

July 16, 2012

Fiscal Note for

Proposed 15A NCAC 10B.0101 Importation of Wild Animals and Birds, 15A NCAC 10H.0301 General Requirements, 15A NCAC 10H.0302 Minimum Standards, and 15A NCAC 10H.0304 Captive Cervid Certification Program

Contact: Tommy Clark
North Carolina Wildlife Resources Commission
(919) 707-0081 or tommy.clark@ncwildlife.org

Authority: G.S. 19A-11; 106-549.97(b); 113-134; 113-272.5; 113-272.6; 113-274; 113-292; 150B-19(6).

Impact: State Government: Yes
Local Government: No
Substantial Impact: No
Federal Government: No

SUMMARY OF THE PROPOSED REGULATION

North Carolina Wildlife Resources Commission (WRC) is proposing to adopt amended rule text for the following rules;

- 15A NCAC 10B.0101 Importation of Wild Animals and Birds,
- 15A NCAC 10H.0301 General Requirements,
- 15A NCAC 10H.0302 Minimum Standards, and
- 15A NCAC 10H.0304 Captive Cervid Certification Program, (see proposed rule text in Appendix 1).

Through passage of N.C.G.S. § 113-272.6 the legislature established that cervids could be held in captivity provided certain rules as established by the NCWRC were followed. While the General Assembly provided

legal opportunity for previously unlicensed cervid owners to become legal, it left licensing of future captive cervid facilities to the NCWRC.

The changes to these rules cover basically four areas:

- 1) The WRC is amending rule text to allow for new captive cervid facilities to be constructed. This construction has been allowed in the past; however, a moratorium has been in place for a number of years. The current rule states that the captive cervid facility shall be surrounded by a fence of sufficient strength and design to contain the animal under any circumstances, at least eight feet high. The new parameters for allowed construction will be done in accordance to new standards in Rule 15A NCAC 10H .0302, in which the new fencing standards will be enhanced to help prevent wild deer and captive deer from coming into direct contact with each other, and potentially transmitting disease. This new standard will include the existing eight foot high fence standard and, in addition, a standard that includes three strands of electrified wire and two strands of non-electrified wire along either the inside or the outside perimeter to ensure no contact between wild deer and captive cervid.
- 2) The WRC is also amending rule text to allow for the expansion of existing cervid facilities. Under current rule, only licensees with certified herds may expand pen size or the number of pens on the licensed facility to increase the holding capacity of that facility. The proposed rule will allow any existing facility to expand, but it must adhere to the new fencing standards for new facilities. This new rule covers not only the expanded fencing area, but also directs the old fenced area to be retrofitted to meet the new standards.
- 3) The WRC is also amending rule text to allow importation of captive cervid as allowed in Rule 15A NCAC 10B .0101, yet only under strict guidelines. First, only those captive cervid licensees with certified herds will be allowed to import. Secondly, there will be absolutely no importation from any state or province in which Chronic Wasting Disease (CWD) has already been detected. Importation of species in which CWD has not been documented by the scientific community has also been relaxed.
- 4) The proposed rule changes also addresses testing of cervids for CWD, the issuance of captivity licenses and the ability to transport cervids within the state. The proposed amendment for the transportation permit rule is that under current rule a cervid could only be transported from one certified herd to another certified herd in North Carolina. The proposal is that the destination herd for a cervid does not have to be certified.

HISTORY OF CWD PREVENTION IN THE STATE

The N.C. Wildlife Resources Commission (WRC) is responsible for the conservation, management and wise use of over 1,000 native species of fish, birds, mammals, reptiles, amphibians and invertebrates in the state of North Carolina. This amended rule text is being adopted at the request of the regulated community. There is a small core group of licensees (6-8 facilities) that keep/raise deer for profit. These licensees would like to see the industry expand in North Carolina by allowing new facilities. WRC wants to keep any new deer in new facilities from contacting wild deer in order to reduce the chance for cross contamination. The other licensees in this state are zoos, nature parks, hobbyists, etc.

Although the requirement for people who hold wild animals in captivity to obtain a WRC-issued license has existed for decades, this requirement had not been stringently enforced until Chronic Wasting Disease (CWD) became a national threat in 2002. CWD is a highly contagious spongiform encephalopathy that affects cervids and is characterized by spongy degeneration of brain tissue resulting in emaciation, abnormal behavior, loss of bodily functions, and ultimately death. The disease is caused by prions, abnormal forms of cellular protein that is most commonly found in the central nervous system and in lymphoid tissue. The prion "infects" the host animal by promoting conversion of normal cellular protein to the abnormal form. The best available scientific information indicates the most likely route of transmission, outside of a laboratory setting, from animal to animal is through the exchange of bodily fluids, particularly saliva. Exposure to infected fluids does not need to be immediate in order to manifest CWD. Prions are extremely resistant to degradation and facilities with infected animals have remained a source of infection long after the facilities were depopulated.

Therefore, the potential to have CWD in either a free-ranging or captive cervid herd is extremely concerning to wildlife biologists and others interested in sound management of deer. Since that time, North Carolina has been very proactive in efforts to protect wild and captive cervids from CWD. Early efforts consisted of implementation of temporary rules relative to movement and possession of cervids followed by a more deliberative approach to crafting rules and statutes to insure continued protection of public and private wildlife resources. In addition, legal captive cervid facilities were offered a buyout option using up to \$250,000 of the Wildlife Endowment Fund. This buyout opportunity allowed facility owners the ability to get out of the captive cervid business at a time when marketability was dropping rapidly due to CWD concerns and allowed the agency to test large numbers of potentially high-risk animals for CWD (e.g., there were cervids in pens in North Carolina that originated from Wisconsin captive pens, which were afflicted by CWD in 2002). WRC passed regulations to better track captive cervids through mandatory tagging, reporting and facility inspections. WRC required dead deer to be tested for CWD in order to detect an outbreak and we required 8 foot high fencing to keep captive deer securely within their facilities. Due to the inability to "prove" the source from which wild deer have become infected, the definitive link between captive facilities and wild deer infections has not been documented. However, rather than spreading slowly through the resident population as observed in states that have monitored the disease, CWD appears to have spread by jumping from state to state (see USGS 2011 map in Appendix 2) suggesting that the disease has been spread by human movement of animals or infectious materials.

For reasons which will be detailed below, WRC believes that the necessary State funds for the implementation of the proposed amendments to the attached rules would be available through WRC's Wildlife Fund, that there would be no direct local governmental impact, and that the potential economic impact is not expected to exceed \$500,000 per year.

ECONOMIC ANALYSIS

Scope of the Analysis – Since the herd certification requirement is five years, it has been determined that the appropriate time frame for a more complete analysis is five (5) years.

Baseline – Baseline costs and benefits will be those costs and benefits that are in place now and would continue with no changes to existing rules. This will include no construction of captive cervid facilities, no expansion of existing facilities, and no importation of captive cervids.

Persons Affected

- State Government entities – The two state government entities that will be affected will be the WRC and the Department of Agriculture. WRC will be affected in state expenditures and state revenues realized. The agency will realize expenditures in the form of personnel costs and operating costs; and it will realize revenues in the form of new and renewed captivity permits sold and new transportation permits sold. The Department of Agriculture will only be affected by actual payroll expenditures related to cervid facility inspections. The Department of Agriculture currently maintains a cervid database for approval of transport permits and trace backs, therefore the only cost differential in the rule change would be any costs for enhancement of the systems. Since the forecast for the change in number of permits is not significant, enhancement of capacity is deemed to be unnecessary and therefore no cost is associated with it.
- Private Sector entities – The private sector will be affected with these rule changes. Both individuals and the captive cervid business industry will realize costs and revenues. The private sector will incur initial costs in the form of new captivity licenses and transportation permits purchased. A major portion of the costs that will be realized, however, will be the construction costs associated with new facilities built or existing facilities expanded. Also, costs associated with the importation and transportation of cervids will be realized by the private sector. Private entities would also enjoy benefits from being able to build new and expand existing facilities and from being able to import cervids.

Benefit and Cost Estimates – For purposes of this exhibit, a summary of the cost and benefit estimates is presented in a tabular fashion below, with the costs and benefits associated with each rule change explained in text below. WRC believes that this set of rule changes will result in an aggregate economic impact of less than five hundred thousand dollars (\$500,000) in the time period in review yet has a significant policy impact. Therefore this fiscal note is considered a Tier II Non Substantial Economic Impact note.

TABLE 1: Estimated Costs

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	5-Year NPV
State Government						
Administration, Surveys & Inspections	\$1,000	\$1,230	\$1,460	\$1,730	\$2,040	\$5,975
Private Sector						
License & Permits	\$ 1,100	\$1,150	\$ 1,200	\$ 1,250	\$ 1,300	
Facility Construction	\$ 9,200	\$ 9,400	\$9,600	\$ 9,800	\$ 10,000	
Facility Expansion	\$ 3,400	\$ 3,500	\$3,500	\$ 3,600	\$ 3,700	
Cervid Costs	\$ 25,800	\$ 26,300	\$ 26,800	\$ 27,400	\$ 27,900	
Additional Operation Costs	unquantified	unquantified	unquantified	unquantified	unquantified	
Subtotal for Private Sector	\$39,500	\$40,350	\$41,100	\$42,050	\$42,900	\$168,376
TOTAL	\$40,500	\$41,580	\$42,560	\$43,780	\$44,940	\$174,351

TABLE 2: Estimated Benefits

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	5-Year NPV
State Government						
Licenses & Permits	\$ 1,100	\$ 1,150	\$ 1,200	\$ 1,250	\$1,300	\$4,893
Private Sector						
Additional Revenue/ Value (including protection from CWD)	unquantified	unquantified	unquantified	unquantified	unquantified	
CWD Testing	\$600	\$610	\$620	\$640	\$650	\$2,551
TOTAL	\$1,700	\$1,760	\$1,820	\$1,890	\$1,950	\$7,444

- 15 NCAC 10B .0101: Importation of Wild Animals and Birds - The WRC is amending rule text to relax importation of captive cervid yet only under strict guidelines. First, only those captive cervid licensees with certified herds will be allowed to import. Secondly, there will be absolutely no importation from any state or province in which Chronic Wasting Disease (CWD) has already been detected. Importation of species in which CWD has not been documented by the scientific community has also been modified. Currently, there are 42 captive cervid facilities in North Carolina. Based on verbal conversation with the agency Wildlife Management Division staff and their contact with existing captive cervid facility owners, it is estimated that approximately 50% of the owners currently want the ability to import new cervids. Upon implementation of this rule change, if a forecast of 50% of the facilities requesting importation of cervids within a one year time period occurs, and that demand stays constant throughout the years, then these costs and benefits are forecasted as follows:
 - Transportation Permits – A transportation permit in accordance with NCGS 113-272.6 costs the applicant \$50.00. This transportation permit allows a one-time importation of any number of cervids from one particular source. With a forecasted 50% request rate for importation of cervids this translates to \$1,050 in costs per year for the applicants (42 × 50% × \$50.00). This cost is carried to Table 3. This is also construed to be a benefit for the agency of \$1,050 in permitting revenue, and this amount is carried to Table 3. Since this analysis is being performed for a 5 year period and there is no plan for a price increase or decrease of a transportation permit, this cost and benefit will be carried forward with no inflationary factor.
 - Cervid Costs – Cervid costs for the private entities can be estimated in a number of different ways. After discussing this with the Wildlife Management division staff and receiving information regarding various prices of deer from several states ranging in age from a fawn to 4 years old and for either a male or female, it was decided to take the average cost of a male deer and the average cost of a female deer. The average cost of a male deer is \$1,800. The average price of a female deer is \$600. Estimating from above that there would be 21 transportation permits per year, and the average importation size per permit is one animal, the total cost is estimated at \$25,800 per year, assuming 11 male and 10 female deer per year are purchased by the private entities. Since this analysis is being performed for a 5 year period, there will be factored into the costs a 2% annual inflationary factor based on estimated inflationary adjustments. These costs are carried to Table 3. Due to lack of data, the costs of actually transporting the cervids is not included in the estimate below, but it is expected that the benefit private entities would incur from being able to procure more cervids would offset the cost. The net benefit (revenue less operating costs) private entities would incur from being able to obtain more cervids is discussed separately at the end of the Benefits and Costs section.

- Administrative Costs – The administrative costs to the agency for issuing a transportation permit requires staff time to research the origination facility and the destination facility to ensure compliance with herd certification. Upon interviewing staff from the Wildlife Management Division of WRC, the average time to complete the research required for the proper authorization of a transportation permit is 2 hours. With the above forecasted 21 extra transportation permits that would be realized with these rule changes calculates to about \$800, or 21 permits × 2 hours × \$40,000/2080 (the average hourly salary plus fringes of staff used to investigate transportation permit requests). The administrative costs to the applicant are minimal and not reflected in the table above. Since this analysis is being performed for a 5 year period, there will be factored into the costs a 2% annual inflationary factor based on estimated cost of living adjustments. This will be made to the cost as a whole and will not consider any potential changes to fringe benefits. These costs are carried to Table 3.

TABLE 3: 15A NCAC 10B .0101 Estimated Costs & Benefits*

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
COSTS					
<i>State Government</i>					
Administration, Surveys & Inspections	\$ 800	\$ 820	\$ 830	\$ 850	\$ 870
<i>Private Sector</i>					
License & Permits	\$ 1,050	\$ 1,050	\$ 1,050	\$ 1,050	\$1,050
Cervid Costs	\$ 25,800	\$ 26,300	\$26,800	\$27,400	\$27,900
Subtotal of Costs to Private Sector	\$26,850	\$27,350	\$27,850	\$28,450	\$28,950
BENEFITS					
<i>State Government</i>					
License & Permits	\$ 1,050	\$ 1,050	\$ 1,050	\$ 1,050	\$ 1,050

*Amounts are rounded to the nearest \$100 where applicable. The costs are transferred to Table 1 and the benefits are transferred to Table 2.

- 15 NCAC 10H .0301: General Requirements – Currently, there are no new captivity licenses being awarded to those applicants wanting to hold cervids under NCGS 113-272.5. The WRC is amending rule text to allow captivity licenses to be awarded yet under strict guidelines. First, no captivity license for cervids will be issued to someone who already holds a captivity license for cervids, and second, no captivity license will be issued to applicants who had a captivity license for cervids revoked within the previous five years. The captive cervid program has been losing licensed cervid facilities over the past several years. With these rules changes, WRC forecasts that this trend will reverse itself and that there would be on the average one new licensed facility application every year over the next several years, essentially maintaining the current number of facilities. This forecast is based on information that some existing cervid facility owners wish to either build a new facility or enlarge their existing facility, according to the agency Wildlife Management Division staff and based on contact with facility owners. These costs are forecasted as follows:

- Captivity Licenses – A captivity license costs the license holder \$50.00 per year. With these amended rule changes, the forecast of the number of licensed facilities to increase by one per year for the next several years would mean one new applicant per year. Given that licenses need to be renewed every year, this means the regulated community would incur a cost of \$50.00 in licensing fees in year 1, \$100.00 in year 2, and so on. This is also construed to be a benefit for the agency, as shown in Table 4. Since this analysis is being performed for a 5 year period and there is no plan for a price increase or decrease of a transportation permit, this cost and benefit will be carried forward with no inflationary factor.
- Survey and Inspection - A captive cervid facility under current rule must be inspected twice per year, once in the spring and once in the fall. There is no charge for these services to the cervid facility owner; however, they might experience some small time costs. The cost to the agency to inspect these facilities is in payroll related expenditures. One inspection during the year is done with one Wildlife Management Division employee. The second inspection is performed with three employees, one Wildlife Management Division employee, one Wildlife Enforcement Officer, and one employee from the Department of Agriculture. With one new facility forecasted to be created every year, this would mean two additional inspections every year. After interviewing staff in the Wildlife Management Division and the Enforcement Division, an average inspection takes six hours. This equates to twenty four man hours to annually inspect a captive cervid facility. With the above forecasted one extra cervid facility created every year with these rule changes, this calculates to about \$200 in the first year, or 1 facility × 2 inspections × 6 hours × \$40,000/2080 (the average salary plus fringes of staff used to inspect cervid facilities). The costs to the state would continue to increase as there would be one extra facility every year. Since this analysis is being performed for a 5 year period, there will be factored into the costs a 2% annual inflationary factor based on estimated cost of living adjustments. This will be made to the cost as a whole and will not consider separate changes to fringe benefits. These costs are carried to Table 4.

The net benefit private entities would incur from being able to build more facilities is discussed separately at the end of the Benefits and Costs section.

- Also within the General Requirements rule text proposed amendments is the change in age in which a captive cervid animal must be transported to the Department of Agriculture upon death for CWD testing. The proposed language changes the age from 6 months to 12 months. It is estimated by the WRC wildlife management division that fewer than 10 animals per year within this age category die annually. The Department of Agriculture currently charges a minimum of \$40 per animal to cover the cost of CWD testing (which includes \$25 fee for the University of Georgia to perform the test, \$5 to extract the sample, \$10 to ship the sample to Georgia plus additional disposal fees). The disposal fee for this type of sample is anywhere from \$10 to \$50 with the \$50 fee being for a full adult body carcass. Since these samples are normally head only carcasses, the approximate average disposal fee will be estimated to be \$20. This means approximately a \$600 net benefit per year for the captive cervid facility owners if a conservative estimate of 10 animals per year are now not tested. While this would also lead to a decrease in the revenues for the Department of Agriculture, it is assumed this loss would be offset by the savings the Department would experience from having to incur the costs related to testing 10 less animals per year. These net benefits are carried to Table 4.

TABLE 4: 15A NCAC 10H .0301 Estimated Costs & Benefits

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
COSTS					
<i>State Government</i>					
Administration, Surveys & Inspections	\$200	\$410	\$630	\$880	\$1,170
<i>Private Sector</i>					
License & Permits	\$ 50	\$ 100	\$ 150	\$ 200	\$250
BENEFITS					
<i>State Government</i>					
License & Permits	\$ 50	\$ 100	\$ 150	\$ 200	\$ 250
<i>Private Sector</i>					
CWD Testing	\$600	\$610	\$620	\$640	\$650

*Amounts are rounded to the nearest \$100 where applicable. The costs are transferred to Table 1 and the benefits are transferred to Table 2.

Amendments to the rule also propose changes to the tagging of calves and fawns. This change is not assumed to have an impact since it would only move up the time when the animals need to be tagged.

An additional change is the relaxation in the transportation requirements to allow cervids from a North Carolina certified herd to be sold to any herd inside of North Carolina, not just herds that would meet the NC Certified Herd definition. The change in paragraph (e) is designed to keep the two paragraphs (e) and (f) consistent, since paragraph (e) now distinguishes the source herd to be certified yet not the destination herd. The agency has been unable, however, to obtain any concrete evidence from current facility owner of any possible increase in sales as a result of this rule change. This subject, in the context of benefits the private sector could enjoy from these rule changes, is briefly discussed in the Private Sector Net Benefits section below.

- **15 NCAC 10H .0302: Minimum Standards** – Current requirements indicate that each facility must be contained by a fence of sufficient strength and design to contain the animal under any circumstances, at least eight feet high, and dog-proof to a height of at least six feet. The proposed rule change will indicate that no changes be made to facilities that were licensed prior to January 1, 2013 unless those existing facilities are to be expanded. For those owners that plan to expand existing facilities, the new building standards would be in effect and the entire facility would have to be retro-fitted to meet new standards. For new facilities that will be licensed after January 1, 2013 the requirements will be and outer fence of sufficient strength and design to contain the animal under any circumstances, at least eight feet high, and dog-proof to a height of at least six feet. In addition, new or expanding facilities will be required to have an interior or exterior five-strand electric fence placed at least two feet from the outer eight-foot high fence, with the strands at 12, 20, 28, 36 and 48 inches above ground and the strands at 20 and 36 inches not being electrified grounding strands. Also, those facilities licensed after January 1, 2013 may not contain any wild cervids prior to stocking with captive cervids.

The additional electrified fence is required to prevent any interaction between captive and wild cervids and the potential exchange of bodily fluids, therefore reducing the risk of transmittal of CWD. This is especially important given that CWD has been detected in Virginia. Two types of fences are the gold standard for prevention of fluid exchange: 1) two eight-foot high (or higher) fences placed a sufficient distance apart to prohibit any type of fluid exchange; and 2) a completely solid fence. Commission staff researched both of these possibilities and ultimately chose to reject them both based upon two criteria. First, both of these options are prohibitively expensive, particularly for a large commercial operation. Second, no other state that is currently not infected by CWD has this requirement, to staff's knowledge.

The third option staff evaluated was an internal electric fence based upon a peer-reviewed research article which showed some success in preventing captive elk from touching an eight-foot high woven wire fence. The agency discovered through discussion and feedback that this design — developed for a specific research project — lacked utility in real-world captive cervid facility design. The three-strand design does not account for the variety of cervid species and age classes allowed in captivity in North Carolina. Additionally, over the course of several years the species composition and, naturally, age classes of a single facility could change dramatically. Therefore, while the Commission did consider proposing different fencing standards for different species and sizes of animal, it is most practical for a facility to use a single standard design. Having a single standard to enforce would also ease the administrative burden on the state agency. This single standard needed to encompass very young or very small deer that can get low to the ground (e.g. muntjacs) and very large cervids that could reach over a fence (e.g. moose). The five-strand design proposed in the rule is based upon the best available information the agency has at this time to deter captive cervids from coming in contact with wild cervids. This design also includes two grounding strands which maximize the effectiveness of the fence. The electric shock must be strong enough to have deterrent effect on the cervids. However, hooves, particularly on dry ground, are poor conductors of electricity. The proposed placement of the grounding strands maximizes the possibility that any cervid approaching the fence will receive a strong shock as the animals are most likely to try to place their heads between two strands in order to investigate the eight-foot high fence woven wire fence beyond.

Although Commission staff favored an internal placement of the fence, the regulated community requested the option to place the fence externally. The lack of scientific evidence supporting or disproving the efficacy of an external fence prohibited the agency from rejecting the request. The regulated community also asked that the five-strand fence be placed closer to the eight-foot high woven wire fence. Based upon the information available at this time, agency staff believe that the proposed five-strand design at a distance of two feet could keep fluid exchange to a minimum.

- Existing facility expansion – Under current rule 15A NCAC 10H.0301(c)(6) only licensees with certified herds in accordance with 15A NCAC 10H.0304 may request in their renewal application to expand pen size. If no expansion is requested in the renewal application, then no costs will be realized by the facility licensee. However, with each renewal application that is renewed after January 1, 2013 and is requesting pen expansion, then those entire facilities will have to meet the same construction standards set forth in rule 15 NCAC 10H .0302(b)(1)(B). Assuming one existing facility would be expanded per year, the costs to expand an existing facility is presented below in Table 5. This table represents the costs to retrofit one average size pen of 12.4 acres of regular shape with five strands of interior electric fence plus expand the current pen by 25% to reach a total size of 15.5 acres. The average size of 12.4 acres was derived from the size of the existing 42 facilities in North Carolina. Given the lack of available information, the agency is estimating the expansion size using an assumption of 25% increase in pen size based on agency staff best professional judgment. The costs presented below were taken from a local reputable construction material supply retail outlet. An expansion would roughly cost a licensee \$3,400 in fencing costs. Since this analysis is being performed for a 5 year period, there will be factored into the costs a 2%

annual inflationary factor based on estimated consumer price index adjustments – see Table 7. Table 7 does not account for the additional cost to maintain the fence that the licensee would incur as a result of the new fencing requirement. According to the University of Missouri Extension, the cost of running an electric fence energizer at 4 joules for one year is the same as running a single 40-watt light bulb for the same amount of time. The exact cost of running the fence will, naturally, vary based on fence length, condition and voltage needed to keep particular types of animals away from the fence. One joule is enough to power 3000 feet of fencing.

TABLE 5: Existing Cervid Facility Expansion Costs

Item	Amount	Cost per unit	Total Cost
Wood Posts (10' x 5-6" diameter)	2	\$30.28	\$60.56
Wood Posts (10' x 4-5" diameter)	3	\$22.40	\$67.20
Steel T -Posts (12' apart)	61	\$7.93	\$483.73
Staples and Clips (included w/ posts)			\$0.00
Woven Wire (8')	736	\$1.90	\$1,397.52
Entry Gate (14.5' x 48" panel gate)	1	\$97.95	\$97.95
Wire (12 gauge)	18,388.43	\$0.04	\$735.54
Insulators (3 every 10')	1,104	\$0.34	\$387.60
Energizer (110 volt w/.5 joule output)	1	\$94.49	\$94.49
Cut-out Switch	1	\$8.50	\$8.50
Ground Rods	5	\$13.49	\$67.45
Strainer	5	\$3.49	\$17.45
Springs	5	\$5.99	\$29.95
Total			\$3,447.94*

* Numbers may not add up due to rounding.

- New facility construction – Under current rule 15A NCAC 10H.0301(c)(3) no captivity license shall be issued until the applicant has constructed or acquired a facility for keeping the cervid in this case in captivity that complies with the standards set forth in rule 15 NCAC 10H .0302(b)(1)(B). This rule change sets out the new construction standards for the new facilities licensed after January 1, 2013. Under this new rule, and remaining constant with the forecast that there would be one new captivity license application every year, therefore one new facility constructed per year, the costs to construct a new facility is presented below in Table 6. This table represents the costs to construct one average size pen of 12.4 acres of regular shape. This size was derived from taking the existing 42 facilities in North Carolina and averaging their size. The costs were taken from a local reputable construction material supply retail outlet. Based on this information, the cost for constructing an average-size new facility would be about \$9,200. Since this analysis is being performed for a 5 year period, there will be factored into the costs a 2% annual inflationary factor based on estimated consumer price index adjustments – see Table 7. Table 7 does not account for the additional cost to maintain the fence that the licensee would incur as a result of the new fencing requirement.

TABLE 6: New Cervid Facility Construction Costs

Item	Amount	Cost per unit	Total Cost
Wood Posts (10' x 5-6" diameter)	6	\$30.28	\$181.68
Wood Posts (10' x 4-5" diameter)	10	\$22.40	\$224.00
Steel T -Posts (12' apart)	245	\$7.93	\$1,944.27
Staples and Clips (included w/ posts)			\$0.00
Woven Wire (8')	2942	\$1.90	\$5,590.08
Entry Gate (14.5' x 48" panel gate)	2	\$97.95	\$195.90
Wire (12 gauge)	14,710.75	\$0.04	\$588.43
Insulators (3 every 10')	883	\$0.34	\$300.22
Energizer (110 volt w/.5 joule output)	1	\$94.49	\$94.49
Cut-out Switch	1	\$8.50	\$8.50
Ground Rods	5	\$13.49	\$67.45
Strainer	5	\$3.49	\$17.45
Springs	5	\$5.99	\$29.95
Total			\$9,242.43*

* Numbers may not add up due to rounding.

TABLE 7: 15A NCAC 10H .0302 Estimated Costs & Benefits

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
COSTS					
<i>Public</i>					
Facility Construction	\$ 9,200	\$ 9,400	\$ 9,600	\$ 9,800	\$10,000
Facility Expansion	\$ 3,400	\$ 3,500	\$ 3,500	\$3,600	\$ 3,700
Subtotal of Costs to Public	\$12,600	\$12,900	\$13,100	\$13,400	\$13,700
BENEFIT to Public					
Prevention of CWD	Unquantified	Unquantified	Unquantified	Unquantified	Unquantified

*Amounts are rounded to the nearest \$100 where applicable. The costs are transferred to Table 1 and the benefits are transferred to Table 2.

- **15 NCAC 10H .0304: Captive Cervid Certification Program** – The WRC is amending rule text to tie in language that would be more suitable with the other related cervid rules that are being amended. These changes are not considered to carry any additional costs that have not already been discussed in the changes to the other rules including 15 NCAC 10B .0101: Importation of Wild Animals and Birds.

- Private Sector Net Benefits – The WRC is amending rule text that will undoubtedly affect the captive cervid industry as a whole. The vast majority of the costs that these rule changes will generate are reflected in the tables included above; however, the capacity for the fledgling industry to generate a net income is uncertain. This uncertainty has led this fiscal note to not make any projections of benefits affected by these rule changes; however, a brief discussion of the industry will be included. This discussion has been generated by meeting with Wildlife Management staff, who are in regular contact with the cervid holders and have discussed some of the same issues with these owners. It should be noted that currently, of the 42 active captive cervid facilities, there is evidence that less than 20% operate as a for-profit business.

The captive cervid industry has three main outputs: products from the animal, the whole live animal for stocking purposes, and trophy bucks. A trophy buck is a male deer that has grown to reach a certain weight and have a certain size antler rack. The industry grows trophy bucks for two main purposes, one is for selling to other cervid facilities for stud purposes so that captive facility can grow large animals, and the second is for hunting that trophy buck inside a fenced facility. The price for a trophy buck can reach into the thousands of dollars; however, North Carolina has not seen that portion of the industry grow due to two circumstances. One, the climate and the genealogy of the state does not promote bucks to reach the size of trophy bucks being exported out of the states of Pennsylvania and Ohio. Secondly, this state does not allow hunting inside a fenced facility in accordance with Commission rules. For these two reasons, the trophy buck portion of the industry is not expected to grow considerably with the proposed rule changes.

The industry promotes the sale of the whole live animal, whether it be a buck or a doe. The reason for this activity is for stocking purposes of the existing cervid facilities, whether it be for adding an animal to a small facility or adding multiple animals to a facility for the purpose of reinvigorating the genetic pool of an existing herd within the facility.

The last output of the captive cervid industry is a distinct product of the animal that is sold on the open market. Products derived from the cervids include: antlers, both cut and dropped, velvet from the antlers, urine, semen, and meat products from the animals. None of these products to date can be sold on the open market in North Carolina due to regulations (15A NCAC 10B .0118) and North Carolina General Statutes (G.S. 113-291.3). Venison products currently sold in this state are imported due to general statutes, and thus most of the venison produced within a North Carolina cervid facility is for the private consumption of the facility owners. Although private consumption of venison provides a benefit to the facility owners, it is not expected that these rule changes create a significant welfare increase for the owners.

The public would benefit from the additional safeguards while relaxing the captive cervid standards. The safeguards would decreased risk of CWD transmittal, thus preserving North Carolina's captive and wildlife resources.

Based on this information, the agency does not expect that the unquantified benefits and costs facilities might incur as a result of the proposed changes would cause the aggregate impact to be over \$500,000, and therefore make this rule changes have a substantial economic impact. Nevertheless,

given all the uncertainties and assumptions the agency needed to make throughout the analysis, this statement cannot be made with certainty.

Selected Bibliography

Fischer, J., G. Phillips, D. Baasch, M. Lavelle, and K. Vercauteren. 2011. Modifying Elk (*Cervus elephus*) Behavior with Electric Fencing at Established Fence-lines to Reduce Disease Transmission Potential. *Wildl. Soc. Bulletin* 35(1):9-14.

K. Vercauteren, M. Lavelle, n. Seward, Fischer, J., and G. Phillips. 2007. Fence-line Contact Between Wild and Farmed Cervids in Colorado: Potential for Disease Transmission. *J. of Wild. Management* 75(1):1594-1602.

Mathiason, C.K., J. Powers, S.J Dahmes, D.A. Osborn, K.V. Miller, R.J. Warren, G.L. Mason, S. A. Hays, J. Hayes-Klug, D. M. Seelig, M. A. Wild, L. L. Wolfe, T. R. Spraker, M. W. Miller, C. J. Sigurdson, G. C. Telling and E. A. Hoover. 2006. Infectious Prions in the Saliva and Blood of Deer with Chronic Wasting Disease. *Science, New Series*, 314(5796): 133-136.

Appendix 1

15A NCAC 10B .0101 Importation of wild animals and birds is proposed for amendment as follows:

15A NCAC 10B .0101 IMPORTATION OF WILD ANIMALS AND BIRDS

(a) The following definitions apply to this rule:

(1) “Category 1 cervid” means any white-tailed deer, white-tailed deer hybrid, Sika deer, red deer, elk, elk hybrid, moose or any other species of cervid in which the scientific community has documented Chronic Wasting Disease (CWD).

(2) “Category 2 cervid” means any species of cervid in which the scientific community has not documented CWD.

~~(a)~~(b) Before any live wild bird or wild animal is imported into North Carolina for any purpose, a permit shall be obtained from the Executive Director of the North Carolina Wildlife Resources Commission authorizing the importation, using application forms provided by the Commission. Only captive cervid licensees with Certified Herds as defined in 15A NCAC 10H .0304 may obtain permits to import cervids.

~~(b)~~(c) Deer, elk, or other species in the family Cervidae may only be imported into the state of North Carolina from a herd in which Chronic Wasting Disease (CWD) has not been detected for at least five years and has been managed using standards equivalent to, or more stringent than, the criteria specified in 15A NCAC 10H .0301 and 15A NCAC 10H .0302. There shall be no importation of any cervid from individual U.S. or Mexican states or territories, Canadian provinces or other countries in which CWD has been detected, either in a wild herd or a captive herd.

(d) Importation permits for cervids will only be issued for animals that come from U.S. or Mexican states or territories, Canadian provinces or other countries of origin which have a license type, certification program or monitoring program that requires captive cervid facility owners to, at a minimum,:

(1) submit for CWD testing all deceased animals over the age of 12 months;

(2) tag, tattoo or otherwise permanently mark all animals over the age of 12 months; and

(3) keep records of all acquisitions and all dispositions in the facility.

The requirements specified in Subparagraphs (1), (2) and (3) of this Paragraph apply only to facilities holding Category 1 cervids, both Category 1 cervids and Category 2 cervids and facilities that have held any Category 1 animal in the previous five years. Importation permit applications must indicate the source herd and if the source herd includes any Category 1 cervids or has in the past five years then that herd must be successfully participating in a certification program or monitoring program with the requirements listed in this paragraph, or has a license type that does the same.

~~(e)~~(e) Cervids imported into North Carolina shall be individually identified by tags provided by the Wildlife Resources Commission that shall be affixed by the licensee to each cervid as set forth in 15A NCAC 10H .0301.

~~(f)~~(f) Waterfowl imported into North Carolina must be received from facilities or individuals who are certified under the National Poultry Improvement Plan (NPIP) as pullorum-typhoid and avian influenza negative. If the source birds are not part of NPIP, they must be tested pullorum-typhoid and avian influenza negative by NPIP standards within 30 days prior to entry into North Carolina. Health certificates for imported waterfowl shall be available for inspection by authorized Commission personnel upon request.

History Note: Authority G.S. 106.549.97; 113-134; 113-272.6; 113-274; 113-291.3;
Eff. February 1, 1976;
Temporary Amendment Eff. October 8, 2002; May 17, 2002;
Amended Eff. August 1, 2010; May 1, 2010; June 1, 2005; August 1, 2004.
Amended Eff. January 1, 2013

15A NCAC 10H .0301 General Requirements is proposed for amendment as follows:

15A NCAC 10H .0301 GENERAL REQUIREMENTS

(a) Captivity Permit or License Required

- (1) Requirement. The possession of any species of wild animal that is or once was native to this State or any species of wild bird, native or migratory, that naturally occurs or historically occurred in this State or any member of the family Cervidae is unlawful unless the institution or individual in possession obtains from the North Carolina Wildlife Resources Commission (Commission) a captivity permit or a captivity license as provided by this Rule.
- (2) Injured, Crippled or Orphaned Wildlife. When an individual has taken possession of an injured, crippled or orphaned wild animal or wild bird, that individual shall contact the Commission within 24 hours of taking possession in order to apply for a captivity permit, provided, however, that under no circumstances shall an individual take possession of an injured, crippled or orphaned wild turkey, black bear, deer, elk or any other member of the family Cervidae except as described in Subparagraph (3) of this Paragraph.
- (3) Rehabilitation of white-tailed deer fawns. An individual may apply to the Commission to become a permitted white-tailed deer fawn rehabilitator for the State of North Carolina. Individuals deemed to be qualified according to this Section to rehabilitate injured or orphaned fawns may receive a captivity permit to possess fawns only for such a period of time as may be required for the rehabilitation and release of the fawns to the wild. These captivity permits apply only to wild white-tailed deer fawns and are available only to individuals recognized by the Commission as white-tailed deer fawn rehabilitators.

(b) Captivity Permit. A captivity permit shall be requested by mail, phone, facsimile or electronic transmission or in person. A captivity permit authorizes possession of the animal or bird only for such period of time as may be required for the rehabilitation and release of the animal or bird to the wild; or to obtain a captivity license as provided by Paragraph (c) of this Rule, if such a license is authorized; or to make a proper disposition of the animal or bird if the application for such license is denied, or when an existing captivity license is not renewed or is terminated. Captivity permits shall not be issued for wild turkey, black bear, deer, elk or any other member of the family Cervidae except as described in Subparagraph (a)(3) of this Rule.

(c) Captivity License.

- (1) The purpose of captivity license is to provide humane treatment for wild animals or wild birds that are unfit for release. For purposes of this Rule, wild animals are considered "unfit" if they are incapacitated by injury or otherwise; if they are a non-native species that poses a risk to the habitat or to other species in that habitat; or if they have been rendered tame by proximity to humans to the extent that they cannot feed or care for themselves without human assistance. Persons interested in obtaining a captivity license shall contact the Commission for an application.
- (2) Denial of captivity license. Circumstances or purposes for which a captivity license shall not be issued include the following:
 - (A) For the purpose of holding a wild animal or wild bird that was acquired unlawfully.

- (B) For the purpose of holding the wild animal or wild bird as a pet. For purposes of this Rule, the term "pet" means an animal kept for amusement or companionship. The term shall not be construed to include cervids held in captivity for breeding for sale to another licensed operator.
 - (C) For the purpose of holding wild animals or wild birds for hunting in North Carolina.
 - (D) For the purpose of holding wild turkey or black bear.
 - (E) ~~For the purpose of holding deer, elk or any other member of the family Cervidae, except current licenses which may be renewed as specified in Subparagraph (6) of this Paragraph. For the purpose of obtaining an additional captivity license for a person who already holds a captivity license.~~
 - (F) For the purpose of obtaining a new license if the applicant had a license which was revoked less than five years prior to the application for a new license.
- (3) Required Facilities. No captivity license shall be issued until the applicant has constructed or acquired a facility for keeping the animal or bird in captivity that complies with the standards set forth in Rule .0302 of this Section and the adequacy of such facility has been verified on inspection by a representative of the Commission.
- (4) Term of License
- (A) Dependent Wildlife. If the wild animal or wild bird has been permanently rendered incapable of subsisting in the wild, the license authorizing its retention in captivity shall be an annual license terminating on December 31 of the year for which issued.
 - (B) Rehabilitable Wildlife. When the wild animal or wild bird is temporarily incapacitated, and may be rehabilitated for release to the wild, any captivity license that is issued shall be for a period less than one year as rehabilitation may require.
 - (C) Concurrent Federal Permit. No State captivity license for an endangered or threatened species or a migratory bird, regardless of the term specified, shall operate to authorize retention thereof for a longer period than is allowed by any concurrent federal permit that may be required for retention of the bird or animal.
- (5) Holders of Captivity License for cervids.
- (A) Inspection of records. The licensee shall make all records pertaining to tags, licenses or permits issued by the Commission available for inspection by the Commission at any time during normal business hours, or at any time an outbreak of Chronic Wasting Disease (CWD) is suspected or confirmed within five miles of the facility or within the facility itself.
 - (B) Inspection. The licensee shall make all enclosures at each licensed facility and the record-book(s) documenting required monitoring of the outer fence of the enclosure(s) available for inspection by the Commission at any time during normal business hours, or at any time an outbreak of CWD is suspected or confirmed within five miles of the facility or within the facility itself.
 - (C) Fence Monitoring Requirement. The fence surrounding the enclosure shall be inspected by the licensee or licensee's agent once a week during normal weather conditions to verify its stability and to detect the existence of any conditions or activities that threaten its stability. In the event of severe weather or any other condition that presents potential for damage to the fence, inspection shall occur every three hours

until cessation of the threatening condition, except that no inspection is required under circumstances that threaten the safety of the person conducting the inspection.

- (D) A record-book shall be maintained to record the time and date of the inspection, the name of the person who performed the inspection, and the condition of the fence at time of inspection. The person who performs the inspection shall enter the date and time of detection and the location of any damage threatening the stability of the fence. If damage has caused the fence to be breachable, the licensee shall enter a description of measures taken to prevent ingress or egress by cervids. Each record-book entry shall bear the signature or initials of the licensee attesting to the veracity of the entry. The record-book shall be made available to inspection by a representative of the Commission upon request during normal business operating hours.
- (E) Maintenance. Any opening or passage through the enclosure fence that results from damage shall, within one hour of detection, be sealed or otherwise secured to prevent a cervid from escape. Any damage to the enclosure fence that threatens its stability shall be repaired within one week of detection. Any damage to the electric fence which makes it non-functional shall be repaired within one week.
- (F) Escape. When a licensee discovers the escape of any cervid from the facility, the licensee or designee shall report within 24 hours the escape to the Commission. If possible, the escaped cervid shall be recaptured alive. If live recapture is not possible, the licensee shall request a wildlife take permit and take the escaped cervid pursuant to the terms of the permit. A recaptured live cervid shall be submitted to the Commission for CWD testing using a test recognized by the Southeastern Cooperative Wildlife Disease Study unless the executive director determines that the risk of CWD transmission as a result of this escape is negligible based upon:
- (i) amount of time the escaped cervid remained out of the facility;
 - (ii) proximity of the escaped cervid to wild populations;
 - (iii) known susceptibility of the escaped cervid species to CWD;
 - (iv) nature of the terrain in to which the cervid escaped.
- (G) Chronic Wasting Disease (CWD)
- (i) Detection. Each licensee shall notify the Commission within 24 hours if any cervid within the facility exhibits clinical symptoms of CWD or if a quarantine is placed on the facility by the State Veterinarian. All captive cervids that exhibit symptoms of CWD shall be tested for CWD.
 - (ii) Cervid death. The carcass of any captive Category 1 cervid as defined in 15A NCAC 10B .0101 that was 12 ~~six~~ months or older at time of death shall be transported and submitted by the licensee or his designee to a North Carolina Department of Agriculture diagnostic lab for CWD evaluation within 48 hours of the cervid's death, or by the end of the next business day, whichever is later. Ear tags distributed by the Commission and subsequently affixed to the cervids as required by this Rule, may not be removed from the cervid's head prior to submitting the head for CWD evaluation.

- (iii) The Commission shall require testing or forfeiture of cervids from a facility holding cervids in this state should the following circumstances or conditions occur:
 - (I) The facility has transferred a cervid that is received by a facility in which CWD is confirmed within five years of the cervid's transport date and that transferred cervid has tested positive for CWD or the test for CWD was inconclusive or the transferred cervid was no longer available for testing.
 - (II) The facility has received a cervid that originated from a facility in which CWD has been confirmed within five years of the cervid's transport date and that received cervid has tested positive for CWD or the test for CWD was inconclusive or the received cervid was no longer available for testing.
- (H) Tagging Required. Effective upon receipt of tags from the Commission, each licensee shall implement the tagging requirement using only the tags provided by the Commission as follows:
 - (i) All cervids born within a facility shall be tagged by March 1 following the birthing season each year. Fawns and calves must be tagged with a button ear tag before sale or transfer to another captive cervid facility within North Carolina. The receiver is required to affix the bangle ear tag before March 1 following the birth of the calf or fawn.
 - (ii) All cervids transferred to a facility shall be tagged within five days of the cervid's arrival at the licensee's facility. However, no cervids shall be transported from one facility to another unless both sending and receiving herds are certified according to 15A NCAC 10H .0304.
- (I) Application for Tags.
 - (i) Application for tags for calves and fawns. Application for tags for cervids born within a facility shall be made by the licensee by December 1 following the birthing season of each year. The licensee shall provide the following information, along with a statement and licensee's signature verifying that the information is accurate:
 - (I) Applicant name, mailing address, and telephone number;
 - (II) Facility name and site address;
 - (III) Captivity license number;
 - (IV) Species of each cervid; and
 - (V) Birth year of each cervid.
 - (ii) Application for tags for cervids that were not born at the facility site shall be made by written request for the appropriate number of tags along with the licensee's application for transportation of the cervid, along with a statement and licensee's signature verifying that the information is accurate. These tag applications shall not be processed unless accompanied by a completed application for transportation. However, no transportation permits shall be issued nor shall cervids be transported from one facility to another unless both sending and receiving herds are certified according to 15A NCAC 10H .0304.
- (J) Placement of Tags.

- (i) A single button ear tag provided by the Commission shall be permanently affixed by the licensee onto either the right or left ear of each cervid, provided that the ear chosen to bear the button tag shall not also bear a bangle tag, so that each ear of the cervid bears only one tag.
 - (ii) A single bangle ear tag provided by the Commission shall be permanently affixed by the licensee onto the right or left ear of each cervid except Muntjac deer, provided that the ear bearing the bangle tag does not also bear the button tag, so that each ear of the cervid bears only one tag. Muntjac deer are not required to be tagged with the bangle tag.
 - (iii) Once a tag is affixed in the manner required by this Rule, it shall not be removed.
- (K) Reporting Tags Requirement. For all cervids, except calves and fawns, the licensee shall submit a Cervidae Tagging Report within 30 days of receipt of the tags. Cervidae Tagging Reports for calves and fawns shall be submitted by March 1 following the birthing season each year. A Cervidae Tagging Report shall provide the following information and be accompanied by a statement and licensee's signature verifying that the information is accurate:
- (i) Licensee name, mailing address, and telephone number;
 - (ii) Facility name and site address, including the County in which the site is located;
 - (iii) Captivity license number;
 - (iv) Species and sex of each cervid;
 - (v) Tag number(s) for each cervid; and
 - (vi) Birth year of each cervid.
- (L) Replacement of Tags. The Commission shall replace tags that are lost or unusable and shall extend the time within which a licensee shall tag cervids consistent with time required to issue a replacement.
- (i) Lost Tags. The loss of a tag shall be reported to the Commission by the licensee and application shall be made for a replacement upon discovery of the loss. Application for a replacement shall include the information required by Part (c)(5)(I) of this Rule along with a statement and applicant's signature verifying that the information is accurate. Lost tags shall be replaced on the animal by the licensee within 30 days of receipt of the replacement tag.
 - (ii) Unusable Tags. Tags that cannot be properly affixed to the ear of a cervid or that cannot be read because of malformation or damage to the tags or obscurement of the tag numbers shall be returned to the Commission along with an application for a replacement tag with a statement and applicant's signature verifying that the information in the application is accurate.
- (6) Renewal of captivity license for cervids. Existing captivity licenses for the possession of cervids at existing facilities shall be renewed as long as the applicant for renewal has live cervids and continues to meet the requirements of this Section for the license. ~~Only licensees with Certified Herds, as defined in 15A NCAC 10H .0304, may request in their renewal applications to expand pen size or the number of pens on the licensed facility to increase the holding capacity of that facility.~~ All expanded pens shall adhere to fencing specifications set forth in 15A NCAC 10H .0302. No renewals shall be issued for a license that has been allowed to lapse due to the negligence of the former licensee.

(7) Provision for licensing the possession of cervids in an existing facility. A captivity license shall only be issued to an individual who is 18 years of age or older. If the licensee of an existing facility voluntarily surrenders his or her captivity license, becomes incapacitated or mentally incompetent, or dies, a person who has obtained lawful possession of the facility from the previous licensee or that licensee's estate, may request that the existing captivity license be transferred to him or her to operate the existing facility. Any license transferred under this provision shall be subject to the same terms and conditions imposed on the original licensee at the time of his or her surrender or death and shall be valid only for the purpose of holding the cervids of the existing facility within that existing facility. In addition, any actions pending from complaint, investigation or other cause shall be continued notwithstanding the termination of the original license.

(d) Nontransferable. No license or permit or tag issued pursuant to this Rule is transferable, either as to the holder or the site of a holding facility, except as provided in Subparagraph (c)(7) of this Rule.

(e) Sale, Transfer or Release of Captive Wildlife.

(1) It is unlawful for any person to transfer or receive any wild animal or wild bird that is being held under a captivity permit issued under Paragraph (b) of this Rule, except that any such animal or bird may be surrendered to an agent of the Commission.

(2) It is unlawful for any person holding a captivity license issued under Paragraph (c) of this Rule to sell or transfer the animal or bird held under such license, except that such animal or bird may be surrendered to an agent of the Commission, and any such licensee may sell or transfer the animal or bird (except members of the family Cervidae) to another person who has obtained a license to hold it in captivity. For animals in the family Cervidae, sale or transfer of animals is allowed only intrastate from between Certified Herds, as defined in 15A NCAC 10H .0304. Any captive cervid may be sold to a buyer outside of North Carolina. Upon such a sale or transfer, the seller or transferor shall obtain a receipt for the animal or bird showing the name, address, and license number of the buyer or transferee, a copy of which shall be provided to the Commission.

(3) It is unlawful for any person to release into the wild for any purpose or allow to range free:

(A) any species of deer, elk or other members of the family Cervidae, or

(B) any wolf, coyote, or other non-indigenous member of the family Canidae, or

(C) any member of the family Suidae.

(f) Transportation Permit.

(1) Except as otherwise provided herein, no transportation permit is required to move any lawfully held wild animal or wild bird within the State.

(2) No person shall transport black bear or Cervidae for any purpose without first obtaining a transportation permit from the Commission.

(3) Except as provided in Subparagraph (f)(4) of this Rule, no transportation permits shall be issued for deer, elk, or other species in the family Cervidae except into and between Certified Herds as defined in 15A NCAC 10H .0304.

(4) Cervid Transportation. A permit to transport deer, elk, or other species in the family Cervidae may be issued by the Commission to an applicant for the purpose of transporting the animal or animals for export out of state, to a slaughterhouse for slaughter, from a N.C. Certified Herd to another captive cervid facility, ~~Certified Herd as defined~~

~~in 15A NCAC 10H .0304~~, or to a veterinary medical facility for treatment provided that the animal for which the permit is issued does not exhibit clinical symptoms of Chronic Wasting Disease. No person shall transport a cervid to slaughter or export out of state without bearing a copy of the transportation permit issued by the Commission authorizing that transportation. No person shall transport a cervid for veterinary treatment without having obtained approval from the Commission as provided by Part (f)(4)(D) of this Rule. Any person transporting a cervid shall present the transportation permit to any law enforcement officer or any representative of the Commission upon request, except that a person transporting a cervid by verbal authorization for veterinary treatment shall provide the name of the person who issued the approval to any law enforcement officer or any representative of the Commission upon request.

- (A) Slaughter. Application for a transportation permit for purpose of slaughter shall be submitted in writing to the Commission and shall include the following information along with a statement and applicant's signature verifying that the information is accurate:
- (i) Applicant name, mailing address, and telephone number;
 - (ii) Facility site address;
 - (iii) Captivity license number;
 - (iv) Name, address, county and phone number of the slaughter house to which the cervid will be transported;
 - (v) Vehicle or trailer license plate number and state of issuance of the vehicle or trailer used to transport the cervid;
 - (vi) Name and location of the North Carolina Department of Agriculture Diagnostic lab where the head of the cervid is to be submitted for CWD testing;
 - (vii) Date of transportation;
 - (viii) Species and sex of each cervid; and
 - (ix) Tag number(s) for each cervid.
- (B) Exportation. Nothing in this rule shall be construed to prohibit the lawful exportation of a member of the family Cervidae for sale out of state. Application for a transportation permit for purpose of exportation out of state shall be submitted in writing to the Commission and shall include the following information along with a statement and applicant's signature verifying that the information is accurate:
- (i) Applicant's name, mailing address and telephone number;
 - (ii) Facility site address;
 - (iii) Captivity license number;
 - (iv) Vehicle or trailer license plate number and state of issuance of the vehicle or trailer used to transport the cervid;
 - (v) Name, site address, county, state and phone number of the destination facility to which the cervid is exported;
 - (vi) A copy of the importation permit from the state of the destination facility that names the destination facility to which the animal is to be exported;

- (vii) Date of departure;
 - (viii) Species and sex of each cervid; and
 - (ix) Tag number(s) for each cervid.
- (C) Between herds. Application for a transportation permit for purpose of moving a cervid from ~~one a~~ Certified Herd to another captive cervid facility ~~Certified Herd, as defined in 15A NCAC 10H .0304~~, shall be submitted in writing to the Commission and shall include the following information along with a statement and applicant's signature verifying that the information is accurate:
- (i) Applicant's name, mailing address and telephone number;
 - (ii) Facility site address;
 - (iii) Captivity license number;
 - (iv) Vehicle or trailer license plate number and state of issuance of the vehicle or trailer used to transport the cervid;
 - (v) Name, site address, county, and phone number of the destination facility to which the cervid is moved;
 - (vi) Date of departure;
 - (vii) Species and sex of each cervid; and
 - (viii) Tag number(s)for each cervid.
- (D) Veterinary treatment. No approval shall be issued for transportation of a cervid to a veterinary clinic out of the state of North Carolina, or for transportation from a facility out of the state of North Carolina to a veterinary clinic in North Carolina. An applicant from a North Carolina facility seeking to transport a cervid for veterinary treatment to a facility within North Carolina shall contact the Wildlife Telecommunications Center or the Wildlife Management Division of the Commission to obtain verbal authorization to transport the cervid to a specified veterinary clinic and to return the cervid to the facility. Verbal approval to transport a cervid to a veterinary clinic shall authorize transport only to the specified veterinary clinic and directly back to the facility, and shall not be construed to permit intervening destinations. To obtain verbal authorization to transport, the applicant shall provide staff of the Commission the applicant's name and phone number, applicant's facility name, site address and phone number, the cervid species, sex and tag numbers, and the name, address and phone number of the veterinary facility to which the cervid shall be transported. Within five days of transporting the cervid to the veterinary facility for treatment, the licensee shall provide the following information in writing to the Commission, along with a statement and applicant's signature verifying that the information is correct:
- (i) Applicant's name, mailing address and telephone number;
 - (ii) Facility name and site address;
 - (iii) Captivity license number;
 - (iv) Vehicle or trailer license plate number and state of issuance of the vehicle or trailer used to transport the cervid;
 - (v) Date of transportation;

- (vi) Species and sex of each cervid;
- (vii) Tag number(s) for each cervid;
- (viii) Name, address and phone number of the veterinarian and clinic that treated the cervid;
- (ix) Symptoms for which cervid received treatment; and
- (x) Diagnosis of veterinarian who treated the cervid.

(g) Slaughter at cervid facility. Application for a permit for purpose of slaughter at the cervid facility shall be submitted in writing to the Commission and shall include the following information along with a statement and applicant's signature verifying that the information is accurate:

- (1) Applicant name, mailing address, and telephone number;
- (2) Facility site address;
- (3) Captivity license number;
- (4) Name and location of the North Carolina Department of Agriculture Diagnostic lab where the head of the cervid is to be submitted for CWD testing;
- (5) Date of slaughter;
- (6) Species and sex of each cervid; and
- (7) Tag number(s) for each cervid.

Permits or authorization may not be sold or traded by the licensee to any individual for the hunting or collection of captive cervids. Only the licensee may kill a cervid within the cervid enclosure.

History Note: Authority G.S. 106-549.97(b); 113-134; 113-272.5; 113-272.6; 113-274;
Eff. February 1, 1976;
Amended Eff. April 1, 1991; September 1, 1990; June 1, 1990; July 1, 1988;
Temporary Amendment Eff. October 8, 2002; May 17, 2002(this temporary rule replaced the permanent rule approved by RRC on June 21, 2001 to become effective in July 2002); July 1, 2001;
Amended Eff. May 1, 2010; May 1, 2008; December 1, 2005; August 1, 2004.
Amended Eff. January 1, 2013

15A NCAC 10H .0302 Minimum Standards is proposed for amendment as follows:

15A NCAC 10H .0302 MINIMUM STANDARDS

(a) Exemptions. Publicly financed zoos, scientific and biological research facilities, and institutions of higher education that were granted an exemption by the Commission from the standards of this Rule prior to December 1, 2005 are exempt from the standards set forth in this Rule for all birds and animals except the black bear so long as the captivity license in effect on that date has not expired or been revoked.

(b) With the exception of those entities named in Paragraph (a) of this Rule who have received exemption from the Commission, all holders of captivity licenses shall comply with the following requirements:

(1) Deer, Elk and other species of the family Cervidae

(A) Enclosure specifications. The enclosure shall be on a well-drained site containing natural or manmade shelter for shade. The minimum size of the enclosure for all cervids except Muntjac deer shall be not less than one-half acre for the first three animals and an additional one-fourth acre for each additional animal held provided that no more than 25 percent shall be covered with water. For facilities licensed after January 1, 2013 and any facilities that expand their enclosures, minimum enclosure size shall be based upon the placement of an interior electric fence or the eight foot high fence, whichever fence creates the smaller enclosure size. At no time shall the number of cervids in the enclosure exceed the number allowed by the captivity license, except that fawns and calves shall not count towards the total number of cervids in a facility from the time they are born until March 1 of the following year. ~~The enclosure shall be surrounded by a fence of sufficient strength and design to contain the animal under any circumstances, at least eight feet high, and dog proof to a height of at least six feet.~~ For enclosures exclusively holding Muntjac deer, the minimum pen size shall be 800 square feet for the first three animals and 200 square feet for each additional animal. No exposed barbed wire, nails, or other protrusions that may cause injury to the animal shall be permitted within the enclosure. Captive cervids shall not be contained within or allowed to enter a place of residence.

(B) Fencing. All enclosures shall be surrounded by a fence of sufficient strength and design to contain the animal under any circumstances, at least eight feet high, and dog-proof to a height of at least six feet. Facilities first licensed after January 1, 2013 and facilities licensed after that date which expand their enclosures or add a new enclosure shall have one fence meeting these standards surrounding the entire perimeter of each enclosure and a second electric fence with five strands placed internally or externally at a distance of two feet from the entire perimeter of the eight-foot high fence. The strands shall be placed at 12, 20, 28, 36 and 48 inches above ground. The strands placed at 20 and 36 inches shall be non-electrified grounding strands. The electric fence shall have current running through it whenever a captive cervid is within the enclosure, except during maintenance of the electric fence. Enclosures and enclosure expansions shall not contain wild deer or elk. The licensee shall ensure his enclosure is devoid of wild deer or elk before stocking with cervids.

- ~~(B)~~(C) Sanitation and Care. Licensees shall provide an ample supply of clear water and salt at all times. Food shall be placed in the enclosure as needed, but not less than three times weekly. An effective program for the control of insects, ectoparasites, disease, and odor shall be established and maintained. The animal(s) shall be protected against fright or harm from other animals.
- (2) Wild Boars
- (A) Enclosure. The enclosure shall be on a site containing trees or brush for shade. The minimum size of the enclosure shall be not less than one-half acre for the first three animals and an additional one-fourth acre for each additional animal held. The enclosure shall be surrounded by a fence at least five feet high and of sufficient strength to contain the animals. No exposed barbed wire or protruding nails shall be permitted within the enclosure. A roofed building large enough to provide shelter in both a standing or a lying position for each boar must be provided. This building shall be closed on three sides. A pool of water for wallowing or a sprinkler system shall be provided on days when heat could cause stress to the animal(s).
- (B) Sanitation and Care. Licensees shall provide an ample supply of clear water at all times. Food shall be placed in the enclosure as needed, but in any case, not less than three times weekly. An effective program for the control of insects, ectoparasites, disease, and odor shall be established and maintained.
- (3) Wild Birds
- (A) Enclosure. The enclosure shall be large enough for the bird or birds to assume all natural postures. The enclosure shall be designed in such a way that the birds cannot injure themselves and are able to maintain a natural plumage. Protection from sun, weather, and predators shall also be provided.
- (B) Sanitation and Care. The cage shall be kept clean, dry, and free from molded or damp feed. Ample food and clean water shall be available at all times.
- (4) Alligators
- (A) Enclosure. The enclosure shall be surrounded by a fence of sufficient strength to contain the animals and that shall prevent contact between the observer and alligator. The enclosure shall contain a pool of water large enough for the animal to completely submerge itself. If more than one animal is kept, the pool must be large enough for all animals to be able to submerge themselves at the same time. A land area with both horizontal dimensions at least as long as the animal shall also be provided. In case of more than one animal, the land area shall have both horizontal dimensions at least as long as the longest animals to occupy the land area at the same time without overlap.
- (B) Sanitation and Care. The water area shall be kept clean and food adequate to maintain good health provided. Protection shall be provided at all times from extremes in temperature that could cause stress to the animal.
- (5) Black Bear
- (A) Educational Institutions and Zoos Operated or Established by Governmental Agencies
- (i) Enclosure. A permanent, stationary metal cage, at least eight feet wide by 12 feet long by six feet high and located in the shade or where shaded during the afternoon hours of summer, is required. The cage shall have a concrete floor in which a drainable pool one and one-half feet deep and not

less than four by five feet has been constructed. The bars of the cage shall be of iron or steel at least one-fourth inch in diameter, or heavy gauge steel chain link fencing may be used. The gate shall be equipped with a lock or safety catch, and guard rails shall be placed outside the cage so as to prevent contact between the observer and the caged animal. The cage must contain a den at least five feet long by five feet wide by four feet high and so constructed as to be easily cleaned. A "scratch log" shall be placed inside the cage. The cage shall be equipped with a removable food trough. Running water shall be provided for flushing the floor and changing the pool.

- (ii) Sanitation and Care. Food adequate to maintain good health shall be provided daily; and clean, clear drinking water shall be available at all times. The floor of the cage and the food trough shall be flushed with water and the water in the pool changed daily. The den shall be flushed and cleaned at least once each week in hot weather. An effective program for the control of insects, ectoparasites, disease, and odor shall be established and maintained. Brush, canvas, or other material shall be placed over the cage to provide additional shade when necessary for the health of the animal. The use of collars, tethers or stakes to restrain the bear is prohibited, except as a temporary safety device.

(B) Conditions Simulating Natural Habitat. Black bears held in captivity by other than educational institutions or governmental zoos shall be held without caging under conditions simulating a natural habitat. All of the following conditions must exist to simulate a natural habitat in a holding facility:

- (i) The method of confinement is by chain link fence, wall, moat, or a combination of such, without the use of chains or tethers.
- (ii) The area of confinement is at least one acre in extent for one or two bears and an additional one-eighth acre for each additional bear.
- (iii) Bears are free, under normal conditions, to move throughout such area.
- (iv) At least one-half of the area of confinement is wooded with living trees, shrubs and other perennial vegetation capable of providing shelter from sun and wind.
- (v) The area of confinement contains a pool not less than one and one-half feet deep and not less than four by five feet in size.
- (vi) Provision is made for a den for each bear to which the bear may retire for rest, shelter from the elements, or respite from public observation.
- (vii) The area of confinement presents an overall appearance of a natural habitat and affords the bears protection from harassment or annoyance.
- (viii) Provisions are made for food and water that are adequate to maintain good health and for maintenance of sanitation.
- (ix) The applicant shall document that the applicant owns or has a lease of the real property upon which the holding facility is located, provided that if the applicant is a lessee, the lease is for a duration of at least five years from the point of stocking the facility.

(6) Cougar

- (A) Educational or scientific research institutions and zoos supported by public funds.
- (i) Enclosure. A permanent, stationary metal cage, at least nine feet wide by 18 feet long by nine feet high and located in the shade or where shaded during the afternoon hours of summer, is required. The cage shall have a concrete floor. The bars of the cage shall be of iron or steel at least one-fourth inch in diameter, or heavy gauge steel chain link fencing may be used. The gate shall be equipped with a lock or safety catch, and guard rails shall be placed outside the cage so as to prevent contact between the observer and the caged animal. The cage shall contain a den at least five feet long by five feet wide by four feet high and so constructed as to be easily cleaned. A "scratch log" shall be placed inside the cage. The cage shall be equipped with a removable food trough. Running water shall be provided for flushing the floor and changing the pool.
 - (ii) Sanitation and Care. Food adequate to maintain good health shall be provided daily; and clean, clear drinking water shall be available at all times. The floor of the cage and the food trough shall be flushed with water and the water in the pool changed as necessary to maintain good health of the animal. The den shall be flushed and cleaned at least once each week. An effective program for the control of insects, ectoparasites, disease, and odor shall be established and maintained. Brush, canvas, or other material shall be readily available to be placed over the cage to provide additional shade when necessary. The use of collars, tethers or stakes to restrain the cougar is prohibited, except as a temporary safety device.
- (B) Cougars held in captivity by other than educational or scientific institutions or publicly supported zoos shall be held without caging under conditions simulating a natural habitat. Applicants for a captivity license to hold cougar shall apply to the Commission on forms provided by the Commission, and shall provide plans that describe how the applicant's facility will comply with the requirement to simulate a natural habitat. All of the following conditions must exist to simulate a natural habitat in a holding facility.
- (i) The method of confinement is by chain link fence, without the use of chains or tethers, provided that:
 - (I) Nine gauge chain link fencing shall be at least 12 feet in height with a four foot fence overhang at a 45 degree angle on the inside of the pen to prevent escape from climbing and jumping.
 - (II) Fence posts and at least six inches of the fence skirt shall be imbedded in a six inch wide by one foot deep concrete footer to prevent escape by digging.
 - (ii) The area of confinement shall be at least one acre for two cougars with an additional one-eighth acre for each additional cougar. If, following a site evaluation, the Commission determines that terrain and topographical features offer sufficient escape, cover and refuge, and meet all other specifications, and that the safety and health of the animal(s) will not be compromised, smaller areas shall be permitted.
 - (iii) Cougars shall be free under normal conditions to move throughout the area of confinement.

- (iv) At least one-half of the area of confinement shall be wooded with living trees, shrubs and other perennial vegetation capable of providing shelter from sun and wind; and a 20 foot wide strip along the inside of the fence shall be maintained free of trees, shrubs and any other obstructions which could provide a base from which escape through leaping could occur.
 - (v) The area of confinement shall contain a pool not less than one and one-half feet deep and not less than four by five feet in size.
 - (vi) Each cougar shall be provided a den to which the cougar may retire for rest, shelter from the elements, or respite from public observation. Each den shall be four feet wide by four feet high by four feet deep. Each den shall be enclosed entirely within at least an eight feet wide by ten feet deep by 12 feet high security cage. The security cage shall be completely within the confines of the facility, cement-floored, shall have nine gauge fencing on all sides and the top, and shall have a four foot, 45 degree fence overhang around the outside top edge to prevent cougar access to the top of the security cage.
 - (vii) The area of confinement shall protect the cougar from harassment or annoyance.
 - (C) Provisions shall be made for maintenance of sanitation and for food and water adequate to maintain good health of the animal(s).
 - (D) The applicant shall document that the applicant owns or has a lease of the real property upon which the holding facility is located, provided that if the applicant is a lessee, the lease is for a duration of at least five years from the point of stocking the facility.
- (7) Other Wild Animal Enclosures.
- (A) General Enclosure Requirements.
 - (i) The enclosure shall provide protection from free ranging animals and from sun or weather that could cause stress to the animals.
 - (ii) A den area in which the animal can escape from view and large enough for the animal to turn around and lie down shall be provided for each animal within the enclosure.
 - (iii) No tethers or chains shall be used to restrain the animal.
 - (iv) Either a tree limb, exercise device, or shelf large enough to accommodate the animal shall be provided to allow for exercise and climbing.
 - (v) Sanitation and Care. Fresh food shall be provided daily, and clean water shall be available at all times.
 - (vi) An effective program for the control of insects, ectoparasites, disease, and odor shall be established and maintained.
 - (B) Single Animal Enclosures for certain animals. The single-animal enclosure for the animals listed in this Subparagraph shall be a cage with the following minimum dimensions and horizontal areas:

Dimensions in Feet

Animal	Length	Width	Height	Per Animal
Bobcat, Otter	10	5	5	50
Raccoon, Fox, Woodchuck	8	4	4	32
Opossum, Skunk, Rabbit	6	3	3	18
Squirrel	4	2	2	8

- (C) Single Enclosure Requirements for animals not mentioned elsewhere in this Rule. For animals not listed above or mentioned elsewhere in this Rule, single animal enclosures shall be a cage with one horizontal dimension being at least four times the nose-rump length of the animal and the other horizontal dimension being at least twice the nose-rump length of the animal. The vertical dimensions shall be at least twice the nose-rump length of the animal. Under no circumstances shall a cage be less than four feet by two feet by two feet.
- (D) Multiple Animal Enclosures. The minimum area of horizontal space shall be determined by multiplying the required square footage for a single animal by a factor of 1.5 for one additional animal and the result by the same factor, successively, for each additional animal. The vertical dimension for multiple animal enclosures shall remain the same as for single animal enclosures.
- (E) Young animals. The young of any animal may be kept with the parent in a single-animal enclosure only until weaning. After weaning, if the animals are kept together, the requirements for multiple-animal enclosures apply.

History Note: Authority G.S. 19A-11; 106-549.97(b); 113-134; 113-272.5, 113-272.6; Eff. February 1, 1976; Amended Eff. December 1, 1990; June 1, 1990; July 1, 1988; November 9, 1980; Temporary Amendment Eff. October 8, 2002; Amended Eff. May 1, 2010; December 1, 2005; August 1, 2004. Amended Eff. January 1, 2013

15A NCAC 10H .0304 Captive cervid herd certification program is proposed for amendment as follows:

15A NCAC 10H .0304 CAPTIVE CERVID HERD CERTIFICATION PROGRAM

(a) The Wildlife Resources Commission has established this Captive Cervid Herd Certification Program in order to prevent the introduction of Chronic Wasting Disease (CWD) into North Carolina and reduce the potential for spread of CWD while allowing for the importation of captive cervids, transportation of cervids from herds in which CWD has not been detected for at least five years, in accordance with the requirements in this Section. Only licensees with Certified Herds as defined in Paragraph (e) of this Rule may import captive cervids under the conditions and restrictions set forth in 15A NCAC 10B .0101. ~~request to expand their pen size to accommodate additional cervids and transport cervids within North Carolina for purposes other than those specified in 15A NCAC 10H .0301(f)(4).~~ Licensees with Certified Herds may also import cervids from a herd in which CWD has not been detected for at least five years and has been managed using standards equivalent to, or more stringent than, the criteria specified in 15A NCAC 10H .0301 and 15A NCAC 10H .0302. The individual U.S. or Mexican state or territory, Canadian province or other country of origin must have CWD monitoring requirements that are at least as stringent as those described in this Section. The originating individual U.S. or Mexican state's or territory's, Canadian province's or other country's CWD monitoring program must be jointly reviewed by Wildlife Resources Commission and Department of Agriculture and Consumer Services personnel before approval of any importation of cervids into North Carolina. There shall be no importation from individual U.S or Mexican states or territories, Canadian provinces or other countries in which CWD has been detected, either in a wild or captive herd.

(b) Enrollment qualifications. Only captive cervid herds held under a valid captivity license are eligible for enrollment in the Captive Cervid Herd Certification Program. Licensees shall comply with all captivity license requirements outlined in this Section and the rules and laws regulating possession, transportation and importation of cervids in order to remain in the Captive Cervid Herd Certification Program.

(c) Enrollment application. Each individual holding a current and valid Captivity License for cervids may apply to be enrolled in the Captive Cervid Herd Certification Program. All applications shall be in writing on a form supplied by the Commission. The Commission shall deny an application if:

- (1) the licensee has not complied with all the requirements under the captivity license statutes and all rules pertaining to the holding of cervids in captivity and the transportation or importation of cervids resulting in a failed inspection report for the licensee's most recent inspection; or a pending citation;
- (2) the licensee has provided false information; or
- (3) CWD has been confirmed in a cervid at the licensee's facility.

(d) Enrollment dates. The enrollment date is:

- (1) the first date upon official inspection, documented by Wildlife Resources Commission and Department of Agriculture and Consumer Services personnel, on which the licensee has complied with all captivity rules and statutes that pertain to cervids, including tagging, provided that the licensee has continued to comply with these regulations; or
- (2) the date on which a waiver was issued by the Wildlife Resources Commission Executive Director under the conditions set forth in 15A NCAC 10A .1101(a) that brought the licensee into compliance assuming that there were

no other compliance actions pending, provided that the licensee has continued to comply with the captive cervid regulations.

This date may be retroactive but may extend back no earlier than the date Wildlife Resources Commission and Department of Agriculture and Consumer Services personnel documented that the licensee came into compliance with all captivity rules and statutes related to holding cervids in captivity, including tagging of all cervids.

(e) Certified herd. When ~~a herd is enrolled~~ an enrollment date is set for a herd in the Captive Cervid Herd Certification Program, ~~it~~ the herd shall be placed in First Year status. If the herd continues to meet the requirements of the Captive Cervid Herd Certification Program, each year on the anniversary of the enrollment date the herd status shall be upgraded by one year. One year from the date a herd is placed in Fifth Year status, the herd status shall be changed to Certified, and the herd shall remain in Certified status as long as it is enrolled in the Captive Cervid Herd Certification Program, provided its status is not lost or suspended without reinstatement as described in Paragraph (f).

(f) Herd status

- (1) A Certified Herd or any herd enrolled in the program shall have its status suspended or reduced if:
 - (A) the licensee fails to comply with any of the ongoing requirements for captive cervid licenses as identified in 15A NCAC 10H .0301;
 - (B) the licensee violates any other North Carolina law or rule related to captive cervids;
 - (C) an animal in the herd exhibits clinical signs of CWD;
 - (D) an animal in the herd can be traced back to a herd with an animal exhibiting clinical signs of CWD; or
 - (E) the herd is quarantined by the State Veterinarian.
- (2) A Certified Herd or any herd enrolled in the program shall lose its status if:
 - (A) an animal in the herd can be traced back to a herd in which CWD has been detected;
 - (B) CWD is detected in an animal in the herd; or
 - (C) the licensee loses his or her license.

The Wildlife Resources Commission shall review cases of suspended status upon request. A Certified Herd with suspended status may regain its status if the licensee corrects within 30 days the deficiency under which the status was suspended or, in the case of suspected CWD, the disease was not detected in the suspect animal.

(g) Inspection. If an inspection of the captive cervids is needed as a part of certification, including reinstating a suspended status, the licensee is responsible for assembling, handling and restraining the captive cervids and all costs incurred to present the animals for inspection.

History Note: Authority G.S. 106-549.97(b); 113-134; 113-272.5; 113-272.6; 113-274; 113-292;
Eff. May 1, 2010.
Amended Eff. January 1, 2013

Chronic Wasting Disease in North America

