS
		Sulfide	---	0.002	Nickel	---	100(T)
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	---	---
					Zinc	TVS	TVS
2a. All tributaries to the South Platte River, including all wetlands, from the Weld/Morgan County line to the Colorado/Nebraska border, except for the specific listings in Segment 2b.							
COSPLS02A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	
	Recreation P	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>	
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	
*chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		chlorophyll a (mg/m²)	---	150*	Chromium III	50(T)	
		E. Coli (per 100 mL)	---	205	Chromium VI	50(T)	100(T)
		Inorganic (mg/L)		Copper	---	200(T)	
		acute	chronic	Iron	---	WS	
		Ammonia	---	---	Lead	50(T)	100(T)
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	---
		Chlorine	---	---	Molybdenum	---	150(T)
		Cyanide	0.2	---	Nickel	---	100(T)
		Nitrate	10	---	Selenium	---	20(T)
		Nitrite	---	1.0	Silver	100(T)	---
		Phosphorus	---	0.17*	Uranium	---	---
		Sulfate	---	WS	Zinc	---	2000(T)
		Sulfide	---	0.05			

2a. All tributaries to the South Platte River, including all wetlands, from the Weld/Morgan County line to the Colorado/Nebraska border, except for the specific listings in Segment 2b.

COSPLS02A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Aluminum	---	---
	Recreation P	acute	chronic		Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---	4.0(T)
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	5.0(T)	10(T)
Other:  *chlorophyll a (mg/m <sup>2</sup> )(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		chlorophyll a (mg/m <sup>2</sup> )	---	150*	Chromium III	50(T)	100(T)
		E. Coli (per 100 mL)	---	205	Chromium VI	50(T)	100(T)
		Inorganic (mg/L)			Copper	---	200(T)
			acute	chronic	Iron	---	WS
		Ammonia	---	---	Lead	50(T)	100(T)
		Boron	---	0.75	Manganese	---	WS
		Chloride	---	250	Mercury	---	---
		Chlorine	---	---	Molybdenum	---	150(T)
		Cyanide	0.2	---	Nickel	---	100(T)
		Nitrate	10	---	Selenium	---	20(T)
		Nitrite	---	1.0	Silver	100(T)	---
		Phosphorus	---	0.17*	Uranium	---	---
		Sulfate	---	WS	Zinc	---	2000(T)
Sulfide	---	0.05					

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower South Platte River Basin

2b. All tributaries to the South Platte River, including all wetlands, north of the South Platte River and below 4,500 feet in elevation in Morgan County, north of the South Platte River in Washington County, north of the South Platte River and below 4,200 feet in elevation in Logan County, north of the South Platte River and below 3,700 feet in elevation in Sedgwick County, and the mainstems of Beaver Creek, Bijou Creek and Kiowa Creek from their sources to the confluence with the South Platte River, except for the portion of Beaver Creek from its source to the Fort Morgan Canal.

COSPLS02B	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture Aq Life Warm 2 Recreation E	DM		MWAT	acute		chronic	
UP		Temperature °C	WS-II	WS-II	Aluminum	---	---	
		acute	chronic	Arsenic	340	100(T)		
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	---	
<b>Other:</b>  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		pH	6.5 - 9.0	---	Cadmium	TVS	TVS	
		chlorophyll a (mg/m²)	---	150*	Chromium III	TVS	TVS	
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)	
		Inorganic (mg/L)			Chromium VI	TVS	TVS	
				acute	chronic	Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	1000(T)	
		Boron	---	0.75	Lead	TVS	TVS	
		Chloride	---	---	Manganese	TVS	TVS	
		Chlorine	0.019	0.011	Mercury	---	0.01(t)	
		Cyanide	0.005	---	Molybdenum	---	150(T)	
		Nitrate	100	---	Nickel	TVS	TVS	
		Nitrite	---	0.5	Selenium	TVS	TVS	
		Phosphorus	---	0.17*	Silver	TVS	TVS	
		Sulfate	---	---	Uranium	---	---	
		Sulfide	---	0.002	Zinc	TVS	TVS	

3. Jackson Reservoir, Prewitt Reservoir, North Sterling Reservoir, Jumbo (Julesburg), Riverside Reservoir, Empire Reservoir, and Vancil Reservoir.

COSPLS03	Classifications	Physical and Biological				Metals (ug/L)				
Designation	Agriculture			DM	MWAT	acute		chronic		
UP	Aq Life Warm 1	Temperature °C		WL	WL	Aluminum	---	---		
	Recreation E	Temperature °C	4/1 - 12/31	WL*	26.1*	Arsenic	340	0.02(T)		
	Water Supply	Temperature °C	4/1 - 12/31	WL*	27*	Beryllium	---	---		
Qualifiers:		Temperature °C	4/1 - 12/31	WL*	28.1*	Cadmium	TVS	TVS		
<b>Other:</b>  *chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Temperature(4/1 - 12/31) = North Sterling Res. (MWAT=26.1) *Temperature(4/1 - 12/31) = Jumbo Reservoir (MWAT=27) *Temperature(4/1 - 12/31) = Jackson Reservoir (MWAT=28.1)						Cadmium	5.0(T)	---		
				acute	chronic	Chromium III	50(T)	TVS		
		D.O. (mg/L)				---	5.0	Chromium VI	TVS	TVS
		pH				6.5 - 9.0	---	Copper	TVS	TVS
		chlorophyll a (ug/L)				---	20*	Iron	---	WS
		E. Coli (per 100 mL)				---	126	Iron	---	1000(T)
		Inorganic (mg/L)					Lead	TVS	TVS	
				acute	chronic	Lead	50(T)	---		
		Ammonia				TVS	TVS	Manganese	TVS	TVS
		Boron				---	0.75	Manganese	---	WS
		Chloride				---	250	Mercury	---	0.01(t)
		Chlorine				0.019	0.011	Molybdenum	---	150(T)
		Cyanide				0.005	---	Nickel	TVS	TVS
		Nitrate				10	---	Nickel	---	100(T)
		Nitrite				---	0.5	Selenium	TVS	TVS
		Phosphorus				---	0.083*	Silver	TVS	TVS
		Sulfate				---	WS	Uranium	---	---
		Sulfide				---	0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.



# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Lower South Platte River Basin

4. All lakes and reservoirs tributary to the South Platte River from the Weld/Morgan County line to the Colorado/Nebraska border, except for specific listings in Segments 3 and 5.							
COSPLS04	Classifications	Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 2	Temperature °C	WL WL	Aluminum	--- ---		
	Recreation P	acute	chronic	Arsenic	340 0.02-10(T) <sup>A</sup>		
	Water Supply	D.O. (mg/L)	--- 5.0	Beryllium	--- 4.0(T)		
Qualifiers:		pH	6.5 - 9.0 ---	Cadmium	5.0(T) 10(T)		
Other:  *chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	--- 20*	Chromium III	50(T) 100(T)		
		E. Coli (per 100 mL)	--- 205	Chromium VI	50(T) 100(T)		
		Inorganic (mg/L)		Copper	--- 200(T)		
			acute	chronic	Iron	--- WS	
		Ammonia	--- ---	Iron	--- 1000(T)		
		Boron	--- 0.75	Lead	50(T) 100(T)		
		Chloride	--- 250	Manganese	TVS TVS		
		Chlorine	--- ---	Manganese	--- WS		
		Cyanide	0.2 ---	Mercury	--- 0.01(t)		
		Nitrate	10 ---	Molybdenum	--- 150(T)		
		Nitrite	--- 0.5	Nickel	--- 100(T)		
		Phosphorus	--- 0.083*	Selenium	--- 20(T)		
		Sulfate	--- WS	Silver	100(T) ---		
		Sulfide	--- 0.002	Uranium	--- ---		
				Zinc	--- 2000(T)		
		5. All lakes and reservoirs tributary to the South Platte River north of the South Platte River and below 4,500 feet in elevation in Morgan County, north of the South Platte River in Washington County, north of the South Platte River and below 4,200 feet in elevation in Logan County, north of the South Platte River and below 3,700 feet in elevation in Sedgwick County, and the mainstems of Beaver Creek, Bijou Creek and Kiowa Creek from their sources to the confluence with the South Platte River, except for those specific listings in Segment 3.					
		COSPLS05	Classifications	Physical and Biological		Metals (ug/L)	
		Designation	Agriculture	DM	MWAT	acute	chronic
		Reviewable	Aq Life Warm 2	Temperature °C	WL WL	Aluminum	--- ---
			Recreation E	acute	chronic	Arsenic	340 0.02-10(T) <sup>A</sup>
			Water Supply	D.O. (mg/L)	--- 5.0	Beryllium	--- ---
Qualifiers:		pH	6.5 - 9.0 ---	Cadmium	TVS TVS		
Other:  *chlorophyll a (ug/L)(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4), applies only to lakes and reservoirs larger than 25 acres surface area.		chlorophyll a (ug/L)	--- 20*	Cadmium	5.0(T) ---		
		E. Coli (per 100 mL)	--- 126	Chromium III	50(T) TVS		
		Inorganic (mg/L)		Chromium VI	TVS TVS		
			acute	chronic	Copper	TVS TVS	
		Ammonia	TVS TVS	Iron	--- WS		
		Boron	--- 0.75	Iron	--- 1000(T)		
		Chloride	--- 250	Lead	TVS TVS		
		Chlorine	0.019 0.011	Lead	50(T) ---		
		Cyanide	0.005 ---	Manganese	TVS TVS		
		Nitrate	10 ---	Manganese	--- WS		
		Nitrite	--- 0.5	Mercury	--- 0.01(t)		
		Phosphorus	--- 0.083*	Molybdenum	--- 150(T)		
		Sulfate	--- WS	Nickel	TVS TVS		
		Sulfide	--- 0.002	Nickel	--- 100(T)		
				Selenium	TVS TVS		
				Silver	TVS TVS		
				Uranium	--- ---		
				Zinc	TVS TVS		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Republican River Basin

1. Mainstem of the South Fork of the Republican River from a point 23 miles above the Colorado-Kansas border (39.582154°, -102.350838°) to the Colorado-Kansas border.						
COSPRED01	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-I	WS-I	Aluminum	---
	Recreation E		acute	chronic	Arsenic	340
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m²)	---	---	Cadmium	5.0(T)
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)
		Inorganic (mg/L)		Chromium VI	TVS	
			acute	chronic	Copper	TVS
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Iron	---
		Chloride	---	250	Lead	TVS
		Chlorine	0.019	0.011	Lead	50(T)
		Cyanide	0.005	---	Manganese	TVS
		Nitrate	10	---	Manganese	---
		Nitrite	---	0.5	Mercury	---
		Phosphorus	---	---	Molybdenum	---
		Sulfate	---	WS	Nickel	TVS
		Sulfide	---	0.002	Nickel	---
					Selenium	TVS
					Silver	TVS
					Uranium	---
			Zinc	TVS		
2. Deleted.						
COSPRED02	Classifications	Physical and Biological			Metals (ug/L)	
Designation			DM	MWAT	acute	chronic
Qualifiers:			acute	chronic		
Other:						
		Inorganic (mg/L)				
			acute	chronic		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

## REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

### Republican River Basin

3. Mainstem of the North Fork of the Republican River from the source to the Colorado/Nebraska border and the mainstem of Chief Creek.							
COSPRE03	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	0.02(T)	
	Water Supply	D.O. (mg/L)	---	6.0	Beryllium	---	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS(tr)	
Other:  Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2021  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		pH	6.5 - 9.0	---	Cadmium	5.0(T)	
		chlorophyll a (mg/m²)	---	150*	Chromium III	50(T)	TVS
		E. Coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
		acute	chronic	Iron	---	1000(T)	
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead	50(T)	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese	---	WS
		Cyanide	0.005	---	Mercury	---	0.01(t)
		Nitrate	10	---	Molybdenum	---	150(T)
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	0.11*	Nickel	---	100(T)
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	---	---
			Zinc	TVS	TVS		
4. Mainstem of the Arikaree River from the confluence of the North and South Forks to the Colorado/Kansas border.							
COSPRE04	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 1	Temperature °C	WS-I	WS-I	Aluminum	---	
	Recreation E	acute	chronic	Arsenic	340	7.6(T)	
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---	
Other:		pH	6.5 - 9.0	---	Cadmium	TVS	
		chlorophyll a (mg/m²)	---	150	Chromium III	TVS	TVS
		E. Coli (per 100 mL)	---	126	Chromium III	---	100(T)
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute	chronic	Copper	TVS	TVS	
		Ammonia	TVS	TVS	Iron	---	1000(T)
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	---	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Mercury	---	0.01(t)
		Cyanide	0.005	---	Molybdenum	---	150(T)
		Nitrate	100	---	Nickel	TVS	TVS
		Nitrite	---	0.5	Selenium	TVS	TVS
		Phosphorus	---	0.17	Silver	TVS	TVS
		Sulfate	---	---	Uranium	---	---
		Sulfide	---	0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Republican River Basin

5. Mainstem of Black Wolf Creek from the source to the confluence with the Arikaree River.						
COSPRE05	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-I	WS-I	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340	0.02(T)
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	TVS
Other:		chlorophyll a (mg/m²)	---	150	Cadmium	5.0(T)
		E. Coli (per 100 mL)	---	126	Chromium III	50(T)
		Inorganic (mg/L)		Chromium VI	TVS	
		acute	chronic	Copper	TVS	
		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Iron	---
		Chloride	---	250	Lead	TVS
		Chlorine	0.019	0.011	Lead	50(T)
		Cyanide	0.005	---	Manganese	TVS
		Nitrate	10	---	Manganese	---
		Nitrite	---	0.5	Mercury	---
		Phosphorus	---	0.17	Molybdenum	---
		Sulfate	---	WS	Nickel	TVS
		Sulfide	---	0.002	Nickel	---
					Selenium	TVS
					Silver	TVS
					Uranium	---
			Zinc	TVS		
6. All tributaries to the Republican River system in Colorado, including all wetlands, except for specific listings in Segments 1, 3, 4 and 5.						
COSPRE06	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-I	WS-I	Aluminum	---
	Recreation P	acute	chronic	Arsenic	340	100(T)
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---
Other:  *chlorophyll a (mg/m²)(chronic) = applies only above the facilities listed at 38.5(4). *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		pH	6.5 - 9.0	---	Cadmium	---
		chlorophyll a (mg/m²)	---	150*	Chromium III	---
		E. Coli (per 100 mL)	---	205	Chromium VI	---
		Inorganic (mg/L)		Copper	---	
		acute	chronic	Iron	---	
		Ammonia	---	---	Lead	---
		Boron	---	0.75	Manganese	---
		Chloride	---	---	Mercury	---
		Chlorine	---	---	Molybdenum	---
		Cyanide	0.2	---	Nickel	---
		Nitrate	100	---	Selenium	---
		Nitrite	---	10	Silver	---
		Phosphorus	---	0.17*	Uranium	---
		Sulfate	---	---	Zinc	---
		Sulfide	---	---		

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Republican River Basin

7. Mainstem of the North Fork of the Smoky Hill River and mainstem of the Smoky Hill River, including all tributaries and wetlands, from the source to the Colorado/Kansas border.								
COSPREF07	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT	acute	chronic		
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Aluminum	---		
	Recreation N		acute	chronic	Arsenic	340		
Qualifiers:		D.O. (mg/L)	---	5.0	Beryllium	---		
Other:  *Phosphorus(chronic) = applies only above the facilities listed at 38.5(4).		pH	6.5 - 9.0	---	Cadmium	---		
		chlorophyll a (mg/m²)	---	---	Chromium III	---		
		E. Coli (per 100 mL)	---	630	Chromium VI	---		
		Inorganic (mg/L)			Copper	---		
			acute	chronic	Iron	---		
		Ammonia	---	---	Lead	---		
		Boron	---	0.75	Manganese	---		
		Chloride	---	---	Mercury	---		
		Chlorine	---	---	Molybdenum	---		
		Cyanide	0.2	---	Nickel	---		
		Nitrate	100	---	Selenium	---		
		Nitrite	---	10	Silver	---		
		Phosphorus	---	0.17*	Uranium	---		
		Sulfate	---	---	Zinc	---		
		Sulfide	---	---				
		8. All lakes and reservoirs tributary to the Republican and Smoky Hill Rivers in Colorado, except for specific listings in Segment 9.						
		COSPREF08	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture		DM	MWAT	acute	chronic		
Reviewable	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---		
	Recreation U		acute	chronic	Arsenic	340		
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---		
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	5.0(T)		
Other:		chlorophyll a (mg/m²)	---	---	Chromium III	50(T)		
		E. Coli (per 100 mL)	---	126	Chromium VI	50(T)		
		Inorganic (mg/L)			Copper	---		
			acute	chronic	Iron	---		
		Ammonia	---	---	Iron	---		
		Boron	---	0.75	Lead	50(T)		
		Chloride	---	250	Manganese	TVS		
		Chlorine	---	---	Manganese	---		
		Cyanide	0.2	---	Mercury	---		
		Nitrate	10	---	Molybdenum	---		
		Nitrite	---	0.5	Nickel	---		
		Phosphorus	---	---	Selenium	---		
		Sulfate	---	WS	Silver	100(T)		
		Sulfide	---	0.002	Uranium	---		
					Zinc	---		

8. All lakes and reservoirs tributary to the Republican and Smoky Hill Rivers in Colorado, except for specific listings in Segment 9.						
COSPREF08	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WL	WL	Aluminum	---
	Recreation U	acute	chronic	Arsenic	340	0.02-10(T) <sup>A</sup>
	Water Supply	D.O. (mg/L)	---	5.0	Beryllium	---
Qualifiers:		pH	6.5 - 9.0	---	Cadmium	5.0(T) 10(T)
Other:		chlorophyll a (mg/m²)	---	---	Chromium III	50(T) 100(T)
		E. Coli (per 100 mL)	---	126	Chromium VI	50(T) 100(T)
		Inorganic (mg/L)			Copper	---
		acute	chronic	Iron	---	WS
		Ammonia	---	---	Iron	---
		Boron	---	0.75	Lead	50(T) 100(T)
		Chloride	---	250	Manganese	TVS TVS
		Chlorine	---	---	Manganese	---
		Cyanide	0.2	---	Mercury	---
		Nitrate	10	---	Molybdenum	---
		Nitrite	---	0.5	Nickel	---
		Phosphorus	---	---	Selenium	---
		Sulfate	---	WS	Silver	100(T) ---
		Sulfide	---	0.002	Uranium	---
					Zinc	---

All metals are dissolved unless otherwise noted.  
T = total recoverable  
t = total  
tr = trout

D.O. = dissolved oxygen  
DM = daily maximum  
MWAT = maximum weekly average temperature  
See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

# REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

## Republican River Basin

9. Bonny Reservoir, Stalker Lake.					
COSPRE09	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1	WL	WL	Aluminum	---
	Recreation E	acute	chronic	Arsenic	340
	Water Supply	---	5.0	Beryllium	0.02(T)
Qualifiers:		D.O. (mg/L)	---	Cadmium	TVS
<b>Other:</b>  *chlorophyll a (ug/L)(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area. *Phosphorus(chronic) = applies only to lakes and reservoirs larger than 25 acres surface area.		pH	6.5 - 9.0	Cadmium	TVS
		chlorophyll a (ug/L)	---	Cadmium	5.0(T)
		E. Coli (per 100 mL)	---	Chromium III	50(T)
		Inorganic (mg/L)		Chromium VI	TVS
		acute	chronic	Copper	TVS
		Ammonia	TVS	Iron	---
		Boron	---	Iron	1000(T)
		Chloride	---	Lead	TVS
		Chlorine	0.019	Lead	50(T)
		Cyanide	0.005	Manganese	TVS
		Nitrate	10	Manganese	---
		Nitrite	---	Mercury	0.01(t)
		Phosphorus	---	Molybdenum	150(T)
		Sulfate	---	Nickel	TVS
		Sulfide	---	Nickel	100(T)
				Selenium	TVS
				Silver	TVS
				Uranium	---
				Zinc	TVS

All metals are dissolved unless otherwise noted.  
 T = total recoverable  
 t = total  
 tr = trout

D.O. = dissolved oxygen  
 DM = daily maximum  
 MWAT = maximum weekly average temperature  
 See 38.6 for details on TVS, TVS(tr), WS, temperature standards.

Table 2  
SITE SPECIFIC RADIONUCLIDE STANDARDS\*

(in Picocuries/Liter, except as noted)

The radionuclides listed below shall be maintained at the lowest practical level and in no case shall they be increased by any cause attributable to municipal, industrial, or agricultural practices to exceed the site specific numeric standards.

A. Ambient based site-specific standards:				
	Segment 2 Standley Lake	Segment 3 Great Western Reservoir	Segment 4a Segment 5 Woman Creek	Segment 4a Segment 4b Segment 5 Walnut Creek
Gross Alpha	6	5		
Gross Beta	9	12		
Plutonium	.03	.03	0.15** ***	0.15** ***
Americium	.03	.03	0.15** ***	0.15** ***
Tritium	500	500	500	500
Uranium	3	4	16.8 µg/l	16.8 µg/l
B. Other site-specific standard applicable to segments 2,3,4a, 4b, and 5.				
Curium	60	60	60	60
Neptunium	30	30	30	30

\*Statewide standards also apply for radionuclides not listed above.

\*\*0.15pCi/l Statewide Basic Standards.

\*\*\*For plutonium and americium measurements in Segment 5 in Woman Creek and Segment 5 in Walnut Creek, attainment will be assessed based on the results of a 12-month flow-weighted rolling average concentration (computed monthly).

## **STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS – FOOTNOTES**

- A) Whenever a range of standards is listed and referenced to this footnote, the first number in the range is a strictly health-based value, based on the Commission's established methodology for human health-based standards. The second number in the range is a maximum contaminant level, established under the federal Safe Drinking Water Act that has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range. Water bodies will be considered in attainment of this standard, and not included on the Section 303(d) List, so long as the existing ambient quality does not exceed the second number in the range.
- B) Assessment of adequate refuge shall rely on the Cold Large Lake table value temperature criterion and applicable dissolved oxygen standard rather than the site-specific temperature standard.



**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00764

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

**Water Quality Control Commission (1002 Series)**

**on 01/11/2016**

**5 CCR 1002-38**

**REGULATION NO. 38 - CLASSIFICATIONS AND NUMERIC STANDARDS SOUTH PLATTE RIVER  
BASIN LARAMIE RIVER BASIN REPUBLICAN RIVER BASIN SMOKY HILL RIVER BASIN**

The above-referenced rules were submitted to this office on 01/12/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 29, 2016 11:22:36

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Public Health and Environment

### **Agency**

Water Quality Control Commission (1002 Series)

### **CCR number**

5 CCR 1002-38

### **Rule title**

5 CCR 1002-38 REGULATION NO. 38 - CLASSIFICATIONS AND NUMERIC  
STANDARDS SOUTH PLATTE RIVER BASIN LARAMIE RIVER BASIN REPUBLICAN  
RIVER BASIN SMOKY HILL RIVER BASIN 1 - eff 06/30/2016

### **Effective date**

06/30/2016

# **WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-38**

## **REGULATION NO. 38 CLASSIFICATIONS AND NUMERIC STANDARDS FOR SOUTH PLATTE RIVER BASIN, LARAMIE RIVER BASIN REPUBLICAN RIVER BASIN, SMOKY HILL RIVER BASIN**

....

### **38.92 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016**

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

#### **BASIS AND PURPOSE**

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2017 to determine whether the temporary modification should be modified, eliminated or extended. Temporary modification of standards on one segment was reviewed.

Upper South Platte segment 3: Temporary modification of ammonia. The Town of Florissant is making progress toward resolution of uncertainty regarding the underlying chronic cadmium, copper and zinc standards. The Commission made no change to the expiration date of 6/30/2017 because the original time allotment was deemed adequate.

#### **PARTIES TO THE RULEMAKING HEARING**

1. City of Delta
2. Resurrection Mining Company
3. U.S. Energy Corp.
4. City of Pueblo
5. Peabody Sage Creek Mining and Seneca Coal Company
6. Climax Molybdenum Company
7. Rio Grande Silver
8. City of Colorado Springs and Colorado Springs Utilities
9. Tri-State Generation and Transmission Association, Inc.
10. High Country Conservation Advocates
11. U.S. Environmental Protection Agency
12. Colorado Parks and Wildlife
13. Town of Crested Butte and Coal Creek Watershed Coalition
14. Public Service Company of Colorado

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00521

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

**Water Quality Control Commission (1002 Series)**

**on 01/11/2016**

**5 CCR 1002-38**

**REGULATION NO. 38 - CLASSIFICATIONS AND NUMERIC STANDARDS SOUTH PLATTE RIVER  
BASIN LARAMIE RIVER BASIN REPUBLICAN RIVER BASIN SMOKY HILL RIVER BASIN**

The above-referenced rules were submitted to this office on 01/12/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 28, 2016 14:04:23

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Public Health and Environment

### **Agency**

Water Quality Control Commission (1002 Series)

### **CCR number**

5 CCR 1002-93

### **Rule title**

5 CCR 1002-93 REGULATION NO. 93 - COLORADO'S SECTION 303(D) LIST OF  
IMPAIRED WATERS AND MONITORING AND EVALUATION LIST 1 - eff 03/01/2016

### **Effective date**

03/01/2016

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND  
ENVIRONMENT**

**WATER QUALITY CONTROL COMMISSION**

**5 CCR 1002-93**

**REGULATION #93**

**COLORADO'S SECTION 303(D) LIST OF IMPAIRED WATERS AND  
MONITORING AND EVALUATION LIST**

**93.1 Authority**

These regulations are promulgated pursuant to section 25-8-101 et seq C.R.S. as amended, and in particular, 25-8-202 (1) (a), (b), (i), (2) and (6); 25-8-203 and 25-8-204.

**93.2 Purpose**

This regulation establishes Colorado's Lists of Impaired Waters. These waters include Water-Quality-Limited Segments Requiring Total Maximum Daily Loads ("TMDLs"), impaired waters that do not require a TMDL, and Colorado's Monitoring and Evaluation List:

- (1) The list of Water-Quality-Limited Segments Requiring TMDLs fulfills requirements of section 303(d) of the federal Clean Water Act which requires that states submit to the U.S. Environmental Protection Agency a list of those waters for which technology-based effluent limitations and other required controls are not stringent enough to implement water quality standards. These segments are included in Section 93.3 with parameters included in the Clean Water Section 303(d) Impairment column.
- (2) Colorado's Monitoring and Evaluation List identifies water bodies where there is reason to suspect water quality problems, but there is also uncertainty regarding one or more factors, such as the representative nature of the data. Water bodies that are impaired, but it is unclear whether the cause of impairment is attributable to pollutants as opposed to pollution, are also placed on the Monitoring and Evaluation List. This Monitoring and Evaluation list is a state-only document that is not subject to EPA approval. These segments are included in Section 93.3 with parameters included in the Colorado's Monitoring and Evaluation column.
- (3) The list of Water-Quality-Limited Segments Not Requiring a TMDL identifies segments where data is available that indicates that at least one classified use is not being supported, but a TMDL is not needed. These segments and parameters are included in Section 93.4.

**93.3 Water Bodies Requiring TMDLs or Identified for Monitoring and Evaluation**

Only those segments where a Clean Water Section 303(d) Impairment has been determined require TMDLs. For these segments, TMDLs are only required for those parameters that are identified as impairments.

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
<b>COAR</b>	<b>Arkansas River Basin</b>				
COARFO01a	Fountain Creek and tributaries above Monument Creek	Mainstem	Fe(Trec), U	<i>E. coli</i> , Mn, As,	H/L/L
COARFO02a	Fountain Creek, Monument Creek to Hwy 47	all	Fe(Trec)	<i>E. coli</i>	H
COARFO02b	Fountain Creek from Hwy 47 to the Arkansas River	all		<i>E. coli</i> (May-October)	H
COARFO03a	Tributaries to Fountain Creek within the National Forest or Air Force Academy lands, from Monument Creek to the Arkansas River	West Monument Creek		Aquatic Life (provisional)	L
COARFO03b	Bear Creek, and all tributaries, from the source to a point immediately upstream of Gold Camp Road.	all		Cu	H
COARFO04	All tribs to Fountain Creek, which are not on National Forest or Air Force Academy Land	all		<i>E. coli</i>	H
COARFO04	All tribs to Fountain Creek, which are not on National Forest or Air Force Academy Land	Sand Creek		Se	L
COARFO04	All tribs to Fountain Creek, which are not on National Forest or Air Force Academy Land	Little Fountain Creek below Deadman Canyon	Se		
COARFO05	Jimmy Camp Creek and unnamed tributary below Fort Carson and surrounding marshlands	all	Fe(Trec)		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COARFO06	Monument Creek from National Forest to Fountain Creek	all		<i>E. coli</i> (May-October), Temperature, Aquatic Life (provisional)	H/M/L
COARLA01a	Arkansas River, Fountain Creek to Colorado Canal headgate	all		<i>E. coli</i>	H
COARLA01b	Arkansas River, Colorado Canal headgate to John Martin Reservoir	all		Se, As, Mn	L
COARLA01c	Arkansas River, John Martin Reservoir to stateline	all		Se, U, As, Mn	H/H/L/L
COARLA02a	All tributaries to the Arkansas River from the Colorado Canal headgate to the Colorado/Kansas border	all	SO <sub>4</sub> , Mn		
COARLA03a	Mainstem of the Apishapa River, including tribs from source to I-25	all	<i>E. coli</i>	Temperature	H
COARLA04a	Apishapa River, Timpas Creek	all		Se, SO <sub>4</sub>	L
COARLA04a	Apishapa River, Timpas Creek	Apishapa River	Mn		
COARLA05a	Upper North Fork, Middle Fork, South Fork of the Purgatoire River, including all tributaries.	all		As	L
COARLA05b	Lower North, Middle and South Fork of the Purgatoire River, and the mainstem from source to Trinidad Reservoir.	all	Temperature	As	L



WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COARLA05b	Lower North, Middle and South Fork of the Purgatoire River, and the mainstem from source to Trinidad Reservoir.	Long Canyon	Mn		
COARLA06a	All Tributaries to the Purgatoire River from the source to Interstate 25	Apache Canyon		Aquatic Life (provisional)	M
COARLA06a	All Tributaries to the Purgatoire River from the source to Interstate 25	Reilly Canyon	Temperature		
COARLA06a	All Tributaries to the Purgatoire River from the source to Interstate 25	Sarcillo Canyon	Temperature		
COARLA06b	Wet Canyon and all tributaries from the source to the confluence with the Purgatoire River	all	Temperature		
COARLA07	Purgatoire River, I-25 to Arkansas River	all	Sediment, <i>E. coli</i>		
COARLA09a	Mainstem of Adobe Creek and Gageby Creek...	all		Se, As	L/H
COARLA09a	Mainstem of Adobe Creek and Gageby Creek...	Horse Creek	Mn, SO <sub>4</sub>	Fe(Trec)	H
COARLA09a	Mainstem of Adobe Creek and Gageby Creek...	Adobe Creek	Fe(Trec)	<i>E. coli</i>	H
COARLA09b	Apache Creek, Breckenridge Creek, Little Horse Creek, Bob Creek, Wildhorse Creek, Wolf Creek, Big Sandy Creek, Rule Creek...	all	Mn, SO <sub>4</sub>	Se	L

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COARLA09b	Apache Creek, Horse Creek, Breckinridge Creek, Little Horse Creek, Bob Creek, Big Sandy Creek, Rule Creek...	Big Sandy Creek		Fe(Trec)	M
COARLA10	Two Buttes Res., Two Buttes Pond, Hasty Lake, Holbrook Res., Burchfield Lake, Nee-Skah (Queens) Res., Adobe Creek Res., Neeso Pah Res., Nee Nosha Res., Nee Gronda Res.	Adobe Creek Res	As	Se	L
COARLA10	Two Buttes Res., Two Buttes Pond, Hasty Lake, Holbrook Res., Burchfield Lake, Nee-Skah (Queens) Res., Adobe Creek Res., Neeso Pah Res., Nee Nosha Res., Nee Gronda Res.	Nee Gronda Res		Se	L
COARLA11	John Martin Reservoir	all		Se	L
COARLA12	Lake Henry, Lake Meredith	Lake Henry	Fe(Trec)	Se	L
COARLA12	Lake Henry, Lake Meredith	Lake Meredith		Se	L
COARLA15	Trinidad Reservoir, Long Canyon Reservoir, and Lake Dorothea	Trinidad Reservoir		Aquatic Life Use (Hg Fish Tissue), D.O. (Temperature)	H
COARMA02	Mainstem of Arkansas River from the outlet of Pueblo Reservoir to Dry Creek arroyo	all		Temperature	H

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COARMA02	Mainstem of Arkansas River from the outlet of Pueblo Reservoir to Dry Creek Arroyo	Mainstem of the Arkansas River from Pueblo Reservoir to Blue Ribbon Creek		Mn	L
COARMA03	Arkansas River from Wildhorse Creek to Fountain Creek	all		Se, As	H/L
COARMA04a	Wildhorse Creek	all	NO <sub>2</sub>	<i>E. coli</i>	H
COARMA06a	Mainstem of the Saint Charles River from a point immediately above the CF&I diversion canal near Burnt Mill to a point immediately upstream of the confluence with Edson Arroyo.	all	Mn, SO <sub>4</sub>		
COARMA06b	Mainstem of the Saint Charles River from the confluence with Edson Arroyo to the confluence with the Arkansas River.	all	SO <sub>4</sub>	Mn	L
COARMA07b	Greenhorn Creek, including all tributaries, from San Isabel National Forest boundary to Greenhorn Highline Diversion Dam; Graneros Creek; North Muddy Creek	all	Temperature		
COARMA09	Greenhorn Creek, including tributaries, from Greenhorn Highline Diversion Dam to the St. Charles River	all	Mn	As	L
COARMA10	Sixmile Creek	all		Fe(Trec), Se	L

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COARMA11b	Huerfano River, including all tributaries, from 570 Road near Malachite to Highway 69 at Badito	all	As, Mn, Fe(Trec)		
COARMA12	Huerfano River, from Muddy Creek to the Arkansas River	all		Se	L
COARMA14	Cucharas River, from Walsenburg PWS diversion to the outlet of Cucharas Reservoir	all		Fe(Trec)	H
COARMA18a	Boggs Creek	all	Mn, SO <sub>4</sub>	Se, Zn, U	H
COARMA26	Horseshoe Lake, Martin Lake (Ohem Lake) and Walsenburg Lower Town Lake.	Horseshoe Lake		Aquatic Life Use (Hg Fish Tissue)	H
COARMA27	Teller Reservoir	all	Aquatic Life Use (Hg Fish Tissue)		
COARUA02c	Mainstem of the Arkansas River from the confluence with the Lake Fork to the confluence with Lake Creek	all		As	H
COARUA04a	Mainstem of the Arkansas River from the Chaffee/Fremont County Line to a point immediately above	all	Temperature	Cu	H
COARUA05	All tributaries to the Arkansas River from the source to immediately below the confluence with Browns Creek	Lake Fork below Sugarloaf Dam to the confluence with the Arkansas River	Aquatic Life, Cd, Mn	Zn	H

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COARUA05	All tributaries to the Arkansas River from the source to immediately below the confluence with Browns Creek	Colorado Gulch	Ag, Pb	As, Cd, Cu, Zn Mn, Fe(dis)	H L
COARUA10	Mainstem of Lake Creek and all tributaries from source to Arkansas River	all		pH, D.O.	H
COARUA12a	Mainstem of Chalk Creek from the source to the confluence with the Arkansas River.	all		Cd	H
COARUA14c	Mainstems of North and South Hardscrabble Creeks, including all tributaries , from their sources to their confluences.	North Hardscrabble Creek	Aquatic Life		
COARUA15	Mainstem of Grape Creek and tribs from the source to the outlet of DeWeese Reservoir. Mainstems of Texas, Badger, Hayden, Hamilton, Stout, and Big Cottonwood Creeks and tribs. Newlin Creek from the National Forest boundary to the City of Florence water diversion.	all	Aquatic Life	As	L
COARUA21a	Mainstem of Cripple Creek from the source to a point 1.5 miles upstream of the confluence with Fourmile Creek.	Squaw Gulch to a point 1.5 miles upstream of the confluence with Fourmile Creek		Aquatic Life (provisional)	L

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COARUA24	Mainstem of East and West Beaver Creeks, including all tributaries; mainstem of Beaver Creek from the source to the point of diversion to Brush Hollow Reservoir.	East Beaver Creek below Penrose Reservoir	Mn		
COARUA30	Turquoise Reservoir, Clear Creek Reservoir, Twin Lakes and Mt. Elbert Forebay	Twin Lake West		Cu	H
COARUA35	DeWeese Reservoir	all	As	D.O.	H
COARUA38	All lakes and reservoirs tributary to the mainstem of East and West Beaver Creeks from source to the confluence with Beaver Creek. Skagway and Bison Reservoirs	Skagway Reservoir	Fe(dis), Mn, As		
COARUA40	Brush Hollow Reservoir	all		Aquatic Life Use (Hg Fish Tissue)	H
<b>COGU</b>	<b>Gunnison River Basin</b>				
COGULD02	Dolores River from Little Gypsum Valley bridge to Colorado/Utah border	all	<i>E. coli</i>	Fe(Trec), Temperature	H
COGULD03a	All tributaries to the Dolores River from the bridge at Bradfield Ranch to the Colorado/Utah border.	Disappointment Creek	Se, <i>E. coli</i>		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COGULD04	Mainstem of West Paradox Creek from the source to the confluence with the Dolores River. Mainstem and all tributaries to Blue Creek from the source to the confluence with the Dolores River.	West Paradox Creek	<i>E. coli</i> , Fe(Trec)		
COGULD05	Mainstem of West Creek from the source to the confluence with the Dolores River; Roc Creek; La Sal Creek and Mesa Creek from their sources to their confluences with Dolores River.	Roc Creek	<i>E. coli</i>	Cu, Fe(Trec)	H
COGULD05	Mainstem of West Creek from the source to the confluence with the Dolores River; Roc Creek; La Sal Creek and Mesa Creek from their sources to their confluences with Dolores River.	Mesa Creek and tributaries	As		
COGULG02	Gunnison River, Uncompahgre River to Colorado River	all	Sediment	<i>E. coli</i>	H
COGULG04a	Tributaries to Gunnison River, Crystal Reservoir to Colorado River	Callow Creek	SO <sub>4</sub> , <i>E. coli</i>		
COGULG04a	Tributaries to Gunnison River, Crystal Reservoir to Colorado River	Cummings Gulch	SO <sub>4</sub>		
COGULG04a	Tributaries to Gunnison River, Crystal Reservoir to Colorado River	Whitewater Creek from below Brandon Ditch to confluence with Gunnison River		SO <sub>4</sub> , Mn	L

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COGULG04a	Tributaries to Gunnison River, Crystal Reservoir to Colorado River	Wells Gulch	pH		
COGULG04a	Tributaries to Gunnison River, Crystal Reservoir to Colorado River	Peach Valley Creek	Fe(Trec), SO <sub>4</sub>		
COGULG04b	All tributaries to Reeder, Hollenbeck, and Juniata Reservoirs, and the mainstem of Kannah Creek below the point of diversion for public water supply	Kannah Creek	SO <sub>4</sub>		
COGULG07a	Ward Creek, from the national forest to the confluence with Dirty George Creek	Ward Creek	Se		
COGULG07b	Surface Creek from the diversion of water supply to Tongue Creek; Tongue Creek to the Gunnison River; Youngs Creek from USFS boundary to Kiser Creek; Kiser Creek from the USFS boundary to the confluence with Youngs Creek	Tongue Creek		Se, Fe(Trec)	M
COGULG07b	Surface Creek from the diversion of water supply to Tongue Creek; Tongue Creek to the Gunnison River; Youngs Creek from USFS boundary to Kiser Creek; Kiser Creek from the USFS boundary to the confluence with Youngs Creek	Surface Creek	Pb		



WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COGULG08	Surface Creek and Kannah Creek, including all tributaries, from the national forest boundary to the point of diversion for public water supply	all	Temperature		
COGULG11b	Tributaries to the Smith Fork	Lunch Creek	Sediment		
COGULG12	All tributaries to the Smith Fork which are not on national forest lands	Muddy Creek	<i>E. coli</i>		
COGULG13	Crawford Reservoir	all		D.O. (Temperature)	H
COGULG14	All lakes and reservoirs tributary to the Gunnison River, from Crystal Reservoir to the confluence with the Colorado River	Eggleston Reservoir	pH, Zn	Fe(Trec)	H
COGULG16	All lakes and reservoirs that are tributary to the Gunnison River, from the outlet of Crystal Reservoir to the confluence with the Colorado River, and not within national forest boundaries	Jatz Bottomlands	Se		
COGUNF04	Muddy Creek and all tributaries, Coal Creek and all tributaries; all tributaries to the North Fork of the Gunnison within the national forest boundary	East Muddy Creek	Pb, Se	Fe(Trec)	H
COGUNF04	Muddy Creek and all tributaries, Coal Creek and all tributaries; all tributaries to the North Fork of the Gunnison within the national forest boundary	Muddy Creek	<i>E. coli</i> (May-Oct)		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COGUNF04	Muddy Creek and all tributaries, Coal Creek and all tributaries; all tributaries to the North Fork of the Gunnison within the national forest boundary	Ruby Anthracite Creek		As	L
COGUNF06a	Tributaries to N. Fork of Gunnison River not on USFS property	Unnamed tributary to North Fork Gunnison River near Hotchkiss	Se		
COGUNF06a	Tributaries to the North Fork of the Gunnison not on USFS lands	Coal Gulch, Hawksnest Creek, Gribble Gulch	Fe(Trec)		
COGUNF06b	Bear Creek, Reynolds Creek, Bell Creek, McDonald Creek, Cottonwood Creek, Love Gulch, Cow Creek, Dever Creek, German Creek, Miller Creek, Stevens Gulch, Big Gulch, Stingley Gulch and Alum Gulch not on national forest lands from the source to the North Fork of the Gunnison River	Cottonwood Creek	Fe(Trec), Mn, SO <sub>4</sub>		
COGUNF06b	Bear Creek, Reynolds Creek, Bell Creek, McDonald Creek, Cottonwood Creek, Love Gulch, Cow Creek, Dever Creek, German Creek, Miller Creek, Stevens Gulch, Big Gulch, Stingley Gulch and Alum Gulch not on national forest lands from the source to the North Fork of the Gunnison River	Alum Gulch	Fe(Trec)	SO <sub>4</sub>	L

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COGUNF07	Paonia Reservoir and Overland Reservoir	Paonia Reservoir	Zn		
COGUNF09	All lakes and reservoirs tributary to Muddy Creek, Paonia Reservoir, or Coal Creek, tributary to the North Fork of the Gunnison River from its inception to the confluence with the Gunnison River	Island Lake	pH, Zn		
COGUSM02	Tributaries to the San Miguel River from the source to Leopard Creek	Bear Creek	Pb	Cd, Zn	H
COGUSM02	Tributaries to the San Miguel River from the source to Leopard Creek	Cornet Creek	Pb		
COGUSM02	Tributaries to the San Miguel River from the source to Leopard Creek	Howard Fork above Swamp Canyon		pH, D.O.	H
COGUSM03b	Mainstem of the San Miguel River Marshall Creek to South Fork San Miguel River.	all	Pb		
COGUSM04a	Mainstem of the San Miguel River from the South Fork of the San Miguel to below the CC ditch.	From South Fork San Miguel to confluence with Leopard Creek	Pb		
COGUSM06a	Ingram Creek, source to San Miguel River	all	Mn, Cu		
COGUSM06b	Marshall Creek, source to San Miguel River	all	Cu		
COGUSM07	Mainstem of Howard Fork and tributaries Swamp Gulch the South Fork of the San Miguel.	Chapman Creek	Fe(Trec)		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COGUSM07	Mainstem of Howard Fork and tributaries Swamp Gulch the South Fork of the San Miguel.	Iron Bog Creek	pH, D.O.		
COGUSM08	Mainstem of South Fork of San Miguel River from the Howard and Lake Forks to the San Miguel River.	all	Mn		
COGUSM10	Mainstem of Naturita Creek from the Uncompahgre National Forest boundary to its confluence with the San Miguel River, Tabeguache Creek from its source to the confluence with San Miguel River.	Naturita Creek	D.O., <i>E. coli</i> , Temperature		
COGUSM12a	All tributaries to the San Miguel River from the confluence of Leopard Creek to Naturita Creek	Mesa Creek	Se		
COGUSM12a	All tributaries to the San Miguel River from the confluence of Leopard Creek to Naturita Creek	Maverick Draw		Aquatic Life (provisional)	L
COGUSM12a	All tributaries to the San Miguel River from the confluence of Leopard Creek to Naturita Creek	MaKenzie Creek		Aquatic Life (provisional)	L
COGUSM12a	All tributaries to the San Miguel River from the confluence of Leopard Creek to Naturita Creek	Specie Creek	D.O.		
COGUSM12b	All tributaries to the San Miguel River from the confluence of Naturita Creek to the Dolores	all	Temperature		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COGUSM20	Trout Lake, Gurley Reservoir, Cone Reservoir, and Miramonte Reservoir	Miramonte Reservoir		D.O. (Temperature)	H
COGUUG01	All tributaries to the Gunnison River, including and wetlands, within the La Garita, Powderhorn, West Elk, Collegiate Peaks, Maroon Bells, Fossil Ridge, or Uncompahgre Wilderness Areas.	Stewart Creek	Fe(Trec)	Aquatic Life	H
COGUUG02	All Tributaries from North Beaver Creek to Meyers Gulch, from the West Elk Wilderness boundary to their confluences with Blue Mesa Reservoir, Marrow Point Reservoir, or the Gunnison River	Willow Creek		Aquatic Life (provisional)	H
COGUUG04	Mainstem of the Taylor River from the source to the confluence with the Gunnison River	Taylor River	Pb	Aquatic Life	
COGUUG07	Slate River from source to Coal Creek	Below Oh-Be-Joyful Creek		Zn	H
COGUUG08	Slate River, Coal Creek to East River	all		Cd, Zn, Temperature	H
COGUUG09	All tributaries to the Slate River	Coal Creek		As	L
COGUUG10a	Oh-Be-Joyful Creek and tributaries from wilderness to Slate River	all		Cd, Cu, Pb, Zn	H
COGUUG10b	All tributaries, including wetlands, to Redwell Creek.	all	pH	Cd, Cu, Pb, Zn	H

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COGUUG11	Coal Creek from Elk Creek to Crested Butte water supply intake, plus Elk Creek	Elk Creek		Cd, Pb, Zn, As	H
COGUUG11	Coal Creek from Elk Creek to Crested Butte water supply intake, plus Elk Creek	Coal Creek		Cd, Zn As, Mn	H L
COGUUG12	Coal Creek and tributaries from Crested Butte water supply intake to Slate River	Coal Creek		Cd, Zn, Cu As	H L
COGUUG15a	Tributaries to the Gunnison River from the confluence of the East and Taylor Rivers to the inlet of Blue Mesa Reservoir	S. Beaver Creek	Mn, Fe (Dis), Fe(Trec)	Aquatic Life	L
COGUUG16a	Ohio Creek, from the source to a point immediately below 7 Road.	Ohio Creek	<i>E. coli</i>		
COGUUG16b	Ohio Creek from a point immediately below 7 Road to the confluence with the Gunnison River.	Ohio Creek	<i>E. coli</i>		
COGUUG17a	Antelope Creek including all tributaries and wetlands, from the source to the confluence with Antelope Creek.	all	Mn, <i>E. coli</i>		
COGUUG17b	Antelope Creek including all tributaries and wetlands, from the source to the confluence with the Gunnison River, excluding the listings in Segment 17a.	all	Mn, <i>E. coli</i>		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COGUUG18b	Tomichi Creek from the confluence with Porphyry Creek to the confluence with the Gunnison River	all		Aquatic Life (provisional)	H
COGUUG19	All tributaries to Tomichi Creek within the boundaries of the Gunnison National Forest, Mainstem of Barret, Hot Springs, Razor and Quartz Creeks from their sources to their confluences with Tomichi Creek	Razor Creek		Aquatic Life (provisional)	H
COGUUG23	Mainstem of Cochetopa Creek and tributaries, from the source to a point immediately below the confluence with West Pass Creek	Cochetopa Creek	Fe(Dis)		
COGUUG24	Mainstem of Cochetopa Creek from West Pass Creek to Tomichi Creek	Cochetopa Creek from Forest Road 3076/Co. Rd. 43 to the confluence with Tomichi Creek		Aquatic Life (provisional)	L
COGUUG26	All tributaries to the Gunnison River from County Road 32 to the inlet of Blue Mesa Reservoir, Blue Mesa Reservoir, Morrow Point Reservoir, Crystal Reservoir or the segments of the Gunnison River that interconnect those reservoirs	Blue Creek	Cu		

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COGUUG26	All tributaries to the Gunnison River from County Road 32 to the inlet of Blue Mesa Reservoir, Blue Mesa Reservoir, Morrow Point Reservoir, Crystal Reservoir or the segments of the Gunnison River that interconnect those reservoirs	Crystal Creek		Aquatic Life (provisional)	H
COGUUG29a	Lake Fork of the Gunnison River and tributaries from source to Blue Mesa Reservoir	Lake Fork of the Gunnison River upstream of Cottonwood Creek	Mn, Zn, As, Cd		
COGUUG29a	Lake Fork of the Gunnison River and tributaries from source to Blue Mesa Reservoir	Deadman Creek		pH, Cd, Cu, Zn, Se, Fe (Trec) Mn, Fe (Dis)	H L
COGUUG29a	Mainstem of the Lake Fork of the Gunnison and tributaries from the source to Blue Mesa Reservoir	Lake Fork of the Gunnison River between Cooper and Silver Creek		Mn	L
COGUUG31	Palmetto Gulch	all	Cu, Ag		
COGUUG32	North Fork of Henson Creek and tributaries from source to Henson Creek	all		Mn	L
COGUUN02	Mainstem of the Uncompahgre River from the source (Poughkeepsie Gulch) to a point immediately above the confluence with Red Mountain Creek.	all	Pb	Mn	L



WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COGUUN04a	Uncompahgre River, HWY 90 to La Salle Road	all	Sediment		
COGUUN04b	Uncompahgre River, La Salle Road to Confluence Park	all	Sediment		
COGUUN04c	Uncompahgre River, Confluence Park to Gunnison River	all	Sediment, Pb	Fe(Trec)	H
COGUUN06a	Mainstem of Red Mountain Creek from the source to immediately above the confluence with the East Fork of Red Mountain Creek.	all		Ag, Cu	M
COGUUN07	Gray Copper Gulch from source to Red Mountain Creek	all	Fe(Trec), pH	Cu	M
COGUUN08	Mineral Creek, source to Uncompahgre River	all	Cu, Zn		
COGUUN09	Canyon Creek, Imogene Creek, Sneffels Creek	Sneffels Creek		Cd, Zn	H
COGUUN09	Canyon Creek, Imogene Creek, Sneffels Creek	Canyon Creek	Pb		
COGUUN09	Canyon Creek, Imogene Creek, Sneffels Creek	Imogene Creek	Cu	Cd, Zn	M
COGUUN10	All tributaries to the Uncompahgre River from Dexter Creek to the South Canal	Alkali Creek	Se		
COGUUN11	Coal, Dallas, Cow, Billy, Onion, Beaton, Beaver and Pleasant Valley Creeks	Billy Creek, Onion Creek	Se		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COGUUN11	Coal, Dallas, Cow, Billy, Onion, Beaton, Beaver and Pleasant Valley Creeks	Deer Creek		Aquatic Life (provisional)	L
COGUUN11	Coal, Dallas, Cow, Billy, Onion, Beaton, Beaver and Pleasant Valley Creeks	Cow Creek	SO <sub>4</sub>		
COGUUN12	Tributaries to Uncompahgre River, South Canal to Gunnison River	Dry Creek, Loutzenhizer Arroyo		Fe(Trec)	H
COGUUN15b	Dry Creek from East and West Forks to Coalbank Canyon Creek	Dry Creek Watershed	Sediment		
COGUUN19	Ridgway Reservoir	all	Pb, Zn		
COGUUN20	Sweitzer Lake	all		Se	H
<b>COLC</b>	<b>Lower Colorado River Basin</b>				
COLCLC01	Colorado River, Roaring Fork River to Rifle Creek	all	Sediment	Temperature	H
COLCLC01	Colorado River, Roaring Fork River to Rifle Creek	Colorado River from Roaring Fork to Paradise Creek		As	L
COLCLC02a	Colorado River, Rifle Creek to Rapid Creek	all	Sediment		
COLCLC02b	Colorado River, Rapid Creek to Gunnison River	Humphrey Backwater area	As, Mn, SO <sub>4</sub> , NO <sub>2</sub>	Se	M
COLCLC02b	Colorado River, Rapid Creek to Gunnison River	all	Sediment		
COLCLC03	Colorado River from Gunnison River to stateline	all	Se		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COLCLC04a	Tributaries to Colorado River, Roaring Fork to Parachute Creek except for specific segments	All	Temperature, TP, SO <sub>4</sub>	Se	M
COLCLC04a	Tributaries to Colorado River, Roaring Fork to Parachute Creek except for specific segments	Mamm Creek		Fe(Trec)	M
COLCLC04a	South Canyon Creek from hot springs to Colorado River	South Canyon Creek abv Hot Springs	SO <sub>4</sub>	Fe(Trec)	H
COLCLC04b	South Canyon Hot Springs	all	D.O., Pb		
COLCLC04c	South Canyon Creek	all	<i>E. coli</i> (May-Oct)	As	L
COLCLC04e	Dry Creek and tributaries from source to Last Chance Ditch.	all	Cd, Fe(Trec), Se, Cu		
COLCLC10	East Rifle Creek, West Rifle Creek and Rifle Creek, including tributaries from Rifle Gap to the Colorado River	West Rifle Creek	Fe(Trec), Fe(Dis), SO <sub>4</sub>		
COLCLC10	East Rifle Creek, West Rifle Creek and Rifle Creek, including tributaries from Rifle Gap to the Colorado River	all	<i>E. coli</i>	As	L
COLCLC13a	Tributaries to the Colorado River from a point below Roan Creek to the Utah border.	Sulphur Gulch	Cu, Pb, Fe(Trec), Se		
COLCLC13b	Tributaries to Colorado River from Government Highline Canal Diversion to Salt Creek	Salt Creek		Sediment	L

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COLCLC13b	Tributaries to Colorado River from Government Highline Canal Diversion to Salt Creek	all		Se, Fe(Trec)	M
COLCLC13b	Tributaries to Colorado River from Government Highline Canal Diversion to Salt Creek	Adobe Creek, Leach Creek		<i>E. coli</i>	H
COLCLC13c	Walker Wildlife Area Ponds	all		Se	M
COLCLC14b	Clear Creek from Tom Creek to Roan Creek. Roan Creek, including tributaries from Clear Creek to Kimball Creek	all	<i>E. coli</i> , Fe(Trec)		
COLCLC14c	Mainstem of Roan Creek including all tributaries from Kimball Creek to the Colorado River	Dry Fork		Se	L
COLCLC14c	Mainstem of Roan Creek including all tributaries from Kimball Creek to the Colorado River	Roan Creek		Fe(Trec)	H
COLCLC14c	Mainstem of Roan Creek including all tributaries from Kimball Creek to the Colorado River	all	As	Mn	L
COLCLC15a	Mainstem of Plateau Creek from source to inlet of Vega Reservoir and tributaries to the confluence of Buzzard Creek.	all	Fe(Trec)	As	L
COLCLC15c	Mainstem of Plateau Creek from Vega Reservoir to Buzzard Creek	all		As	L

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COLCLC16	Plateau Creek and tributaries from the confluence with Buzzard Creek to the confluence with the Colorado River	all	Fe(Trec)		
COLCLC19	Lakes and reservoirs tributary to the Colorado River, Parachute Creek to the Colorado/Utah border.	See specifics to the right.	Se (Maggio Pond, Peters Ponds 1, 2, 3, & 4)	Se (West Pond Orchard Mesa Wildlife Area)	H
COLCLC20	Rifle Gap Reservoir, Harvey Gap Reservoir and Vega Reservoir	Rifle Gap Reservoir	As	Aquatic Life Use (Hg Fish Tissue)	H
COLCLY03c	Milk Creek and tributaries from CR 15 to the Yampa	Wilson Creek	Se, Mn	Fe(Trec), SO <sub>4</sub>	L/H
COLCLY03c	Milk Creek and tributaries from CR 15 to the Yampa	Stinking Gulch	Fe(Trec)	Se As, SO <sub>4</sub>	H L
COLCLY03e	Good Spring Creek and its tributaries above Wilson Reservoir	all	Se, SO <sub>4</sub>		
COLCLY03i	Lower Johnson Gulch from the confluence with Pyeatt Gulch at CO 107 to the confluence with the Yampa River	all	Aquatic Life		
COLCLY06	Tributaries to Fortification Creek from the confluence of the North and South Forks to the Yampa River	all	Mn, SO <sub>4</sub>		
COLCLY07	Little Bear Creek, including all tributaries from source to Dry Creek	all	Cu, Zn		
COLCLY16	Little Snake River from Power Wash to the Yampa River	all	Sediment		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COLCLY22a	Mainstem of Vermillion Creek, including all tributaries and wetlands, from the Colorado/Wyoming border to a point just below the confluence with Talamantes Creek.	Talamantes Creek		Aquatic Life (provisional)	L
COLCLY22c	Vermillion Creek from Hwy 318 to Green River	all	<i>E.coli</i> , Fe(Trec)		
COLCWH07	Mainstem of the White River the confluence with Miller Creek to the confluence with Piceance Creek.	all		Temperature, Aquatic Life	H
COLCWH07	Mainstem of the White River from a point above the confluence with Miller Creek to a point immediately above the confluence with Piceance Creek	White River, blw Meeker	Fe(Trec)	As	L
COLCWH09b	Tributaries to the White River from Flag Creek, to Piceance Creek, not within the boundary of National Forest lands	all	Mn, SO <sub>4</sub>		
COLCWH09d	Sulfur Creek and tributaries from Source to White River. Flag Creek and tributaries from the East Fork of Flag Creek to the White River	all		Se	L
COLCWH11	Rio Blanco Lake and Taylor Draw Reservoir	Rio Blanco Lake		pH	H
COLCWH12	White River from the confluence with Piceance Creek to the confluence with Douglas Creek	all		As	L

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COLCWH13b	Mainstem of Yellow Creek from the source to Barcus Creek. All tributaries to Yellow Creek from the source to the White River	all		Sediment	M
COLCWH13b	Mainstem of Yellow Creek from the source to Barcus Creek. All tributaries to Yellow Creek from the source to the White River	Corral Gulch	Mn		
COLCWH13b	Mainstem of Yellow Creek from the source to Barcus Creek. All tributaries to Yellow Creek from the source to the White River	Stake Springs	SO <sub>4</sub>		
COLCWH13b	Mainstem of Yellow Creek from the source to the confluence with Barcus Creek. All tributaries to Yellow Creek from the source to the White River	Duck Creek	Aquatic Life		
COLCWH13c	Mainstem of Yellow Creek from immediately below the confluence with Barcus Creek to the confluence with the White River.	all		Fe(Trec), Aquatic Life	L
COLCWH13c	Mainstem of Yellow Creek from Barcus Creek to the confluence with the White River.	Yellow Creek below Greasewood Creek		Temperature	M
COLCWH14a	Mainstem of Piceance Creek from the source to a point just below the confluence with Hunter Creek	all		As	H

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COLCWH15	Mainstem of Piceance Creek from Ryan Gulch to the confluence with the White River. The Dry Fork of Piceance Creek, from Little Reigan Gulch to Piceance Creek.	Piceance Creek		Aquatic Life (provisional)	L
COLCWH15	Piceance Creek from Ryan Gulch to the White River. The Dry Fork of Piceance Creek, from Little Reigan Gulch to Piceance Creek.	Piceance Creek from 3 miles above the confluence with the White River, to the confluence with the White River.		Temperature	M
COLCWH16	All tributaries to Piceance Creek, including all wetlands, lakes and reservoirs, from the source to the confluence with the White River	Ryan Gulch	<i>E. coli</i>		
COLCWH20	Mainstems of Black Sulphur Creek from the source to Piceance Creek.	Black Sulphur Creek		Aquatic Life (provisional), As	L
COLCWH21	Mainstem of the White River from Douglas Creek to the Colorado/Utah border	all		As	L
COLCWH22	Tributaries to White River, Douglas Creek to Colorado/Utah border	West Evacuation Wash, Douglas Creek		Sediment	L
COLCWH23	Mainstem of East Douglas Creek and West Douglas Creek including all tributaries from their sources to the confluence	all		Temperature	H



WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COLCWH23	Mainstem of East Douglas Creek and West Douglas Creek including all tributaries from their sources to the confluence	East Douglas creek from the point below Tommy's Draw a point above its confluence with Douglas Creek		Sediment	H
COLCWH23	Mainstem of East Douglas Creek and West Douglas Creek including all tributaries from their sources to the confluence	East Douglas Creek		Aquatic Life	L
<b>CORG</b>	<b>Rio Grande River Basin</b>				
CORGAL02	Alamosa River, from source to confluence with Alum Creek	all	pH, Fe(Trec), Fe(Dis), Mn		
CORGAL03b	Alamosa River, from Wightman Fork to Fern Creek	Above Jasper Creek	Se		
CORGAL03c	Mainstem of the Alamosa River from Fern Creek to Ranger Creek.	all	Cd, NH <sub>3</sub>		
CORGAL03d	Alamosa River, from Ranger Creek to Terrace Res.	all		Al	H
CORGAL10	Alamosa River, from Hwy 15 to its point of final diversion	all	Fe(Trec)		
CORGAL11b	Mainstem of La Jara Creek from La Jara Reservoir to confluence with Hot Creek	all	Temperature		
CORGAL12	Mainstem La Jara Creek from Hot Creek to Rio Grande	all	Fe(Trec)		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
CORGAL13	Hot Creek from source to La Jara Creek	all	pH	Fe(Trec)	H
CORGAL20	Rio Grande, tribs within the Rio Grande Forest	all	Cu, Cd, Fe(Trec), Mn, Zn, Fe(Dis), As	pH	H
CORGAL25	All lakes and reservoirs tributary to La Jara Creek from the source to Hot Creek.	La Jara Reservoir	pH	D.O.	H
CORGAL30	Platoro Reservoir	all	pH		
CORGCB02a	La Garita Creek, including tributaries from the source to Geronimo Creek. The North, Middle and South Forks of Carnero Creek, including tributaries from their source to mainstem of Carnero	North Fork Carnero Creek	Mn, TP	As, Aquatic Life	H
CORGCB02a	La Garita Creek, including tributaries from the source to Geronimo Creek. The North, Middle and South Forks of Carnero Creek, including tributaries from their source to mainstem of Carnero	South Fork Carnero Creek	Fe(Dis), Mn, TP	As	H
CORGCB02b	La Garita Creek, source to 38 Rd, Carnero Creek, source to 42 Rd	La Garita Creek	Fe(Trec), Fe(Dis), Mn, TP	Aquatic Life, As	H
CORGCB02c	Mainstem Carnero Creek from inception to 42 Road	all	Mn, TP	As	H
CORGCB03	All tributaries to Closed Basin except those in 2a, 2b, 2c, and 4-13	Cottonwood Creek	Cu		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
CORGCB03	All tributaries to Closed Basin except those in 2a, 2b, 2c, and 4-13	Major Creek	Fe(Trec)		
CORGCB03	All tributaries to Closed Basin except those in 2a, 2b, 2c, and 4-13	Willow Creek		Cu	H
CORGCB04	San Luis Creek, from source to Piney Creek	all	Mn	As	L
CORGCB05	San Luis Creek, from Piney Creek to San Luis Lake	all	D.O., Cu		
CORGCB09a	Mainstem and tribs of Kerber Creek from source to Brewery Creek	Squirrel Creek	Mn		
CORGCB09b	Kerber Creek from Brewery Creek to the confluence with San Luis Creek.	all		As	L
CORGCB09b	Kerber Creek from Brewery Creek to the confluence with San Luis Creek.	Kerber Creek from U S Gulch to the confluence with San Luis Creek		Aquatic Life (provisional)	H
CORGCB10	Sand Creek, Medano Creek	Sand Creek	Cu		
CORGCB12a	Saguache Creek including all tributaries from the boundary of the La Garita Wilderness Area to Ford Creek	all	Temperature, TPAs, Fe(Trec)		H/L
CORGCB12a	Saguache Creek including all tributaries from the boundary of the La Garita Wilderness Area to Ford Creek	East Pass Creek		Sediment	H

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
CORGCB12a	Saguache Creek including all tributaries from the boundary of the La Garita Wilderness Area to Ford Creek	Ford Creek	Cd, Mn, Zn		
CORGCB19	San Luis Lake	all		NH <sub>3</sub> , Fe(Trec)	H
CORGRG02	Rio Grande River, source to Willow Creek	South Clear Creek	Mn, Fe(Dis)	Fe(Trec)	H
CORGRG03	Seepage Creek From Santa Maria Reservoir to 1 mile below the outlet; N Clear Creek from Continental Reservoir to Rito Hondo Creek	all	Fe(Trec)		
CORGRG04a	Rio Grande, just above Willow Creek to confluence with South Fork Rio Grande	all		Pb	H
CORGRG04b	Rio Grande from South Fork Rio Grande to Hwy 285	all		Temperature	H
CORGRG04b	Rio Grande from South Fork Rio Grande to Hwy 285	S Fork Rio Grande to Del Norte		As	L
CORGRG04b	Rio Grande from South Fork Rio Grande to Hwy 285	Del Norte to Highway 285		Cu	H
CORGRG04c	Rio Grande from Hwy 285 to County Line	all	Mn	As, Cu	L/H
CORGRG05	All tributaries to the Rio Grande River, abv Willow Creek to Del Norte	Nelson Creek	Cd, Cu, Pb, Mn, Zn, pH		
CORGRG07	West Willow Creek, East Willow Creek, Willow Creek and tributaries	all	Aquatic Life	Cd, Pb, Zn	M

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
CORGRG09	South Fork Rio Grande and tributaries from source to Rio Grande	North Branch of Pass Creek	Cu	As, Zn	L/H
CORGRG11	Mainstem of San Francisco Creek (Rio Grande County), including all tributaries, from the source to Spring Branch	all	TP	Aquatic Life, As	H/L
CORGRG12	Mainstem of the Rio Grande from the Rio Grande/Alamosa County line to the Old State Bridge east of Lobatos (Conejos County Road G).	all		Aquatic Life (provisional)	L
CORGRG13	Rio Grande River, Conejos County Road G to Colorado/New Mexico border	all	Sediment		
CORGRG19	Rock Creek from source to Monte Vista Canal	all	TP	As	L
CORGRG20a	Cat Creek and tributaries from source to Rio Grande National Forest	all	TP	Aquatic Life	H
CORGRG20b	Cat Creek from forest boundary to Terrace Main Canal	all	TP		
CORGRG25	Trinchera Creek and tributaries from source to Mountain Home Reservoir	all	Cu		
CORGRG28	Rito Seco, from source to Salazar Reservoir	Upper Rito Seco blw Battle Mtn	Cu	<i>E. coli</i>	H
CORGRG33	Lakes and reservoirs tributary to Rio Grande from source to Hwy 112	Alberta Park	Ag		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
CORGRG37	Sanchez Reservoir	all	As, Mn		
CORGRG38	Continental Reservoir, Upper Brown Lake, Santa Maria Reservoir...	Smith Reservoir	pH		
CORGRG38	Continental Reservoir, Upper Brown Lake, Santa Maria Reservoir...	Big Meadows	Mn, Fe(Dis)		
CORGRG38	Continental Reservoir, Upper Brown Lake, Santa Maria Reservoir...	Road Canyon	Mn, Ag, Fe(Dis)		
<b>COSJ</b>	<b>San Juan River Basin</b>				
COSJAF03c	Arrastra Gulch including all lakes, tributaries, and wetlands from the source to the confluence with the Animas River.	all	Pb	Cd, Zn	M
COSJAF04a	Mainstem of the Animas River from a point immediately above the confluence with Mineral Creek to a point immediately above the confluence with Deer Park Creek.	all		Al(Trec)	M
COSJAF05a	Mainstem of the Animas River, including wetlands, from Bakers Bridge to the Southern Ute Indian Reservation boundary.	all		Mn	L
COSJAF13a	Mainstem of Junction Creek including all tributaries, from U.S. Forest Boundary to confluence with Animas River.	Junction Creek	Ag, <i>E. coli</i>		
COSJAF22	Electra Lake. Lake Nighthorse	Electra Lake	Ag, Zn		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSJDO04b	McPhee Reservoir and Summit Reservoir	McPhee Reservoir		Aquatic Life Use(Hg Fish Tissue)	H
COSJDO11	All tributaries to the Dolores River, from the confluence of the West Dolores River, to the bridge at Bradfield Ranch (Forest Route 505, near Montezuma/Dolores County Line	Lost Canyon Creek	<i>E. coli</i>		
COSJLP01	Mainstem of the La Plata River, from the source to the Hay Gulch diversion south of Hesperus.	all		Ag	H
COSJLP03c	Cherry Creek, including all tributaries and wetlands, from the source to the boundary of the Southern Ute Indian Reservation boundary	all	Cu	Fe(Trec)	H
COSJLP04a	Mancos River and tributaries above HWY 160	E. Mancos River	Pb	D.O.	H
COSJLP04a	Mancos River and tributaries above HWY 160	Mancos River	Cu, Pb	D.O.	H
COSJLP04a	Mancos River and tributaries above HWY 160	all	Temperature, Aquatic Life		
COSJLP05a	Mancos River from HWY 160 to the boundary of the Ute Mountain Indian Reservation and mainstem of the Weber Canyon from source Mancos River	all		Aquatic Life (provisional)	H

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSJLP06a	All tributaries to the Mancos River, including all wetlands, from HWY 160 to the boundary of the Ute Mountain Indian Reservation	all		Aquatic Life (provisional)	M
COSJLP07a	Mainstem of McElmo Creek from the source to the Colorado/Utah border; Mainstem of Yellow Jacket Creek from the source to the confluence with McElmo Creek.	McElmo Creek		Fe-(Trec), <i>E. coli</i>	H
COSJLP08a	Tributaries to McElmo Creek	all	<i>E. coli</i>		
COSJLP08a	Tributaries to McElmo Creek	Mud Creek		Se	M
COSJLP08a	Tributaries to McElmo Creek	Hartman Draw	Fe(Trec)		
COSJLP08a	Tributaries to McElmo Creek	Trail Canyon		Fe(Trec)	M
COSJLP11	Narraguinnep, Puett, and Totten Reservoir	Narraguinnep Reservoir, Totten Reservoir		Aquatic Life Use(Hg, Fish Tissue)	H
COSJPI05	All tributaries to the Piedra River, from the boundary of the Weminuche Wilderness Area to the confluence with Devil Creek	all	Temperature		
COSJPI05	All tributaries to the Piedra River, from the boundary of the Weminuche Wilderness Area to the confluence with Devil Creek	Williams Creek	pH, Cu		



WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSJPI06a	All tributaries to the Piedra River from the confluence with Devil Creek to the Southern Ute Indian Reservation boundary	all		Aquatic Life (provisional)	M
COSJPI06a	Tributaries to the Piedra River	Stollsteimer Creek above Southern Ute Boundary	Sediment, <i>E. coli</i> , Fe(Trec), SO <sub>4</sub>		
COSJPI08	Williams Creek Reservoir	all	pH, Zn, Fe(Trec), D.O.		
COSJPN03	Vallecito Reservoir	Vallecito Reservoir		Aquatic Life Use (Hg Fish Tissue)	H
COSJSJ01b	Mainstem of the Navajo River, including all wetlands and tributaries from below the confluence with Sheep Creek to the Colorado/New Mexico border	Navajo River	<i>E. coli</i>		
COSJSJ03	Little Navajo River, including tributaries from the San Juan-Chama diversion to the San Juan River	all	<i>E. coli</i>		
COSJSJ05	Mainstem of the San Juan River and the East Fork and West Fork of the San Juan River, from the boundary of the Weminuche Wilderness Area (West Fork) and the source (East Fork) to Fourmile Creek	Mainstem	Pb, Aquatic Life		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSJSJ06a	San Juan River from Fourmile Creek to Southern Ute Indian Reservation. Mill Creek from source to San Juan River.	San Juan River	Pb, Cu		
COSJSJ06a	San Juan River from Fourmile Creek to the Southern Ute Indian Reservation. Mill Creek from source to San Juan River	all	Temperature		
COSJSJ08	Navajo Reservoir. Echo Canyon Reservoir.	Echo Canyon Reservoir	pH	D.O. (Temperature) Aquatic Life Use (Hg Fish Tissue)	H
COSJSJ08	Navajo Reservoir, Echo Canyon Reservoir	Navajo Reservoir	Aquatic Life Use (Hg Fish Tissue)		
COSJSJ09a	Mainstem of the Rio Blanco from the boundary of South San Juan Wilderness Area to the Southern Ute Indian Reservation boundary,	all	Ag, Pb		
COSJSJ10	Mainstem of the Rito Blanco River from Echo Ditch to the confluence with the Rio Blanco River.	all	<i>E. coli</i> , Temperature		
COSP	<b>South Platte River Basin</b>				
COSPBD01	Mainstem of Big Dry Creek, including all tributaries, lakes, reservoirs and wetlands, from the source to the confluence with the South Platte River	all		<i>E. coli</i>	L

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPBD01	Mainstem of Big Dry Creek, including all tributaries, lakes, reservoirs and wetlands, from the source to the confluence with the South Platte River	Downstream of Weld County Road 8		Fe(Trec)	M
COSPBE01a	Mainstem of Bear Creek from the boundary of the Mt. Evans Wilderness area to the inlet of Evergreen Lake.	Bear Creek below the confluence with Yankee Creek		Temperature	H
COSPBE01b	Mainstem of Bear Creek from Harriman Ditch to the inlet of Bear Creek Reservoir	all		Temperature	M
COSPBE01c	Bear Creek Reservoir	all		Chl-a, phosphorus	H
COSPBE01e	Mainstem of Bear Creek from the outlet of Evergreen Lake to the Harriman Ditch.	all		Temperature	H
COSPBE01e	Mainstem of Bear Creek from the outlet of Evergreen Lake to the Harriman Ditch.	Mount Vernon Creek to the Harriman Ditch		Cu	H
COSPBE02	Bear Creek below Bear Creek Reservoir to South Platte River	Below Wadsworth Boulevard		<i>E.coli</i> (May-Oct)	H
COSPBE02	Bear Creek below Bear Creek Reservoir to South Platte River	all		Aquatic Life (provisional), As	H/L
COSPBE03	All tributaries to Bear Creek, from the source to the outlet of Evergreen Lake	Vance Creek		Temperature	H

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPBE06a	Turkey Creek system, including all tributaries from the source to the inlet of Bear Creek Reservoir	Turkey Creek below Parmelee Gulch	Temperature		
COSPBE06b	Mainstem of North Turkey Creek, from the source to the confluence with Turkey Creek	all	Temperature		
COSPBE11	Lakes and reservoirs in the Bear Creek system from the outlet of Evergreen Lake to the confluence with the South Platte River	Harriman Reservoir	As		
COSPBO02a	Mainstem of Boulder Creek, from the boundary of the Indian Peaks Wilderness Area to a point immediately below the confluence with North Boulder Creek	all		As	L
COSPBO02a	Mainstem of Boulder Creek, including all tributaries from the boundary of the Indian Peaks Wilderness Area to North Boulder Creek	North Boulder Creek from Caribou Creek to the confluence with Como Creek	Fe(Dis)	Cu	H
COSPBO02a	Mainstem of Boulder Creek, including all tributaries from the boundary of the Indian Peaks Wilderness Area to North Boulder Creek	Como Creek to the confluence of North Boulder Creek		Fe(Trec), Fe(Dis)	H/L
COSPBO02a	Mainstem of Boulder Creek, including all tributaries from the boundary of the Indian Peaks Wilderness Area to North Boulder Creek	North Boulder Creek to Confluence of Caribou Creek		Cu, Pb	H

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPBO02a	Mainstem of Boulder Creek, including all tributaries from the boundary of the Indian Peaks Wilderness Area to North Boulder Creek	Middle Boulder Creek from the outlet of Barker Reservoir to Longitude:- 105.475577° Latitude: 39.971275°	Mn	Aquatic Life (provisional)	L
COSPBO02b	Boulder Creek, from below the confluence with North Boulder Creek to above the confluence with South Boulder Creek	all		As	L
COSPBO03	Mainstem of Middle Boulder Creek from source to the outlet of Barker Reservoir	all		As	L
COSPBO03	Mainstem of Middle Boulder Creek from source to the outlet of Barker Reservoir	Middle Boulder Creek		Aquatic Life (provisional)	L
COSPBO04a	Mainstem of South Boulder Creek, including all tributaries from the source to the outlet of Gross Reservoir	all		Cu	H
COSPBO04b	Mainstem of South Boulder Creek, including all tributaries from the outlet of Gross Reservoir to South Boulder Road	all		Cu, As	H/ L
COSPBO07a	Mainstem of Coal Creek from Highway 93 to Highway 36	all		Aquatic Life (provisional)	H
COSPBO07b	Coal Creek, HWY 36 to Boulder Creek	all	Aquatic Life	<i>E. coli</i>	H
COSPBO07b	Coal Creek, HWY 36 to Boulder Creek	Below Confluence of Rock Creek		Se	M

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPBO08	All tribs to South Boulder Creek and all tribs to Coal Creek	Rock Creek	<i>E. coli</i>	Se	L
COSPBO09	Mainstem of Boulder Creek, from South Boulder Creek to Coal Creek	all		As, <i>E. coli</i> (July to October)	L/H
COSPBO09	Mainstem of Boulder Creek, from South Boulder Creek to Coal Creek	From 107 <sup>th</sup> Street to the confluence with Coal Creek		Aquatic Life (provisional)	L
COSPBO10	Boulder Creek, Coal Creek to St. Vrain Creek	all		<i>E. coli</i> , pH As	H L
COSPBO14	Lakes and reservoirs tributary to Boulder Creek from source to South Boulder Creek.	Barker Reservoir	Mn, Fe(dis), Ag	Cu, As	H/L
COSPBO18	Gross Reservoir	all	Aquatic Life Use (Hg Fish Tissue)		
COSPBT01	Mainstem of the Big Thompson River, including all tributaries and wetlands, within Rocky Mountain National Park.	all		Cu, As	H
COSPBT02	Big Thompson River and tribs, RMNP to Home Supply Canal diversion	all		As, Aquatic Life	L/H
COSPBT02	Big Thompson River and tribs, RMNP to Home Supply Canal diversion	From RMNP to immediately abv. UTSD discharge		Cu	M
COSPBT02	Big Thompson River and tribs, RMNP to Home Supply Canal diversion	From Ceder Creek to Home Supply Canal		Temperature	H

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPBT02	Big Thompson River and tribs, RMNP to Home Supply Canal diversion	Fish Creek below Marys Lake		pH	H
COSPBT03	Mainstem of the Big Thompson River from the Home Supply Canal diversion to the Big Barnes Ditch diversion.	all		Cu, As	M/L
COSPBT04a	Mainstem of the Big Thompson from the Big Barnes Ditch diversion of the Greeley-Loveland Canal diversion.	all		Se	M
COSPBT04b	Big Thompson River, Greeley-Loveland Canal diversion to CR11H	all		Se	L
COSPBT05	Big Thompson River, I-25 to S. Platte River	all	<i>E. coli</i>	Se	L
COSPBT06	All tributaries to the Big Thompson River, from Home Supply Canal to the confluence with the South Platte River.	all		Cu	M
COSPBT07	Mainstem of the North Fork of the Big Thompson from RMNP to confluence with Big Thompson; Buckhorn Creek	North Fork of Big Thompson		Cu, As	H/L
COSPBT07	Mainstem of the North Fork of the Big Thompson from RMNP to confluence with Big Thompson; Buckhorn Creek	Buckhorn Creek	Mn	As	L

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPBT08	Mainstem of the Little Thompson River, from source to the Culver Ditch diversion.	all	Temperature	As	L
COSPBT08	Mainstem of the Little Thompson River, from source to the Culver Ditch diversion.	From source to St. Vrain Supply Canal		SO <sub>4</sub>	L
COSPBT09	Little Thompson River, Culver Ditch to Big Thompson River	all		Se, <i>E. coli</i> (May-October), Aquatic Life Use	L/H/M
COSPBT10	Tributaries To the Little Thompson River	all	D.O.		
COSPBT11	Carter Lake	all		Aquatic Life Use (Hg Fish Tissue), As	H
COSPBT16	Lakes and reservoirs tributary to the Big Thompson from RMNP to Home Supply Canal diversion.	Lake Estes		Cu, Pb	H
COSPCH01	Mainstem of Cherry Creek from the source of East and West Cherry Creek to the inlet of Cherry Creek Reservoir.	all	Mn		
COSPCH02	Cherry Creek Reservoir	all		Chl-a, D.O.	H
COSPCH03	Mainstem of Cherry Creek from Cherry Creek Reservoir to the South Platte.	all		<i>E. coli</i>	H
COSPCH04a	All tributaries to Cherry Creek from the source of East and West Cherry Creeks to the confluence with the South Platte River.	Goldsmith Gulch		Se, <i>E. coli</i>	M



WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPCH04a	All tributaries to Cherry Creek from the source of East and West Cherry Creeks to the confluence with the South Platte River.	McMurdo Gulch		D.O.	L
COSPCH04b	Tributaries to Cherry Creek Cottonwood Creek, including all tributaries and wetlands, from the source to Cherry Creek Reservoir.	Upper Windmill Creek		Se	L
COSPCH06	Lakes and reservoirs in the Cherry Creek watershed within the City and County of Denver.	Lollipop Lake		D.O.	M
COSPCL01	Mainstem of Clear Creek, including all tributaries and wetlands, from the source to the I-70 bridge above Silver Plume.	Kearney Gulch, Grizzly Gulch	Aquatic Life		
COSPCL02a	Mainstem of Clear Creek from Silver Plume to West Fork Clear Creek.	all		Cd	H
COSPCL02b	Mainstem of Clear Creek from West Fork Clear to Mill Creek.	all		Zn	H
COSPCL02c	Mainstem of Clear Creek from Mill Creek to Argo Tunnel.	all	Aquatic Life	Cd	H
COSPCL02c	Mainstem of Clear Creek including all tributaries from Mill Creek to the Argo Tunnel discharge	Turkey Gulch below Rockford Tunnel		Cu, Ni, Fe(Trec), Zn Mn, Fe(Dis)	H L

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPCL03a	South Clear Creek including all tributaries, from the source to the confluence with Clear Creek, except for the specific listings in Segments 3b and 19	South Clear Creek from a point just above Clear Lake to confluence with Clear Creek		Cu	H
COSPCL03b	Leavenworth Creek	all	Mn, Cd	Cu	M
COSPCL05	Mainstem of West Clear Creek from the confluence with Woods Creek to the confluence with Clear Creek	From Hoop Creek to confluence with Clear Creek		Cu	H
COSPCL06	West Clear Creek tributaries	Mad Creek		Cu	M
COSPCL06	All tributaries to West Clear Creek from the source to the confluence with Clear Creek	North Empire Creek	SO <sub>4</sub> , Cd, Fe(Dis), Fe(Trec), Zn	Cu	H
COSPCL09a	Fall River & tributaries, source to Clear Creek	Silver Creek		Cu, Pb	H
COSPCL09b	Trail Creek & tributaries, source to Clear Creek	all	Mn	Cd, pH	H
COSPCL10	Mainstem of Chicago Creek, including all tributaries from the source to Clear Creek	all		Cu	H
COSPCL11	Clear Creek, Argo Tunnel to Farmers Highline Canal	all		Cd, Temperature	H
COSPCL12a	All tributaries to Clear Creek from the Argo Tunnel discharge to the Farmers Highline Canal diversion in Golden, Colorado	Gilson Gulch and tributaries	pH, SO <sub>4</sub> , Fe(Dis), Mn	Cd, Cu, Ni, Pb, Se, Zn	M

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPCL12a	All tributaries to Clear Creek from the Argo Tunnel discharge to the Farmers Highline Canal diversion in Golden, Colorado	All tributaries except Gilson Gulch	D.O. Mn	Cd, Cu, Zn	M
COSPCL13b	N. Clear Creek & tributaries, lowest water supply intake to Clear Creek	Mainstem of N. Clear Creek		Cd, Temperature	M
COSPCL14a	Mainstem of Clear Creek from the Farmers Highline Canal diversion in Golden, Colorado to the Denver Water conduit #16 crossing.	From Croke Canal Diversion to McIntyre Street		Aquatic Life	L
COSPCL14a	Mainstem of Clear Creek from the Farmers Highline Canal diversion in Golden, Colorado to the Denver Water conduit #16 crossing.	all		Temperature	M
COSPCL14b	Clear Creek, Denver Water conduit #16 to Youngfield St.	all	Mn, Temperature, NH <sub>3</sub> , Fe(Dis)	Aquatic Life Use (Organic Sediment)	L
COSPCL15	Clear Creek, Youngfield St. to S. Platte River	all		<i>E. coli</i> (May-October) Aquatic Life Use (Organic Sediment), Temperature, NH <sub>3</sub>	H L
COSPCL16a	Mainstem of Lena Gulch including all tributaries and wetlands from its source to the inlet of Maple Grove Reservoir	all	Mn		
COSPCL17a	Arvada Reservoir	all		D.O.(Temperature)	H

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPCL17b	Mainstem of Ralston Creek, including all tributaries and wetlands, from the source to the inlet of Arvada Reservoir.	all	<i>E. coli</i> , Temperature		
COSPCL18a	Ralston Creek and tributaries below Arvada Reservoir	Ralston Creek		<i>E. coli</i>	H
COSPCP02a	Cache La Poudre River including all tributaries from the boundaries of RMNP, and the Rawah, Neota, Comanche Peak, and Cache La Poudre Wilderness Areas to the South Fork Cache La Poudre River	all		As, Aquatic Life (provisional)	H/L
COSPCP06	Mainstem of the North Fork of the Cache La Poudre River, including all tribs from source to Halligan Res.	all		As	L
COSPCP07	North Fork of the Cache la Poudre from Halligan Reservoir to the Cache la Poudre.	all	As, Ag, Fe(Dis)	Pb, Cd Mn	M L
COSPCP08	All tributaries to the North Fork of the Cache La Poudre from Halligan Reservoir to the Cache La Poudre.	all	<i>E. coli</i>		
COSPCP09	Rabbit Creek and Lone Pine Creek	all	pH	As	L
COSPCP10a	Mainstem of the Cache La Poudre River from the Munroe Gravity Canal Headgate to the Larimer County Ditch diversion (40.657, -105.185)	all		Temperature, As	M/L

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPCP10b	Mainstem of the Cache La Poudre River from the Larimer County Ditch diversion (40.657, -105.185) to Shields Street in Ft. Collins, Colorado.	all		As	L
COSPCP11	Mainstem of the Cache la Poudre River from Shields Street in Ft. Collins to a point immediately above the confluence with Boxelder Creek.	all		<i>E.coli</i>	L
COSPCP12	Cache la Poudre River, Box Elder Creek to S. Platte River	all	pH	<i>E. coli</i> (May-October)	H
COSPCP13a	All tributaries to the Cache la Poudre River, including all wetlands, from the Munroe Gravity Canal to the confluence with the South Platte River.	Dry Creek		Mn, SO <sub>4</sub>	L
COSPCP13a	All tributaries to the Cache la Poudre River, including all wetlands, from the Munroe Gravity Canal to the confluence with the South Platte River.	Spring Creek and Fossil Creek		<i>E. coli</i> (May-Oct)	H
COSPCP13b	Boxelder Creek from source to the Cache la Poudre River	all		Se, <i>E.coli</i>	L
COSPCP14	Horsetooth Reservoir	all	.	Aquatic Life Use (Hg Fish Tissue), As	H

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPCP20	Lakes and reservoirs tributary to the North Fork of the Cache la Poudre from Halligan Reservoir to the Cache la Poudre River.	Seaman Reservoir		D.O.	M
COSPLA02a	Mainstem of Laramie River from the source to the NF boundary.	all	pH, Mn, As		
COSPLA02b	Mainstem of the Laramie River from the source to the USFS boundary and all tributaries from the source to the Colorado/Wyoming	all	As	Cu	M
COSPLS01	Mainstem of the South Platte from the Weld/Morgan County line to the Colorado/Nebraska border.	all	SO <sub>4</sub>	Se, U Mn	M L
COSPLS02b	Tributaries to S Platte River, Beaver Creek, Bijou Creek and Kiowa Creek	Beaver Creek		Se, <i>E. coli</i>	H
COSPLS02b	Tributaries to S Platte River, Beaver Creek, Bijou Creek and Kiowa Creek	Kiowa Creek		Aquatic Life (provisional)	M
COSPLS03	Jackson, Prewitt, North Sterling, Jumbo, Riverside, Empire and Vancil Reservoirs	North Sterling		D.O., Se	H
COSPLS03	Jackson, Prewitt, North Sterling, Jumbo, Riverside, Empire and Vancil Reservoirs	Jumbo Reservoir	Se		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPLS03	Jackson, Prewitt, North Sterling, Jumbo, Riverside, Empire and Vancil Reservoirs	Jackson Reservoir		pH	H
COSPMS01a	South Platte River from Big Dry Creek to St. Vrain Creek	all	Mn	<i>E. coli</i>	H
COSPMS01b	South Platte River from St. Vrain Creek to Weld/Morgan County Line	all		<i>E. coli</i> Mn, As	H L
COSPMS04	Barr Lake and Milton Reservoir	Milton Reservoir		NH <sub>3</sub>	M
COSPMS07	All lakes and reservoirs trib to the South Platte River below Big Dry Creek to Weld/Morgan County Line	Horse Creek Reservoir		pH, NH <sub>3</sub>	L
COSPMS07	All lakes and reservoirs in watershed tributary to the South Platte from Chatfield to Big Dry Creek.	Prospect Lake		pH, NH <sub>3</sub>	M
COSPRES01	Mainstem of the South Fork of the Republican River from a point 23 miles above the Colorado-Kansas border to the Colorado-Kansas border.	all		As, Pb	H
COSPRES05	Mainstem of the Black Wolf Creek from the source to the confluence with the Arikaree River.	all	<i>E. coli</i> , Se		
COSPSV02b	St. Vrain Creek, RMNP to Hygiene Road	all	Ag	Temperature, As	H/L

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPSV02b	St. Vrain Creek, RMNP to Hygiene Road	South Saint Vrain Creek from just below its confluence with Red Hill Gulch to its confluence with North Saint Vrain Creek.		Cu	H
COSPSV03	St. Vrain Creek, Hygiene Rd. to S. Platte River	all		<i>E. coli</i>	H
COSPSV04a	Left Hand Creek, from source to blw confluence with James Creek	(Hwy 72 to James Ck);	Mn		
COSPSV05	Mainstem of Left Hand Creek, including all tributaries and wetlands from Highway 36 to the confluence with St. Vrain Creek.	Lefthand Creek below US 36 to a point above the Lefthand Feeder Canal		Mn, pH	L/H
COSPSV05	Mainstem of Left Hand Creek, including all tributaries and wetlands from Highway 36 to the confluence with St. Vrain Creek.	all		Cu	M
COSPSV06	Tributaries to the St Vrain River	all		Mn	L
COSPSV06	Tributaries to the St Vrain River	Dry Creek		Se	M
COSPSV06	Tributaries to the St Vrain River	Dry Creek		<i>E. coli</i>	H
COSPSV07	Boulder Reservoir, Coot Lake, and Left Hand Valley Reservoir	Boulder Reservoir		As	L



WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPUS01a	Mainstem of the South Platte River from the source of the South and Middle Forks to the inlet of Cheesman Reservoir	Middle Fork South Platte River	pH		
COSPUS01a	Mainstem of the South Platte River from the source of the South and Middle Forks to the inlet of Cheesman Reservoir	South Platte River from the outlet of Elevenmile Reservoir to the Idlewild picnic area		Aquatic Life (provisional)	
COSPUS02a	Tributaries to S. Platte River, source to Tarryall Creek	Twin Creek, on USFS Land	Temperature		
COSPUS02a	Tributaries to S. Platte River, headwaters to Tarryall Creek	S. Fork of S. Platte below Antero Reservoir	Aquatic Life		
COSPUS02b	Mosquito Creek from South Mosquito Creek to the Middle Fork of the South Platte.	all		Cd	H
COSPUS02c	South Mosquito Creek from the source to the confluence with Mosquito Creek and No Name Creek from the source to the confluence with Mosquito Creek	South Mosquito Creek		As, Cd	H/L
COSPUS02c	South Mosquito Creek from the source to the confluence with Mosquito Creek and No Name Creek from the source to the confluence with Mosquito Creek	No Name Creek		Cd, Zn	H
COSPUS03	Tributaries to S. Platte River, Tarryall Creek to N.Fk.S. Platte R	Trout Creek and tributaries on USFS property	Aquatic Life, Temperature	D.O., pH Mn	H L

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPUS03	Tributaries to S.Platte River, Tarryall Creek to N.Fk.S.Platte R	Pine Creek		As, Aquatic Life (provisional)	L/H
COSPUS03	Tributaries to S.Platte River, Tarryall Creek to N.Fk.S.Platte R	Fourmile Creek		Fe(Trec), Hg, Aquatic Life As	H L
COSPUS03	Tributaries to S.Platte River, Tarryall Creek to N. Fk. S. Platte River	Hawkins Gulch	Cd, Se		
COSPUS03	Tributaries to S.Platte River, Tarryall Creek to N. Fk. S. Platte River	Horse Creek	D.O., Fe(trec)	Aquatic Life	L
COSPUS03	Tributaries to S.Platte River, Tarryall Creek to N. Fk. S. Platte River	West Creek	As, Hg, Fe(trec), D.O.	Aquatic Life	L
COSPUS03	Tributaries to S.Platte River, Tarryall Creek to N. Fk. S. Platte River	Goose Creek	D.O.	Temperature	H
COSPUS03	Tributaries to S.Platte River, Tarryall Creek to N. Fk. S. Platte River	Trail and Wigwam Creeks	Fe(Trec)		
COSPUS04	N. Fk. S. Platte River & Tributaries, source to S.Platte R	Hall Valley area to Geneva Ck		pH	H
COSPUS05b	Geneva Creek from Scott Gomer Creek to the North Fork of the South Platte River; all tributaries of Geneva Creek from source to the North Fork of the South Platte River.	Geneva Creek		pH, Mn	H/L
COSPUS05c	Gooseberry Gulch and all tributaries from source to confluence with Elk Creek.	Unnamed Tributary to Gooseberry Creek		NH <sub>3</sub>	M

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPUS06a	Mainstem of the South Platte River from the outlet of Cheesman Reservoir to the inlet of Chatfield Reservoir.	South Platte River from outlet of Cheesman Reservoir to Lazy Gulch		Aquatic Life (provisional)	L
COSPUS07	Tributaries to the South Platte from the North Fork of the South Platte to the outlet of Chatfield Reservoir.	Willow Creek	Fe(Trec), Se		
COSPUS09	Mainstem of Bear Creek, including all tributaries and wetlands from the source to the inlet of Perry Park Reservoir (Douglas County).	Bear Creek	D.O.		
COSPUS10a	Mainstems of East Plum Creek, West Plum Creek, and Plum Creek from the boundary of national forest lands to Chatfield Reservoir, mainstems of Stark Creek and Gove Creek from the boundary of national forest lands to their confluence.	West Plum Creek		Aquatic Life (provisional)	L
COSPUS10a	Mainstems of East Plum Creek, West Plum Creek, and Plum Creek from the boundary of National Forest lands to Chatfield Reservoir, mainstems of Stark Creek and Gove Creek from the boundary of national forest lands to their confluence	East Plum Creek		As, Aquatic Life (provisional)	L

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPUS10a	Mainstems of East Plum Creek, West Plum Creek, and Plum Creek from the boundary of National Forest lands to Chatfield Reservoir, mainstems of Stark Creek and Gove Creek from the boundary of national forest lands to their confluence	Plum Creek	Temperature	<i>E. coli</i> (May-Oct)	H
COSPUS11a	Tributaries to East Plum Creek which are not on national forest lands.	all	pH, Fe(Trec)		
COSPUS11a	Tributaries to East Plum Creek which are not on national forest lands.	Cook Creek		Aquatic Life (provisional)	L
COSPUS11b	Tributaries to W. Plum Creek, not on USFS Land	Spring Creek		Aquatic Life (provisional)	L
COSPUS12	Garber and Jackson Creeks	Jackson Creek	As		
COSPUS14	S. Platte River	all		As	L
COSPUS15	S. Platte River, Burlington Ditch to Big Dry Creek	all	Temperature	<i>E. coli</i>	H
COSPUS16a	Mainstem of Sand Creek from the confluence of Murphy and Coal Creek in Arapahoe County to the confluence with the Toll Gate Creek	all		Se, <i>E. coli</i>	L/H
COSPUS16c	Tributaries to S. Platte River, Chatfield Reservoir to Big Dry Creek except specific listings	all		Se, <i>E. coli</i> (May-Oct)	L/H
COSPUS16g	Marcy Gulch	all	Temperature		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPUS16i	Sand Creek from the confluence with Toll Gate Creek to the confluence with the South Platte River	all		<i>E. coli</i>	H
COSPUS16i	Sand Creek from the confluence with Toll Gate Creek to the confluence with the South Platte River	Sand Creek from the confluence with Westerly Creek to the confluence with the South Platte River		Se	M
COSPUS17a	Washington Park Lakes, City Park Lake, Rocky Mountain Lake, Berkeley Lake	Berkeley Lake, Rocky Mountain Lake		Aquatic Life Use (Hg Fish Tissue)	H
COSPUS17a	Washington Park Lakes, City Park Lake, Rocky Mountain Lake, Berkeley Lake	Rocky Mountain Lake		pH, D.O.	L
COSPUS17a	Washington Park Lakes, City Park Lake, Rocky Mountain Lake, Berkeley Lake	Ferril Lake		pH	H
COSPUS17a	Washington Park Lakes, City Park Lake, Rocky Mountain Lake, Berkeley Lake	Smith Lake		pH, NH <sub>3</sub>	H
COSPUS17a	Washington Park Lakes, City Park Lake, Rocky Mountain Lake, Berkeley Lake	Grasmere Lake		NH <sub>3</sub>	H
COSPUS17a	Washington Park Lakes, City Park Lake, Rocky Mountain Lake, Berkeley Lake	Berkeley Lake		D.O., As	H

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COSPUS17a	Washington Park Lakes, City Park Lake, Rocky Mountain Lake, Berkeley Lake	Duck Lake		pH, NH <sub>3</sub>	H
COSPUS19	Lakes and reservoirs from headwaters to Chatfield Reservoir	Cheesman Reservoir	Aquatic Life Use (Hg Fish Tissue)		
COSPUS23	All lakes and reservoirs in watershed tributary to the South Platte from Chatfield to Big Dry Creek.	Barnum Lake		D.O.	L
COSPUS23	Lakes and reservoirs in the Upper South Platte watershed within the City and County of Denver.	Vanderbilt Lake		D.O.	M
COSPUS23	Lakes and reservoirs in the Upper South Platte watershed within the City and County of Denver.	Garfield Lake		D.O.	M
COSPUS23	Lakes and reservoirs in the Upper South Platte watershed within the City and County of Denver.	Harvey Lake	Fe(Trec)		
COSPUS23	Lakes and reservoirs in the Upper South Platte watershed within the City and County of Denver.	Aqua Golf	NH <sub>3</sub>	pH	M
COSPUS23	Lakes and reservoirs in the Upper South Platte watershed within the City and County of Denver.	Parkfield Lake		D.O., pH	M
COUC	Upper Colorado River Basin				

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COUCBL01	Mainstem of the Blue River from the source to the confluence with French Gulch	all		Aquatic Life (provisional)	H
COUCBL02a	Mainstem of the Blue River from the confluence with French Gulch to a point one half mile below Summit County Road 3.	all		Mn	L
COUCBL02a	Mainstem of the Blue River from the confluence with French Gulch to a point one half mile below Summit County Road 3.	Above South Barton Gulch		Zn	L
COUCBL02b	Mainstem of the Blue River from a point one half mile below Summit County Road 3 to the confluence with the Swan River	all		Aquatic Life (provisional)	L
COUCBL02c	Mainstem of the Blue River from the confluence with the Swan River to Dillon Reservoir	all		Aquatic Life (provisional), As	L
COUCBL04a	All direct tributaries to Dillon Reservoir and all tributaries and wetlands in the Blue River drainage above Dillon Reservoir.	Gold Run Gulch below Jessie Mine	Cd	Zn, As	H/L
COUCBL04a	All direct tributaries to Dillon Reservoir and all tributaries in the Blue River drainage above Dillon Reservoir.	Meadow Creek	Zn	Cu	H
COUCBL05	Mainstem of Soda Creek from the source to Dillon Reservoir	all		Aquatic Life (provisional)	H

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COUCBL06a	Mainstem of the Snake River, including all tributaries and wetlands from the source to Dillon Reservoir, except for specific listings in Segments 6b, 7, 8 and 9.	all		Mn, Zn	H/L
COUCBL12	Mainstem of Illinois Gulch and Fredonia Gulch from their source to their confluence with the Blue River	all	As, Cu, Mn	Zn	M
COUCBL17	Mainstem of the Blue River from the outlet of Dillon Reservoir to the confluence with the Colorado River.	all	Aquatic Life		
COUCBL17	Mainstem of the Blue River from the outlet of Dillon Reservoir to the confluence with the Colorado River.	Blue River downstream of Green Mtn Reservoir		Temperature	H
COUCBL20	Mainstem of Elliott Creek and Spruce Creek including all tributaries and wetlands from their sources to the confluence with the Blue River	Spruce Creek	Fe(Dis)	As	H
COUCEA02	Mainstem of the Eagle River from the source to the compressor house bridge at Belden.	all		As	H
COUCEA05c	Eagle River, Martin Creek to Gore Creek	all		Cd, As, Fe(Dis)	H
COUCEA06	Tributaries to Eagle River, Belden to Lake Creek, except specific segments	all		As	L



WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COUCEA06	Tributaries to Eagle River, Belden to Lake Creek, except specific segments	Black Gore Creek, adjacent to I-70	Aquatic Life	Sediment	H
COUCEA06	Tributaries to Eagle River, Belden to Lake Creek, except specific segments	Mainstem of Lake Creek from below the confluence with East and West Lake Creek to the mouth		Aquatic Life (provisional)	L
COUCEA06	Tributaries to Eagle River, Belden to Lake Creek, except specific segments	Beaver Creek from confluence with Wayne Creek to Mouth		Aquatic Life (provisional)	H
COUCEA06	Tributaries to Eagle River, Belden to Lake Creek, except specific segments	Red Sandstone Creek from USFS Boundary to north side I-70 Frontage Road	Aquatic Life		
COUCEA06	Tributaries to Eagle River, Belden to Lake Creek, except specific segments	Red Sandstone Creek from north side I-70 Frontage Road to confluence with Gore Creek		Aquatic Life (provisional)	L
COUCEA08	Mainstem of Gore Creek from the confluence with Black Gore Creek to the confluence with the Eagle River.	all		Aquatic Life (provisional)	L
COUCEA09a	Mainstem of the Eagle River from Gore Creek to a point immediately below the confluence with Squaw Creek.	all		As	L

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COUCEA09a	Mainstem of the Eagle River from Gore Creek to a point immediately below the confluence with Squaw Creek.	Eagle River from confluence with Berry Creek to confluence with Squaw Creek		Sediment, Aquatic Life (provisional)	H
COUCEA09a	Mainstem of the Eagle River from Gore Creek to a point immediately below the confluence with Squaw Creek.	Eagle River from Gore Creek to confluence with Berry Creek	Sediment		
COUCEA09b	Mainstem of the Eagle River from Squaw Creek to the confluence with Rube Creek	all	As, Sediment		
COUCEA09c	Mainstem of the Eagle River from the confluence with Rube Creek to the confluence with the Colorado River	all		As	L
COUCEA10a	All tributaries to the Eagle River from Lake Creek to the Colorado River.	Eby Creek	Se		
COUCNP01	Tribs to the N Platte & Encampment Rivers w/in Wilderness Areas	South Fork Big Creek		As	H
COUCNP03	North Platte River from Grizzly & Little Grizzly Creeks to Wyo border	all	Fe(Dis)		
COUCNP04a	Tributaries to the North Platte River except those tributaries in Segment 1, 4b, 6, 7a and 7b.	Canadian River	Fe (Dis), <i>E. coli</i> , Mn		
COUCNP04a	All tributaries to N. Platte River except segments 4b, 6, 7a and 7b	Grizzly Creek, Little Grizzly Creek	As		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COUCNP04a	All tributaries to N. Platte River except segments 4b, 6, 7a and 7b	Little Grizzly Creek		Aquatic Life (provisional)	H
COUCNP04a	All tributaries to N. Platte River except segments 4b, 6, 7a and 7b	Lake Creek	Fe(Trec), Mn		
COUCNP04a	All tributaries to N. Platte River except segments 4b, 6, 7a and 7b	Illinois River	Cu, Fe(dis)	As	L
COUCNP04a	All tributaries to N. Platte River except segments 4b, 6, 7a and 7b	South Fork Big Creek		As	L
COUCNP04a	All tributaries to N. Platte River except segments 4b, 6, 7a and 7b	Snyder Creek		As, Fe(Dis), Fe(Trec), Mn	H/L
COUCNP04a	All tributaries to N. Platte River except segments 4b, 6, 7a and 7b	Sand Creek	Sediment		
COUCNP04b	Mainstem of the Illinois and Canadian Rivers, including all tributaries of the Illinois from Indian Creek to Michigan River except for specific listings in Segments 7a and 7b, and all tribs of Canadian entering the mainstem from the Southwest	Illinois River	Mn	As	L
COUCNP05b	Mainstem of the Michigan River from the source to the confluence with the North Fork Michigan River	all	Cu, Fe(Dis), Mn	As	L
COUCNP06	Mainstem of Pinkham Creek from the Routt National Forest boundary to the North Platte River	all	Cu		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COUCNP07b	Government Creek, Spring Creek	Spring Creek		D.O.	M
COUCNP09	All lakes and reservoirs tributary to the North Platte and Encampment Rivers	Big Creek Reservoir		Aquatic Life Use (Hg Fish Tissue)	H
COUCNP09	All lakes and reservoirs tributary to the North Platte and Encampment Rivers	North Delaney Lake		As	L
COUCNP09	All lakes and reservoirs tributary to the North Platte and Encampment Rivers	Lake John		pH, As	H
COUCRF02	Mainstem of the Roaring Fork River including all tributaries from the source to the confluence with Hunter Creek	all	Cu		
COUCRF03a	Roaring Fork including all tributaries and wetlands from Hunter Creek to the Colorado River	West Sopris Creek		Aquatic Life (provisional)	L
COUCRF03a	Roaring Fork including all tributaries and wetlands from Hunter Creek to the Colorado River	Roaring Fork from confluence with Hunter Creek to the confluence of Trentaz Gulch		Aquatic Life (provisional)	L
COUCRF03b	Red Canyon Creek including all tributaries and wetlands from the source to the Roaring Fork except Landis Creek from source to Hopkins Ditch Diversion	Landis Creek	Fe(Trec)		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COUCRF03c	Roaring Fork River, from the Fryingpan River to the Colorado River. Three Mile Creek, including all tributaries from the source to the Roaring Fork River	all		Temperature	H
COUCRF03d	Roaring Fork including all tributaries and wetlands from Hunter Creek to the Colorado River	Cattle Creek from Bowers Gulch to mouth		Aquatic Life (provisional)	L
COUCRF07	All tributaries to the Fryingpan River	South Fork Frying Pan River from transbasin diversion to confluence with unnamed tributary (39.25128°N, -106.59442°W)		Aquatic Life (provisional)	L
COUCUC02	Mainstem of the Colorado River, including all tributaries and wetlands within or flowing into Arapahoe National Recreation Area.	Willow Creek, Stillwater Creek and Arapaho Creek		Temperature	H
COUCUC02	Mainstem of the Colorado River, including all tributaries and wetlands within or flowing into Arapahoe National Recreation Area.	North Inlet to Grand Lake		Cu	H
COUCUC02	Mainstem of the Colorado River, including all tributaries and wetlands within or flowing into Arapahoe National Recreation Area.	Colorado River from Shadow Mountain Reservoir to Granby Reservoir		Temperature	H

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COUCUC03	Mainstem of the Colorado River from Lake Granby to the Roaring Fork River.	Lake Granby to Gore Canyon	As		
COUCUC03	Mainstem of the Colorado River from Lake Granby to the Roaring Fork River.	From 578 Road Bridge		Temperature	H
COUCUC03	Mainstem of the Colorado River from Lake Granby to the Roaring Fork River.	Mainstem of the Colorado River from the outlet of Windy Gap Reservoir to Derby Creek	Aquatic Life		
COUCUC06b	Mainstem of unnamed tributary from the headwaters to Willow Creek Reservoir Road	all	D.O.		
COUCUC07a	All tribs to the Colorado River, including wetlands from a point abv the confluence with the Blue River to blw confluence with the Roaring Fork, which are not on National Forest Lands except specific listings in segment 7b.	Alkali Slough	Mn	Fe (Trec), Se, SO <sub>4</sub>	L
COUCUC07a	All tribs to the Colorado River, including wetlands from a point abv the confluence with the Blue River to blw confluence with the Roaring Fork, which are not on National Forest Lands except specific listings in segment 7b.	Muddy Creek		Temperature, As	H/L

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COUCUC07b	Muddy Creek from Wolford Mountain Reservoir. Rock Creek, Deep Creek, Sheephorn Creek Sweetwater Creek and Piney River.	Muddy Creek and tributaries		Temperature	H
COUCUC07b	Muddy Creek from Wolford Mountain Reservoir. Rock Creek, Deep Creek, Sheephorn Creek Sweetwater Creek and Piney River.	Muddy Creek		As, Mn	L
COUCUC08	Williams Fork River, including all tributaries from the source to the confluence with the Colorado river, except those listed in segment 9	Below Kinney Creek	Cu		
COUCUC10a	Mainstem of the Fraser River from the source to a point immediately below the Rendezvous Bridge. All tributaries to the Fraser River, from the source to the Colorado River	Fraser River, Vasquez Creek		Aquatic Life (provisional)	L
COUCUC10a	Mainstem of the Fraser River from the source to a point immediately below the Rendezvous Bridge. All tributaries to the Fraser River, from the source to the Colorado River.	Ranch Creek		Temperature	L
COUCUC10a	Mainstem of the Fraser River from the source to a point immediately below the Rendezvous Bridge. All tributaries to the Fraser River, from the source to the Colorado River.	Vasquez Creek		Cu	H

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COUCUC10c	Mainstem of the Fraser River from Hammond Ditch to the Colorado River.	all		As	L
COUCUC10c	Mainstem of the Fraser River from Hammond Ditch to the Colorado River	Hammond Ditch to the bottom of Fraser Canyon	Fe(dis)		
COUCUC10c	Mainstem of the Fraser River from Hammond Ditch to the Colorado River	Below Fraser Canyon		Fe(dis)	L
COUCUC12	Lakes and reservoirs within Arapahoe National Recreation Area, including Grand Lake, Shadow Mountain Lake and Lake Granby	Willow Creek Reservoir	As	Mn, Fe(dis)	L
COUCUC12	Lakes and reservoirs within Arapahoe National Recreation Area including Grand Lake, Shadow Mountain Lake and Lake Granby	Shadow Mountain Reservoir		D.O., As	H
COUCYA02a	Mainstem of the Yampa River from Wheeler Creek to Oak Creek.	Yampa River above Stagecoach Reservoir	Mn	As	L
COUCYA02b	Yampa River from Oak Creek to Elkhead Creek	all		Temperature, As	H/L
COUCYA03	All tributaries to Yampa River except for specific listings, on USFS land	Bushy Creek		Sediment	L
COUCYA03	All tributaries to Yampa River except for specific listings, on USFS land	Little Morrison Creek	Mn	As, Fe(Trec)	H/L
COUCYA03	All tributaries to Yampa River except for specific listings, on USFS land	Gunn Creek		As, Zn	H/L



WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COUCYA04	Little White Snake Creek, source to Yampa River	all	D.O., Mn		
COUCYA08	Elk River source to Yampa River	Elk River below Morin Ditch		<i>E. coli</i>	H
COUCYA08	Elk River including tributaries and wetlands from the source to Yampa River	Lost Dog Creek	Hg, As, Zn		
COUCYA12	All tributaries to the Yampa River, including all wetlands, from the confluence with the Elk River to the confluence with Elkhead Creek, which are not on National Forest lands.	Wolf Creek		Aquatic Life (provisional)	M
COUCYA13b	Mainstem of Foidel Creek, including all tributaries and wetlands. Mainstem of Fish Creek, including all tributaries from County Road 27 downstream to the confluence with Trout Creek, except for specific listings in Segment 13g. Middle Creek and all tributaries, from County Road 27 downstream to the confluence with Trout Creek.	all	Sediment		

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COUCYA13b	Mainstem of Foidel Creek, including all tributaries and wetlands. Mainstem of Fish Creek, including all tributaries from County Road 27 downstream to the confluence with Trout Creek, except for specific listings in Segment 13g. Middle Creek and all tributaries, from County Road 27 downstream to the confluence with Trout Creek.	Fish Creek	<i>E. coli</i>		
COUCYA13d	Mainstem of Dry Creek, including all tributaries and wetlands, from the source to just above the confluence with Temple Gulch	all		Fe(Trec) (Snowmelt season)	L
COUCYA13e	Mainstem of Sage Creek, including all tributaries and wetlands, from its sources to the confluence with the Yampa River	all	Temperature		
COUCYA13e	Mainstem of Sage Creek, including all tributaries and wetlands, from its sources to the confluence with the Yampa River	Sage Creek below Routt County Road 51D		Se	L
COUCYA13h	Dry Creek including all tributaries from Temple Gulch to the Yampa River	all		Se	M

WBID	Segment Description	Portion	Colorado's Monitoring & Evaluation Parameter(s)	Clean Water Act Section 303(d) Impairment	303(d) Priority
COUCYA13j	Mainstem of Grassy Creek, including all tributaries and wetlands, from the confluence with all Scotchmans Gulch to the Yampa River near Hayden.	all	Se		
COUCYA15	Mainstem of Elkhead Creek and tributaries Calf Creek and 80A Road on the Dry Fork of Elkhead Creek, to the confluence with the Yampa River.	Elkhead Creek		As	H
COUCYA18	Little Snake River including all tributaries and wetlands from forest all boundary to Wyoming border	all	Cu		
COUCYA18	Little Snake River including all tributaries and wetlands from forest boundary to Wyoming border	South Fork Little Snake River	As, Fe(Dis)		
COUCYA22	All lakes and reservoirs tributary to the Yampa River, Elkhead Creek, and the Little Snake River, except Elkhead Reservoir.	Lake Catamount		Aquatic Life Use (Hg Fish Tissue)	H
COUCYA23	Elkhead Reservoir	all		Aquatic Life Use (Hg Fish Tissue)	H

#### **93.4 Impaired Water Bodies Not Requiring TMDLs**

Segments may be determined to be impaired if available data and/or information indicate that at least one classified use is not being supported, but a TMDL is not needed. These waters are broken out into three additional subcategories. Waters in these lists do not require a TMDL for one of the following reasons:

- Segments where a TMDL has been completed and approved but uses are not yet attained;

- Segments where other required control mechanisms are expected to address waterbody-pollutant combinations and will attain water quality standards in a reasonable period of time. (Category 4b Segment/Parameters)
- Segments where the impairment is not caused by a pollutant. (Category 4c Segment/Parameters)

Impaired Water Bodies Not Requiring TMDLs					
WBID	Segment Description	Approved TMDL Parameter(s)	Category 4b Parameter(s)	Category 4c Parameter(s)	Approval Date
COARUA01b	E. Fork Arkansas River above Birdseye Gulch	Pb, Zn			2/17/2004
COARUA01b	E. Fork Arkansas River above Birdseye Gulch	Zn			2/17/2004
COARUA02a	Arkansas River, Birdseye Gulch to California Gulch	Zn			6/14/2009
COARUA02b	Arkansas River above Lake Fork	Cd, Zn			6/14/2009
COARUA02c	Arkansas River, Lake Fork to Lake Creek	Cd, Zn			6/14/2009
COARUA03	Arkansas River, Lake Creek to Pueblo Reservoir	Cd, Zn			6/14/2009
COARUA05	Halfmoon Creek	Cd, Pb			6/14/2009
COARUA07	Evans Gulch	Zn			6/14/2009
COARUA08b	Iowa Gulch	Cd, Pb, Zn			10/26/2012
COARUA10	Lake Creek	Cu			11/30/2010
COARUA11	Sayres Gulch, & South Fork Lake Creek, Sayres Gulch to Lake Creek	Al, Cd, Cu, Zn, pH			6/14/2009
COARUA12a	Chalk Creek	Pb, Zn			6/14/2009
COGULG01	Gunnison River below N. Fork	Se			2/14/2011
COGULG02	Gunnison River	Se			2/14/2011
COGULG04a	Gunnison River tributaries	Se			2/14/2011
COGULG04b	Lower Kannah Creek	Se			2/14/2011
COGULG04c	Red Rock Creek	Se			2/14/2011
COGULG09	Fruitgrowers Reservoir	DO			2/14/2013
COGUNF03	Lower N. Fork Gunnison River	Se			2/14/2011
COGUNF05	Leroux Creek, Jay Creek	Se			2/14/2011
COGUNF06a	Short Draw	Se			2/14/2011

Impaired Water Bodies Not Requiring TMDLs					
WBID	Segment Description	Approved TMDL Parameter(s)	Category 4b Parameter(s)	Category 4c Parameter(s)	Approval Date
COGUNF06 b	Big Gulch, Cottonwood Creek	Se			2/14/2011
COGUSM03 a	San Miguel River below Idarado	Zn			9/17/2008
COGUSM03 a	San Miguel River below Idarado	Cd			8/3/2010
COGUSM03 b	San Miguel River below Idarado	sediment			8/11/2000
COGUSM03 b	San Miguel River, Marshall Creek to South Fork San Miguel River	Cd			9/17/2008
COGUSM03 b	San Miguel River, Marshall Creek to South Fork San Miguel River	Zn			9/17/2008
COGUSM06 a	Ingram Creek	Zn			9/17/2008
COGUSM06 a	Ingram Creek	Cd			8/3/2010
COGUSM06 b	Marshall Creek	Zn			9/17/2008
COGUSM06 b	Marshall Creek	Cd			8/3/2010
COGUUG30	Henson Creek	Cd			7/29/2010
COGUUG31	Palmetto Gulch	Cd			6/15/2010
COGUUG31	Henson Creek	Zn			7/29/2010
COGUUG32	Palmetto Gulch	Zn			6/15/2010
COGUUN02	Uncompahgre River, source to Red Mountain Creek	Cd, Cu, Zn			1/5/2010
COGUUN03 a	Uncompahgre River, Red Mountain Creek to Montrose	Cd, Cu, Fe (trec)			1/5/2010
COGUUN04 c	Uncompahgre River, Delta to Colorado River	Se			2/14/2011
COGUUN06 a	Red Mountain Creek, source to East Fork Red Mountain Creek	Zn(sc)			1/5/2010
COGUUN12	Uncompahgre River tributaries	Se			2/14/2011
COGUUN13	Uncompahgre River tributaries	Se			2/14/2011
CORGAL03a	Alamosa River, Alum Creek to Wightman Fork	Al, Cu, Zn pH			9/21/2007

Impaired Water Bodies Not Requiring TMDLs					
WBID	Segment Description	Approved TMDL Parameter(s)	Category 4b Parameter(s)	Category 4c Parameter(s)	Approval Date
CORGAL03b	Alamosa River, Wightman Fork to Fern Creek	Al, Cu, Zn, pH			9/21/2007
CORGAL03c	Alamosa River, Fern Creek to Ranger Creek	Al, Cu, Zn, pH			9/21/2007
CORGAL03d	Alamosa River, Ranger Creek to Terrace Reservoir	Cu, Zn, pH			9/21/2007
CORGAL05	Wightman Fork above Summitville	pH			9/21/2007
CORGAL08	Terrace Reservoir	Cu			9/21/2007
CORGAL08	Terrace Reservoir	Fe(Trec)			2/14/2013
CORGAL09	Alamosa River, Terrace Reservoir to Hwy 15	Cu			9/21/2007
CORGCB09a	Kerber Creek above Brewery Creek	Ag, Cd, Pb			9/17/2008
CORGCB09b	Kerber Creek, Brewery Creek to San Luis Creek	Cd, Cu, Zn			9/17/2008
CORGRG04	Rio Grande River below Willow Creek	Cd, Zn			9/23/2008
CORGRG30	Sanchez Reservoir	Hg			9/29/2008
COSJAF02	Animas River & tributaries, Denver Lake to Maggie Gulch	Al, Cd, Cu, Fe, Pb			12/6/2002
COSJAF03B	Animas River, Cement Creek to Mineral Creek	Al, Cd, Cu, Fe, Pb			12/6/2002
COSJAF04A	Animas River, Mineral Creek to Elk Creek	pH, Cu, Fe, Zn			12/6/2002
COSJAF04B	Animas River, Elk Creek to Junction Creek	Zn			12/6/2002
COSJAF07	Cement Creek, source to Animas River	Al, Cd, Cu, Pb, Fe			12/6/2002
COSJAF08	Mineral Creek, source to South Mineral Creek	Al, Cd, Cu, Pb, Fe			12/6/2002
COSJAF09b	Mineral Creek, South Mineral Creek to Animas River	pH, Cu, Fe, Zn			12/6/2002
COSJDO04	McPhee Reservoir	Hg (Phase 1)			2/14/2004
COSJDO09	Silver Creek from Rico's diversion to Dolores River	Cd			8/22/2008
COSJDO09	Silver Creek from Rico's diversion to Dolores River	Zn			8/22/2008
COSJLP04	Box Canyon Creek	sediment			8/30/2000
COSJLP04a	East Fork Mancos River	Cu, Mn			7/27/2012

Impaired Water Bodies Not Requiring TMDLs					
WBID	Segment Description	Approved TMDL Parameter(s)	Category 4b Parameter(s)	Category 4c Parameter(s)	Approval Date
COSJLP08	Narraquinnepp Reservoir	Hg (Phase 1)			2/14/2004
COSPBO02b	Boulder Creek	<i>E. coli</i>			9/27/2011
COSPBO04a	Gamble Gulch	Cu, Zn, pH			6/30/2009
COSPBO04a	Gamble Gulch	Cd, zn			8/12/2010
COSPBO09	Boulder Creek, South Boulder Creek to Coal Creek	NH <sub>3</sub>			7/14/2003
COSPBO10	Boulder Creek, Coal Creek to St. Vrain Creek	NH <sub>3</sub>			7/14/2003
COSPCL02	Clear Creek, Silver Plume to Argo Tunnel	Cu, Pb, Zn			9/18/2008
COSPCL03a	South Clear Creek downstream of Lower Cabin Creek Reservoir to Clear Lake	Zn			9/18/2008
COSPCL03a	Lower Cabin Creek Reservoir to Clear Creek		Aquatic Life		1/11/2016
COSPCL03b	Leavenworth Creek	Pb, Zn			9/18/2008
COSPCL09a	Fall River	Cu			9/18/2008
COSPCL09b	Trail Creek	Cd, Cu, Pb, Zn			9/18/2008
COSPCL11	Clear Creek, Argo Tunnel to Farmers Highline Canal	Cd, Pb, Zn			9/18/2008
COSPCL13	North Fork Clear Creek	Cd, Fe, Mn, Zn			9/18/2008
COSPCP07	North Fork Cache la Poudre River, Hall Reservoir to Cache la Poudre River	sediment			7/25/2002
COSPMS01a	South Platte River from Big Dry Creek to St. Vrain Creek		Ammonia & Nitrate		8/20/2009
COSPMS04	Milton Reservoir	DO, pH			6/27/2013
COSPMS04	Barr Lake	DO, pH			6/27/2013
COSPSV03	St. Vrain Creek, Hygiene Road to South Platte River	NH <sub>3</sub>			7/14/2003
COSPSV04	Little James Creek	Cd, Fe, Mn, Zn, pH			7/17/2002
COSPSV04a	Left Hand Creek Hyw 72 to James Ck	Cd, Cu, Zn, pH			9/1/2015
COSPSV04b	James Creek	Cd, Cu, Pb, Zn			9/1/2015
COSPSV04b	Little James Creek	Cd, Cu, Pb, Zn, pH			9/1/2015

Impaired Water Bodies Not Requiring TMDLs					
WBID	Segment Description	Approved TMDL Parameter(s)	Category 4b Parameter(s)	Category 4c Parameter(s)	Approval Date
COSPSV04c	Left Hand Creek below James Creek	Cu			9/1/2015
COSPUS01A	South Platte River, source to North Fork South Platte River	sediment			7/22/2002
COSPUS02B	Mosquito Creek	Cd, Pb, Zn			8/11/2000
COSPUS02C	South Mosquito Creek	Cd, Fe, Mn, Zn			8/11/2000
COSPUS04	Hall Valley to Geneva Creek	Cu			9/17/2008
COSPUS05a	Geneva Creek, source to Scott Gomer Ck	Cd, Cu, Mn, Zn			9/20/2010
COSPUS05b	Geneva Creek, Scott Gomer Creek to N. Fork S. Platte River	Cu			8/22/2008
COSPUS05b	Geneva Creek, Scott Gomer Creek to N. Fork S. Platte River	Zn			8/22/2008
COSPUS14	South Platte River, Bowles Avenue to Burlington Ditch	NO <sub>3</sub>			6/4/2004
COSPUS14	S. Platte River, Bowles Ave. to Burlington Ditch	<i>E. coli</i>			10/30/2007
COSPUS15	South Platte, Burlington Ditch to Big Dry Creek	DO			7/30/2000
COSPUS15	South Platte River, Burlington Ditch to Big Dry Creek	Cd			9/8/2006
COSPUS15	South Platte, Burlington Ditch to Big Dry Creek	Cd			7/19/2011
COSPUS15	South Platte, Burlington Ditch to Big Dry Creek		Ammonia & Nitrate		8/20/2009
COUCBL06	Snake River, source to Dillon Reservoir	Cd, Cu, Pb, Zn, pH			9/23/2008
COUCBL07	Peru Creek	Cd, Cu, Pb, Zn, pH, Mn			9/23/2008
COUCBL12	Illinois Gulch	Zn			2/1/2010
COUCBL12	Illinois Gulch	Cd			6/13/2011
COUCBL18	Straight Creek	sediment			8/11/2000
COUCEA05(a,b,&c)	Eagle River, Belden to Gore Creek	Cu, Zn			8/31/2009
COUCEA07b	Cross Creek, source to Eagle River	Cu, Zn			8/31/2009
COUCUC06C	Un-named tributary to Willow Creek	NH <sub>3</sub> .			7/30/2000

93.5 - 93.9 Reserved



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**93.15 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE;  
DECEMBER 2015 RULEMAKING, FINAL ACTION JANUARY 11, 2016, EFFECTIVE  
DATE OF MARCH 1, 2016**

The provisions of C.R.S. 25-8-202(1)(a), (b) and (i), (2) and (6); 25-8-203; 25-8-204; and 25-8-401; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

**BASIS AND PURPOSE**

**A. Revisions to 303(d) List**

**1. Introduction**

This regulation updates Colorado's List of Water-Quality-Limited Segments Requiring Total Maximum Daily Loads (TMDLs) to reflect additional water quality information available since the Regulation was promulgated in 2006. This list was prepared to fulfill section 303(d) of the federal Clean Water Act (Act) which requires that states submit to the U.S. Environmental Protection Agency (EPA) a list of those waters for which technology-based effluent limitations and other required controls are not stringent enough to implement water quality standards.

This regulation also updates Colorado's Monitoring and Evaluation List (M&E List) to reflect additional water quality information available since the Regulation was last promulgated in 2012.

**2. List Development**

**a. Listing Methodology**

The *Section 303(d) Listing Methodology - 2016 Listing Cycle* ("Listing Methodology") provides the listing process, the criteria for listing, and the criteria for determination of TMDL priority. The Listing Methodology was developed through a public process and finalized as a policy at a Water Quality Control Commission (Commission) administrative action hearing in March 2015.

This Listing Methodology sets forth the criteria that generally were used to make decisions regarding which waters to include on the 2016 Section 303(d) List and the 2016 M&E List. However, this methodology was not adopted by the Commission as a rule. The Commission therefore has the flexibility to take into account other appropriate factors in making site-specific listing decisions.

**b. Information Considered**

To determine the final segments and parameters that would be included on the 303(d) list and M&E list, the Commission considered all existing and readily available information that relates to the segments included in the Notice of Rulemaking (published August 10, 2015). The Commission considered existing and readily available data, which includes the data used to prepare the identification processes, calculations and models referenced in 40 CFR §130.7(a)(5)(i), (ii) and (iv), and data that was presented in a readily usable format and submitted in conformance with 40 CFR §130.7(a)(5)(iii). In addition,

the Commission accepted credible data and information that was submitted in accordance with the listing process schedule. The Division will continue to independently collect and analyze new data on a rotating basin basis as part of its triennial review efforts, and the Commission will utilize such data and information in making future listing determinations. Existing data which was not brought forward through one of these mechanisms or otherwise presented to the Commission in accordance with the schedule was not treated as "readily available" for purposes of making the 2016 listing decisions. Such information will be considered in the next listing cycle if the information is provided through a proper mechanism.

c. Data Quality

In the Division's Quality Management Plan 2011 for the Collection and Utilization of Environmental Data, the Division states that "[i]t is the expressed goal of the Division to use only those analytical data that are both reliable and have a defined level of quality."

3. Segment Prioritization

The objective of prioritization is to identify those segments where the Division and the public should concentrate their resources. Priorities of High, Medium and Low were established according to section IV of the 2016 Section 303(d) Listing Methodology.

The Division remains committed to establishing a plan for monitoring and evaluating water bodies on the M&E List prior to the list submission date for the subsequent listing cycle. Further, the Commission has committed to determining their appropriate status (as either impaired or fully supporting) within ten years of their placement on the M&E List.

4. Impaired Segments Not Requiring TMDLs

In the 2016 listing cycle, the Commission has added a list of impaired waters where a TMDL is not required. There are three primary reasons why the Commission did not require a TMDL for an impaired segment: (1) a TMDL has already been completed, but the classified uses are not yet attained but will be in the foreseeable future; (2) there is a required control mechanism in place that is expected to address all segment-pollutant combinations and the segment will attain water quality standards in a reasonable period of time; or (3) the Commission determined that the impairment is not caused by a pollutant. These segments have been included in section 93.4.

5. Fish Mercury (Hg) Listings

The 303(d) Listing Methodology was revised in 2014 for the assessment of Fish Mercury (Hg). The methods compare the weighted average fish Hg for each waterbody and species (and size class, where appropriate) to a 0.3 ppm threshold. The sample size must meet or exceed 30 fish tissue samples per waterbody/species to list new waterbodies for Fish Hg. Waterbodies can also be listed if there is overwhelming evidence of impairment (>0.45 ppm Hg) and a sample size of at least 10 fish tissue samples.

The Commission retained the following 15 lakes on the 303(d) List:

- Lower Arkansas segment 15, Trinidad Reservoir (COARLA15)
- Middle Arkansas segment 26, Horseshoe Lake (COARMA26)
- Upper Arkansas segment 40, Brush Hollow Reservoir (COARUA40)

- Lower Colorado segment 20, Rifle Gap Reservoir (COLCLC20)
- Dolores River segment 4b, McPhee Reservoir (COSJDO04b)
- La Plata segment 11, Narraguinnep Reservoir (COSJLP11)
- La Plata segment 11, Totten Reservoir (COSJLP11)
- Los Pinos segment 3, Vallecito Reservoir (COSJPN03)
- San Juan segment 8, Echo Canyon Reservoir (COSJSJ08)
- Big Thompson segment 11, Carter Lake (COSPBT11)
- Cache la Poudre segment 14, Horsetooth Reservoir (COSPCP14)
- Upper South Platte segment 17a, Berkeley Lake (COSPUS17a)
- Upper South Platte segment 17a, Rocky Mountain Lake (COSPUS17a)
- Yampa River segment 23, Catamount Reservoir (COUCYA22)
- Yampa River segment 22, Elkhead Reservoir (COUCYA23)

The Commission retained the following 3 lakes on the M&E List:

- Middle Arkansas segment 27, Teller Reservoir (COARMA27)
- San Juan segment 8, Navajo Reservoir (COSJSJ08)
- Boulder Creek segment 18, Gross Reservoir (COSPBO18)

The Commission moved the following lake from the M&E List to the 303(d) List:

- North Platte segment 9, Big Creek Reservoir (COUCNP09)

The Commission added the following lake to the M&E List:

- Upper South Platte segment 19, Cheesman Reservoir (COSPUS19)

The Commission removed the following lakes from the 303(d) List or the M&E List:

- Big Thompson segment 12, Boyd Lake (COSPBT12)
- Big Thompson segment 14, Lonetree Reservoir (COSPBT14)
- Upper Colorado segment 12, Lake Granby (COUCUC12)

## 6. Aquatic Life Listings

In October 2010, the Commission adopted Policy 10-1, Aquatic Life Use Attainment Commission's Policy ("Policy 10-1"), which established that the Colorado multi-metric index ("MMI") is an appropriate tool for the quantitative bioassessment of the health of aquatic communities. Utilizing the Commission Policy 10-1, the Division calculated over 750 MMI scores for the 2016 listing cycle. Based on this assessment, the Commission determined that 53 new segments were not attaining, with an additional 14 new segments included on the M&E List. These segments are in addition to 23 segments that were previously included on the 2012 303(d) List, and 5 segments that were previously included on the 2012 M&E List. For 50 of these segments that are not attaining for aquatic life a specific pollutant could not be identified as the cause of non-attainment, accordingly these 50 segments were listed as provisional.

Several segments had data outside of the standard index period for data collection. The Commission included these segments on the M&E List in 2012 to allow the Division and parties to gather additional information within the standard index period. The 2016 Listing Methodology allowed additional flexibility to include additional data that was collected four weeks after the October deadline to be considered in the index period. This resulted in the Commission moving some segments from the M&E List to the 303(d) List. Any data collected outside of the standard index period was not used for the 2016 listing cycle.

The Commission added the following segments to the 303(d) List for non-attainment of their Aquatic Life Use based on Policy 10-1:

- White River segment 7 (COLCWH07)
- White River segment 23, East Douglas Creek (COLCWH23)
- Closed Basin segment 2a, North Fork Carnero Creek (CORGCB02a)
- Closed Basin segment 2b, La Garita Creek (CORGCB02b)
- Rio Grande segment 11 (CORGRG11)
- Rio Grande segment 20a (CORGRG20a)
- Big Thompson segment 2 (COSPBT02)
- Upper Gunnison segment 01, Stewart Creek (COGUUG01)
- Upper Gunnison segment 4, Taylor River (COGUUG04)

The Commission provisionally added the following segments to the 303(d) List for non-attainment of their Aquatic Life Use based on Policy 10-1:

- Fountain Creek segment 3a, West Monument Creek (COARFO03a)
- Fountain Creek segment 6 (COARFO06)
- Lower Arkansas segment 6a, Apache Canyon (COARLA06a)
- San Miguel segment 12a, MaKenzie Creek (COGUSM12a)
- Upper Gunnison segment 2, Willow Creek (COGUUG02)
- Upper Gunnison segment 18b (COGUUG18b)
- Upper Gunnison segment 19, Razor Creek (COGUUG19)
- Upper Gunnison segment 26, Crystal Creek (COGUUG26)
- Closed Basin/San Luis Valley segment 9b, Kerber Creek from U S Gulch to the confluence with San Luis Creek (CORGCB09b)
- La Plata segment 5a (COSJLP05a)
- La Plata segment 6a (COSJLP06a)
- Piedra River segment 6a (COSJPI06a)
- Bear Creek segment 2 (COSPBE02)
- Boulder Creek segment 7a (COSPBO07a)
- Cache la Poudre segment 2a (COSPCP02a)
- Lower South Platte segment 2b, Kiowa Creek (COSPLS02b)
- Upper South Platte segment 3, Pine Creek, Fourmile Creek and West Creek (COSPUS03)
- Upper South Platte segment 10a, East Plum Creek (COSPUS10a)
- Upper South Platte segment 11b, Spring Creek (COSPUS11b)
- Blue River segment 1 (COUCBL01)
- Blue River segment 2b, Blue River to the confluence with Swan River (COUCBL02b)
- Blue River segment 2c (COUCBL02c)
- Blue River segment 5 (COUCBL05)
- North Platte segment 4a, Little Grizzly Creek (COUCNP04a)
- Yampa segment 12, Wolf Creek (COUCYA12)

The Commission retained the following segments on the 303(d) List for non-attainment of their Aquatic Life Use:

- White River segment 13c, Yellow Creek from Barcus Creek to the White River (COLCWH13c)
- Clear Creek segment 14b (COSPCL14b)
- Clear Creek segment 15 (COSPCL15)
- Big Thompson segment 9, Little Thompson River (COSPBT09)

The Commission retained the following segments provisionally on the 303(d) List for non-attainment of their Aquatic Life Use:

- Upper Arkansas segment 21a, Squaw Gulch to a point 1.5 miles upstream of the confluence with Fourmile Creek (COARUA21a)
- San Miguel segment 12a, Maverick Draw (COGUSM12a)
- Upper Gunnison segment 24, Cochetopa Creek from Forest Rd 43 to Tomichi Creek (COGUUG24)
- Uncompahgre segment 11, Deer Creek (COGUUN11)
- Lower Yampa/Green River segment 22a, Talamantes Creek (COLCLY22a)
- White River segment 15, Piceance Creek (COLCWH15)
- White River segment 20, Black Sulphur Creek (COLCWH20)
- Rio Grande segment 12 (CORGRG12)
- Boulder Creek segment 9, From 107th Street to the confluence with Coal Creek (COSPBO09)
- Upper South Platte segment 10a, West Plum Creek (COSPUS10a)
- Upper South Platte segment 11a, Cook Creek (COSPUS11a)
- Eagle River segment 6, Mainstem of Lake Creek from confluence with East and West Lake Creek to the mouth (COUCEA06)
- Eagle River segment 6, Red Sandstone Creek to confluence with Gore Creek (COUCEA06)
- Eagle River segment 8 (COUCEA08)
- Roaring Fork segment 3a, Roaring Fork from Hunter Creek to Trentaz Gulch (COUCRF03a)
- Roaring Fork segment 3a, West Sopris Creek (COUCRF03a)
- Roaring Fork segment 3d, Cattle Creek from Bowers Gulch (COUCRF03d)
- Roaring Fork segment 7, South Fork of Frying Pan River from diversion to unnamed tributary (COUCRF07)
- Upper Colorado segment 10a, Fraser River and Vasquez Creek (COUCUC10a)

The Commission added the following segments to the M&E List for possible non-attainment of their Aquatic Life Use:

- Upper Arkansas segment 14c, North Hardscrabble Creek (COARUA14c)
- Upper Arkansas segment 15 (COARUA15)
- Rio Grande segment 7 (CORGRG07)
- Lower Yampa/Green River segment 3i (COLCLY03i)
- La Plata/Mancos/McElmo/San Juan segment 4a (COSJLP04a)
- San Juan segment 5, Mainstem San Juan River (COSJSJ05)
- Clear Creek segment 2c (COSPCL02c)

The Commission retained the following segments on the M&E List for possible non-attainment of their Aquatic Life Use:

- Upper Arkansas segment 5, Lake Fork below Sugarloaf Dam (COARUA05)
- White River segment 13b, Duck Creek (COLCWH13b)
- Boulder Creek segment 7b (COSPBO07b)
- Clear Creek segment 1, Kearney Gulch and Grizzly Gulch (COSPCL01)
- Upper South Platte segment 2a, South Fork of South Platte below Antero Reservoir (COSPUS02a)
- Upper South Platte segment 3, Trout Creek (COSPUS03)
- Blue River segment 17 (COUCBL17)
- Eagle River segment 6, Black Gore Creek (COUCEA06)
- Eagle River segment 6, Red Sand Stone Creek from USFS Boundary to northside of I-70 frontage road (COUCEA06)
- Upper Colorado segment 3, Colorado River from Windy Gap Reservoir to Derby Creek (COUCUC03)

The Commission expanded the portion of Upper Colorado segment 3 that is on the M&E List to include the portion from the outlet of Windy Gap Reservoir to Derby Creek. Despite improving MMI scores in the upper reach, the Commission was concerned about declining taxa in the upper reach, and feels the stream would benefit from additional investigation.

The Commission removed the following segments from the 303(d) List for attainment of their Aquatic Life Use:

- Upper Arkansas segment 21a, Cripple Creek from source to above Squaw Gulch (COARUA21a)
- Upper Gunnison segment 6b, Cement Creek (COGUUG06b)
- Upper Gunnison segment 29a, Lake Fork of the Gunnison River between Cooper and Silver Creek (COGUUG29a)
- White River segment 23, West Douglas Creek (COLCWH23)
- Bear Creek segment 1a, Bear Creek (COSPBE01a)
- St. Vrain segment 3, From the confluence with Left Hand Creek to the confluence with Boulder Creek (COSPSV03)
- Roaring Fork segment 4, Mainstem Brush Creek (COUCRF04)
- Yampa River segment 15, Elkhead Creek (COUCYA15)

The Commission removed the following segments from the M&E List for attainment of the Aquatic Life Use standard:

- Fountain Creek segment 4, Sand Creek (COARFO04)
- Upper Gunnison segment 8, Slate River (COGUUG08)
- Bear Creek segment 1e, All (COSPBE01e)
- Bear Creek segment 2, Below Kipling Parkway (CO 391) (COSPBE02)
- Boulder Creek segment 10 (COSPBO10)
- Lower South Platte segment 1 (COSPLS01)
- St. Vrain segment 3, From Hover Road to the confluence of Left Hand Creek (COSPSV03)
- Upper South Platte segment 11b, Bear Creek (COSPUS11b)
- North Platte segment 4a, Grizzly Creek (COUCNP04a)

The Commission moved the following segments from the M&E List to the 303(d) List, provisionally:

- Upper South Platte segment 6a, South Platte from Cheeseman Reservoir to Lazy Gulch (COSPUS06a)
- Upper South Platte segment 01a, South Platte River from the outlet of Elevenmile Reservoir to the Idlewild picnic area (COSPUS01a)
- Upper South Platte segment 11b, Spring Creek (COSPUS11b)
- Eagle River segment 6, Beaver Creek from Wayne Creek to mouth (COUCEA06)
- Eagle River segment 9a, Eagle River from confluence with Berry Creek to confluence with Squaw Creek (COUCEA09a)
- North Platte segment 4a, Little Grizzly Creek (COUCNP04a)

The Commission removed the provisional qualifier for the non-attainment of the Aquatic Life Use standard for the following segments:

- Upper Gunnison segment 15a, South Beaver Creek (COGUUG15a)
- Clear Creek segment 14a, Clear Creek from Croke Canal to McIntyre Street (COSPCL14a)
- Upper South Platte segment 3, Horse Creek (COSPUS03)

## 7. Narrative Sediment Standard Listings

The Commission adopted a new approach in the 2016 Listing Methodology to evaluate impairment of the narrative sediment standard. This methodology, which is described in the Commission's Policy 98-1, Guidance for the Implementation of Colorado's Narrative Stream Standard Regulation #31, Section 31.11(1)(a)(i), includes assessment of the macroinvertebrate population using a sediment tolerance indicator score and the percent fines as compared to a regional threshold. An impairment listing is further supported by a review of the watershed for differences of the sampling site from the range of conditions used to establish the expected condition for the sediment region, as well as the presence of likely anthropogenic sources of sediment.

The Commission added the following segments to the 303(d) List for non-attainment of the narrative sediment standard:

- White River segment 13b (COLCWH13b)
- White River segment 23, East Douglas Creek from just below Tommy's Draw to the confluence with Douglas Creek (COLCWH23)
- Closed Basin segment 12a, East Pass Creek (CORGCB12a)

The Commission added the following segments to the M&E List for potential non-attainment of the narrative sediment standard:

- Yampa River segment 13b (COUCYA13b)
- North Platte segment 4a, Sand Creek (COUCNP04a)

The Commission removed the following segment from the 303(d) List for attainment of the narrative sediment standard:

- Upper South Platte segment 3, Trout Creek and its tributaries on USFS land (COSPUS03)

The Commission removed the following segments from the M&E List for attainment of the narrative sediment standard:

- Lower Yampa segment 2 (COLCLY02)
- Upper South Platte segment 3, Sugar Creek on USFS land (COSPUS03)
- Upper South Platte segment 3, Pine Creek on USFS land (COSPUS03)

The Commission retained these segments on the 303(d) List for non-attainment of the narrative sediment standard as no new data was available:

- Lower Colorado segment 13b, Salt Creek (COLCLC13b)
- White River segment 22, West Evacuation Wash, Douglas Creek (COLCWH22)
- Eagle River segment 6, Black Gore Creek, adjacent to I-70 (COUCEA06)
- Eagle River segment 9a, Eagle River from confluence with Berry Creek to confluence with Squaw Creek (COUCEA09a)
- Yampa River segment 3, Bushy Creek (COUCYA03)
- Clear Creek segment 14b (COSPCL14b)
- Clear Creek segment 15 (COSPCL15)

The Commission retained these segments on the M&E List for non-attainment of the narrative sediment standard as no new data was available:

- Lower Arkansas segment 7 (COARLA07)
- Lower Gunnison segment 2 (COGULG02)
- Lower Gunnison segment 11b, Lunch Creek (COGULG11b)
- Uncompahgre River segment 4a (COGUUN04a)
- Uncompahgre River segment 4b (COGUUN04b)
- Uncompahgre River segment 4c (COGUUN04c)
- Uncompahgre River segment 15b, Dry Creek Watershed (COGUUN15b)
- Lower Colorado segment 1 (COLCLC01)
- Lower Colorado segment 2a (COLCLC02a)
- Lower Colorado segment 2b (COLCLC02b)
- Lower Yampa segment 16 (COLCLY16)
- Rio Grande segment 13 (CORGRG13)
- Los Pinos segment 6a, Stollsteimer Creek above Southern Ute boundary (COSJPI06a)
- Eagle River segment 9a, Eagle River from Gore Creek to confluence with Berry Creek (COUCEA09a)

#### 8. Listings Due to Exceedances of the Temperature Standards

The 2016 Listing Methodology requires that the party proposing a temperature listing is responsible for investigating the temperature excursions as defined in Regulation No. 31, Footnote 5c, Table 1. This footnote includes four allowable excursions to exceedances of the temperature standard. These include an air temperature excursion, a low flow excursion, an excursion for the upper portion of a lake or reservoir and a winter shoulder season excursion. For the 2016 listing cycle the Division analyzed water temperature data from more than 240 stations in more than 100 segments. In cases where the excursions were evaluated and exceedances of the temperature standards remained, the Commission included these segments on the 303(d) List. In cases where the excursions were not fully evaluated and exceedances of the temperature standards remained, the Commission included these segments on the M&E List.

The Commission added the following segments to the 303(d) List for exceedances of the temperature standards (portions are indicated where appropriate):

- Fountain Creek segment 6 (COARFO06)
- Lower Arkansas segment 3a (COARLA03a)
- Middle Arkansas segment 2 (COARMA02)
- Lower Dolores segment 2 (COGULD02)
- Upper Gunnison segment 8 (COGUUG08)
- Lower Colorado segment 1 (COLCLC01)
- White River segment 7 (COLCWH07)
- White River segment 13c, Yellow Creek below Greasewood Creek (COLCWH13c)
- White River segment 15, Piceance Creek from 3 miles above the confluence with the White River, to the confluence with the White River. (COLCWH15)
- White River segment 23 (COLCWH23)
- Rio Grande segment 4b (CORGRG04b)
- Bear Creek segment 1b (COSPBE01b)
- Bear Creek segment 1e (COSPBE01e)
- Bear Creek segment 3 (COSPBE03), Vance Creek
- Big Thompson segment 2, From Cedar Creek to Home Supply Canal (COSPBT02)
- Clear Creek segment 11 (COSPCL11)
- Clear Creek segment 13b, Mainstem of North Clear Creek (COSPCL13b)
- Clear Creek segment 14a (COSPCL14a)
- Clear Creek segment 15 (COSPCL15)



- Upper South Platte segment 3, Goose Creek (COSPUS03)
- Blue River segment 17, Blue River downstream of Green Mtn Reservoir (COUCBL17)
- Roaring Fork segment 3c (COUCRF03c)
- Upper Colorado segment 2, Colorado River from Shadow Mountain Reservoir to Granby Reservoir (COUCUC02)
- Upper Colorado segment 2, Willow Creek, Stillwater Creek and Arapaho Creek (COUCUC02)
- Upper Colorado segment 7a, mainstem of Muddy Creek (COUCUC07a)
- Yampa River segment 2a, Yampa River below Stagecoach Reservoir (COUCYA02a)
- Yampa River segment 2b (COUCYA02b)

The Commission added the following segments to the M&E List for exceedances of the temperature standards (where portions are not indicated the entire segment was listed):

- Lower Arkansas segment 5b (COARLA05b)
- Lower Arkansas segment 6a, Reilly Canyon and Sarcillo Canyon (COARLA06a)
- Lower Arkansas segment 6b (COARLA06b)
- Middle Arkansas segment 7b (COARMA07b)
- Upper Arkansas segment 4a (COARUA04a)
- Lower Gunnison segment 8 (COGULG08)
- Closed Basin segment 12a (CORGCB12a)
- San Miguel segment 10, Naturita Creek (COGUSM10)
- San Miguel segment 12b (COGUSM12b)
- Lower Colorado segment 4a (COLCLC04a)
- Alamosa River segment 11b (CORGAL11b)
- Los Pinos River segment 4a, East Mancos River (COSJLP04a)
- Piedra River segment 5 (COSJPI05)
- San Juan River segment 6a (COSJSJ06a)
- San Juan River segment 10 (COSJSJ10)
- Bear Creek segment 6a, Turkey Creek below Parmelee Gulch (COSPBE06a)
- Bear Creek segment 6b (COSPBE06b)
- Clear Creek segment 14b (COSPCL14b)
- Clear Creek segment 17b (COSPCL17b)
- Upper South Platte segment 3, Trout Creek and tributaries on USFS property (COSPUS03)
- Upper South Platte segment 10a, Plum Creek (COSPUS10a)
- Upper South Platte segment 15 (COSPUS15)
- Upper South Platte segment 16g (COSPUS16g)
- Yampa River segment 13e (COUCYA13e)

The Commission retained the following segments on the 303(d) List for exceedances of the temperature standards:

- Bear Creek segment 1a, Bear Creek below the confluence with Yankee Creek (COSPBE01a)
- Cache la Poudre segment 10a (COSPCP10a)
- Saint Vrain segment 2b (COSPSV02b)
- Upper Colorado segment 3, From 578 Road Bridge (COUCUC03)
- Upper Colorado segment 7b, Muddy Creek and tributaries (COUCUC07b)
- Upper Colorado segment 10a, Ranch Creek (COUCUC10a)

The Commission retained the following segment on the M&E List for exceedances of the temperature standards:

- Upper South Platte segment 2a, Twin Creek, on USFS Land (COSPUS02a)

The Commission delisted the following segments from the 303(d) List or the M&E List for exceedances of the temperature standards:

- Bear Creek segment 1e, Bear Creek from the outlet of Evergreen Lake to Kerr/Swede Gulch (COSPBE01e)
- Upper South Platte segment 2a, Salt Creek (COSPUS02a)
- Eagle River segment 9a, Eagle River from Berry Creek to confluence with Ute Creek (COUCEA09a)
- Eagle River segment 9a, Eagle River from Ute Creek to confluence with Rube Creek (COUCEA09a)
- Upper Colorado segment 10c (COUCUC10c)
- Yampa River segment 2c (COUCYA02c)
- Bear Creek segment 1a, Bear Creek from Witter Gulch to Evergreen Lake (COSPBE01a)

The Commission moved the following segment from the 303(d) List to the M&E List for exceedances of the temperature standards:

- Big Thompson segment 8 (COSPBT08)

#### 9. Listings Due to Exceedances of the Secondary Water Supply Standards

For the secondary water supply standards of dissolved iron, manganese and sulfate, the less restrictive of the following two options apply as the numeric standard: existing quality as of January 1, 2000 or the table value criteria in Regulation No. 31, Tables II and III. For dissolved iron, the table value standard (TVS) is 300 ug/l. For dissolved manganese, the TVS is 50 ug/l. For sulfate, the TVS is 250 mg/l.

In the 2016 303(d) Listing Methodology, the Commission included additional language regarding the determination of existing quality from the year 2000. This included a minimum data requirement of ten data points, and the ability to use data collected after the year 2000 when characterizing existing quality from 2000. However, pursuant to section 31.11(6) of Regulation 31, the use of data collected after 2000 may only be used upon a showing that there are no new or increased sources of these pollutants in the segment being assessed since 2000.

Some issues were raised regarding whether the data should be assessed station by station when comparing concentrations from 2000 to current conditions or can data be aggregated for the entire segment (or a portion of the segment). The Commission determined that unless a good reason was presented to assess station to station, data should be combined and assessed to characterize water quality as of 2000 and current conditions for manganese, dissolved iron and sulfate.

In the following segments, the TVS was less restrictive than water quality as of the year 2000. Therefore, the TVS was used as the standard for these listing decisions. The Commission added the following segments to the 303(d) List:

- Middle Arkansas segment 2, mainstem of the Arkansas River from Pueblo Reservoir to Blue Ribbon Creek: manganese (COARMA02)
- Lower Yampa/Green River segment 3c, Wilson Creek: sulfate (COLCLY03c)
- Boulder Creek segment 2a, Como Creek to the confluence of North Boulder Creek: dissolved iron (COSPBO02a)
- Big Thompson segment 8, From source to St Vrain Supply Canal: sulfate

(COSPBT08)

- Cache la Poudre segment 7: manganese (COSPCP07)
- Cache la Poudre segment 13a, Dry Creek: manganese and sulfate

(COSPCP13a)

- Middle South Platte segment 1b: manganese (COSPMS01b)
- Upper Colorado segment 7a, Alkali Slough: sulfate (COUCUC07a)

In the following segments, the existing quality as of 2000 was greater (less restrictive) than the TVS. Therefore, the water quality representative of 2000 was used as the standard for these listing decisions. The Commission added the following segments to the 303(d) List:

- Fountain Creek segment 1a, Mainstem: manganese (COARFO01a)
- Lower Arkansas segment 1b: manganese (COARLA01b)
- Lower Arkansas segment 1c: manganese (COARLA01c)
- Lower Arkansas segment 4a: sulfate (COARLA04a)
- Middle Arkansas segment 6b: manganese and sulfate (COARMA06b)
- Lower Colorado segment 14c: manganese (COLCLC14c)
- Lower Yampa segment 3c, Stinking Gulch: sulfate (COLCLY03c)
- Clear Creek segment 2c, Turkey Gulch below Rockford Tunnel: manganese and dissolved iron (COSPCL02c)
- Upper South Platte segment 3, Trout Creek and tributaries on USFS property: manganese (COSPUS03)
- Upper South Platte segment 5b, Geneva Creek: manganese (COSPUS05b)
- Blue River segment 06a: manganese (COUCBL06a)
- Eagle River segment 5c: dissolved iron (COUCEA05c)
- North Platte segment 4a, Snyder Creek: manganese and dissolved iron (COUCNP04a)
- Upper Colorado segment 10c, below Fraser Canyon: dissolved iron (COUCUC10c)

In the following segments, the TVS was less restrictive than water quality as of the year 2000. Therefore, the TVS was used as the standard for these listing decisions. The Commission added the following segments to the M&E List:

- Middle Arkansas segment 6a: manganese (COARMA06a)
- Upper Arkansas segment 38, Skagway Reservoir: dissolved iron (COARUA38)
- Upper Gunnison segment 29a, Lake Fork of the Gunnison upstream of Cottonwood Creek: manganese (COGUUG29a)
- Lower Colorado segment 4a: sulfate (COLCLC04a)
- Lower Yampa/Green River segment 3c, Wilson Creek: manganese (COLCLY03c)
- Lower Yampa/Green River segment 6: sulfate (COLCLY06)
- Lower White segment 9b: manganese (COLCWH09b)
- Lower White segment 13b, Corral Gulch: manganese (COLCWH13b)
- Alamosa River segment 20: dissolved iron (CORGal20)
- Closed Basin segment 12a, Ford Creek: manganese (CORGCB12a)
- Rio Grande segment 2, South Clear Creek: dissolved iron (CORGRG02)
- Rio Grande segment 38, Big Meadows Reservoir: dissolved iron and manganese (CORGRG38)
- Rio Grande segment 38, Road Canyon Reservoir: dissolved iron (CORGRG38)
- Boulder Creek segment 2a, North Boulder Creek from Caribou Creek to the confluence with Como Creek: dissolved iron (COSPBO02a)
- Big Thompson segment 7, Buckhorn Creek: manganese (COSPBT07)
- Boulder Creek segment 2a, from the outlet of Barker Reservoir to Longitude:

105.475577°Latitude: 39.971275°: manganese (COSPBO02a)

- Cherry Creek segment 1: manganese (COSPCH01)
- Clear Creek segment 3b, Leavenworth Creek: manganese (COSPCL03b)
- Clear Creek segment 6, North Empire Creek: sulfate (COSPCL06)
- Clear Creek segment 12a, Gilson Gulch and tributaries: dissolved iron, manganese, and sulfate (COSPCL12a)
- Cache la Poudre segment 7: dissolved iron (COSPCP07)
- Laramie River segment 2a: manganese (COSPLA02a)
- St. Vrain segment 4a, (Hwy 72 to James Creek): manganese (COSPSV04a)
- North Platte segment 3: dissolved iron (COUCNP03)
- Yampa River segment 18, South Fork Little Snake River: dissolved iron (COUCYA18)

In the following segments, the existing quality as of 2000 was greater (less restrictive) than the TVS. Therefore, the water quality representative of 2000 was used as the standard for these listing decisions. The Commission added the following segments to the M&E List:

- Lower Arkansas segment 2a: manganese and sulfate (COARLA02a)
- Middle Arkansas segment 6b: sulfate (COARMA06b)
- Upper Arkansas segment 5, Lake Fork below Sugarloaf Dam to the confluence with the Arkansas River and Colorado Gulch: manganese (COARUA05)
- Upper Arkansas segment 38, Skagway Reservoir: manganese (COARUA38)
- Lower Colorado segment 2b, Humphrey Backwater area: manganese and sulfate (COLCLC02b)
- Lower Yampa/Green River segment 3e: sulfate (COLCLY03e)
- Lower Yampa/Green River segment 6: manganese (COLCLY06)
- White River segment 13b, Stake Springs: sulfate (COLCWH13b)
- Alamosa River segment 2: dissolved iron and manganese (CORGA02)
- Closed Basin segment 9a, Squirrel Creek: manganese (CORGCB09a)
- Rio Grande segment 4c: manganese (CORGRG04c)
- Clear Creek segment 6, North Empire Creek: dissolved iron (COSPCL06)
- Lower South Platte segment 1: sulfate (COSPLS01)
- Middle South Platte segment 1a: manganese (COSPMS01a)
- Blue River segment 12: manganese (COUCBL12)
- North Platte segment 4a, Canadian River: manganese (COUCNP04a)
- North Platte segment 4a, Illinois River: dissolved iron (COUCNP04a)
- North Platte segment 4b, Illinois River: manganese (COUCNP04b)
- North Platte segment 5b: dissolved iron and manganese (COUCNP05b)

In the following segments, there was not enough data available to characterize the water quality representative of the year 2000. Until additional information can be gathered to make a determination on the water quality as a 2000, the Commission added the following segments to the M&E List:

- Middle Arkansas segment 6a: sulfate (COARMA06a)
- Middle Arkansas segment 9: manganese (COARMA09)
- Middle Arkansas segment 11b: manganese (COARMA11b)
- Closed Basin segment 2a, North Fork Carnero Creek: manganese (CORGCB02a)
- Closed Basin segment 2a, South Fork Carnero Creek: dissolved iron and manganese (CORGCB02a)
- Closed Basin segment 2b, La Garita Creek: dissolved iron and manganese (CORGCB02b)
- Closed Basin segment 2c: manganese (CORGCB02c)
- Clear Creek segment 14b: dissolved iron (COSPCL14b)

- Boulder Creek segment 14, Barker Reservoir: dissolved iron, manganese (COSPBO14)
- Blue River segment 20, Spruce Creek: dissolved iron (COUCBL20)
- Upper Colorado segment 7a, Alkali Slough: manganese (COUCUC07a)
- Yampa River segment 3, Little Morrison Creek: manganese (COUCYA03)

For the following segments, existing 303(d) and M&E listings for exceedances of the secondary water supply standards were retained:

- Coal Creek segment 11: manganese (COGUUG11)
- Clear Creek segment 14b: manganese (COSPCL14b)
- Lower South Platte segment 1: manganese (COSPLS01)
- St. Vrain segment 5, Left Hand Creek below US 36 to a point above the Lefthand Feeder Canal: manganese (COSPSV05)
- North Platte segment 4a, Canadian River: dissolved iron (COUCNP04a)
- Yampa segment 2a, Yampa River below Stagecoach: manganese (COUCYA02a)

#### 10. Listings Due to Exceedances of the Water Supply Standards for Arsenic and Nitrite

The 2016 303(d) Listing Methodology was modified to reflect changes in Regulation #31 for the assessment of arsenic, nitrite and nitrate. Previously, the assessment of arsenic, nitrite and nitrate water supply standards was solely conducted at the point of intake for a water supply. This provision was removed in the Regulation #31, resulting in the assessment of these standards throughout the entire segment.

Based on comments received from parties regarding the arsenic listings the Commission reiterates the following Commission decisions. The source of a pollutant is not considered during the listing analysis, and the Commission recommends that parties who believe that impairments are the result of high background levels of arsenic consider site-specific regulatory changes, such as site-specific standards or removal of a classified use through a use attainability analysis. Attainment is assessed against the underlying standard, not against a temporary modification. Data for dissolved arsenic may be used in determining attainment of total arsenic.

For arsenic listings the Commission determined that the Division may use “j data” in its assessment. “J data” is an analytical result that falls between the method detection limit (“MDL”) and the minimum level (“ML”). The arsenic water supply standard (0.02µg/L) is below the MDL for arsenic (with the lowest MDL in data assessed for this rulemaking hearing at 0.022 µg/L). J data may be used in assessing arsenic because a j data result means that the lab is 99% certain arsenic is present in the sample at a level higher than the MDL, which is higher than the standard for arsenic.

The Commission added the following segments to the 303(d) List for exceedances of the arsenic standard:

- Fountain Creek segment 1a, Mainstem (COARFO01a)
- Lower Arkansas segment 1b (COARLA01b)
- Lower Arkansas segment 1c (COARLA01c)
- Lower Arkansas segment 5a (COARLA05a)
- Lower Arkansas segment 5b (COARLA05b)
- Lower Arkansas segment 9a (COARLA09a)
- Middle Arkansas segment 3 (COARMA03)
- Middle Arkansas segment 9 (COARMA09)
- Upper Arkansas segment 2c (COARUA02c)
- Upper Arkansas segment 05, Colorado Gulch (COARUA05)

- Upper Arkansas segment 15 (COARUA15)
- North Fork of the Gunnison segment 4, Ruby Anthracite Creek (COGUNF04)
- Upper Gunnison segment 12, Coal Creek (COGUUG12)
- Lower Colorado segment 1, Colorado River from Roaring Fork confluence to confluence with Paradise Creek (COLCLC01)
- Lower Colorado segment 4c (COLCLC04c)
- Lower Colorado segment 10 (COLCLC10)
- Lower Colorado segment 15a (COLCLC15a)
- Lower Colorado segment 15c (COLCLC15c)
- Lower Yampa segment 3c, Stinking Gulch (COLCLY03c)
- White River segment 7, White River below Meeker (COLCWH07)
- White River segment 12 (COLCWH12)
- White River segment 14a, Piceance Creek (COLCWH14a)
- White River segment 20, Black Sulphur Creek (COLCWH20)
- White River segment 21 (COLCWH21)
- Closed Basin segment 2a, North Fork Carnero Creek and South Fork Carnero Creek (CORGCB02a)
- Closed Basin segment 2b, La Garita Creek (CORGCB02b)
- Closed Basin segment 2c (CORGCB02c)
- Closed Basin segment 4 (CORGCB04)
- Closed Basin segment 9b (CORGCB09b)
- Closed Basin segment 12a (CORGCB12a)
- Rio Grande segment 4b, South Fork Rio Grande to Del Norte (CORGRG04b)
- Rio Grande segment 4c (CORGRG04c)
- Rio Grande segment 09, North Branch of Pass Creek (CORGRG09)
- Rio Grande segment 11 (CORGRG11)
- Rio Grande segment 19 (CORGRG19)
- Bear Creek segment 2 (COSPBE02)
- Boulder Creek segment 2a (COSPBO02a)
- Boulder Creek segment 2b (COSPBO02b)
- Boulder Creek segment 3 (COSPBO03)
- Boulder Creek segment 4b (COSPBO04b)
- Boulder Creek segment 9 (COSPBO09)
- Boulder Creek segment 10 (COSPBO10)
- Boulder Creek segment 14, Barker Reservoir (COSPBO14)
- Big Thompson segment 1 (COSPBT01)
- Big Thompson segment 2 (COSPBT02)
- Big Thompson segment 3 (COSPBT03)
- Big Thompson segment 7, Buckhorn Creek and North Fork of Big Thompson (COSPBT07)
- Big Thompson segment 8 (COSPBT08)
- Cache la Poudre segment 2a (COSPCP02a)
- Cache la Poudre segment 6 (COSPCP06)
- Cache la Poudre segment 9 (COSPCP09)
- Cache la Poudre segment 10a (COSPCP10a)
- Cache la Poudre segment 10b (COSPCP10b)
- Middle South Platte segment 1b (COSPMS01b)
- Republican Basin segment 1 (COSPBE01)
- St. Vrain segment 2b (COSPSV02b)
- Saint Vrain segment 7, Boulder Reservoir (COSPSV07)
- Upper South Platte segment 2c, South Mosquito Creek (COSPUS02c)
- Upper South Platte segment 10a, East Plum Creek (COSPUS10a)
- Blue River segment 2c (COUCBL02c)
- Blue River segment 4a, Gold Run Gulch below Jessie Mine (COUCBL04a)
- Blue River segment 20, Spruce Creek (COUCBL20)
- Eagle River segment 2 (COUCEA02)

- Eagle River segment 5c (COUCEA05c)
- Eagle River segment 6 (COUCEA06)
- Eagle River segment 9a (COUCEA09a)
- Eagle River segment 9c (COUCEA09c)
- North Platte segment 1, South Fork Big Creek (COUCNP01)
- North Platte segment 4a, Illinois River, South Fork Big Creek and Snyder Creek (COUCNP04a)
- North Platte segment 4b, Illinois River (COUCNP04b)
- North Platte segment 5b (COUCNP05b)
- North Platte segment 09, Lake John and North Delaney Lake (COUCNP09)
- Upper Colorado segment 7a, Muddy Creek (COUCUC07a)
- Upper Colorado segment 7b, Muddy Creek (COUCUC07b)
- Upper Colorado segment 10c (COUCUC10c)
- Upper Colorado segment 12, Shadow Mountain Reservoir (COUCUC12)
- Yampa River segment 2a, Yampa River above Stagecoach Reservoir (COUCYA02a)
- Yampa River segment 2b (COUCYA02b)
- Yampa River segment 3, Little Morrison Creek and Gunn Creek (COUCYA03)
- Yampa River segment 15, Elkhead Creek (COUCYA15)

The Commission added the following segments to the M&E List for potential non-attainment of the arsenic standard:

- Middle Arkansas segment 11b (C)OARMA11b)
- Lower Arkansas segment 10, Adobe Creek Reservoir (COARLA10)
- Upper Arkansas segment 35 (COARUA35)
- Upper Arkansas segment 38, Skagway Reservoir (COARUA38)
- Lower Dolores segment 5, Mesa Creek and tributaries (COGULD05)
- Lower Colorado segment 2b, Humphrey Backwater area (COLCLC02b)
- Lower Colorado segment 14c (COLCLC14c)
- Lower Colorado segment 20, Rifle Gap Reservoir (COLCLC20)
- Bear Creek segment 11, Harriman Reservoir (COSPBE11)
- Cache la Poudre segment 7 (COSPCP07)
- Laramie segment 2a (COSPLA02a)
- Laramie segment 2b (COSPLA02b)
- Alamosa River segment 20 (CORGAL20)
- Rio Grande segment 37 (CORGRG37)
- Upper South Platte segment 12, Jackson Creek (COSPUS12)
- Blue River segment 12 (COUCBL12)
- Eagle River segment 9b (COUSEA09b)
- North Platte segment 4a, Grizzly Creek and Little Grizzly Creek (COUSNP04a)
- Upper Colorado segment 3, Lake Granby to Gore Canyon (COUCUC03)
- Upper Colorado segment 12, Willow Creek Reservoir (COUCUC12)
- Yampa River segment 18, South Fork of the Little Snake River (COUCYA18)
- Upper Gunnison segment 29a, Lake Fork of the Gunnison River Upstream of Cottonwood Creek (COGUUG29a)
- Yampa River segment 8, Lost Dog Creek (COUCYA08)

The Commission retained the following segments on the 303(d) List for exceedances of the arsenic standard:

- Upper Gunnison segment 09, Coal Creek (COGUUG09)
- Upper Gunnison segment 11, Elk Creek (COGUUG11)
- Upper Gunnison segment 11, Coal Creek (COGUUG11)
- Big Thompson segment 11 (COSPBT11)

- Cache la Poudre segment 14 (COSPCP14)
- Upper South Platte segment 3, Fourmile Creek (COSPUS03)
- Upper South Platte segment 3, Pine Creek (COSPUS03)
- Upper South Platte segment 14 (COSPUS14)
- Upper South Platte segment 17a, Berkeley Lake (COSPUS17a)

The Commission retained the following segment on the M&E List for exceedances of the arsenic standard:

- Upper South Platte segment 03, West Creek (COSPUS03)

The Commission retained the following segment on the M&E List for exceedances of the nitrite standard:

- Middle Arkansas segment 4a (COARMA04a)

The Commission added the following segment to the M&E List for exceedances of the nitrite standard:

- Lower Colorado segment 2b, Humphrey Backwater Area (COLCLC02b)

The Commission delisted the following segments as they are attaining the arsenic standard:

- Upper Arkansas segment 20, North Fork Wilson Creek below Independence Mine (COARUA20)
- Saint Vrain segment 4c (COSPSV04c)

#### 11. Listings Due to Exceedances of the Total Phosphorus Standards

In May 2012, the Commission adopted nutrient control management regulations, as detailed in Regulation 85 and Regulation 31. Interim total nitrogen and total phosphorus values were included in Regulation 31, and as the Commission revises basin regulations, the interim value for total phosphorus is adopted as a numeric standard in waters upstream of domestic wastewater treatment facilities. A list of such dischargers has been included in each of the basin regulations. At the time of this hearing, the total phosphorus standard has been adopted in the upstream waters of the following basins: Upper Colorado, Lower Colorado, Arkansas, and Rio Grande.

For the 2016 303(d) Listing Methodology, the Commission outlined the assessment methodology for numeric nutrient standards. The ambient annual median is assessed against the numeric standard, with an allowable exceedance frequency of one in five years. If the annual median nutrient concentration exceeds the standard but fewer than five samples are available for a specific year, the segment should be included on the M&E until additional data can be collected.

The following segments have been included on the M&E list for exceeding the numeric total phosphorus standard but not meeting sample size requirements.

- Lower Colorado segment 4a (COLCLC04a)
- Closed Basin segment 2a, North Fork Carnero Creek (CORGCB02a)
- Closed Basin segment 2a, South Fork Carnero Creek (CORGCB02a)
- Closed Basin segment 2b, La Garita Creek (CORGCB02b)
- Closed Basin segment 2c (CORGCB02c)
- Closed Basin segment 12a (CORGCB12a)



- Rio Grande segment 11 (CORGRG11)
- Rio Grande segment 19 (CORGRG19)
- Rio Grande segment 20a (CORGRG20a)
- Rio Grande segment 20b (CORGRG20b)

## 12. Delisting of Segments with Recently Approved TMDLs

The Division submitted 11 TMDLs to EPA since the approval of the 2012 303(d) List that have been approved. The Commission has removed the following segments from the 303(d) List:

- Upper Arkansas segment 8b, Iowa Gulch: cadmium, lead, and zinc (COARUA08b)
- Lower Gunnison segment 9, Fruitgrowers Reservoir: dissolved oxygen (COGULG09)
- Alamosa segment 8, Terrace Reservoir: total recoverable iron (CORAL08)
- La Plata segment 4a, East Mancos: copper and manganese (COSJLP04a)
- Middle South Platte segment 4, Barr Lake and Milton reservoir: pH and DO (COSPM04)
- Saint Vrain segment 4a, Left Hand Creek from Hwy 72 to James Creek: copper, zinc, and pH (COSPSV04a)
- Saint Vrain segment 4b: copper and lead (COSPSV04b)
- Saint Vrain segment 4c: copper (COSPSV04c)

## 13. Delisting of Segments where Water Quality is Currently Meeting Standards

As additional water quality data is collected and assessed, new data may show attainment of the standards. The Commission removed the following segments and parameters from the 303(d) List due to attainment of current water quality standards:

- Fountain Creek segment 7a, Willow Springs Ponds #1 & #2: Aquatic life use (tetrachloroethylene fish tissue) (COARFO07a)
- Lower Arkansas segment 1a: selenium, sulfate (COARLA01a)
- Lower Arkansas segment 4a, Timpas Creek: total recoverable iron (COARLA04a)
- Lower Arkansas segment 7: selenium (COARLA07)
- Lower Arkansas segment 9b, Chicosa Creek: total recoverable iron, selenium (COARLA09b)
- Middle Arkansas segment 6a: selenium (COARMA06a)
- Middle Arkansas segment 14: selenium (COARMA14)
- Upper Arkansas segment 20, Wilson Creek below Independence Mine: arsenic (COARUA20)
- Upper Arkansas segment 40: dissolved oxygen (COARUA40)
- Lower Gunnison segment 9: dissolved oxygen (COGULG09)
- Upper Gunnison segment 29a, Lake Fork between Cooper and Silver Creeks: aquatic life (provisional) (COGUUG29a)
- Lower Colorado segment 10: selenium (COLCLC10)
- Lower Colorado segment 13b, Adobe Creek, Leach Creek: total recoverable iron (COLCLC13b)
- Lower Yampa segment 2: total recoverable iron (COLCLY02)
- Lower Yampa segment 5: selenium (COLCLY05)
- White River segment 14a, Willow Creek to Hunter Creek: total recoverable iron (COLCWH14a)
- Alamosa segment 3b, Alamosa River above Jasper Creek: cadmium (CORAL03b)
- Alamosa segment 8, Terrace Reservoir: total recoverable iron (CORAL08)

- Rio Grande segment 7, Nelson Creek, West Willow Creek below Nelson Creek to East Willow Creek: pH (CORGRG07)
- Rio Grande segment 37: dissolved oxygen (CORGRGR37)
- Big Dry segment 1: selenium (COSPBD01)
- Bear Creek segment 2, below Kipling Parkway: *E. coli* (COSPBE02)
- Bear Creek segment 5, Swede/Kerr Gulch: *E. coli* (COSPBE05)
- Big Thompson segment 2: cadmium, zinc, copper (from downstream of the UTSD discharge) (COSPBT02)
- Big Thompson segment 8: dissolved oxygen (COSPBT08)
- Big Thompson segment 9: copper (COSPBT09)
- Big Thompson segment 10, Big Hollow: selenium (COSPBT10)
- Cherry Creek segment 3: selenium (COSPCH03)
- Cherry Creek segment 3, Cherry Creek from Holly Street to the South Platte River: total recoverable iron (COSPCH03)
- Clear Creek segment 2b: cadmium (COSPCL02b)
- Clear Creek segment 6, Mad Creek: zinc (COSPCL06)
- Clear Creek segment 15: manganese (COSPCL15)
- Cache la Poudre segment 8: arsenic (COSPCP08)
- Cache la Poudre segment 10a: copper (COSPCP10a)
- Cache la Poudre segment 11: selenium (COSPCP11)
- Cache la Poudre segment 12: selenium (COSPCP12)
- Cache la Poudre segment 13a: selenium (COSPCP13a)
- Cache la Poudre segment 14: copper (COSPCP14)
- Middle South Platte segment 1b: selenium (COSPMS01b)
- Middle South Platte segment 7, Prospect Lake: dissolved oxygen (COSPMS07)
- Republican River segment 4: *E. coli* (COSPRES04)
- St. Vrain segment 2a: zinc (COSPSV02a)
- St. Vrain segment 2b: copper (COSPSV02b)
- St. Vrain segment 6: selenium (COSPSV06)
- Upper South Platte segment 17a, Duck Lake: dissolved oxygen (COSPUS17a)
- Upper South Platte segment 17b, Sloan's Lake: dissolved oxygen (COSPUS17b)
- Upper South Platte segment 23, Garfield and Huston Lakes: dissolved oxygen (COSPUS23)
- North Platte segment 4b, Illinois River: total recoverable iron (COUCNP04b)
- North Platte segment 9, Lake John: dissolved oxygen (COUCNP09)
- Upper Colorado segment 3, from 578 Rd Bridge to Blue River: manganese (COUCUC03)
- Yampa River segment 13d, Below Seneca sample location 8 (WSD5): selenium (COUCYA13d)

The Commission removed the following segments and parameters from the M&E List due to attainment of current water quality standards:

- Middle Arkansas segment 6a: uranium (COARMA06a)
- Middle Arkansas segment 6b: uranium (COARMA06b)
- Middle Arkansas segment 7b: copper, zinc (COARMA07b)
- Middle Arkansas segment 9: selenium (COARMA09)
- San Miguel segment 12a, Calamity Draw: dissolved oxygen (COGUSM12a)
- Lower Colorado segment 4a, Alkali Creek: *E. coli*, copper, total recoverable iron, lead, zinc (COLCLC04a)
- Lower Colorado segment 4c: copper and selenium (COLCLC04c)
- Lower Colorado segment 13b, Indian Wash: total recoverable iron (COLCLC13b)
- Lower Colorado segment 15a, Plateau Creek: selenium (COLCLC15a)
- Lower Yampa segment 3c, Stinking Gulch: copper, zinc (COLCLY03c)
- Lower Yampa segment 3c, Wilson Creek: selenium (COLCLY03c)
- Lower Yampa segment 18: *E. coli*, total recoverable iron, selenium (COLCLY18)

- White River segment 7, White River below Meeker: copper (COLCWH07)
- White River segment 9a, Strawberry Creek: copper, zinc (COLCWH09a)
- White River segment 23, East Douglas Creek: total recoverable iron (COLCWH23)
- White River segment 10b, Coal Creek below Ninemile Gulch: selenium (COLCWH10b)
- Closed Basin segment 9a, Squirrel Creek: cadmium, copper, zinc, total recoverable iron (CORGCB09a)
- Blue River segment 20, Spruce Creek: total recoverable iron (COUCBL20)
- Boulder Creek segment 1: lead, zinc (COSPBO01)
- Boulder Creek segment 2a: cadmium, copper (COSPBO02a)
- Boulder Creek segment 2b: cadmium, copper (COSPBO02b)
- Boulder Creek segment 3: cadmium, copper (COSPBO03)
- Boulder Creek segment 9: cadmium (COSPBO09)
- Boulder Creek segment 10: cadmium (COSPBO10)
- Boulder Creek segment 14, Boulder Reservoir: cadmium (COSPBO14)
- Big Thompson segment 2: sulfide (COSPBT02)
- Big Thompson segment 6, Dry Creek: *E. coli* (COSPBT06)
- Cherry Creek segment 6, Lollipop Lake: selenium (COSPCH06)
- Clear Creek segment 6, Mad Creek: pH (COSPCL06)
- Clear Creek segment 6, Hoop Creek: cadmium, lead, zinc (COSPCL06)
- Clear Creek segment 9a, Fall River: zinc, dissolved oxygen (COSPCL09a)
- Clear Creek segment 15: lead (COSPCL15)
- Cache la Poudre segment 6: copper (COSPCP06)
- Cache la Poudre segment 9: cadmium, lead (COSPCP09)
- Lower South Platte segment 3, Jackson Reservoir: selenium (COSPLS03)
- North Platte segment 1, South Fork Big Creek: copper, *E. coli* (COUCNP01)
- North Platte segment 4a, Little Grizzly Creek: *E. coli*, total recoverable iron (COUCNP04a)
- North Platte segment 4a, Grizzly Creek, Little Grizzly Creek: Aquatic Life Use (COUCNP04a)
- North Platte segment 4a, Lake Creek: pH (COUCNP04a)
- Roaring Fork segment 3a, Capitol Creek: selenium (COUCRF03a)
- Roaring Fork segment 10, Thompson Creek: total recoverable iron (COUCRF10)
- St. Vrain segment 13, Lake Thomas: dissolved oxygen (COSPSV13)
- Upper Colorado segment 10c, Fraser River: copper, lead (COUCUC10c)
- Upper Colorado segment 10c, from Town of Fraser to Colorado River: copper (COUCUC10c)
- Upper Colorado segment 10c, from Town of Tabernash to Town of Granby: lead (COUCUC10c)
- Upper South Platte segment 12, Jackson Lake: lead (COSPUS12)
- Upper South Platte segment 17a, Rocky Mountain Lake and Grasmere Lake: copper (COSPUS17a)
- Upper South Platte segment 17b, Sloan's Lake: total recoverable iron (COSPUS17b)
- Upper South Platte segment 23, Aqua Golf: total recoverable iron (COSPUS23)
- Yampa segment 2a, Yampa River below Stagecoach: selenium (COUCYA02a)
- Yampa segment 3, Little Morrison Creek: zinc, dissolved iron (COUCYA03)
- Yampa segment 3, Walton Creek: manganese (COUCYA03)
- Yampa River segment 13d, Dry Creek below Routt County Rd 53: lead and *E. coli* (COUCYA13d)

14. Delisting of Segments where Water Quality is Currently Meeting Ambient Based Standards

The Commission adopted a new assessment methodology in the 2016 Listing Methodology to evaluate ambient based standards. This methodology uses a statistical approach based on the concept of the confidence interval to minimize uncertainty of assessment conclusions. The following segments were delisted due to attainment of ambient based standards using the new assessment methodology for ambient based standards:

- Middle Arkansas segment 4a: selenium (COARMA04a)
- Middle Arkansas segment 6a: selenium (COARMA06a)

15. Listing of Segments where Water Quality is not Meeting Standards not identified above

The following segments or parameters were added to the 303(d) List due to exceedances of water quality standards not identified above:

- Fountain Creek segment 3b: copper (COARFO03b)
- Fountain Creek segment 4, Sand Creek: selenium (COARFO04)
- Lower Arkansas segment 1a, *E. coli* (COARLA01a)
- Lower Arkansas segment 9b, Big Sandy Creek: total recoverable iron (COARLA09b)
- Lower Arkansas segment 10, Nee Gronda: selenium (COARLA10)
- Lower Arkansas segment 12, Lake Meredith: selenium (COARLA12)
- Middle Arkansas segment 3: selenium (COARMA03)
- Middle Arkansas segment 14: total recoverable iron (COARMA14)
- Upper Arkansas segment 4a: copper (COARUA04a)
- Upper Arkansas segment 5, Lake Fork below Sugarloaf Dam: zinc (COARUA05)
- Upper Arkansas segment 5, Colorado Gulch: cadmium, copper, zinc (COARUA05)
- Upper Arkansas segment 12a: cadmium (COARUA12a)
- Uncompahgre segment 9, Imogene Creek: cadmium and zinc (COGUUN09)
- Lower Colorado segment 4a, Mamm Creek: total recoverable iron (COLCLC04a)
- Lower Colorado segment 4a, South Canyon Creek above Hot Springs: total recoverable iron (COLCLC04a)
- Lower Colorado segment 13b: total recoverable iron (COLCLC13b)
- Lower Colorado segment 14c, Roan Creek: total recoverable iron (COLCLC14c)
- Lower Yampa segment 3c, Wilson Creek: total recoverable iron (COLCLY03c)
- Lower Yampa segment 3c, Stinking Gulch: selenium (COLCLY03c)
- Closed Basin segment 3, Willow Creek: copper (CORGCB03)
- Closed Basin segment 12a: total recoverable iron (CORGCB12a)
- Rio Grande segment 2, South Clear Creek: total recoverable iron (CORGRG02)
- Rio Grande segment 4a: lead (CORGRG04a)
- Rio Grande segment 4c: copper (CORGRG04c)
- Rio Grande segment 7: cadmium, lead, zinc (CORGRG07)
- Rio Grande segment 9, North Branch of Pass Creek: zinc (CORGRG09)
- Big Dry Creek segment 1, Big Dry Creek downstream of Weld County Road 8: total recoverable iron (COSPBD01)
- Boulder Creek segment 2a, North Boulder Creek from Caribou Creek to the confluence with Como Creek: copper (COSPBO02a)
- Boulder Creek segment 2a, Como Creek to the confluence of North Boulder Creek: total recoverable iron (COSPBO02a)
- Boulder Creek segment 2a, North Boulder Creek to confluence of Caribou Creek: copper and lead (COSPBO02a)
- Boulder Creek segment 4a: copper (COSPBO04a)
- Boulder Creek segment 4b: copper (COSPBO04b)
- Boulder Creek segment 7b, below Rock Creek: selenium (COSPBO07b)
- Boulder Creek segment 9: *E. coli* (COSPBO09)

- Boulder Creek segment 10: pH (COSPBO10)
- Boulder Creek segment 14, Barker Reservoir: copper (COSPBO14)
- Big Thompson segment 2, from RMNP to above UTSD discharge: copper (CPSPBT02)
- Cherry Creek segment 2: chlorophyll and dissolved oxygen (COSPCH02)
- Cherry Creek segment 4a, Goldsmith Gulch: *E. coli* and selenium (COSPCH04a)
- Cherry Creek segment 4a, McMurdo Gulch: dissolved oxygen (COSPCH04a)
- Cherry Creek segment 4b, Upper Windmill Creek: selenium (COSPCH04b)
- Clear Creek segment 2c, Turkey Gulch below Rockford Tunnel: copper, nickel, total recoverable iron, zinc (COSPCL02c)
- Clear Creek segment 5, from Hoop Creek to confluence with Clear Creek: copper (COSPCL05)
- Clear Creek segment 6, Mad Creek: copper (COSPCL06)
- Clear Creek segment 6, North Empire Creek: copper (COSPCL06)
- Clear Creek segment 12a, Gilson Gulch and tributaries: cadmium, copper, nickel, lead, selenium and zinc (COSPCL12a)
- Clear Creek segment 12a, all tributaries except Gilson Gulch: cadmium, copper, and zinc (COSPCL12a)
- Clear Creek segment 15: ammonia (COSPCL15)
- Cache la Poudre segment 11: *E. coli* (COSPCP11)
- Cache la Poudre segment 13b: *E. coli* (COSPCP13b)
- Laramie segment 2b: copper (COSPLA02b)
- Lower South Platte segment 1: uranium (COSPLS01)
- Lower South Platte segment 3, North Sterling: dissolved oxygen and selenium (COSPLS03)
- Middle South Platte segment 1b: *E. coli* (COSPMs01b)
- St. Vrain segment 3: *E. coli* (COSPSV03)
- St. Vrain segment 5, Left Hand Creek: pH (COSPSV05)
- St. Vrain segment 6, Dry Creek: selenium (COSPSV06)
- Upper South Platte segment 2c, South Mosquito Creek: cadmium (COSPUS02c)
- Upper South Platte segment 3, Trout Creek and tributaries: dissolved oxygen and pH (COSPUS03)
- Upper South Platte segment 5b, Geneva Creek: pH (COSPUS05b)
- Upper South Platte segment 10a, Plum Creek: *E. coli* (COSPUS10a)
- Upper South Platte segment 16c: *E. coli* (COSPUS16c)
- Upper South Platte segment 16i: *E. coli* (COSPUS16i)
- Upper South Platte segment 16i, Sand Creek from Westerly Creek to the South Platte River: selenium (COSPUS16i)
- Upper South Platte segment 17a, Rocky Mountain Lake: dissolved oxygen (COSPUS17a)
- Upper South Platte segment 17a, Smith Lake: pH (COSPUS17a)
- Upper South Platte segment 17a, Grasmere Lake: ammonia (COSPUS17a)
- Upper South Platte segment 23, Garfield Lake: dissolved oxygen (COSPUS23)
- Upper South Platte segment 23, Aqua Gulf: pH (COSPUS23)
- Upper South Platte segment 23, Parkfield Lake: pH (COSPUS23)
- Blue River segment 2a, above South Barton Gulch: zinc (COUCBL02a)
- Blue River segment 4a, Gold Run Gulch below Jessie Mine: zinc (COUCBL04a)
- Blue River segment 4a, Meadow Creek: copper (COUCBL04a)
- Blue River segment 6a: zinc (COUCBL06a)
- Blue River segment 12: zinc (COUCBL12)
- North Platte segment 4a, Snyder Creek: total recoverable iron (COUCNP04a)
- North Platte segment 9, Lake John: pH (COUCNP09)
- Upper Colorado segment 2, north inlet to Grand Lake: copper (COUCUC02)
- Upper Colorado segment 10a, Vasquez Creek: copper (COUCUC10a)
- Yampa segment 3, Little Morrison Creek: total recoverable iron (COUCYA03)

- Yampa segment 3, Gunn Creek: zinc (COUCYA03)
- Yampa segment 13h: selenium (COUCYA13h)

The following segments or parameters were added to the M&E List due to exceedances of water quality standards not identified above:

- Fountain segment 4, Little Fountain Creek below Deadman Canyon: selenium (COARFO04)
- Lower Arkansas segment 3a: *E. coli* (COARLA03a)
- Lower Arkansas segment 7: *E. coli* (COARLA07)
- Lower Arkansas segment 9a, Adobe Creek: total recoverable iron (COARLA09a)
- Lower Arkansas segment 12, Lake Henry: total recoverable iron (COARLA12)
- Middle Arkansas segment 11b: total recoverable iron (COARMA11b)
- Upper Arkansas segment 5, Lake Fork below Sugarloaf Dam: cadmium (COARUA05)
- Upper Arkansas segment 5, Colorado Gulch: silver, lead (COARUA05)
- Upper Gunnison segment 29a, Lake Fork of the Gunnison upstream of Cottonwood Creek: zinc and cadmium (COGUUG29a)
- Uncompahgre segment 9, Imogene Creek: copper (COGUUN09)
- Lower Colorado segment 3: selenium (COLCLC03)
- Lower Colorado segment 4e: total recoverable iron, copper, selenium and cadmium (COLCLC04e)
- Lower Colorado segment 13a, Sulphur Gulch: total recoverable iron, copper and lead (COLCLC13a)
- Lower Colorado segment 16: total recoverable iron (COLCLC16)
- Lower Yampa segment 3c, Wilson Creek: selenium (COLCLY03c)
- Lower Yampa segment 3e: selenium (COLCLY03e)
- White River segment 7, White River below Meeker: total recoverable iron (COLCWH07)
- Alamosa River segment 10: total recoverable iron (CORCAL10)
- Alamosa River segment 12: total recoverable iron (CORCAL12)
- Closed Basin segment 3, Cottonwood Creek: copper (CORGCB03)
- Closed Basin segment 3, Major Creek: total recoverable iron (CORGCB03)
- Closed Basin segment 5: copper (CORGCB05)
- Closed Basin segment 10, Sand Creek: copper (CORGCB10)
- Closed Basin segment 12a, Ford Creek: cadmium and zinc (CORGCB12a)
- Rio Grande segment 3: total recoverable iron (CORGRG03)
- Rio Grande segment 9, North Branch of Pass Creek: copper (CORGRG09)
- Rio Grande segment 25: copper (CORGRG25)
- Rio Grande segment 28, Upper Rito Seco below Battle Mountain: copper (CORGRG28)
- Rio Grande segment 33, Alberta Park: silver (CORGRG33)
- Rio Grande segment 38, Road Canyon: silver (CORGRG38)
- Boulder Creek segment 14, Barker Reservoir: silver (COSPBO14)
- Big Thompson segment 5: *E. coli* (COSPBT05)
- Big Thompson segment 10: dissolved oxygen (COSPBT10)
- Clear Creek segment 3b: cadmium (COSPCL03b)
- Clear Creek segment 6, North Empire Creek: cadmium, total recoverable iron, zinc (COSPCL06)
- Clear Creek segment 12a, Gilson Gulch and tributaries: pH (COSPCL12a)
- Clear Creek segment 12a, all tributaries except Gilson Gulch: dissolved oxygen (COSPCL12a)
- Clear Creek segment 14b: ammonia (COSPCL14b)
- Clear Creek segment 17b: *E. coli* (COSPCL17b)
- Cache la Poudre segment 7: silver (COSPCP07)
- Cache la Poudre segment 9: pH (COSPCP09)

- Cache la Poudre segment 12: pH (COSPCP12)
- St. Vrain segment 2b: silver (COSPSV02b)
- Upper South Platte segment 1a, Middle South Platte: pH (COSPUS01a)
- Upper South Platte segment 3, West Creek: total recoverable iron, dissolved oxygen (COSPUS03)
- Upper South Platte segment 23, Aqua Gulf: ammonia (COSPUS23)
- Upper South Platte segment 23, Harvey Lake: total recoverable iron (COSPUS23)
- Blue River segment 4a, Meadow Creek: zinc (COUCBL04a)
- Blue River segment 12: copper (COUCBL12)
- North Platte segment 4a, Illinois River: copper (COUCNP04a)
- North Platte segment 5b: copper (COUCNP05b)
- North Platte segment 6: copper (COUCNP06)
- Roaring Fork segment 2: copper (COUCRF02)
- Upper Colorado segment 8, below Kinney: copper (COUCUC08)
- Yampa segment 13j: selenium (COUCYA13j)

16. Site-specific decisions made by the Commission are discussed below.

- a. Segments COARF001a, COARF002a, COARF002b, COARF003a COARF004 and COARF006 – Waldo Canyon Fire and Storm Events

The Arkansas Fountain Coalition for Urban River Evaluation (“AF CURE”) raised site-specific issues with listing segments that are within the geographic area that was affected by the Waldo Canyon Fire in 2012 and with using samples that are collected during or soon after storm events.

Data collected after the Waldo Canyon Fire was appropriately used to assess segments COARF001a, COARF002a, COARF002b, COARF003a COARF004 and COARF006. Any variability in data was alleviated through application of the nonparametric statistical analysis as included in the Listing Methodology; removal of data that was collected by USGS as part of a special study specifically looking at the effects of the fire; or by comparing attainment of water quality standards before and after the fire event, and where available listing those segments on the 303(d) list that were out of attainment prior to the fire event and out of attainment after the fire event (segments that were in attainment prior to the fire event were listed on the M&E list). Additionally, the Commission was uncertain whether two years is a sufficient period of time for macroinvertebrate communities to recover from the impacts of sedimentation that result from forest fires, and the time may vary based on the proximity to the fire, the amount of water flowing through the waterway, and other factors. The Commission anticipates that the next iteration of the Listing Methodology will address the complexity of listing fire, flood, or other catastrophic event impacts on streams to provide further guidance for these types of decisions, and also acknowledges that there may be many case specific determinations.

Condition Prior to Fire	Condition After Fire	Recommended Listing
Out of Attainment	Out of Attainment	List on 303(d) List
In Attainment	Out of Attainment	List on M & E List
Out of Attainment	In Attainment	Do not list

Based on USGS standard operating procedure, the Commission determined that sampling should not be conducted for four weeks following a significant flushing event. However, the data on the record for these segments was collected outside

of the four week window, and therefore was appropriately included in the assessment.

- b. Portion of segment COSPCL03a (South Clear Creek downstream of Lower Cabin Creek Reservoir to Clear Lake) - Category 4b Plan for Nonattainment of the Aquatic Life Use

Public Service Company of Colorado (PSCo) submitted a Category 4b Demonstration Plan (the Plan) to the Division for Clear Creek segment 3a in the South Platte River Basin, for the portion of the segment of South Clear Creek downstream of Lower Cabin Creek Reservoir to Clear Lake. Category 4b is an alternative to listing an impaired segment on the 303(d) list. A Category 4b Demonstration Plan, when implemented, must ensure attainment of all applicable water quality standards through pollution control mechanisms within a reasonable time period. The Plan was accepted by the U.S. Environmental Protection Agency prior to the rulemaking hearing. The Commission approved Public Service Company of Colorado's Category 4b Plan for segment COSPCL03a (South Clear Creek downstream of Lower Cabin Creek Reservoir to Clear Lake) and as a result, the Commission did not include Clear Creek segment 3a, South Clear Creek downstream of Lower Cabin Creek Reservoir to Clear Lake, on the 303(d) List for the aquatic life use, for which the Category 4b Demonstration Plan was written. PSCo will provide updates on the implementation of the Plan to the Commission in future 303(d) rulemaking hearings. The Commission expects that after a reasonable period of time as defined in the Category 4b Demonstration Plan, the aquatic life use be reexamined on this portion of Clear Creek segment 3a. If the aquatic life use is not attained by this time, the segment will be considered impaired and placed on the 303(d) List.

- c. Segment COLCLC03 – Chronic Aquatic Life Use-based Selenium Standard

In 2012, the Commission removed Lower Colorado segment 3 from the 303(d) List for selenium impairment due to attainment of standards. At that time, USFWS opposed its removal from the list because the segment is critical habitat for the endangered Colorado pike minnow and razorback sucker. The Commission acknowledged the significance of this issue and recommended USFWS pursue an alternative standard in the next Colorado basin rulemaking; however, USFWS did not submit a proposal in 2014. In this rulemaking there was consensus that the acute selenium standard was attained; however, there was disagreement among the parties regarding whether the chronic selenium standard is attained due to uncertainty regarding the representativeness of a portion of the data set used in the assessment.

During 2012-2014, EPA and USFWS collected samples in segment 3 targeting critical habitat for the endangered fish. These samples were collected during low-flow periods from August to October. Colorado River Water Conservation District and the Colorado Stone, Sand and Gravel Association disagreed about whether the tributary-influenced sample locations and time periods are representative of conditions in the mainstem. Specifically, these parties argued that the majority of the data comes from poorly mixed sites located downstream of tributaries, and therefore is not representative of the spatial and temporal variability.

When the Commission adopts a standard it applies to the entire segment including areas of the segment that are under the influence of tributaries. The Listing Methodology excludes data collected within the mixing zone of a



discharge (as defined by Regulation 31), however it does not exclude data collected at the confluences of tributaries and river mainstems. Because selenium bio-accumulates in fish, the chronic selenium standard is designed to protect fish from cumulative life-long exposure. The default from the Listing Methodology is that data from the entire segment (including data at the confluences) is representative because the data represents the levels of selenium that aquatic food chain is exposed to through the segment.

However, where a sampling study targets a particular constituent in a portion of a segment, the data from that study may be skewed and may not be representative of the spatial and temporal nature of the whole segment. Here the Commission determined that it is unclear whether the data collected in the EPA and USFWS's study was representative of the entire segment, and therefore included segment 3 (COLCLCO3) on the 2016 M&E List for selenium.

The River District and the Colorado Stone Sand and Gravel Association have agreed to work with the Division, the Selenium Task Force, and other stakeholders to evaluate whether an alternative approach to a TMDL may be a more effective approach to achieving load reductions

d. COUCEA05c – Upstream Sources of Loading

Segment 5c on the Eagle River is located downstream of the Eagle Mine superfund site with a history of being impacted by the mine. Remedial activities conducted at the Eagle Mine superfund site beginning in the late 1980s resulted in reductions in metals loading and improved water quality in the Eagle River in the vicinity of the superfund site.

At the 2005 Regulation No. 33 rulemaking hearing (Reg. 33 RMH), the Commission adopted resegmentation of Eagle River segment 5 into segments 5a, 5b, and 5c, based on recognized changes in water quality, hardness, and use. In this rulemaking hearing, the Commission placed segment 5c on the 303(d) list for dissolved iron and total recoverable arsenic. Although it was argued that the upstream segments (segments 5a and 5b) should also be included on the 303(d) list as the primary source of contamination in segment 5c, segments 5a and 5b were not included in the Notice for this Rulemaking. The Commission finds that data collected in segment 5c which consisted of 123 total arsenic values with lower detection limits were representative of water quality conditions. The majority of data submitted to assess segments 5a and 5b, however, used a reporting limit of 15 ug/L for the water quality standard of 0.02 ug/L, and all such data were reported as non-detect (43 of the 65 values for segment 5a, and 79 of the 98 values for segment 5b). It is the Commission's intent that TMDLs for this segment 5c will consider upstream sources of loading occurring in the Eagle River as is the division's typical practice for TMDL development.

e. COUCNP04b – Total Recoverable Iron

Jackson County Water Conservancy District (District) proposed to remove the Illinois River (COUCNP04b) from the 303(d) List for total recoverable iron. The division assessed total recoverable iron for the Illinois River portion of the segment. After locational issues with sampling sites were resolved, the division concluded that the segment was in attainment of the total recoverable iron standard. The 50th percentile of the 10 total recoverable iron values for the portion was found to be 746 ug/L, a value less than the aquatic life standard of

1000 ug/L. Therefore, the data supported delisting of this portion and the Commission removed this segment from the 303(d) List for total recoverable iron.

f. COSPUS06a – Aquatic Life

Several parties raised issues with the representative nature of the aquatic life data for Upper South Platte segment 6a. Specifically they state that one data point is not enough to make a listing decision, that the location of the data point collected was not representative of the segments and that the 2003 EPA Standard Operating Procedure (SOP) for collecting benthic macroinvertebrate samples were not used. All of these issues are inconsistent with the Listing Methodology.

The Listing Methodology establishes the standard procedure for collecting macroinvertebrate data, which is the procedure established in Policy 10-1. The Commission reiterates that one data point is sufficient to include or remove a segment on the 303(d) List. Appendix B of the Listing Methodology ensures that samples are collected in stream reaches that are representative but does not necessarily prohibit sampling near areas of human disturbance. The Commission determined that both stations used in the assessment of segment 6a are located at a substantial and sufficient distance upstream from the nearest road or bridge crossing, which in this instance is a highway. Finally, the Commission determined that following the procedures in Policy 10-1 is the appropriate methodology, or standard operating procedure for collecting macroinvertebrate data.

The Commission determined that the data was representative and that segment 6a should be included on the 303(d) List provisionally. The Commission directs the division and interested parties to study this segment to determine the stressors and pollutants that are impacting aquatic life in this segment.

g. Indian Reservations

The Commission intends that the list of water quality-limited segments requiring total maximum daily loads shall apply to waters within the external boundaries of the Southern Ute Indian Reservation only to the extent that the state has jurisdiction, and is not attempting to resolve that jurisdictional issue here.

h. COSPUS10a *E. coli*

Chatfield Watershed Authority will continue its proactive monitoring program, including current *E. coli* data collection efforts. The Authority is in the early stages of the data analysis and interpretation. Any potential control measures will be based on data and science.

i. COSPUS16h – Selenium in Toll Gate Creek, East Toll Gate Creek and West Toll Gate Creek

Toll Gate Creek, East Toll Gate Creek, and West Toll Gate Creek are meeting adopted ambient selenium standards. Toll Gate Creek, East Toll Gate Creek, and West Toll Gate Creek were resegmented from Upper South Platte segment 16c to segment 16h at the 2008 Temporary Modifications RMH but never formally delisted from the 303(d) List.

j. COUCNP04a – Sand Creek

State Line Ranch submitted a proposal as part of written public comment proposing that Sand Creek be listed as impaired for sediment due to impacts to a beneficial use. While the Commission found the evidence submitted to be persuasive and compelling evidence of impairment, the Commission was reluctant to list the segment as impaired in this hearing for a number of reasons. One reason was that the proposal was made late in the process and therefore the Division had not had an opportunity to thoroughly review and evaluate the proposal. In addition, potentially affected parties, such as the BLM and the affected local community, were not able to participate in the process. Also, because this would be the first time a segment would be listed for sediment impairing a beneficial use, the Commission would like to proceed thoughtfully to establish appropriate precedent about the factors to be considered in such a decision. Therefore, the Commission included the segment on the M&E List. A proposal may be made for a special hearing to consider this proposal, or that it may be proposed to be included on the 303(d) List as part the next 303(d) listing cycle.

#### PARTIES TO THE RULEMAKING HEARING

1. Public Service Company of Colorado
2. Jackson County Water Conservancy District
3. Bear Creek Watershed Association
4. Climax Molybdenum Company
5. Colorado Parks and Wildlife
6. Cripple Creek and Victor Gold Mining Company
7. U.S. Environmental Protection Agency
8. Eagle River Water and Sanitation District
9. Town of Fraser
10. Silverthorne/Dillon Joint Sewer Authority
11. Suncor Energy (U.S.A.) Inc.
12. Upper Blue Sanitation District
13. Upper Thompson Sanitation District
14. Upper Clear Creek Watershed Association
15. Cherry Creek Basin Water Quality Authority
16. Eagle River Watershed Council
17. Centennial Water and Sanitation District
18. City of Colorado Springs and Colorado Springs Utilities
19. Tri-State Generation and Transmission Association, Inc.
20. City of Boulder
21. Metro Wastewater Reclamation District
22. Barr Lake and Milton Reservoir Watershed Association
23. Colorado Stone, Sand and Gravel Association
24. MillerCoors, LLC
25. Town of Castle Rock
26. City of Steamboat Springs
27. Cottonwood Water and Sanitation District
28. Trapper Mining Company
29. Seneca Coal Company; Peabody-Sage Creek Mining Company; and Twentymile Coal, LLC
30. Plum Creek Water Reclamation Authority
31. POC-1, LLC
32. City of Aurora
33. Northwest Colorado Council of Governments Water Quality/Quantity Committee
34. City of Black Hawk
35. Tri-Lakes Wastewater Treatment Facility
36. Northern Colorado Water Conservancy District

- 37. County of Pueblo
- 38. Colorado River Water Conservation District
- 39. Dominion Water and Sanitation District
- 40. Parker Water and Sanitation District
- 41. Trout Unlimited
- 42. Chatfield Watershed Authority
- 43. South Platte Coalition for Urban River Evaluation
- 44. Arkansas Fountain Coalition for Urban River Evalutation

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00514

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

Water Quality Control Commission (1002 Series)

**on 01/11/2016**

5 CCR 1002-93

**REGULATION NO. 93 - COLORADO'S SECTION 303(D) LIST OF IMPAIRED WATERS AND  
MONITORING AND EVALUATION LIST**

The above-referenced rules were submitted to this office on 01/12/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 28, 2016 14:03:54

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Human Services

### **Agency**

Income Maintenance (Volume 3)

### **CCR number**

9 CCR 2503-9

### **Rule title**

9 CCR 2503-9 COLORADO CHILD CARE ASSISTANCE PROGRAM 1 - eff  
03/01/2016

### **Effective date**

03/01/2016

TN# 2015-00791  
FA/E 1/8/16, eff. 3/1/16  
(former TN# 2015-00830  
emergency adoption 12/4/15)

[I:/15111801\_Submittal.doc]

## (9 CCR 2503-1)

[Instructions: insert at the end of the Statement of Basis and Purpose.]

Revisions to Section 3.905 were final (permanent) adoption of prior emergency rules at the 1/8/2016 State Board meeting (Rule-making# 15-11-18-1), with an effective date of 3/1/2016. Statement of Basis and Purpose and specific statutory authority for these revisions were incorporated by reference into the rule. These materials are available for review by the public during normal working hours at the Colorado Department of Human Services, Office of Strategic Communications and Legislative Relations, State Board Administration.

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## (9 CCR 2503-9)

[Instructions: replace the following.]

### **3.905 ARRANGEMENT FOR CHILD CARE SERVICES [Em. eff. 12/4/15; Rev. eff. 3/1/16]**

#### **A. Adult Caretaker or Teen Parent Resources**

Counties shall provide adult caretakers or teen parents with information on all available types of providers in the community: centers, family child care homes, qualified providers and in-home child care. This information can be provided through child care resource and referral agencies. In addition, counties shall provide adult caretakers with information as required by the state including, but not limited to, information regarding voter registration. In order to support families, counties may offer families referrals for health care coverage for their children, applications for food assistance benefits, housing information, and/or Low-Income Energy Assistance Program (LEAP) information.

#### **B. Parental Fees**

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[Instructions: replace the following.]

12. Current Monthly Federal Poverty Guidelines and State Median Income for State Fiscal Year 2016 is as follows:

Family Size	100% Federal Poverty Guideline (FPG) 2015	165% Federal Poverty Guideline (FPG) 2015 (State Minimum Income Limit)	85% State Median Income (SMI) FFY 2016 (State and Federal Maximum Income Limit)
2	\$1,328	\$2,190	\$4,139

3	\$1,674	\$2,762	\$5,112
4	\$2,021	\$3,334	\$6,086
5	\$2,368	\$3,906	\$7,059
6	\$2,714	\$4,478	\$8,033
7	\$3,061	\$5,050	\$8,215
8	\$3,408	\$5,622	\$8,398
9	\$3,754	\$6,194	\$8,581
Each Additional person	\$ 347	\$ 572	See Below*

\* To adjust for different sizes of households, multiply the state's estimated median income for a four-person family by the following percentages:

- Sixty-eight percent (68%) for a two-person household;
- Eighty-four percent (84%) for a three-person household;
- One hundred percent (100%) for a four-person household;
- One hundred sixteen percent (116%) for a five-person household; and,
- One hundred thirty two percent (132%) for a six-person household.
- For each additional household member above six people, add three (3) percentage points.

13. When all children in a family are in part-time care, the parental fee shall be assessed at fifty-five percent (55%) of the above-calculated fee. Part-time care is defined as an average of less than thirteen (13) full-time equivalent units of care per month.

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**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00791

**Opinion of the Attorney General rendered in connection with the rules adopted by the**  
State Board of Human Services: #15-11-18-1 CCCAP Federal Poverty Guidelines Correction

**on 01/08/2016**

**9 CCR 2503-9**

**COLORADO CHILD CARE ASSISTANCE PROGRAM**

The above-referenced rules were submitted to this office on 01/14/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 26, 2016 16:23:04

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Permanent Rules Adopted**

### **Department**

Department of Human Services

### **Agency**

Social Services Rules (Staff Manual Volume 7; Child Welfare, Child Care Facilities)

### **CCR number**

12 CCR 2509-4

### **Rule title**

12 CCR 2509-4 CHILD WELFARE SERVICES 1 - eff 03/01/2016

### **Effective date**

03/01/2016

[I:/15081402\_Submittal.doc]

## (12 CCR 2509-1)

[Instructions: insert at the end of the Statement of Basis and Purpose.]

Revisions to Sections 7.301.24 and 7.304.54 (12 CCR 2509-4) were adopted as final following publication at the 1/8/2016 State Board meeting (Rule-making# 15-8-14-2), with an effective date of 3/1/2016. Statement of Basis and Purpose and specific statutory authority for these revisions were incorporated by reference into the rule. These materials are available for review by the public during normal working hours at the Colorado Department of Human Services, Office of Strategic Communications and Legislative Relations, State Board Administration.

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## (12 CCR 2509-4)

[Instructions: replace the following section.]

### **7.301.24          Family Service Plan Out-of-Home Placement Documentation [Rev. eff. 3/1/16]**

For child(ren) in out-of-home placement, the Family Services Plan documents:

- A. That the child meets all of the out-of-home placement criteria listed in Section 7.304.3.
- B. That when the child is part of a sibling group and the sibling group is being placed out of the home, if the county department locates an appropriate, capable, willing, and available joint placement for all of the children in the sibling group, it shall be presumed that placement of the entire sibling group in the joint placement is in the best interests of the children. Such presumption may be rebutted by the county by a preponderance of the evidence that placement of the entire sibling group in the joint placement is not in the best interests of a child or of the children. At the dispositional hearing, if a child is part of a sibling group and was not placed with his/her siblings, documentation shall be submitted to the court about whether it continues to be in the best interest of the child(ren) to be placed separately.
- C. The problems to be resolved in order to facilitate reunification of the child and family, and to safely maintain the child in the home.
- D. A description of the type of facility in which the child is placed, the reason(s) the placement is appropriate, and safe for the child. For children placed a substantial distance from the home of the parent(s) or in out-of-state placement, the county shall document how the placement meets the best interests of the child (see Section 7.304.54, J).
- E. A description of how the home is in reasonable proximity to the home of the parents or relatives and to the school the child has attended, including requirements regarding planning for educational stability as outlined in Section 7.301.241.
- F. That the placement is the least restrictive, safe, and most appropriate setting available consistent with the best interests and specific needs of the child. This includes documentation of initial and on-going efforts to place the child with kin.

If the child is moved to a more restrictive placement after the initial placement, the Family Services Plan documents how the more restrictive placement meets the child's needs.

- G. Health and educational information shall be documented in the State Department's automated system and updated at the time of each case review, including addresses and other contact information about the child's current:
  - 1. Education providers, including school, school district, and BOCES contacts who assist in the coordination of enrollment and services, and the child's academic progress.
  - 2. Health care providers and the status of health care information.
- H. Specific plans for how the county will carry out any court determinations or orders concerning the child.
- I. A description of the services and resources needed by the foster parents or kinship providers to meet the needs of the child and how those services and resources will be provided.
- J. A description of the services provided to reunite the family, including the plan for visitation, or to accomplish another permanency goal. The visitation plan shall specify the frequency, type of contact, and the person(s) who will make the visit. At a minimum the visitation plan shall provide the methods to meet the following:
  - 1. The growth and development of the child;
  - 2. The child's adjustment to placement;
  - 3. The ability of the provider to meet the child's needs;
  - 4. The appropriateness of the parent and child visitation, including assessment of risk;
  - 5. The child's contact with parents, siblings, and other family members; and,
  - 6. Visitation between the child and his/her family shall increase in frequency and duration as the goal of reuniting the family is approached.
- K. For youth under the age of fourteen (14), a description of services and a plan for accomplishing tasks to prepare youth to be age appropriately self-sufficient, when independent living services are provided.
- L. For youth age fourteen (14) and older, a description of services and a plan for accomplishing tasks to assist the youth in preparation for self sufficiency and independent living as early in placement as possible but no later than sixty (60) calendar days after the youth's fourteenth (14th) birthday.
- M. Reasonable efforts have been made to maintain the child in the home, or prevent or eliminate the need for removal of the child from the home, or make it possible for the child to return to the home; or when applicable, documentation of the circumstances that exist in which reasonable efforts to prevent removal or reunite the child and the family are not required (see Section 7.304.53, B, 3).
- N. The specified permanency goal for the child shall be based on the individual needs and best interests of the child. Permanency goals shall include one of the following:
  - Remain home;

- Return home;
- Permanent placement with a relative through adoption;
- Permanent placement with a relative through legal guardianship or permanent custody;
- Adoption (non-relative);
- Legal guardianship/permanent custody (non-relative);
- Return home through reinstatement of parental rights;
- Other planned permanent living arrangement through emancipation;
- other planned permanent living arrangement through relative long term foster care;
- other planned permanent living arrangement through non-relative long term foster care.

Permanency goals shall include the projected date (month, day, and year) by which the goal is to be accomplished for each child receiving services.

1. The initial permanency goal for the child is to return home with the following exceptions:
  - a. Children whose parents are both deceased or have both voluntarily relinquished custody;
  - b. Children whose parents cannot be located after family search and engagement activities, which shall begin no later than three working days following placement and shall not exceed three months;
  - c. Children whose parents have been guilty of repeated and/or severe abuse or neglect of the child or the child's siblings such that termination of parental rights of both parents is appropriate; or,
  - d. Children for whom it appears, after investigation, that a safe return home will not be possible even with the provision of reasonable efforts.
2. After twelve months, the child's caseworker and supervisor shall include written justification on the Family Services Plan for continuation of the goal of return home.
3. After eighteen months, the extraordinary circumstances which exist and the reasons which support the permanency goal of return home shall be documented in the Family Services Plan. Approval of the return home permanency goal by the caseworker, supervisor and county administrative review is documented in the case record.
4. In concurrent planning cases the alternate permanency goal shall be documented.
5. The permanency goal of other planned permanent living arrangement through emancipation shall only be used for youth ages sixteen to twenty-one.
6. For a child who has been in foster care under the responsibility of the state for fifteen (15) of the last twenty-two (22) months, the county shall either file a motion for termination of parental rights no later than the end of the fifteenth (15th) month or document and submit to the court at the next review the compelling reason why it is in the child's best interest not to terminate parental rights.

- O. The steps the agency is taking to find an adoptive or other permanent living arrangement for a child for whom the permanency plan is adoption or placement in another permanent home.
- P. The permanency goal for the child would be to remain home barring case circumstances that would indicate the need for an alternative permanency goal when a teen mother and her child are placed together in the same foster home and if a case is opened on the child. The county must see the child when visiting the teen mother in the foster home.
- Q. Requirements for use of Other Planned Permanent Living Arrangement goals as follows:
  - 1. The county department may consider Other Planned Permanent Living Arrangement (OPPLA) as a permanency goal:

For youth who are sixteen (16) years of age or over and are demonstrating exceptional circumstances that prevent the youth from returning home, adoption, legal guardianship or permanent custody.
  - 2. The goal shall be reviewed through the use of a family engagement meeting or equivalent team that reviews permanency needs. All of the following shall be submitted to and considered by the review team, and the recommendation shall be submitted to the court.
    - a. Documentation pertaining to the completion of an intensive and ongoing examination of kin and permanent connections. This process shall also address:
      - 1) A comprehensive assessment of the youth's strengths and needs. In addition to updating the assessment of the youth's strengths and needs, the updated assessment or staffing shall address the youth's capacity to live within a family setting.
      - 2) This review team shall also consider the youth's desired permanency outcome.
    - b. A detailed description of efforts made to achieve permanency through the other goals and identification of the barriers to achieve them.
    - c. A detailed description of how OPPLA is in the best interest of the youth.
  - 3. The following is to be documented and made available to the court at each court review.
    - a. Documentation of the barriers to permanency to date and compelling reasons why the other permanency goals are not attainable.
    - b. Documentation of the youth's desired permanency outcome including giving the youth an opportunity to attend each hearing to voice his/her desired goal.
    - c. Documentation of intensive, ongoing, and as of the date of the hearing, unsuccessful efforts to return the youth home or secure a placement for the youth with a fit and willing relative (including adult siblings), a legal guardian, or an adoptive parent, including thorough efforts that utilize technology (including social media) to find biological family members for the youth.
    - d. Documentation of the steps taken to ensure that youth are being supported in engaging in age or developmentally appropriate activities and social events including:

- 1) The youth's foster family home or other placement is following the reasonable and prudent parent standard; and,
  - 2) The youth has regular, ongoing opportunities to engage in age or developmentally appropriate activities (including consulting with the youth in an age-appropriate manner about the opportunities of the youth to participate in the activities).
4. Documentation which includes the review team's reasons for approving Other Planned Permanent Living Arrangement (OPPLA) shall also be entered in the Family Service Plan as directed by the Division of Child Welfare.
5. The use of this goal shall be reviewed by a family engagement or equivalent review team at a minimum of every six (6) months. The county shall request that the court review the case every twelve (12) months to determine if the youth is demonstrating exceptional circumstances that prevent the youth from returning home, adoption, legal guardianship or permanent custody.
6. If this goal is not achieved through relative care, a family-like network of significant people shall be developed to provide the youth with a sense of belonging and with support expected to endure over a lifetime.

R. Reinstatement of Parental Rights

1. The county department of human or social services may explore the use of reinstatement of parental rights as a permanency option for:
  - a. Youth twelve (12) years of age and older, or child(ren) younger than twelve (12) years of age if they are part of a sibling group where at least one of the child(ren) or youth is twelve or older and is pursuing reinstatement of parental rights; and,
  - b. Child(ren) younger than twelve (12), if they are part of a sibling group where at least one of the child(ren) or youth is twelve or older, and is pursuing reinstatement of parental rights; and,
  - c. Child(ren) or youth who currently do not have a legal parent; and,
  - d. Child(ren) or youth who currently are not in an adoptive placement and not likely to be adopted within a reasonable period of time; and,
  - e. Child(ren) or youth who had all other permanency options exhausted; and,
  - f. Cases when the termination of parental rights was ordered at least three-years prior or when it is determined by the court to be in the best interest of the child or youth when termination occurred less than three years prior to the date of the petition for reinstatement is being filed with the court; and,
  - g. Child(ren) or youth and former parent(s) that consent to parental rights being reinstated; and,
  - h. Child(ren) or youth where it is in their best interest, including the financial best interest, to have parental rights reinstated; and,

- i. Former parent(s) who have remedied the issues that led to the termination and those issues did not involve founded allegations of sexual abuse or an incident of egregious abuse or neglect against a child, a near fatality, or a suspicious fatality.
  - j. The child is in the legal custody of a county department.
- 2. A county department of human or social services that identifies reinstatement as a permanency option shall complete an assessment of the former parent(s). Completion of the assessment and the results of the assessment will be documented in the statewide case management system. The assessment shall include all of the following:
  - a. Completing the Colorado family risk assessment tool, which must include a visit and inspection of the former parent's home;
  - b. Reviewing the reasons for the termination of parental rights and determining if the concerns identified have been remedied and do not currently exist or present a safety concern;
  - c. Conducting the following background checks on the former parent(s) and any other adults eighteen (18) years of age or older in their home and share the results with all parties to the case:
    - 1) Child abuse/and/or neglect records check in every state where any adult residing in the home has lived in the five years preceding the filing of the petition for reinstatement;
    - 2) Fingerprint-based criminal history checks from the Colorado Bureau of Investigation (CBI), or other state background check if the parent lives in another state, and the Federal Bureau of Investigation (FBI);
    - 3) Review the state Judicial Department's case management system and include in the case record; and,
    - 4) Review the CBI sex offender registry and the national sex offender public website operated by the United States Department of Justice for:
      - a) Known names and addresses of each adult residing in the home; and,
      - b) Address only of the home.
- 3. A safety assessment shall be completed.
- 4. Upon the decision to pursue reinstatement of parental rights; only the county department, guardian ad litem, or a youth sixteen (16) years of age or older may file the petition for reinstatement.
  - a. The petition for reinstatement of parental rights should be filed in the county who has custody of the child(ren) or youth through the dependency and neglect court case.
  - b. The petition shall be filed in the dependency and neglect court case where the termination of parental rights occurred for the former parent(s) or in the event that the current open dependency and neglect case is a termination of the adoptive



parent's rights, then the petition shall be filed in that court case, as it grants custody of the child(ren) or youth to the county.

- c. If the county is contacted by a former parent inquiring about reinstatement, the county must notify the guardian ad litem (gal) within thirty (30) calendar days after the contact and provide them with the name and address of the former parent(s).
- d. Once the court sets an initial hearing, the county shall develop and report to the court the following:
  - 1) Whether the former parent(s) has remedied the conditions that led to the termination;
  - 2) Based on the assessment of the former parent, including the outcome of the Colorado family risk assessment tool, the transition plan shall include supports or treatment needed for the child(ren) [or] youth and former parent(s) to help make the reinstatement a success;
  - 3) Whether the former parent(s) can provide a safe and stable home for the child(ren) or youth;
  - 4) A visitation or temporary placement plan with the former parent(s) for up to a six month trial period where custody remains with the department; this plan will be approved or modified at this initial hearing.
    - a) Updates about the visits, transition plan, and supports shall be provided at each review hearing and no later than thirty (30) calendar days prior to the expiration of the trial home period.
    - b) At any point the placement is deemed no longer safe or in the best interest of the child(ren) or youth, removal shall be in accordance with procedures outlined in Sections 19-3-401 and 19-3-403, C.R.S.
  - 5) Whether the child(ren) or youth will lose or gain any benefits or services (Medicaid, Chafee, etc.) as a result of the reinstatement being granted.
- 5. If the court grants the order, the county shall select reinstatement of parental rights as the closure reason, in the state automated case management system.
- 6. If the court denies the order the county department shall:
  - a. Arrange for immediate placement of the child(ren) or youth, if the child(ren) or youth is still in the former parent's home;
  - b. Set a permanency hearing to determine a new permanency goal and plan for the child(ren) or youth.

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[Instructions: replace the following sections.]

**7.304.54 Court Procedures Related to Permanency Planning [Rev. eff. 3/1/16]**

- A. The county department must develop a permanent plan for any child who is in out-of-home placement and is the subject of any court action, including Dependency and Neglect, Delinquency, or a Petition to Review the Need for Placement and a concurrent plan for cases filed under Section 19-3-102(2), C.R.S., regarding habitual abuse. The purpose of the plan is to establish treatment needs related to the stated goal for the child and to decide a method to provide a safe, stable, permanent environment for the child as quickly as possible.
- B. The county department shall submit this plan at the permanency court hearing. That hearing must be held before twelve (12) months have elapsed from the date of the child's original out-of-home placement, and shall be held as soon as possible following the dispositional hearing. Following the initial permanency hearing, subsequent permanency hearings must be held every twelve months thereafter while the child remains in out-of-home care. These hearings shall be combined with a periodic review when possible.
- C. The county department shall provide the court with documentation of the efforts made by the department to finalize the permanency plan for the child. The county department shall request the court to make a finding (if the evidence so warrants) that the department made reasonable efforts to finalize the permanency plan for the child.
- D. Paper reviews, ex parte hearings, agreed orders or other actions or hearings which are not open to the participation of the parents of the child (if appropriate age) and foster parents or pre-adoptive parents are not permanency hearings.
- E. When the court determines that reasonable efforts to return the child home are not required, the county shall request that the permanency hearing be held no later than thirty (30) calendar days after such court determination, unless the requirements of the permanency hearing are fulfilled at the hearing in which such a determination is made.
- F. The county department shall ensure and document that a request is made to the court for such a hearing in sufficient time to assure that the hearing is held within the twelve (12) month time frame. Permanency hearings shall be combined with a review hearing when possible.
- G. The county department shall include, in the permanency plan, recommendations to the court on either:
  - 1. Returning the child to his/her parent or guardian within the next six months; or,
  - 2. Permanent placement with a relative through adoption; or,
  - 3. Permanent placement with a relative through guardianship or permanent custody; or,
  - 4. Adoption (non-relative); or,
  - 5. Legal guardianship/permanent custody (no-relative); or,
  - 6. Return home through reinstatement of parental rights; or,
  - 7. Other planned permanent living arrangement through emancipation; or,
  - 8. Other planned permanent living arrangement through relative long term foster care; or,

9. Other planned permanent living arrangement through non-relative long term foster care.
- H. For permanency goals 8 or 9, the county department shall ensure that the plan contains the name or other identifier, such as the system provider number, if the name of the provider must be kept confidential, of the specific placement and the date that placement shall end.
- I. For permanency goals 7, 8, and 9, the following requirements shall apply to the county department of human or social services for purposes of approving the case plan and the case review procedure for youth:
1. At each permanency hearing held with respect to the youth, provide documentation of the intensive, ongoing, and, as of the date of the hearing, unsuccessful efforts made to address the following:
    - a. Return the youth home;
    - b. Secure a placement for the youth with a fit and willing relative (including adult siblings), a legal guardian, or an adoptive parent; and,
    - c. Include efforts that utilize search technology (including social media) to find biological family members for the youth.
  2. Provide compelling reasons why it continues not to be in the best interests of the youth to return home, be placed for adoption, with a legal guardian, or with a fit and willing relative.
- J. The county department shall request that the court order contain specific findings regarding the above goals.
- K. The county department shall assure that the permanency hearings determine whether an out-of-state placement continues to be appropriate and is in the best interest of the child.
- L. The county department shall assure that the permanency hearings determine whether the permanency plan includes independent living services for a child sixteen years of age or older.
- M. Permanency hearings are required to be held if a termination is under appeal, for children placed in a permanent foster home with a specific caregiver, and for children who are free for adoption and are placed in adoptive homes pending the finalization of the adoption.
- N. The county department shall file for termination of parental rights no later than the end of the 15th month of placement for any child who has been in foster care under the responsibility of the state for 15 of the last 22 months unless there is a compelling reason submitted to the court identifying why it is in the child's best interest to not terminate parental rights.
- O. The county department shall file for termination of parental rights no later than sixty (60) calendar days after the court determines that the child is an abandoned infant, unless there is a compelling reason submitted to the court identifying why it is in the child's best interest to not terminate parental rights.
- P. The county department shall file for termination of parental rights no later than sixty (60) calendar days after a judicial determination is made that reasonable efforts to reunify the child with the parent are not required, unless there is a compelling reason submitted to the court identifying why it is in the child's best interest to not terminate parental rights.

Q. The county department shall discuss the purpose and responsibilities of relative guardianship with the parents or legal custodian of a youth or child and the importance of achieving permanency.

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**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2015-00713

**Opinion of the Attorney General rendered in connection with the rules adopted by the**  
State Board of Human Services: #15-8-14-2 Reinstatement of Parental Rights Per SB14-062

**on 01/08/2016**

12 CCR 2509-4

**CHILD WELFARE SERVICES**

The above-referenced rules were submitted to this office on 01/14/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 26, 2016 16:23:17

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## **Emergency Rules Adopted**

### **Department**

Department of Regulatory Agencies

### **Agency**

Division of Real Estate

### **CCR number**

4 CCR 725-2

### **Rule title**

4 CCR 725-2 RULES OF THE COLORADO BOARD OF REAL ESTATE APPRAISERS  
1 - eff 01/07/2016

### **Effective date**

01/07/2016

**[NOT FOR PUBLICATION]**  
**DEPARTMENT OF REGULATORY AGENCIES**  
**DIVISION OF REAL ESTATE**  
**BOARD OF REAL ESTATE APPRAISERS**  
**4 CCR 725-2**

**EMERGENCY RULE**

**CHAPTER 11: STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE**

Pursuant to and in compliance with Title 12, Article 61 and Title 24, Article 4, C.R.S. as amended, notice of emergency rulemaking is hereby given, including notice to the Attorney General of the State of Colorado and to all persons who have requested to be advised of the intention of the Colorado Board of Real Estate Appraisers ("Board") to promulgate rules, or to amend, repeal or repeal and re-enact the present rules of the Board.

- |            |   |
|------------|---|
| Section 1. | Statement of Basis and Authority                          |
| Section 2. | Scope and Purpose   |
| Section 3. | Applicability   |
| Section 4. | Chapter 11 - Standards of professional appraisal practice |
| Section 5. | Effective Date  |

**Section 1. Statement of Basis and Authority**

The statutory basis for the rules titled Rules of the Board of Real Estate Appraisers is Part 7 of Title 12, Article 61, Colorado Revised Statutes, as amended.

**Section 2. Scope and Purpose**

The specific purpose of this rule is to amend the existing rule with respect to the generally accepted standards of professional appraisal practice.

The Uniform Standards of Professional Appraisal Practice ("USPAP") sets forth ethical and performance standards for the appraisal profession. Compliance with USPAP is required for appraisals in connection with federally related real estate transactions. 12 U.S.C. § 3339(1). USPAP is updated every two years and the current 2014-2015 edition is set to expire on December 31, 2015. The Appraisal Standards Board of The Appraisal Foundation has adopted revisions to USPAP for the 2016-2017 edition. The changes are effective January 1, 2016.

The Board of Real Estate Appraisers finds that immediate adoption of this emergency rule is imperatively necessary to comply with state and federal law, and that compliance with the rulemaking requirements of § 24-4-103, C.R.S., applicable to non-emergency rules, would be contrary to the public interest. The Board has the duty to promulgate rules as required to comply with the federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as amended ("FIRREA"). § 12-61-704(1)(a)(I), C.R.S. Under FIRREA, states must recognize and enforce the most current version of USPAP. 12 U.S.C. §§ 3331 and 3347.

It is imperatively necessary that the Board adopts, and incorporates the revised version of USPAP; which includes the definitions, preamble, rules, and standards (including standards rules) on an emergency basis.

**Section 3. Applicability**

The emergency rule governs real estate appraisers who are subject to the requirements of Part 7 of Title 12, Article 61 of the Colorado Revised Statutes.

**Proposed New, Amended and Repealed Rules**

[Deleted material shown ~~struck through~~, new material shown ALL CAPS. Rules, or portions of rules, which are unaffected are reproduced. Readers are advised to obtain a copy of the complete rules of the Board at [www.dora.colorado.gov/dre](http://www.dora.colorado.gov/dre).

## **CHAPTER 11: STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE**

- 11.1 Pursuant to Section 12-61-713(1)(g), C.R.S. (as amended), the Board adopts, and incorporates by reference in compliance with Section 24-4-103(12.5), C.R.S., as the generally accepted standards of professional appraisal practice the definitions, preamble, rules, standards, and standards rules of the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Standards Board of the Appraisal Foundation on January 30, 1989 and amended through February 6, 2015 and known as the 2016-2017 edition. Amendments to the Uniform Standards of Professional Appraisal Practice subsequent to February 6, 2015 are not included in this Rule. A certified copy of the Uniform Standards of Professional Appraisal Practice is on file and available for public inspection at the offices of the Board of Real Estate Appraisers at 1560 Broadway, Suite 925, Denver, Colorado. Copies of the Uniform Standards of Professional Appraisal Practice adopted under this rule may be examined at any state publications depository library. The 2016-2017 edition of the Uniform Standards of Professional Appraisal Practice may be examined at the Internet website of The Appraisal Foundation at [www.appraisalfoundation.org](http://www.appraisalfoundation.org), and copies may be ordered through that mechanism. The Appraisal Foundation may also be contacted at 1155 15th Street, NW, Suite 1111, Washington, DC 20005, or by telephone at (202) 347-7722 or by telefax at (202) 347-7727. The 2014-2015 edition of the Uniform Standards of Professional Appraisal Practice, incorporating the amendments made through February 1, 2013 shall remain in effect through January 6, 2016. Beginning January 7, 2016, the 2016-2017 edition of the Uniform Standards of Professional Appraisal Practice shall be in effect.



**[NOT FOR PUBLICATION]**

**Section 5.       Effective Date**

This emergency rule is effective January 7, 2016.

**DEPARTMENT OF REGULATORY AGENCIES  
DIVISION OF REAL ESTATE  
BOARD OF REAL ESTATE APPRAISERS  
4 CCR 725-2**

**EMERGENCY RULE**

**CHAPTER 11: STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE**

Pursuant to and in compliance with Title 12, Article 61 and Title 24, Article 4, C.R.S. as amended, notice of emergency rulemaking is hereby given, including notice to the Attorney General of the State of Colorado and to all persons who have requested to be advised of the intention of the Colorado Board of Real Estate Appraisers ("Board") to promulgate rules, or to amend, repeal or repeal and re-enact the present rules of the Board.

- |            |   |
|------------|---|
| Section 1. | Statement of Basis and Authority                          |
| Section 2. | Scope and Purpose   |
| Section 3. | Applicability   |
| Section 4. | Chapter 11 - Standards of professional appraisal practice |
| Section 5. | Effective Date  |

**Section 1. Statement of Basis and Authority**

The statutory basis for the rules titled Rules of the Board of Real Estate Appraisers is Part 7 of Title 12, Article 61, Colorado Revised Statutes, as amended.

**Section 2. Scope and Purpose**

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The Board of Real Estate Appraisers finds that immediate adoption of this emergency rule is imperatively necessary to comply with state and federal law, and that compliance with the rulemaking requirements of § 24-4-103, C.R.S., applicable to non-emergency rules, would be contrary to the public interest. The Board has the duty to promulgate rules as required to comply with the federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as amended ("FIRREA"). § 12-61-704(1)(a)(I), C.R.S. Under FIRREA, states must recognize and enforce the most current version of USPAP. 12 U.S.C. §§ 3331 and 3347.

It is imperatively necessary that the Board adopts, and incorporates the revised version of USPAP; which includes the definitions, preamble, rules, and standards (including standards rules) on an emergency basis.

**Section 3. Applicability**

The emergency rule governs real estate appraisers who are subject to the requirements of Part 7 of Title 12, Article 61 of the Colorado Revised Statutes.

**Proposed New, Amended and Repealed Rules**

[Deleted material shown ~~struck through~~, new material shown ALL CAPS. Rules, or portions of rules, which are unaffected are reproduced. Readers are advised to obtain a copy of the complete rules of the Board at [www.dora.colorado.gov/dre](http://www.dora.colorado.gov/dre).

## **CHAPTER 11: STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE**

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### **Section 5. Effective Date**

This emergency rule is effective January 7, 2016.

**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**FREDERICK R. YARGER**  
Solicitor General



**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**RALPH L. CARR**  
**COLORADO JUDICIAL CENTER**  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**Office of the Attorney General**

Tracking number: 2016-00023

**Opinion of the Attorney General rendered in connection with the rules adopted by the**

Division of Real Estate

**on 01/07/2016**

4 CCR 725-2

**RULES OF THE COLORADO BOARD OF REAL ESTATE APPRAISERS**

The above-referenced rules were submitted to this office on 01/07/2016 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

January 26, 2016 17:09:30

**Cynthia H. Coffman**  
Attorney General  
by Frederick R. Yarger  
Solicitor General

## Terminated Rulemaking

**Department**

Department of Revenue

**Agency**

Lottery Commission

**CCR number**

1 CCR 206-1

**Tracking number**

2015-00784

**Termination date**

01/28/2016

**Reason for termination**

On January 27, 2016 the MUSL Board approved the postponement of the effective date of the new changes (2015-00784) to the Grand Prize Carry Forward Pool (GPCFP) from its original implementation date of 2/3/2016 to 7/2/2016.

## **Nonrulemaking Public Notices and other Miscellaneous Rulemaking Notices**

### **Department**

Department of Public Health and Environment

### **Agency**

Water Quality Control Commission (1002 Series)



## COLORADO

### Water Quality Control Commission

Department of Public Health & Environment

#### NOTICE OF PUBLIC ADMINISTRATIVE ACTION HEARING BEFORE THE COLORADO WATER QUALITY CONTROL COMMISSION

##### SUBJECT:

At the date, time and location listed below, the Water Quality Control Commission will hold a public Administrative Action Hearing to consider approval of a 2016 Section 305(b) report entitled "Integrated Water Quality Monitoring and Assessment Report".

##### SCHEDULE OF IMPORTANT DATES:

Proposed 305(b) report available	Feb. 1, 2016	On commission's web at <a href="https://www.colorado.gov/pacific/cdphe/wqcc-administrative-action-hearings">https://www.colorado.gov/pacific/cdphe/wqcc-administrative-action-hearings</a>
Written comments due	Feb. 24, 2016	Additional submittal information below
Public Administrative Action Hearing	March 7, 2016 9:00 a.m.	Florence Sabin Conference Room Department of Public Health and Environment 4300 Cherry Creek Drive South Denver, CO 80246

##### PROCEDURAL MATTERS:

The commission encourages input from interested persons, either in writing prior to the hearing or orally at the hearing. Interested persons should provide their opinions or recommendations as to whether the proposed list should be approved by the commission and forwarded to EPA.

The commission will receive all written submittals electronically. Submittals must be provided as PDF documents and may be emailed to [cdphe.wqcc@state.co.us](mailto:cdphe.wqcc@state.co.us), provided via an FTP site, on a CD or flash drive, or otherwise conveyed to the commission office so as to be received no later than the due date. Written comments will be available to the public on the commission's web site.

##### AUTHORITY FOR PUBLIC HEARING:

The provisions of 25-8-202(1)(h), (i) and (2) C.R.S. and Section 21.5 B of the "Procedural Rules", Regulation #21 (5 CCR 1002-21) provide the authority for this hearing.

PARTY STATUS:

This is not a rulemaking hearing; therefore, party status provisions of 25-8-101 et. seq., and 24-4-101 et. seq., C.R.S. do not apply. Party status requests shall not be considered by the Commission.

Dated this 20<sup>th</sup> day of January 2016 at Denver, Colorado.

WATER QUALITY CONTROL COMMISSION



Digitally signed by Nancy Horan  
DN: dc=local, dc=dphe, ou=Divisions,  
ou=AFS, ou=Users, cn=Nancy Horan,  
email=nancy.horan@state.co.us  
Date: 2016.01.20 06:04:07 -07'00'

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Nancy Horan, Program Assistant



## **Nonrulemaking Public Notices and other Miscellaneous Rulemaking Notices**

### **Department**

Department of Public Health and Environment

### **Agency**

Water Quality Control Commission (1002 Series)



## COLORADO

### Water Quality Control Commission

Department of Public Health & Environment

#### NOTICE OF PUBLIC ADMINISTRATIVE ACTION HEARING BEFORE THE COLORADO WATER QUALITY CONTROL COMMISSION

##### SUBJECT:

At the date, time and location listed below, the Water Quality Control Commission will hold a public Administrative Action Hearing to consider approval of the Water Quality Control Division's proposed submittal of projects for FY16 Section 319 nonpoint source funds.

##### SCHEDULE OF IMPORTANT DATES:

Initial list of recommended projects available	Feb. 9, 2016	On commission's web at <a href="https://www.colorado.gov/pacific/cdphe/wqcc-administrative-action-hearings">https://www.colorado.gov/pacific/cdphe/wqcc-administrative-action-hearings</a>
Written comments due	Feb. 24, 2016	Additional submittal information below
Final list of recommended projects available	Feb. 24, 2016	On commission's web at <a href="https://www.colorado.gov/pacific/cdphe/wqcc-administrative-action-hearings">https://www.colorado.gov/pacific/cdphe/wqcc-administrative-action-hearings</a>
Public Administrative Action Hearing	March 7, 2016 8:30 a.m.	Florence Sabin Conference Room Department of Public Health and Environment 4300 Cherry Creek Drive South Denver, CO 80246

##### PROCEDURAL MATTERS:

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The commission will receive all written submittals electronically. Submittals must be provided as PDF documents and may be emailed to [cdphe.wqcc@state.co.us](mailto:cdphe.wqcc@state.co.us), provided via an FTP site, on a CD or flash drive, or otherwise conveyed to the commission office so as to be received no later than the due date. Written comments will be available to the public on the commission's web site.

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PARTY STATUS:

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Dated this 20<sup>th</sup> day of January 2016 at Denver, Colorado.

WATER QUALITY CONTROL COMMISSION



Digitally signed by Nancy Horan  
DN: dc=local, dc=dphe, ou=Divisions,  
ou=AFS, ou=Users, cn=Nancy Horan,  
email=nancy.horan@state.co.us  
Date: 2016.01.20 06:01:21 -07'00'

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Nancy Horan, Program Assistant

## **Nonrulemaking Public Notices and other Miscellaneous Rulemaking Notices**

### **Department**

Department of Revenue

### **Agency**

Taxpayer Service Division - Tax Group



**COLORADO**  
**Department of Revenue**

Taxation Division

Physical Address:  
1375 Sherman Street  
Denver, CO 80203

Mailing Address:  
P.O. Box 17087  
Denver, CO 80217-0087

**Notice regarding Revenue Regulation 39-22-303.12(c).**

Taxpayers should not rely on Revenue Regulation 39-22-303.12(c) until further notice.

*Discussion.*

Section 303-22-303(12)(c), C.R.S, provides that only C corporations that have more than 20% of their property and payroll located inside the United States may be included in a corporate taxpayer's combined return. In 1994 the Department adopted Regulation 39-22-303.12(c) to address the treatment of Foreign Sales Corporations ("FSCs") under section 303-22-303(12)(c), C.R.S. FSCs may receive a reduction in U.S. federal income tax related to certain foreign exports, but do not necessarily have property or payroll for Colorado combined reporting purposes. Regulation 303.12(c) provides that corporations that have no property or payroll cannot have 20% or more of property or payroll located in the United States and therefore cannot be included in a combined report.

This rule was intended to address FSCs in particular. Nevertheless, some taxpayers have interpreted Regulation 303.12(c) to apply to domestic holding companies with no foreign operations and have argued that they can exclude any domestic C corporation from their combined returns if it has no property or payroll, even if it does not do business in a foreign country. The Department disagrees with this interpretation. This issue is currently being addressed in the Colorado courts.

The Department will wait for a final ruling from the courts on the application of section 39-22-303(12)(c), C.R.S., and Regulation 303.12(c) before considering any further action on Regulation 303.12(c). Pending that determination, taxpayers should not rely on this regulation except as it applies to an FSC.

## **Nonrulemaking Public Notices and other Miscellaneous Rulemaking Notices**

### **Department**

Department of State

### **Agency**

Secretary of State



## **Notice of Mandatory Rule Review Written Comment Period**

Rules Concerning Campaign and Political Finance

[8 CCR 1505-6]

February 9, 2016

### **What is this about?**

Secretary Williams is reviewing the Rules Concerning Campaign and Political Finance in accordance with section 24-4-103.3, C.R.S. We invite you to participate in this effort by submitting written comments. The most helpful comments will reference issues within the scope of the rule review criteria outlined below, cite specific sections of the rules, and explain the reason for a recommended change.

For the rule review, the Secretary of State will consider:

1. Whether the rule is necessary;
2. Whether the rule overlaps or duplicates other rules of the agency or with other federal, state, or local government rules;
3. Whether the rule is written in plain language and is easy to understand;
4. Whether the rule has achieved the desired intent and whether more or less regulation is necessary;
5. Whether the rule can be amended to give more flexibility, reduce regulatory burdens, or reduce unnecessary paperwork or steps while maintaining its benefits;
6. Whether the rule is implemented in an efficient and effective manner, including the requirements for the issuance of permits and licenses;
7. Whether a cost-benefit analysis was performed by the applicable rule-making agency or official in the principal department pursuant to section 24-4-103 (2.5), C.R.S.; and
8. Whether the rule is adequate for the protection of the safety, health, and welfare of the state or its residents

A current copy of the rules is available online at:

<http://www.sos.state.co.us/CCR/GenerateRulePdf.do?ruleVersionId=6513&fileName=8%20CCR%201505-6>.

**How do I submit my comments and what is the deadline?**

You may email your comments to [SOS.Rulemaking@sos.state.co.us](mailto:SOS.Rulemaking@sos.state.co.us). To ensure consideration of your comments, please submit your comments by 5:00 p.m. on March 9, 2016.

**Will my comments appear online?**

Yes. To promote transparency and help generate discussion, our office will post a copy of your comments on the Secretary of State's website. We will also incorporate your comments into a report of our review findings that will appear in the Secretary of State's annual departmental regulatory agenda.

To view the comments that we receive, please visit:

[http://www.sos.state.co.us/pubs/rule\\_making/ruleReviews.html](http://www.sos.state.co.us/pubs/rule_making/ruleReviews.html).



## Calendar of Hearings

Hearing Date/Time	Agency	Location
03/02/2016 09:00 AM	Taxpayer Service Division - Tax Group	1375 Sherman St., Room 127, Denver, CO 80261
03/02/2016 09:00 AM	Taxpayer Service Division - Tax Group	1375 Sherman St., Room 127, Denver, CO 80261
03/02/2016 09:00 AM	Taxpayer Service Division - Tax Group	1375 Sherman St., Room 127, Denver, CO 80261
03/02/2016 09:00 AM	Taxpayer Service Division - Tax Group	1375 Sherman St., Room 127, Denver, CO 80261
03/02/2016 09:00 AM	Taxpayer Service Division - Tax Group	1375 Sherman St., Room 127, Denver, CO 80261
03/02/2016 09:00 AM	Taxpayer Service Division - Tax Group	1375 Sherman St., Room 127, Denver, CO 80261
03/10/2016 02:00 PM	Division of Motor Vehicles	1881 Pierce Street, Lakewood, CO 80214, Rm 110 (Board/Commissions Meeting Room)
03/02/2016 10:00 AM	Division of Motor Vehicles	1881 Pierce Street, Lakewood, CO 80214, Rm 110 (Board/Commissions Meeting Room)
03/09/2016 08:00 AM	Colorado Parks and Wildlife (405 Series, Parks)	Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216
03/09/2016 08:00 AM	Colorado Parks and Wildlife (405 Series, Parks)	Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216
03/09/2016 08:00 AM	Colorado Parks and Wildlife (405 Series, Parks)	Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216
03/09/2016 08:00 AM	Colorado Parks and Wildlife (405 Series, Parks)	Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216
03/09/2016 08:00 AM	Colorado Parks and Wildlife (405 Series, Parks)	Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216
03/09/2016 08:00 AM	Colorado Parks and Wildlife (405 Series, Parks)	Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216
03/09/2016 08:00 AM	Colorado Parks and Wildlife (406 Series, Wildlife)	Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216
03/09/2016 08:00 AM	Colorado Parks and Wildlife (406 Series, Wildlife)	Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216
03/09/2016 08:00 AM	Colorado Parks and Wildlife (406 Series, Wildlife)	Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216
03/09/2016 08:00 AM	Colorado Parks and Wildlife (406 Series, Wildlife)	Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216
03/09/2016 08:00 AM	Colorado Parks and Wildlife (406 Series, Wildlife)	Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216
03/09/2016 08:00 AM	Colorado Parks and Wildlife (406 Series, Wildlife)	Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216
03/09/2016 08:00 AM	Colorado Parks and Wildlife (406 Series, Wildlife)	Colorado Parks and Wildlife, Hunter Education Building, 6060 Broadway, Denver, CO 80216
03/17/2016 10:00 AM	Division of Banking	Division of Banking, 975 Conference Room, 1560 Broadway, Suite 975, Denver, CO 80202
03/17/2016 10:00 AM	Division of Banking	Division of Banking, 975 Conference Room, 1560 Broadway, Suite 975, Denver, CO 80202
03/03/2016 09:00 AM	Division of Real Estate	1560 Broadway, Suite 1250-C, Denver, CO
03/01/2016 12:00 PM	Division of Professions and Occupations - Board of Marriage and Family Therapist Examiners	1560 Broadway Street, Conference Room 1250 A, Denver, CO 80202
03/16/2016 10:00 AM	Health Facilities and Emergency Medical Services Division (1011, 1015 Series)	Sabin-Cleere Conference Room, Colorado Department of Public Health and Environment, Bldg. A, 4300 Cherry Creek Drive, South, Denver, CO. 80246
03/16/2016 10:00 AM	Health Facilities and Emergency Medical Services Division (1011, 1015 Series)	Sabin-Cleere Conference Room, Colorado Department of Public Health and Environment, Bldg. A, 4300 Cherry Creek Drive, South, Denver, CO. 80246
03/16/2016 10:00 AM	Health Facilities and Emergency Medical Services Division (1011, 1015 Series)	Sabin-Cleere Conference Room, Colorado Department of Public Health and Environment, Bldg. A, 4300 Cherry Creek Drive, South, Denver, CO. 80246
03/16/2016 10:00 AM	Prevention Services Division (1015 Series)	Sabin-Cleere Conference Room, Colorado Department of Public Health and Environment, Bldg. A, 4300 Cherry Creek Drive, South, Denver, CO. 80246
03/16/2016 10:00 AM	Prevention Services Division (1016 Series)	Sabin-Cleere Conference Room, Colorado Department of Public Health and Environment, Bldg. A, 4300 Cherry Creek Drive, South, Denver, CO. 80246
03/11/2016 01:30 PM	Public Employees' Retirement Association	Colorado PERA Office - 1301 Pennsylvania Street, Denver CO 80203
03/11/2016 09:00 AM	Medical Services Board (Volume 8; Medical Assistance, Children's Health Plan)	303 East 17th Avenue, 11th Floor, Denver, CO 80203
03/04/2016 10:00 AM	Food Assistance Program (Volume 4B)	Jefferson County Department of Human Services, 900 Jefferson County Parkway, Golden, Colorado 80401
03/04/2016 10:00 AM	Division of Rehabilitation (Volume 9)	Jefferson County Department of Human Services, 900 Jefferson County Parkway, Golden, Colorado 80401