IDAPA 02 – IDAHO DEPARTMENT OF AGRICULTURE

Animals Division

02.04.19 – Rules Governing Domestic Cervidae

Who does this rule apply to?
All domestic cervidae producers.

What is the purpose of this rule?
In order to maintain the health and viability of Idaho's domestic cervidae industry, this rule governs procedures for the detection, prevention, control and eradication of diseases among domestic cervidae, and facilities, record keeping, and reporting requirement of domestic cervidae ranches.

What is the legal authority for the agency to promulgate this rule?
This rule implements the following statutes passed by the Idaho Legislature:

- 25-303, Idaho Code – Designation of Tuberculosis Free Areas
- 25-305, Idaho Code – Rules and Regulations for Tuberculosis Free Areas
- 25-401, Idaho Code – Performance of Chapter for Livestock Disease Control for Tuberculosis
- 25-601, Idaho Code – Duties of Department of Agriculture for Bang's Disease

Who do I contact for more information on this rule?

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This rule chapter will be reviewed in compliance with Section 67-5292, Idaho Code, and in accordance with the 8-year rule review schedule linked here.

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000. LEGAL AUTHORITY.
This chapter is adopted under the legal authority of Sections 25-203, 25-305, 25-601, and 25-3704, Idaho Code. (3-15-22)

001. SCOPE.
These rules govern procedures for the detection, prevention, control and eradication of diseases among domestic cervidae, and facilities, record keeping, and reporting requirements of domestic cervidae ranches. (3-15-22)

002. – 003. (RESERVED)

004. INCORPORATION BY REFERENCE.
The following documents are incorporated by reference. (3-15-22)

01. Bovine Tuberculosis Eradication, Uniform Methods and Rules, Effective January 1, 2005. This document can be viewed online at https://www.aphis.usda.gov/animal_health/animal_diseases/tuberculosis/downloads/tb-umr.pdf. (3-15-22)

02. Code of Federal Regulations, Title 9, Part 161, January 1, 2021. This document can be viewed online at https://www.govinfo.gov/content/pkg/CFR-2016-title9-vol1/pdf/CFR-2016-title9-vol1-chapI-toc-id4.pdf. (3-15-22)

03. Code of Federal Regulations, Title 9, Part 55, January 1, 2021.This document can be viewed online at https://www.govinfo.gov/content/pkg/CFR-2016-title9-vol1/pdf/CFR-2016-title9-vol1-chapI-toc-id4.pdf. (3-15-22)

04. Code of Federal Regulations, Title 9, Subchapter A, Part 1 and 2, January 1, 2021.This document can be viewed online at https://www.govinfo.gov/content/pkg/CFR-2016-title9-vol1/pdf/CFR-2016-title9-vol1-chapI-toc-id4.pdf. (3-15-22)

005. -- 009. (RESERVED)

010. DEFINITIONS.

01. Approved Laboratory. NVSL, an AAVLD accredited laboratory that is qualified to perform CWD diagnostic procedures, or a laboratory designated by the Administrator to perform CWD diagnostic procedures. (3-15-22)

02. Approved Slaughter Establishment. A USDA inspected slaughter establishment at which ante-mortem and post-mortem inspection is conducted by USDA inspectors. (3-15-22)

03. Area Veterinarian in Charge. The USDA/APHIS/VS veterinary official who is assigned to supervise and perform official animal health activities in Idaho. (3-15-22)

04. Breed Associations and Registries. Organizations maintaining permanent records of ancestry or pedigrees of animals, individual animal identification records and records of ownership. (3-15-22)

05. Cervid Herd. One (1) or more domestic cervidae or groups of domestic cervidae maintained on common ground or under common ownership or supervision that may be geographically separated but can have interchange or movement. (3-15-22)

06. Cervidae. Deer, elk, moose, caribou, reindeer, and related species and hybrids including all members of the cervidae family and hybrids. (3-15-22)

07. Chronic Wasting Disease (CWD). A transmissible spongiform encephalopathy of cervids that is a nonfebrile, transmissible, insidious, and degenerative disease affecting the central nervous system of cervidae. (7-1-25)

08. Custom Exempt Slaughter Establishment. A slaughter establishment that is subject to facility inspection by USDA, but that does not have ante-mortem and post-mortem inspection of animals by USDA inspectors. (3-15-22)

09. CWD-Adjacent Herd. A herd of domestic cervidae occupying premises that border a premises occupied by a CWD positive herd, including herds separated by roads or streams. (3-15-22)

10. CWD-Suspect Herd. A domestic cervidae herd in which any animal(s) has been determined to be a CWD-suspect. (3-15-22)

11. Death Certificate. A form, approved by the administrator, provided by the Division for the reporting of cervidae deaths and for reporting sample submission for CWD testing. (3-15-22)

12. Designated Epidemiologist. A state or federal veterinarian who has demonstrated the knowledge and ability to perform the functions required under these rules and who has been selected by the Administrator to fulfill the epidemiology duties relative to the state domestic cervidae disease control program. (3-15-22)

13. Disposal. Final disposition of dead cervidae. (3-15-22)

14. Domestic Cervidae. Fallow deer (*Dama dama*), elk (*Cervus elaphus*) or reindeer (*Rangifer tarandus*) owned by a person. (3-15-22)

15. Domestic Cervidae Ranch. A premises where domestic cervidae are held or kept, including multiple premises under common ownership. (3-15-22)

16. Electronic Identification. A form of unique, permanent individual animal identification such as radio frequency identification tag, radio frequency identification implant, or other forms approved by the Administrator. (3-15-22)

17. Endemic Area. A geographical area designated by a state animal health official in the state of origin where animals located within that area are subject to an increased risk of acquiring a contagious disease. Most commonly in reference to Tuberculosis or Chronic Wasting Disease. (3-15-22)

18. Escape. Any domestic cervidae located outside the perimeter fence of a domestic cervidae ranch and not under the immediate control of the owner or operator of the domestic cervidae ranch. (3-15-22)

19. Federal Animal Health Official. An employee of USDA/APHIS/VS who is authorized to perform animal health activities. (3-15-22)

20. Harvest. Any healthy domestic cervid that is intentionally and lethally removed from a domestic cervidae facility, by an owner, designated employee or customer of the facility, strictly for the purposes of either shooting or meat production. Harvested includes cervids slaughtered at an approved or custom-exempt slaughter establishment. (3-15-22)

21. Herd of Origin. A cervid herd, on any domestic cervidae ranch or other premise, where the animals were born, or where they were kept for at least one (1) year prior to date of shipment. (3-15-22)

22. Herd Status. Classification of a cervidae herd with regard to CWD. (3-15-22)

23. Intrastate Movement Certificate. A form approved by the Administrator, and available from the Division, to document the movement of domestic cervidae between premises within Idaho. (3-15-22)

24. Individual CWD Herd Plan. A written herd management agreement and testing plan developed by the herd owner and approved by the Administrator to identify and eradicate CWD from a positive, source, suspect, exposed, or adjacent herd. (3-15-22)

25. National CWD Herd Certification Program. A federal-state-industry cooperative program administered by APHIS and implemented by participating states that establishes CWD surveillance and testing standards that owners must achieve before interstate transport of cervids will be permitted. (3-15-22)

26. Official CWD Test. A test approved by the Administrator and conducted at an approved laboratory

to diagnose CWD where both obex and medial retropharyngeal lymph node samples were submitted for testing. (7-1-25)

27. Official Identification. Identification, approved by the Administrator, that individually, uniquely, and permanently identifies each cervid. (3-15-22)

28. Operator. A person who has authority to manage or direct a domestic cervidae ranch. (3-15-22)

29. Premises. The ground, area, buildings, and equipment utilized to raise, propagate, control, or harvest domestic cervidae. (3-15-22)

30. Quarantine. An order issued on authority of the Administrator, by a state or federal animal health official or accredited veterinarian, prohibiting movement of cervids from any location without a written restricted movement permit. (3-15-22)

31. Quarantine Facility. A confined area where selected domestic cervidae can be secured and isolated from all other cervidae and livestock. (3-15-22)

32. Ranch Management Plan. A written plan for a domestic cervidae ranch that sets forth best management practices that mitigates the introduction or dissemination of disease among domestic cervidae. (3-15-22)

33. Reidentification. The identification of a domestic cervid which had been officially identified, as provided by this chapter, but which has lost the official identification device, or the tattoo or official identification device has become illegible. (3-15-22)

34. Restrain. The immobilization of domestic cervidae in a chute, other device, or by other means for the purpose of efficiently, effectively, and safely inspecting, treating, vaccinating, or testing. (3-15-22)

35. Restricted Movement Permit. An official document that is issued by the Administrator, AVIC, or an accredited veterinarian for movement of animals from positive, suspect, or exposed herds. (3-15-22)

36. Source Herd. The herd or herds from where a producer acquired their existing livestock. (3-15-22)

37. State Animal Health Official. The Administrator, or Administrator's designee. (3-15-22)

38. Status Date. The date on which the Administrator approves in writing a herd status change with regard to CWD. (3-15-22)

39. Tissues. The obex and medial retropharyngeal lymph node (MRPLN) tissue required for screening elk and deer for Chronic Wasting Disease. (7-1-25)

40. Trace Back Herd. An exposed herd in which at least one (1) CWD positive animal resided within any of the previous sixty (60) months prior to diagnosis with CWD. (3-15-22)

41. Trace Forward Herd. A herd that has received exposed animals from a positive herd within sixty (60) months prior to the diagnosis of CWD in the positive herd or from the identified point of entry of CWD into the positive herd. (3-15-22)

42. Traceback. The process of identifying the movements and the herd of origin of CWD positive, or exposed animals, including herds that were sold for slaughter. (3-15-22)

43. Wild Cervidae. Any cervid animal not owned by a person. (3-15-22)

44. Wild Ungulate. Any four (4) legged, hoofed herbivore, including cervids and other ruminants, not owned by a person. (3-15-22)

45. Wild Ungulate Cooperative Herd Plan. A plan, developed cooperatively by the owner of the domestic cervidae ranch, the ISDA, and the Idaho Department of Fish and Game to determine the disposition of any wild ungulates that are found to be located on a domestic cervidae ranch. (3-15-22)

011. ABBREVIATIONS.

01. AAVLD. American Association of Veterinary Laboratory Diagnosticians. (3-15-22)

02. APHIS. Animal and Plant Health Inspection Service. (3-15-22)

03. AVIC. Area Veterinarian in Charge. (3-15-22)

04. AZA. Association of Zoos and Aquariums. (3-15-22)

05. CFR. Code of Federal Regulations. (3-15-22)

06. CWD. Chronic Wasting Disease. (3-15-22)

07. HCP. Herd Certification Program. (3-15-22)

08. ISDA. Idaho State Department of Agriculture. (3-15-22)

09. NAEBA. North American Elk Breeders Association. (3-15-22)

10. NVSL. National Veterinary Services Laboratory. (3-15-22)

11. TB. Tuberculosis. (3-15-22)

12. UM&R. Uniform Methods and Rules. (3-15-22)

13. USDA. United States Department of Agriculture. (3-15-22)

14. VS. Veterinary Services. (3-15-22)

012. APPLICABILITY.
These rules apply to all domestic cervidae located in, imported into, exported from, or transported through the state of Idaho. (3-15-22)

013. -- 019. (RESERVED)

020. LOCATION OF DOMESTIC CERVIDAE.
Any person who owns or has control of domestic cervidae in Idaho that are not located on a domestic cervidae ranch that is in compliance with the applicable provisions of this chapter is in violation of these rules. (3-15-22)

01. Department Action. In addition to any other administrative or civil action, the department may seize, require removal from the state, require removal to a domestic cervidae ranch that is in compliance with the provisions of this chapter, or require disposal of any domestic cervidae that are not located on a domestic cervidae ranch, an AZA accredited facility, or a USDA licensed facility which is in compliance with the provisions of this chapter. (3-15-22)

02. Exceptions. The Administrator may grant exceptions from the provisions of Section 020 on a case specific basis. (3-15-22)

03. Natural Disasters. Damage caused to domestic cervidae ranch facilities by natural disasters does not constitute a violation of this chapter, provided that the owner or operator begins any necessary repairs immediately upon discovering the damage, acts expeditiously, as determined by the Administrator, to complete any necessary repairs and reports the extent and cause of any damage to the Division within twenty-four (24) hours of the

discovery of the damage. (3-15-22)

04. Notification of Temporary Exhibition. Producers must notify ISDA, in advance, of any event where a reindeer will be exhibited outside of an approved cervidae facility. ISDA must be provided with the date and location of the event as well as a description of the temporary facility and an escape plan protocol. (3-15-22)

021. OFFICIAL IDENTIFICATION.
All domestic cervidae must be individually, permanently, and uniquely identified, with two (2) types of official identification approved by the Administrator. (3-15-22)

01. Reporting of Identification. The unique individual identification number, type of identification, and the name, address, and telephone number of the owner of each animal identified must be reported to the Administrator, in writing, by the owner or operator. (3-15-22)

02. Identification Assigned. Official identification, once assigned to an individual animal, may not be changed or transferred to another animal. Animals that lose identification devices must be re-identified in accordance with Section 031. (3-15-22)

03. Progeny. All progeny of domestic cervidae must be officially identified by December thirty-first of the year of birth, upon sale or transfer of ownership, or upon leaving the domestic cervidae ranch, whichever is earlier. (3-15-22)

04. Visible Identification. At least one (1) of the official types of identification used must be visible from one hundred and fifty (150) feet. (3-15-22)

022. TYPES OF OFFICIAL IDENTIFICATION.
All domestic cervidae must be individually identified by two (2) of the following types of official identification, at least one (1) of the types of official identification must be a bangle or lamb tag that is visible from one hundred fifty (150) feet. (3-15-22)

01. Official USDA Ear Tag. (3-15-22)

02. Tattoo. Legible skin tattoo using an alphanumeric tattoo sequence that has been recorded with the Division of Animal Industries and applied to either the ear or escutcheon. (3-15-22)

03. Electronic Identification. A form of electronic identification, approved by the Administrator. (3-15-22)

04. Official NAEBA Ear Tag. (3-15-22)

05. Official ISDA Cervidae Program Ear Tag. A tamper resistant, unique number sequenced, individual identification tag approved by the Administrator. (3-15-22)

06. Official HASCO Brass Lamb Tag. A brass lamb tag engraved with farm name and individual animal identification number. (3-15-22)

07. Ranch Specific Unique Bangle or Lamb Tags. The Administrator may grant written approval for the use of bangle or lamb tags that are: ranch specific; tamper resistant; uniquely numbered; and correlated with another type of official identification on the annual inventory report. (3-15-22)

08. Other Identification. Other forms of unique individual identification approved by the Administrator. (3-15-22)

023. -- 029. (RESERVED)

030. OFFICIAL VISIBLE IDENTIFICATION.

01. Ear Tags. All domestic cervidae must be identified with a bangle or lamb tag that is visible from one hundred fifty (150) feet. (3-15-22)

02. Size. The large portion of the bangle or lamb tag must be at least two (2) square inches. (3-15-22)

03. Color. No visible identification may have a primary color of brown, black, pink, tan, or silver. (3-15-22)

04. Camouflage Patterns. No visible identification may utilize camouflage patterns. (3-15-22)

031. REIDENTIFICATION OF DOMESTIC CERVIDAE.
Permanent official identification in domestic cervidae that has been lost or is no longer legible may be replaced only for the purpose to reestablish their original identity. (3-15-22)

01. Records. All animals that have been re-identified must be reconciled to their original identification on the annual ISDA inventory form, due on Dec. 31st of each year. (3-15-22)

032. -- 039. (RESERVED)

040. INSPECTIONS.
To prevent the introduction and dissemination, or to control and eradicate diseases, state and federal animal health officials are authorized to inspect cervidae records, premises, facilities, and domestic cervidae to ensure compliance with the provisions of this chapter and other state or federal laws or rules applicable to domestic cervidae. State and federal animal health officials must comply with the operation's biosecurity protocol so long as the protocol does not inhibit reasonable access to: (3-15-22)

01. Entry. Enter and inspect, at reasonable times, the premises of domestic cervidae ranches and inspect domestic cervidae. (3-15-22)

02. Access to Records. Review or copy, at reasonable times, any records that must be kept in accordance with these rules. (3-15-22)

041. -- 059. (RESERVED)

060. WILD CERVIDAE.
Wild cervidae may not be confined, kept, or held on a domestic cervidae ranch. (3-15-22)

01. Duty of Ranch Owner. It is the duty of owners of all domestic cervidae ranches to take precautions, and to conduct periodic inspections, to ensure that wild cervidae are not located within the perimeter fence of any domestic cervidae ranch. (3-15-22)

02. Notification of Administrator. All owners or operators of domestic cervidae ranches must notify the Administrator within twenty-four (24) hours of gaining knowledge of the presence of wild cervidae inside the perimeter fence of the domestic cervidae ranch. (3-15-22)

03. Failure to Notify the Administrator. The failure of any owner or operator of a domestic cervidae ranch to notify the Administrator of the presence of wild cervidae within the perimeter fence of a domestic cervidae ranch is a violation of this chapter. (3-15-22)

04. Idaho Department of Fish and Game. Upon receiving notification that wild cervidae are on a domestic cervidae ranch, the Administrator will notify the Idaho Department of Fish and Game. (3-15-22)

061. -- 069. (RESERVED)

070. SUPERVISION OF DOMESTIC CERVIDAE PROGRAM.
A department veterinary medical officer will provide routine supervision of the domestic cervidae program. (3-15-22)

071. -- 089. (RESERVED)

090. FEES.

01. Annual Assessment Fee. A fee, not to exceed ten dollars ($10) per head per year on elk or three dollars ($3) per head per year on fallow deer and reindeer, is hereby assessed on all domestic cervidae in the state to cover the cost of administering the program covered in these rules. The fee includes all domestic cervidae present at the ranch as of December 31. This fee is due January first of each year. The annual assessment fee may be reduced if program revenue accumulates to a balance of at least one hundred thousand dollars ($100,000) in excess of the projected annual cost of operating the program, as determined by the Department on July 1 of each year. (3-15-22)

02. Import, Export, and Movement Fees. The fees imposed in Section 25-3708(2) through (4), Idaho Code, are due no later than December 31 of each year. (3-15-22)

091. -- 099. (RESERVED)

100. DOMESTIC CERVIDAE RANCHES.
In order to prevent the introduction or dissemination of diseases, and to control or eradicate diseases, all domestic cervidae ranches must comply with the disease control, facility, and record keeping requirements and all other provisions of this chapter. Each separate premises where domestic cervidae are kept or held must comply with all of the provisions of this chapter. (3-15-22)

101. DOMESTIC CERVIDAE RANCH FACILITY REQUIREMENTS.
Prior to populating the facility with domestic cervids, all domestic cervidae ranches are required to have facilities that include, but are not limited to, perimeter fence, restraining system, gathering system, water system, and if required, a quarantine facility. (3-15-22)

01. Maintenance. All facilities must be maintained at all times that domestic cervidae are present, to prevent the escape of domestic cervidae or ingress of wild cervidae. (3-15-22)

02. Inspections. To ensure compliance with this chapter, state or federal animal health officials will inspect all premises where domestic cervidae are, or will be, possessed, controlled, harvested, propagated, held, or kept. (3-15-22)

102. PERIMETER FENCE REQUIREMENTS.
A perimeter fence, completely enclosing the domestic cervidae ranch to be constructed of high-tensile, non-slip woven wire or other fencing material approved by the Administrator. (3-15-22)

01. Elk and Fallow Deer. For elk and fallow deer, the fence must be a minimum of eight (8) feet in height for its entire length at all times. (3-15-22)

02. Reindeer. For reindeer, fences constructed and approved prior to 2021 must be at least six (6) feet in height for its entire length at all times. All reindeer fences constructed and approved in 2021 or later must be at least eight (8) feet in height for its entire length at all times. (3-15-22)

03. Wire. The top two (2) feet of each fence may be smooth, barbed or woven wire (at least twelve and one-half (12-1/2) gauge) with horizontal strands spaced not more than six (6) inches apart. (3-15-22)

a. Wire must be placed on the animal side of the fence to prevent pushing the wire away from the posts. (3-15-22)

b. Wire must be attached to all posts at the top, bottom, and not more than eighteen (18) inches apart between the top and bottom of the wire. (3-15-22)

04. Posts. Wooden posts used in the perimeter fence must be at least butt-end treated with a commercially available preservative and have a minimum of four (4) inch top for line posts and a minimum of five

(5) inch top for corner posts. Metal pipe posts must be a minimum of two and one-eighth (2-1/8) inches outside diameter with a three-sixteenths (3/16) inch wall thickness for line posts and two and seven-eighths (2-7/8) inches outside diameter with a seven thirty-seconds (7/32) inch wall thickness for corner posts. Posts must be spaced no more than twenty-four (24) feet apart, with stays, supports or braces as needed, and be placed in the ground a minimum of three (3) feet. (3-15-22)

05. Gates. Each domestic cervidae ranch must have gates that prohibit the escape of domestic cervidae or the ingress of wild cervidae. (3-15-22)

06. Fence Maintenance. Fences must be maintained at all times that domestic cervidae are present, to prevent domestic cervidae from escaping or native wild cervidae from entering the enclosure. (3-15-22)

07. Exceptions. The Administrator may grant exceptions to the specifications in Section 102 on a case specific basis. (3-15-22)

103. GATHERING AND RESTRAINING SYSTEM.

Each domestic cervidae ranch must have a system for humanely and effectively gathering and restraining domestic cervidae for the purpose of inspecting, identifying, treating, or testing of animals by state or federal animal health officials. (3-15-22)

01. Gathering System. Each domestic cervidae ranch must have a system that facilitates the gathering of domestic cervidae so as to be able to move the domestic cervidae through the restraining system, at any time of the year that domestic cervidae are present. (3-15-22)

02. Restraining System. A system approved by the Administrator, to immobilize domestic cervidae for the purpose of efficient, effective, and safe handling for inspecting, treating, vaccinating, or testing. (3-15-22)

03. Exceptions. The Administrator may grant exceptions to the provisions of this section on a case specific basis. (3-15-22)

104. QUARANTINE FACILITY.

If animals are to be imported onto the domestic cervidae ranch, a quarantine facility, approved by the Administrator, must be provided for holding animals until any disease retesting is accomplished or other requirements are met. (3-15-22)

105. -- 199. (RESERVED)

200. RECORDS AND REPORTING.

01. Reports. Owners of domestic cervidae ranches must submit complete and accurate reports to the Administrator. Failure to submit complete and accurate reports within the designated time frames is a violation of this chapter. (3-15-22)

02. Records. All owners of domestic cervidae ranches, during normal business hours, must present to state or federal animal health officials, for inspection, review, or copying, any cervidae records deemed necessary to ensure compliance with the provisions of this chapter. (3-15-22)

03. Notification. State animal health officials will attempt to notify the owners or operators of domestic cervidae ranches, and premises where records are kept prior to any inspections. (3-15-22)

04. Emergencies. In the event of an emergency, as determined by the Administrator, the notification requirements of Section 200 may be waived. (3-15-22)

201. ANNUAL INVENTORY REPORT.

01. Inventory Report. All owners of domestic cervidae ranches must submit annually, to the Administrator, a complete and accurate inventory and summary report form of all animals held no later than

December 31st of each year containing the following minimum information: (3-15-22)

a. Name and address of the domestic cervidae ranch. (3-15-22)

b. Name and address of the owner of the domestic cervidae ranch. (3-15-22)

c. Date the inventory was completed. (3-15-22)

02. Individual Domestic Cervidae. For each individual domestic cervidae that was located on the domestic cervidae ranch during the year for which the report is being made, the following information must be provided: (3-15-22)

a. All types of official and unofficial identification; (3-15-22)

b. Species; (3-15-22)

c. Sex; and (3-15-22)

d. Age or year born. (3-15-22)

202. INVENTORY VERIFICATION.

01. Visible Identification. Individual animal identification verification may be accomplished by visually noting the unique official visible identification number or visually noting an unofficial visible identification number if the number is correlated with two (2) forms of official identification on the inventory submitted by the cervidae producer. The Administrator may, on a case by case basis, grant written permission for ranch specific unique bangle tags to be used for official identification. (3-15-22)

02. Duty to Gather and Restrain. It is the duty of the owner of each domestic cervidae ranch to gather and restrain any domestic cervidae that state or federal animal health officials determine are not readily identifiable for inventory verification purposes. The Administrator determines the suitability of the restraint system. (3-15-22)

203. (RESERVED)

204. ESCAPE OF DOMESTIC CERVIDAE.
It is the duty of each owner or operator of a domestic cervidae ranch to take all reasonable actions to prevent the escape of domestic cervidae from a domestic cervidae ranch. (3-15-22)

01. Notification of Escape. When any domestic cervidae escape from a domestic cervidae ranch, the owner or operator of the domestic cervidae ranch must notify the Administrator by phone, facsimile, or other means approved by the administrator within twenty-four (24) hours of the discovery of the escape. (3-15-22)

02. Duty to Retrieve Escaped Cervidae. It is the duty of each owner or operator of a domestic cervidae ranch to retrieve or otherwise bring under control all domestic cervidae that escape from a domestic cervidae ranch. (3-15-22)

03. Fish and Game. The Administrator will notify the Idaho Department of Fish and Game of each escape. (3-15-22)

04. Capture. In the event that the owner or operator of a domestic cervidae ranch is unable to retrieve escaped domestic cervidae in a timely manner, as determined by the Administrator, the Administrator may effectuate the capture of the escaped domestic cervidae to ensure the health of Idaho's livestock and wild cervidae populations. (3-15-22)

05. Failure to Notify. Failure of any owner or operator of a domestic cervidae ranch to notify the Administrator within twenty-four (24) hours of the discovery of an escape of domestic cervidae is a violation of this chapter. (3-15-22)

06. Taking of Escaped Domestic Cervidae. A licensed hunter may legally take domestic cervidae that have escaped from a domestic cervidae ranch only under the following conditions: (3-15-22)

a. The domestic cervidae has escaped and has not been in the control of the owner or operator of the domestic cervidae ranch for more than seven (7) days; and (3-15-22)

b. The hunter is licensed and in compliance with all the provisions of the Idaho Department of Fish and Game rules and code. (3-15-22)

205. NOTICE OF DEATH.
All domestic cervidae that die on a ranch or are sent to slaughter must be reported to the Department except for calves that died prior to being reported on an annual inventory. (3-15-22)

01. Submission of Death Certificates. A complete and accurate copy of all CWD sample submission forms/death certificates must be submitted to the division on a form approved by the Administrator no later than Dec. 31st in the calendar year the animal died. (3-15-22)

206 – 207. (RESERVED)

208. INTRASTATE MOVEMENT CERTIFICATE.
All owners of domestic cervidae ranches who move cervidae, from one premises to another, including movement from one (1) premises to another premises owned, operated, leased, or controlled by the owner, within the state of Idaho must submit, to the Administrator, a complete and accurate intrastate movement certificate signed by the owner, no later than Dec. 31st in the calendar year the movement occurred. The intrastate movement report must be submitted to the division on a form approved by the Administrator. (3-15-22)

209. RANCH MANAGEMENT PLAN.

01. Mandatory Ranch Management Plan. Domestic cervidae ranches are required to develop and implement an approved ranch management plan if the ranch is found in violation of Sections 060, 204 or 500 of these rules. The ranch management plan must be completed and implemented within six (6) months of the disposition of the violation. For the ranch management plan, the Administrator will conduct a risk assessment considering the factors in Subsection 209.03. Failure to comply with the mandatory ranch management plan is a violation of these rules. (3-15-22)

02. Risk Assessment for Ranch Management Plans. The Administrator will conduct a risk assessment for each ranch management plan. A ranch management plan will not include a double fencing requirement but may require that double gates be installed. The Administrator will consider the following factors when conducting a risk assessment at a domestic cervidae ranch: (3-15-22)

a. Risk of egress. The risk of egress may be evaluated based on, but not limited to, history of domestic cervidae escape during the previous five (5) years, recovery rate of escaped domestic cervidae, length of time domestic cervidae were outside of the perimeter fence, annual average precipitation, topography, altitude and tree density. (3-15-22)

b. Risk of ingress. The risk of ingress may be evaluated on, but not limited to, history of ingress during the previous five (5) years, annual average precipitation, topography, altitude, tree density and proximity to wildlife migration corridors. (3-15-22)

c. Compliance with CWD sample submission. The Administrator may, based on a risk assessment of the facility, adjust the number of tissue sample submissions required under this rule. The adjustment will be based on, but not limited to, the following: (3-15-22)

i. Whether the domestic cervidae on the ranch have commingled with any domestic cervids of unknown CWD status. (3-15-22)

ii. Whether the domestic cervidae ranch has been in compliance with all requirements of Title 25, Chapter 35, Idaho Code, and these rules. (3-15-22)

iii. Whether the domestic cervidae ranch has had documented cases of ingress of wild cervids or egress of domestic cervidae within the eighteen (18) months prior to the risk assessment. (3-15-22)

210. -- 249. (RESERVED)

250. INTRASTATE MOVEMENT OF DOMESTIC CERVIDAE.
All live domestic cervidae moving from one premises to another premises within the state of Idaho must be officially identified, except calves during the year of birth accompanying their dam, and accompanied by: (3-15-22)

01. Intrastate Movement Certificate. All intrastate movements of live domestic cervidae, including movement from one (1) premises to another premises owned, operated, leased, or controlled by the same person, must be reported to ISDA on the annual inventory form, due Dec. 31st in the calendar year the movement occurred. (3-15-22)

251. -- 300. (RESERVED)

301. DUTY TO RESTRAIN.
It is the duty of the owner of each domestic cervidae ranch to gather and restrain domestic cervidae for testing when directed to do so in writing by the Administrator. The Administrator determines the suitability of the restraint system. (3-15-22)

302. TESTING METHODS.
The Administrator determines appropriate testing procedures and methods. (3-15-22)

303. -- 499. (RESERVED)

500. SURVEILLANCE FOR CWD.

01. Routine Surveillance. Obex and medial retropharyngeal lymph node tissues from domestic elk and reindeer sixteen (16) months of age or older at the time of death must be submitted annually to official laboratories for CWD testing as provided for in these rules, under the following conditions: (7-1-25)

a. No less than ten percent (10%) of cervids harvested or slaughtered. (3-15-22)

b. No less than one hundred percent (100%) of cervids that die for any reason other than slaughter or harvest. (3-15-22)

c. Tissues samples submitted to an official laboratory that are untestable or are given an indeterminate test result do not count towards the tissue submission requirement. (3-15-22)

d. Fallow deer are exempt from CWD testing. (3-15-22)

02. Enhanced Surveillance. Tissues from one hundred percent (100%) of all domestic elk and reindeer sixteen (16) months of age or older that die for any reason on a facility will be required to be tested for CWD for a period of sixty (60) months under the following conditions: (7-1-25)

a. A facility has imported cervids from a location within twenty-five (25) miles from a confirmed case of CWD in wild cervids. (3-15-22)

b. A facility has received cervids via intrastate movement from a facility under enhanced CWD surveillance requirements at the time of the transfer. (3-15-22)

c. The duration of the enhanced CWD surveillance requirements are based upon the most recent date of movement that meets the criteria listed in this section. (3-15-22)

501. COLLECTION OF SAMPLES FOR CWD TESTING.
Obex and medial retropharyngeal lymph node samples must be collected immediately upon discovery of the death of a domestic cervid. (7-1-25)

01. Non-Testable or Samples That Do not Contain Appropriate Tissues. The Administrator may conduct an investigation to determine if a domestic cervidae ranch is complying with the provisions of Section 500 if the owner or operator of a domestic cervidae ranch submits samples for CWD testing which cannot be identified to the animal of origin. (3-15-22)

02. Failure to Meet Annual CWD Tissue Submission Requirement. An owner or operator of a domestic cervidae ranch who fails to submit samples for CWD testing or who fails to meet the annual tissue submission requirements of this chapter, or both, is in violation of these rules, except the Administrator may approve, in writing, a variance from sample submission requirements on a case specific basis. (3-15-22)

502. OFFICIAL CWD TESTS.

01. Official Tests. Official tests for CWD, approved by the Administrator, include: (3-15-22)

a. Enzyme Linked Immunosorbent Assay (ELISA); (3-15-22)

b. Immunohistochemistry; and (3-15-22)

c. Negative Stain Electron Microscopy. (3-15-22)

02. Other Scientifically Validated Test. The Administrator may approve other scientifically validated laboratory or diagnostic tests to confirm a diagnosis of CWD. (3-15-22)

503. CWD STATUS.
CWD status is validated pursuant to the Federal CWD Herd Certification program standards. (3-15-22)

504. INVESTIGATION OF CWD.
An epidemiological investigation will be conducted on all CWD positive, suspect, and exposed animals and herds, herds of origin, source herds, all adjacent herds, and all trace herds as determined by the Administrator. (3-15-22)

01. Quarantine. A quarantine shall be applied to all CWD-exposed, CWD-suspect, and CWD-positive herds and animals following an epidemiological investigation that confirms such status as defined in this section. (7-1-25)

02. Identification. CWD suspect and exposed animals must be identified and remain on the premises where they are found until they have met the provisions for release of quarantine established in this chapter, are destroyed and disposed of as directed by the Administrator, or are moved at the Administrator's direction on a restricted movement permit. (3-15-22)

03. Multi-Facility Ranches. Multi-facility ranches under quarantine may move animals from one facility to another facility owned by the same entity for the purpose of harvest with the approval of the Director of the Idaho State Department of Agriculture. (7-1-25)

505. DURATION OF CWD QUARANTINE.
Quarantines imposed because of CWD in accordance with this chapter remain in effect until one (1) of the following criteria are met: (3-15-22)

01. CWD Positive Herds. The quarantine may be released after the herd is completely depopulated as provided in Subsection 505.07, or after five (5) years of compliance with an individual herd CWD plan and all provisions of these rules, during which there was no evidence of CWD. (3-15-22)

02. CWD Suspect Herds. The quarantine may be released after the herd is completely depopulated as

provided in Subsection 505.07, or after a minimum of five (5) years of compliance with an individual CWD herd plan and all provisions of these rules and during which there was no evidence of CWD, or an epidemiologic investigation determines that there is no evidence CWD exists in the herd as determined by the Administrator. (3-15-22)

03. Source Herds and Herds of Origin. The quarantine may be released after a minimum of five (5) years of compliance with an individual CWD herd plan and all provisions of these rules and during which there was no evidence of CWD, or an epidemiologic investigation determines that there is no evidence CWD exists in the herd and that the herd is not the source of infection as determined by the Administrator. (3-15-22)

04. Exposed Herds. The quarantine may be released after the herd is completely depopulated as provided in Subsection 505.07, or after a minimum of five (5) years of compliance with an individual CWD herd plan and all provisions of these rules and during which there was no evidence of CWD, or an epidemiologic investigation determines that there is no evidence CWD exists in the herd as determined by the Administrator. (3-15-22)

05. Adjacent Herds. The quarantine may be released when directed by the Administrator based upon an epidemiological investigation and in consultation with the designated epidemiologist. (3-15-22)

06. Fencing Requirements. Any owner of a domestic cervidae ranch who chooses to remain under quarantine for five (5) years must maintain perimeter fencing pursuant to Idaho Code 25-3705C and Section 102 of this rule. (7-1-25)

07. Complete Depopulation. The quarantine may be released after: (3-15-22)

a. Complete depopulation of all cervidae on the premises as directed by the Administrator; and (3-15-22)

b. The premises have been free of all livestock as specified in an individual CWD herd plan approved by the Administrator; and (3-15-22)

c. The soil and facilities have been cleaned, treated, decontaminated, or disinfected as directed by the Administrator. (3-15-22)

08. Disposal of Positive or Exposed Cervidae. All CWD positive or exposed domestic cervidae must be disposed of as directed by the Administrator. (3-15-22)

506. – 999. (RESERVED)