

SOUTHEAST METRO STORMWATER AUTHORITY
acting by and through
SEMSWA WATER ACTIVITY ENTERPRISE

RESOLUTION 26-18
Approval of Wildlife Management Policy

WHEREAS, SEMSWA is responsible for the operation and maintenance of stormwater infrastructure to protect public safety, property, and drainage function within its service area; and

WHEREAS, wildlife activity within channels, floodplains, and stormwater facilities can create risks to public safety, infrastructure, and stormwater system performance; and

WHEREAS, SEMSWA requires a consistent and legally defensible framework to evaluate wildlife activity and determine appropriate management actions; and

WHEREAS, wildlife management activities must be conducted in accordance with applicable Colorado law, including C.R.S. § 33-6-107(9), and in coordination with relevant agencies, as appropriate; and

WHEREAS, the Wildlife Management Policy establishes guidance for evaluation, adaptive management, mitigation, and documentation of wildlife-related issues while maintaining SEMSWA's limited operational role.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board adopts the attached Wildlife Management Policy.
2. SEMSWA may manage wildlife activity when necessary to protect public safety, infrastructure, property, and stormwater system performance, consistent with applicable law.
3. Wildlife management decisions shall be based on site-specific evaluation of risk and operational impacts.
4. SEMSWA may implement monitoring, adaptive management, mitigation, or removal actions, as appropriate, using qualified staff or licensed contractors.
5. The Executive Director is authorized to implement this policy.

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Date: June 17, 2026

ATTEST:

Secretary

Chairperson

APPROVED AS TO FORM:
Attorney for
Southeast Metro Stormwater Authority

By _____
Edward J. Krisor

Southeast Metro Stormwater Authority (SEMSWA)

Wildlife Management Policy

1. Purpose

This Policy establishes SEMSWA's standard, legally defensible approach to managing wildlife activity that may pose risks to public safety, infrastructure, property, or operations within SEMSWA's service area. The Policy provides consistent guidance for evaluating wildlife activity, determining appropriate management responses, and implementing actions in compliance with Colorado law.

2. Applicability

This Policy applies to all SEMSWA-owned, operated, or managed properties, facilities, channels, and streams, as well as to construction, maintenance, and land-disturbing activities conducted by or on behalf of SEMSWA. This Policy establishes a baseline, state-level standard and does not supersede more restrictive municipal requirements, permit conditions, land-use approvals, intergovernmental agreements, or Joint Operations Agreements.

3. Regulatory Framework

Wildlife management activities conducted under this Policy shall comply with applicable Colorado Revised Statutes, including **C.R.S. § 33-6-107(9)**, which authorizes landowners to manage wildlife causing damage or posing risks to private property. Certain wildlife species may also be regulated or managed by Colorado Parks and Wildlife (CPW).

Nothing in this Policy expands SEMSWA's regulatory authority or obligates SEMSWA to implement wildlife management measures beyond those necessary to protect public safety, infrastructure, and SEMSWA operations.

4. Policy Statement

SEMSWA recognizes that wildlife is a natural and valued component of Colorado's ecosystems. However, wildlife activity can, in some circumstances, create safety hazards, infrastructure damage, flooding risks, or operational conflicts. SEMSWA may take appropriate action to manage wildlife when such risks occur, consistent with Colorado law.

Wildlife management actions may include monitoring, non-lethal mitigation, adaptive management, or removal, as appropriate for site-specific conditions and risk factors. All actions shall prioritize human health and safety, operational effectiveness, and legal compliance. Wildlife management activities shall be conducted by qualified SEMSWA staff or licensed contractors acting within legal authority.

5. Evaluation and Decision-Making

When wildlife activity is observed or reported, SEMSWA shall:

- Evaluate site conditions and the nature of the wildlife activity;
- Assess potential risks to people, infrastructure, property, and drainage function;

- Determine whether the wildlife activity can remain with monitoring or adaptive management, or whether mitigation or removal is necessary; and
- Identify responsibility for implementation, including whether consultation with a qualified wildlife professional is appropriate.

Decisions shall be based on site-specific conditions, risk factors, and available guidance from CPW and other relevant agencies.

6. Adaptive Management and Mitigation

Where feasible and appropriate, SEMSWA may consider adaptive or non-lethal management practices on a case-by-case basis to reduce risks while allowing wildlife activity to continue. Such practices may include structural protections, flow management devices, exclusion measures, or other techniques recommended by qualified professionals.

If wildlife activity poses an immediate risk to public safety or causes damage to infrastructure or property, SEMSWA may implement mitigation or removal actions consistent with state law, including **C.R.S. § 33-6-107(9)**. Consultation may be used to document available options and professional recommendations.

7. Documentation

Wildlife management evaluations and actions shall be documented internally to demonstrate compliance with this Policy and applicable legal requirements.

8. Policy Limitations

This Policy:

- Establishes a general framework and does not create a duty to manage wildlife in all circumstances;
- Does not require the use of non-lethal measures where such measures are infeasible or ineffective;
- Does not override municipal ordinances, permit conditions, or land-use approvals; and
- Does not expand SEMSWA's authority beyond that granted by law.

9. References and Resources

Guidance for implementing this Policy may include resources from:

- Colorado Parks and Wildlife – Nuisance Wildlife Guidance
- Mile High Flood District wildlife or adaptive management resources
- Other state or local agency guidance relevant to wildlife management

Supporting reference materials may be maintained as appendices or internal guidance documents and updated as needed.

10. Adoption and Review

This Wildlife Management Policy shall become effective upon adoption by the SEMSWA Board and shall be reviewed periodically to ensure continued alignment with Colorado law and SEMSWA operational needs.