

MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES, AND PARKS
MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES, AND PARKS

Title 40: Wildlife, Fisheries, and Parks

Part 2: Wildlife

Part 2, Chapter 8: Regulations regarding animals in captivity and enclosures.

RULE 8.2 REGULATIONS FOR ENCLOSURES PREVENTING THE FREE INGRESS AND EGRESS OF WHITE-TAILED DEER.

A. Possession of White-tailed Deer.

1. No person may possess a live white-tailed deer in Mississippi unless that person possesses a valid permit issued by the Mississippi Department of Wildlife, Fisheries, and Parks (MDWFP).

2. No person may sell a live white-tailed deer pursuant to MISS. CODE ANN. §49-7-51.

3. Orphaned or injured white-tailed deer may not be placed in high-fenced enclosures without written permission from the MDWFP.

B. High-Fenced Enclosures

1. A high-fenced enclosure is man-made or man-placed fenced structure, or combination of fencing and terrain features, which prevents the free ingress and/or egress of any white-tailed deer.

2. Facility Registration

a. The owner of a high-fenced enclosure containing white-tailed deer must obtain an annual Facility Registration from the MDWFP that will be valid from July 1 through June 30. To be eligible for registration, an applicant may not have a conviction for a Class I wildlife violation within five (5) years prior to his or her application. A conviction for a violation of MISS. CODE ANN. §49-7-54 shall be an absolute disqualification for registration to operate a high-fenced enclosure containing white-tailed deer.

b. The fee for a Facility Registration shall be Three Hundred Dollars (\$300.00) per year for high-fenced enclosures containing 300 acres or less. The fee for a Facility Registration shall be One Dollar (\$1.00) per enclosed acre for high-fenced enclosures containing more than 300 acres.

c. Additional commercial enclosure fees may apply pursuant to MISS. CODE ANN. §49-11-5.

3. Enclosure Size: All high-fenced enclosures constructed for the purpose of confining white-tailed deer only or confining both white-tailed deer and non-native ungulates must contain a minimum of 300 contiguous acres of which at least 50 percent of the total enclosed area must contain suitable habitat for white-tailed deer and is not susceptible to flooding.

a. The confinement of white-tailed deer in high-fenced enclosures less than 300 acres and constructed prior to the adoption of the 2008 Public Notice may be allowed if permitted by the MDWFP.

b. An existing high-fenced enclosure containing less than 10 acres, confining white-tailed deer, and registered with the MDWFP prior to the adoption of the 2008 Public Notice may be allowed but reproduction of white-tailed deer within such an enclosure is prohibited. Any offspring produced shall be reported within five days to the MDWFP and surrendered to the MDWFP.

4. Fence Requirements: All registered high-fenced enclosures containing white-tailed deer must have a minimum fence height of 8 feet and a minimum gauge wire of 12½. The lower 8 feet of the fence must be net wire. However, the Commission may register an enclosure having a fence structure that does not conform to these standards if the effect of the existing fence is to restrict the free ingress and egress of wild animals.

5. White-tailed Deer

a. All registered high-fenced enclosures containing white-tailed deer shall be enrolled in the Enclosure Management Assistance Program (EMAP) and shall work with an MDWFP-approved wildlife biologist to manage the white-tailed deer herd.

b. Data for each deer harvested from inside the enclosure must be collected and recorded on MDWFP-provided data sheets and submitted annually by Mar 15.

c. Chronic Wasting Disease (CWD) Monitoring Program: All 1.5 year old or older white-tailed deer that die of natural causes within breeding pens must be tested for CWD. All target white-tailed deer within a high-fenced enclosure or breeding pen must be tested for CWD. Target deer are deer exhibiting clinical symptoms. Additionally, up to ten (10) adult deer harvested in an enclosure annually must be tested for CWD. If no samples are submitted from harvested deer, MDWFP will coordinate the sampling of required deer with the enclosure owner.

6. Non-native ungulates

a. High-fenced enclosures with non-native ungulates shall be regulated according to the “Memorandum of Understanding on High-Fenced Enclosures Containing Non-native Ungulates” between the MDWFP and the Mississippi Board of Animal Health. Any regulations promulgated by the Mississippi Board of Animal Health are incorporated herein by reference as if reproduced in their entirety.

b. A non-native ungulate harvest report for the enclosed property shall be submitted to the MDWFP annually by May 1. There shall not be a closed season, bag limit, or weapon restriction for pursuing non-native ungulates.

7. Facility Breach

a. Breaches in the fence structure of any registered facility, whether effected by natural or man-made causes, *force majeure*, or other, that would allow white-tailed deer and/or non-native ungulates to leave the enclosure or enter the enclosure must be reported to the MDWFP within 24 hours of discovery and repaired within a timely manner (not to exceed 2 weeks) to the standards set forth in the paragraph titled "Fence Requirements."

b. Any white-tailed deer that is identified (e.g. ear tags or other identifiable markings) as having escaped from a high-fenced enclosure, and is in the immediate vicinity, shall be immediately captured by the enclosure owner or an authorized representative. If a captured white-tailed deer is not deemed a disease risk, it may be returned to the facility as authorized by MDWFP.

Upon no action by the enclosure owner, the deer shall be captured and/or euthanized by authorized representatives of the MDWFP or by any law enforcement agency by whatever means deemed necessary.

c. Any non-native ungulate which escapes from a high-fenced enclosure shall be reported to the Mississippi Board of Animal Health.

8. High-Fenced Enclosure Inspection

a. All high-fenced enclosures containing white-tailed deer shall be inspected by the MDWFP at least once annually. Additionally, any registered high-fenced enclosure owners/operators are declared to have consented to periodic inspections of high-fenced enclosures by the MDWFP, without warrant or notice.

b. The MDWFP may enter and inspect all wild animal enclosures to:

- i. Issue, review, and/or renew enclosure registration;
- ii. Ensure compliance of enclosure rules, regulations, and MDWFP-approved written operational plan;
- iii. Inspect any required records regarding or relating to any wild animal enclosure;
- iv. Inspect any high-fenced enclosure at any time there is a reasonable belief that the high-fenced enclosure is not in compliance with these regulations; or

v. Quarantine the enclosure.

B. Captive Breeding

1. Controlled breeding of white-tailed deer within a high-fenced enclosure may be allowed by permit at an annual cost of Four Hundred Fifty Dollars (\$450.00).

2. A breeding plan and inventory report must be submitted annually to the MDWFP by May 1.

3. Breeding Pens

a. Each breeding pen must be contained within a high-fenced enclosure of at least 300 contiguous acres and no portion of any breeding pen may be within six (6) feet of the external enclosure fence.

b. Each breeding pen cannot exceed a total confined area of 5 acres.

c. All white-tailed deer 1½ years of age and older within a breeding pen and all white-tailed deer released from a breeding pen into a larger enclosure must be tagged with a uniquely numbered ear tag.

4. Artificial Insemination

a. White-tailed deer semen, ova, and embryos may be imported into and translocated within Mississippi by permit. The permit must be obtained prior to importation and translocation.

b. White-tailed deer semen, ova, and embryos must be obtained from a source within the continental United States.

c. An annual report must be submitted by May 1 to the MDWFP regarding any importation or translocation of white-tailed deer semen, ova, and embryos into Mississippi.

C. Movement of White-tailed Deer

1. No person may import a live white-tailed deer into the State of Mississippi pursuant to MISS. CODE ANN. §49-7-54.

2. No white-tailed deer originating from a high-fenced enclosure may be released into the wild in Mississippi.

3. White-tailed deer may not be transported from the wild and placed into a high-fenced enclosure or a breeding pen.

4. Transportation

a. Transport permits at a cost of Twenty-five Dollars (\$25.00) per white-tailed deer must be purchased prior to transporting white-tailed deer from one registered high-fenced enclosure or breeding pen to another registered high-fenced enclosure or breeding pen.

b. Transportation of live white-tailed deer for stocking or breeding purposes from a registered high-fenced enclosure to another registered high-fenced enclosure within Mississippi may be allowed only if the originating high-fenced enclosures:

i. Have participated in a Chronic Wasting Disease (CWD) monitoring program and submitted data from the year prior to movement.

ii. Passed all current enclosure facility and breeding pen inspections.

iii. Have had no violations of any of the provisions of this regulation during the year prior to movement.

c. All white-tailed deer moved must be tagged with uniquely numbered plastic tags and MDWFP-provided metal ear tags. Bucks moved 10 days prior to the start or during the deer hunting season must have the antlers removed immediately above the pedicle.

D. Compliance:

1. MDWFP personnel and the enclosure operator may develop a plan to come into compliance in an area of deficiency. The MDWFP may continue to enter and inspect the enclosure to assess the progress of the compliance effort.

2. Any enclosure not in compliance with this rule and/or plan may have any of its registered or permitted activities temporarily suspended until such time as the operator can come into full compliance.

3. If an enclosure fails to comply with a specified plan, the MDWFP Executive Director and Commission on Wildlife, Fisheries, and Parks will be notified of potential actions for ensuring compliance.

E. Controlled Drug Usage: The use of controlled drugs for animal capture and reproduction is governed by state and federal drug laws and controlled drugs may be used in compliance with these laws and regulations.

F. Mississippi State University Captive Research Facilities: Mississippi State University Captive Deer Research Facilities are exempt from this rule, except for sections

“Possession of White-tailed Deer” and “Orphaned and Injured White-tailed Deer”.

G. Definitions

1. High-fenced enclosure – Any man-made or man-placed fenced structure, or combination of fencing and terrain features, which prevents the free ingress and/or egress of any white-tailed deer.

2. Wild animal – Any animal wild by nature whether indigenous to the State of Mississippi or not.

3. Non-native ungulate – a wild by nature mammal having hooves and not indigenous to the State of Mississippi.

History: Revised September 2018.

Source: MISS. CODE ANN. §§49-1-29, 49-4-4, 49-7-58, 49-7-58.1, 49-7-58.2, 49-7-58.3, and 49-7-58.4.

RULE 8.2 REGULATIONS FOR ENCLOSURES PREVENTING THE FREE INGRESS AND EGRESS OF WHITE-TAILED DEER WILD ANIMALS. Public Notice W1 3780 is hereby amended.

~~A. Possession of White-tailed Deer~~

~~1. No person may possess a live white-tailed deer in Mississippi unless that person possesses a valid permit issued by the Mississippi Department of Wildlife, Fisheries and Parks (MDWFP).~~

~~2. No person may sell a live white-tailed deer pursuant to Section 49-7-51, Mississippi Code of 1972.~~

~~3. Orphaned and Injured White-tailed Deer: Orphaned or injured white-tailed deer may not be placed in high-fenced enclosures without written permission from the MDWFP.~~

~~B. Facility Permit~~

~~1. The owner of a high-fenced enclosure containing white-tailed deer must obtain an annual Facility Permit from the MDWFP.~~

~~2. The fee for a Facility Permit shall be Three Hundred Dollars (\$300.00) per year for high-fenced enclosures containing 300 acres or less. The fee for a Facility Permit shall be One Dollar (\$1.00) per enclosed acre for high-fenced enclosures containing more than 300 acres.~~

~~3. The permit will be valid from July 1 through June 30.~~

~~4. Additional commercial enclosure fees may apply pursuant to Section 49-11-5, Mississippi Code of 1972.~~

~~C. Enclosure Size~~

~~1. All high fenced enclosures constructed for the purpose of confining white-tailed deer only or confining both white-tailed deer and non-native ungulates after the adoption of this rule, must contain a minimum of 300 contiguous acres of which at least 50 percent of the total enclosed area must contain suitable habitat for white-tailed deer and is not susceptible to flooding under ordinary conditions.~~

~~2. The confinement of white-tailed deer in high-fenced enclosures less than 300 acres and constructed prior to the adoption of this Public Notice may be allowed if permitted by the MDWFP.~~

~~3. An existing high fenced enclosure containing less than 10 acres, confining white-tailed deer, and registered with the MDWFP prior to the adoption of this Public Notice may be allowed but reproduction of white-tailed deer within such an enclosure is prohibited. Any offspring produced shall be reported within five days to the MDWFP and surrendered to the MDWFP.~~

~~D. High Fenced Enclosures Containing White-tailed Deer:~~

~~1. Fence Requirements: All permitted high-fenced enclosures containing white-tailed deer must have a minimum fence height of 8 feet and a minimum gauge wire of 12½. The lower 8 feet of the fence height must be net wire. However, the Commission may permit an enclosure having a fence structure that does not conform to these standards if the effect of the existing fence is to restrict the free ingress and egress of wild animals.~~

~~2. Enclosure Management Assistance Program: All permitted high-fenced enclosures containing white-tailed deer shall be enrolled in the Enclosure Management Assistance Program (EMAP).~~

~~a. The owner of a permitted high-fenced enclosure must work with an MDWFP-approved wildlife biologist to manage the white-tailed deer herd within the enclosure.~~

~~b. The wildlife biologist must submit an annual management plan by May 1 for the permitted high-fenced enclosure on forms provided by the MDWFP.~~

~~3. Breeding Pens: Controlled breeding of white-tailed deer within a high-fenced enclosure may be allowed by permit at an annual cost of Four Hundred Fifty Dollars (\$450.00).~~

~~a. Breeding pens must be contained within a high-fenced enclosure of at least 300 contiguous acres.~~

~~b. Each breeding pen cannot exceed a total confined area of 5 acres.~~

~~c. A breeding plan must be submitted annually to the MDWFP.~~

~~d. A breeding pen inventory report must be submitted annually to the MDWFP by May 1.~~

~~e. All white tailed deer 1½ years of age and older within a breeding pen must be tagged in both ears with a uniquely numbered plastic ear tag and metal ear tag provided by the MDWFP.~~

~~f. All white tailed deer released from a breeding pen into a larger enclosure must be tagged in both ears with a uniquely numbered plastic ear tag and metal ear tag provided by the MDWFP.~~

~~4. Sources of White tailed Deer:~~

~~a. White tailed deer may not be transported from the wild and placed into a high fenced enclosure or a breeding pen.~~

~~b. Permitted high fenced enclosures and permitted breeding pens may be stocked with white tailed deer originating from permitted high fenced enclosures and permitted breeding pens, pursuant to the applicable provisions of this regulation and any other applicable laws, rules, and regulations.~~

~~5. Movement of White tailed Deer:~~

~~a. No person may import a live white tailed deer into the State of Mississippi pursuant to Section §49-7-54, Mississippi Code of 1972.~~

~~b. White tailed deer semen, ova, and embryos may be imported into Mississippi and translocated within Mississippi by permit. The permit must be obtained prior to importation and translocation.~~

~~c. White tailed deer semen, ova, and embryos must be obtained from a source within the continental United States. The importation of white tailed deer semen, ova, and embryos from any source outside of the continental United States is prohibited.~~

~~d. An annual report must be submitted by May 1 to the MDWFP regarding any importation or translocation of white tailed deer semen, ova, and embryos into Mississippi.~~

~~6. No white tailed deer originating from a high fenced enclosure may be released into the wild in Mississippi.~~

~~7. Live white tailed deer may be exported out of Mississippi by permit if they~~

originate from a permitted high-fenced enclosure.

~~8. Transport of live white-tailed deer from a permitted high-fenced enclosure to another permitted high-fenced enclosure within Mississippi may be allowed by permit and only if the high-fenced enclosures are participating in a Chronic Wasting Disease (CWD) monitoring program.~~

~~9. Transport permits at a cost of Twenty-five Dollars (\$25.00) per white-tailed deer must be purchased prior to transporting white-tailed deer out of Mississippi or from one permitted high-fenced enclosure to another permitted high-fenced enclosure. This permit will include, but is not limited to, mode and date of transportation, origination, destination, and parties involved.~~

~~10. All white-tailed deer moved must be tagged with uniquely numbered plastic and metal ear tags provided by the MDWFP. Bucks moved during the deer hunting season or during a period of 10 days prior to the start of the deer hunting season must have the antlers removed immediately above the pedicle.~~

~~11. Chronic Wasting Disease (CWD) Monitoring Program: All target white-tailed deer within a high-fenced enclosure must be tested for CWD. Target deer are deer exhibiting clinical symptoms.~~

~~12. Movement of white-tailed deer from a high-fenced enclosure is allowed if the high-fence enclosure from which the deer originate is participating in a MDWFP approved CWD monitoring program.~~

~~13. Facility Breach:~~

~~a. Any breach or opening in the enclosure that would allow white-tailed deer to leave the enclosure or white-tailed deer to enter the enclosure must be reported to the MDWFP within 24 hours of discovery.~~

~~b. Any white-tailed deer which escapes from a high-fenced enclosure and causes a threat to public safety may be captured and/or euthanized by authorized representatives of the MDWFP or by any law enforcement agency by whatever means deemed necessary.~~

~~c. Breaches in the fence structure of any permitted facility, whether effected by natural or man-made causes, force majeure, or other, must be repaired to the standards set forth in the paragraph titled "Fence Requirements."~~

~~14. Controlled Drug Usage: The use of controlled drugs for animal capture and reproduction is governed by state and federal drug laws and controlled drugs may be used in compliance with these laws and regulations.~~

~~E. High-Fenced Enclosures Containing Non-native Ungulates:~~

~~1. Non native ungulates within high fenced enclosures shall be regulated according to the “Memorandum of Understanding on High Fenced Enclosures Containing Non-native Ungulates” between the MDWFP and the Mississippi Board of Animal Health. Any regulations promulgated by the Mississippi Board of Animal Health are incorporated herein by reference as if reproduced in their entirety.~~

~~2. A non native ungulate harvest report for the enclosed property shall be submitted to the MDWFP annually. This report is due to the MDWFP by May 1 of each year. There shall not be a closed season, bag limit, or weapon restriction for pursuing non-native ungulates.~~

~~3. Any breach or opening in a high fenced enclosure containing white-tailed deer and non-native ungulates that would allow white-tailed deer and/or non-native ungulates to leave the enclosure or enter the enclosure must be reported to the MDWFP within 24 hours of discovery.~~

~~4. Any white-tailed deer which escapes from a high fenced enclosure and causes a threat to public safety may be captured and/or euthanized by authorized representatives of the MDWFP or by any law enforcement agency by whatever means deemed necessary.~~

~~5. Any non-native ungulate which escapes from a high fenced enclosure shall be reported to the Mississippi Board of Animal Health.~~

~~F. High-Fenced Enclosure Inspection~~

~~1. As a condition of receiving a permit hereunder, high fenced enclosure owners/operators are declared to have consented to periodic inspections of high fenced enclosures by the MDWFP, without warrant or notice.~~

~~2. All high fenced enclosures containing white-tailed deer shall be inspected by the MDWFP at least once annually.~~

~~3. The MDWFP may inspect any high fenced enclosure at any time where there is a reasonable belief that the high fenced enclosure is not in compliance with these regulations.~~

~~4. The MDWFP may enter and inspect all wild animal enclosures to issue enclosure permits, renew enclosure permits, review enclosure permits, insure compliance of enclosure rules and regulations, insure compliance with the written operational plan submitted to and approved by the MDWFP, and quarantine the enclosure.~~

~~5. The MDWFP may inspect any required records regarding or relating to any wild animal enclosure. If a Facility Permit is revoked, the enclosure will be quarantined.~~

~~G. Mississippi State University Captive Deer Research Facilities~~

~~Mississippi State University Captive Deer Research Facilities are exempt from this rule, except for sections “Possession of White-tailed Deer” and “Orphaned and Injured White-tailed Deer”.~~

~~H. Roosevelt State Park Deer Research Facility~~

~~The Roosevelt State Park Deer Research Facility is exempt from this Public Notice except for sections “Possession of White-tailed Deer” and “Orphaned and Injured White-tailed Deer”.~~

~~I. Definitions~~

~~1. High-fenced enclosure — Any man-made or man-placed fenced structure which prevents the free ingress and/or egress of any wild animal and does or does not meet the animal’s year round habitat requirements (i.e., cover, food, and water).~~

~~2. Wild animal — Any animal *ferae naturae* (wild by nature) whether indigenous to the State of Mississippi or not.~~

~~3. Non-native ungulate — a *ferae naturae* mammal having hooves and not indigenous to the State of Mississippi.~~

~~Source: MISS. CODE ANN. §§49-1-29, 49-4-4, 49-7-58, 49-7-58.1, 49-7-58.2, 49-7-58.3, and 49-7-58.4.~~

RULE 8.2 REGULATIONS FOR ENCLOSURES PREVENTING THE FREE INGRESS AND EGRESS OF WHITE-TAILED DEER.

A. Possession of White-tailed Deer.

1. No person may possess a live white-tailed deer in Mississippi unless that person possesses a valid permit issued by the Mississippi Department of Wildlife, Fisheries, and Parks (MDWFP).

2. No person may sell a live white-tailed deer pursuant to MISS. CODE ANN. §49-7-51.

3. Orphaned or injured white-tailed deer may not be placed in high-fenced enclosures without written permission from the MDWFP.

B. High-Fenced Enclosures

4. A high-fenced enclosure is man-made or man-placed fenced structure, or combination of fencing and terrain features, which prevents the free ingress and/or egress of any white-tailed deer.

5. Facility Registration

a. The owner of a high-fenced enclosure containing white-tailed deer must obtain an annual Facility Registration from the MDWFP that will be valid from July 1 through June 30. To be eligible for registration, an applicant may not have a conviction for a Class I wildlife violation within five (5) years prior to his or her application. A conviction for a violation of MISS. CODE ANN. §49-7-54 shall be an absolute disqualification for registration to operate a high-fenced enclosure containing white-tailed deer.

b. The fee for a Facility Registration shall be Three Hundred Dollars (\$300.00) per year for high-fenced enclosures containing 300 acres or less. The fee for a Facility Registration shall be One Dollar (\$1.00) per enclosed acre for high-fenced enclosures containing more than 300 acres.

c. Additional commercial enclosure fees may apply pursuant to MISS. CODE ANN. §49-11-5.

6. Enclosure Size: All high-fenced enclosures constructed for the purpose of confining white-tailed deer only or confining both white-tailed deer and non-native ungulates must contain a minimum of 300 contiguous acres of which at least 50 percent of the total enclosed area must contain suitable habitat for white-tailed deer and is not susceptible to flooding.

a. The confinement of white-tailed deer in high-fenced enclosures less than 300 acres and constructed prior to the adoption of the 2008 Public Notice may be allowed if permitted by the MDWFP.

b. An existing high-fenced enclosure containing less than 10 acres, confining white-tailed deer, and registered with the MDWFP prior to the adoption of the 2008 Public Notice may be allowed but reproduction of white-tailed deer within such an enclosure is prohibited. Any offspring produced shall be reported within five days to the MDWFP and surrendered to the MDWFP.

7. Fence Requirements: All registered high-fenced enclosures containing white-tailed deer must have a minimum fence height of 8 feet and a minimum gauge wire of 12½. The lower 8 feet of the fence must be net wire. However, the Commission may register an enclosure having a fence structure that does not conform to these standards if the effect of the existing fence is to restrict the free ingress and egress of wild animals.

8. White-tailed Deer

a. All registered high-fenced enclosures containing white-tailed deer shall be enrolled in the Enclosure Management Assistance Program (EMAP) and shall work with an MDWFP-approved wildlife biologist to manage the white-tailed deer herd.

b. Data for each deer harvested from inside the enclosure must be collected and recorded on MDWFP-provided data sheets and submitted annually by Mar 15.

c. Chronic Wasting Disease (CWD) Monitoring Program: All 1.5 year old or older white-tailed deer that die of natural causes within breeding pens must be tested for CWD. All target white-tailed deer within a high-fenced enclosure or breeding pen must be tested for CWD. Target deer are deer exhibiting clinical symptoms. Additionally, up to ten (10) adult deer harvested in an enclosure annually must be tested for CWD. If no samples are submitted from harvested deer, MDWFP will coordinate the sampling of required deer with the enclosure owner.

9. Non-native ungulates

a. High-fenced enclosures with non-native ungulates shall be regulated according to the “Memorandum of Understanding on High-Fenced Enclosures Containing Non- native Ungulates” between the MDWFP and the Mississippi Board of Animal Health. Any regulations promulgated by the Mississippi Board of Animal Health are incorporated herein by reference as if reproduced in their entirety.

b. A non-native ungulate harvest report for the enclosed property shall be submitted to the MDWFP annually by May 1. There shall not be a closed season, bag limit, or weapon restriction for pursuing non-native ungulates.

10. Facility Breach

a. Breaches in the fence structure of any registered facility, whether effected by natural or man-made causes, *force majeure*, or other, that would allow white-tailed deer and/or non-native ungulates to leave the enclosure or enter the enclosure must be reported to the MDWFP within 24 hours of discovery and repaired within a timely manner (not to exceed 2 weeks) to the standards set forth in the paragraph titled “Fence Requirements.”

b. Any white-tailed deer that is identified (e.g. ear tags or other identifiable markings) as having escaped from a high-fenced enclosure, and is in the immediate vicinity, shall be immediately captured by the enclosure owner or an authorized representative. If a captured white-tailed deer is not deemed a disease risk, it may be returned to the facility as authorized by MDWFP.

Upon no action by the enclosure owner, the deer shall be captured and/or euthanized by authorized representatives of the MDWFP or by any law enforcement agency by whatever means deemed necessary.

c. Any non-native ungulate which escapes from a high-fenced enclosure shall be reported to the Mississippi Board of Animal Health.

11. High-Fenced Enclosure Inspection

a. All high-fenced enclosures containing white-tailed deer shall be inspected by the MDWFP at least once annually. Additionally, any registered high-fenced enclosure owners/operators are declared to have consented to periodic inspections of high-

fenced enclosures by the MDWFP, without warrant or notice.

- b. The MDWFP may enter and inspect all wild animal enclosures to:
 - i. Issue, review, and/or renew enclosure registration;
 - ii. Ensure compliance of enclosure rules, regulations, and MDWFP-approved written operational plan;
 - iii. Inspect any required records regarding or relating to any wild animal enclosure;
 - iv. Inspect any high-fenced enclosure at any time there is a reasonable belief that the high-fenced enclosure is not in compliance with these regulations; or
 - v. Quarantine the enclosure.

H. Captive Breeding

- 1. Controlled breeding of white-tailed deer within a high-fenced enclosure may be allowed by permit at an annual cost of Four Hundred Fifty Dollars (\$450.00).
- 2. A breeding plan and inventory report must be submitted annually to the MDWFP by May 1.
- 3. Breeding Pens
 - a. Each breeding pen must be contained within a high-fenced enclosure of at least 300 contiguous acres and no portion of any breeding pen may be within six (6) feet of the external enclosure fence.
 - b. Each breeding pen cannot exceed a total confined area of 5 acres.
 - c. All white-tailed deer 1½ years of age and older within a breeding pen and all white-tailed deer released from a breeding pen into a larger enclosure must be tagged with a uniquely numbered ear tag.
- 4. Artificial Insemination
 - a. White-tailed deer semen, ova, and embryos may be imported into and translocated within Mississippi by permit. The permit must be obtained prior to importation and translocation.
 - b. White-tailed deer semen, ova, and embryos must be obtained from a source within the continental United States.

c. An annual report must be submitted by May 1 to the MDWFP regarding any importation or translocation of white-tailed deer semen, ova, and embryos into Mississippi.

I. Movement of White-tailed Deer

1. No person may import a live white-tailed deer into the State of Mississippi pursuant to MISS. CODE ANN. §49-7-54.

2. No white-tailed deer originating from a high-fenced enclosure may be released into the wild in Mississippi.

3. White-tailed deer may not be transported from the wild and placed into a high-fenced enclosure or a breeding pen.

4. Transportation

a. Transport permits at a cost of Twenty-five Dollars (\$25.00) per white-tailed deer must be purchased prior to transporting white-tailed deer from one registered high-fenced enclosure or breeding pen to another registered high-fenced enclosure or breeding pen.

b. Transportation of live white-tailed deer for stocking or breeding purposes from a registered high-fenced enclosure to another registered high-fenced enclosure within Mississippi may be allowed only if the originating high-fenced enclosures:

i. Have participated in a Chronic Wasting Disease (CWD) monitoring program and submitted data from the year prior to movement.

ii. Passed all current enclosure facility and breeding pen inspections.

iii. Have had no violations of any of the provisions of this regulation during the year prior to movement.

c. All white-tailed deer moved must be tagged with uniquely numbered plastic tags and MDWFP-provided metal ear tags. Bucks moved 10 days prior to the start or during the deer hunting season must have the antlers removed immediately above the pedicle.

J. Compliance:

1. MDWFP personnel and the enclosure operator may develop a plan to come into compliance in an area of deficiency. The MDWFP may continue to enter and inspect the enclosure to assess the progress of the compliance effort.

2. Any enclosure not in compliance with this rule and/or plan may have any of its registered or permitted activities temporarily suspended until such time as the operator can come into full compliance.

3. If an enclosure fails to comply with a specified plan, the MDWFP Executive Director and Commission on Wildlife, Fisheries, and Parks will be notified of potential actions for ensuring compliance.

K. Controlled Drug Usage: The use of controlled drugs for animal capture and reproduction is governed by state and federal drug laws and controlled drugs may be used in compliance with these laws and regulations.

L. Mississippi State University Captive Research Facilities: Mississippi State University Captive Deer Research Facilities are exempt from this rule, except for sections “Possession of White-tailed Deer” and “Orphaned and Injured White-tailed Deer”.

M. Definitions

1. High-fenced enclosure – Any man-made or man-placed fenced structure, or combination of fencing and terrain features, which prevents the free ingress and/or egress of any white-tailed deer.

2. Wild animal – Any animal wild by nature whether indigenous to the State of Mississippi or not.

3. Non-native ungulate – a wild by nature mammal having hooves and not indigenous to the State of Mississippi.

History: Revised September 2018.

Source: MISS. CODE ANN. §§49-1-29, 49-4-4, 49-7-58, 49-7-58.1, 49-7-58.2, 49-7-58.3, and 49-7-58.4.