

Chapter NR 16

GAME FARMS AND EXHIBITS

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NR 16.001 Definitions. (1) "Adult" means any animal which has reached the age of one year.

(2) "Department" means the department of natural resources.

(3) "Heavily galvanized" means a zinc coating weight of 230 g/m² or 0.8 oz/ft².

(4) "High tensile" means a tensile strength of 1235 to 1450 mega pascals or 179000 to 210000 lb/in².

(5) "Medium tensile" means a tensile strength of 700 to 850 mega pascals or 101000 to 123000 lb/in².

(6) "Pen" means any cage, fenced-in plot, or other enclosure in which animals are held.

(7) "Waterfowl" means any migratory bird of family Anatidae (wild ducks, geese, brant and swans).

(8) "Wild animal" means any mammal, bird, fish or other creature of a wild nature endowed with sensation and the power of voluntary motion.

History: Cr. Register, April, 1978, No. 263, eff. 5-1-78; renum. (1) to (5) to be (2), (8), (7), (1), (6), cr. (3) to (5), Register, January, 1994, No. 457, eff. 2-1-94.

NR 16.01 Deer farm fence specifications. (1) Deer farm boundary fence construction, replacement or repairs shall comply with the following minimum specifications:

(a) *Minimum size.* There may not be less than ½ acre of land within the area enclosed as a licensed deer farm.

(b) *Fence height.* 1. Seven foot 10 inch woven wire fence or high tensile deer fence is required on deer farms licensed for all species of Cervidae except the genera listed in subd. 2. The top 6 inches of the fence may be single strand high tensile smooth wire.

2. Six foot woven wire fence or high tensile deer fence is required on deer farms licensed for species of the following genera: HYDROPOTES, chinese water deer; MOSCHUS, musk deer; MUNTJACUS, muntjacs; PUDU, pudus.

(c) *Wood posts.* The minimum length for wood post is 12 feet. The tops of line post may not be less than 4 inches in diameter. The tops of corner and gate posts may not be less than 6 inches in diameter.

(d) *Steel or iron posts.* The minimum length for steel or iron post is 11 feet or 10 feet for T post.

(e) *Post spacing.* 1. The maximum distance between posts for standard woven wire fences is 12 feet.

2. The maximum distance between posts for high tensile heavily galvanized deer fencing is 20 feet.

(f) *Woven wire.* Mesh and gauge.

1. Fourteen and one half gauge wire, may not have a mesh larger than 36 sq. in.

2. Twelve and one half gauge wire, may not have a mesh larger than 48 sq. in.

3. Eleven gauge or heavier wire, may not have a mesh larger than 48 sq. in.

4. Adjoining strips or widths of woven wire shall be securely fastened together at intervals not exceeding 4 feet.

(g) *Staples.* Nine-gauge staples should be used which are of a 1.5 inches minimum size. The staple shall securely hold the fence to the post and allow for free movement of horizontal line wire.

(h) *High tensile deer fencing wire.* 1. Wire size and coating. a. Horizontal line wires may not be less than 2.50 mm in size and shall be heavily galvanized medium tensile wire.

b. Vertical stay wires may not be less than 2.50 mm in size and shall be heavily galvanized medium tensile wire.

c. Knot wire shall be 2.24 mm heavily galvanized mild steel.

2. Mesh size. a. Mesh size shall have a maximum of 6 inches space between all vertical stay wires.

b. The horizontal line wires shall be graduated with a maximum wire graduation of 4 inches for the bottom 1 foot of the fence; 6.5 inches for the next 2 feet of fence height; 8.5 inches for the top 5 feet of fence height.

(i) *Installation procedures.* The fence shall be installed on the animal side of the post except when completing corners.

(2) **EXCEPTIONS.** The use of materials, other than those specified in this section for deer farm boundary fence construction may be permitted by the secretary if found to exceed minimum specifications and sufficient to hold the deer inside the enclosure.

(3) **HOLDING PEN.** In addition to the boundary fence, all deer farms with commercially raised deer shall have a holding pen for the confinement of animals and suitable for tuberculosis testing of the animal. The specifications for a holding pen are:

(a) *Size.* The holding pen structure shall be of an adequate size to allow for the confinement of the commercially raised deer to be safely tested. The structure design shall allow adequate handling of the commercially raised deer so that the deer can be directed into the alleyway and chute or restraining pen for testing.

(b) *Fence height.* The fence shall be a minimum of 6 feet in height.

(c) *Alleyway.* The alleyway shall be of sufficient design to allow the guiding of animals into a chute or restraining pen.

(d) *Chute or restraining pen.* The chute or restraining pen shall be capable of holding commercially raised deer for tuberculosis testing.

(e) *Inadequate facilities.* If the holding pen design does not allow for adequate handling and testing of the commercially raised deer, the licensee may be ordered by the department to construct a new holding pen. When ordered to construct a new holding pen, the licensee shall have 30 days to complete construction.

History: Cr. Register, April, 1958, No. 28, eff. 5-1-58; renum. from WCD 16.01 to be NR 16.01 and am. (2), Register, April, 1971, No. 184, eff. 5-1-71; am. (1) (intro.), (a) to (g), (2), cr. (1) (h), (i), (3), Register, January, 1994, No. 457, eff. 2-1-94.

NR 16.02 Game farms. (1) **APPLICATION.** This section applies to all game farms as provided in s. 29.574, Stats., including commercial operations, shooting game farms and hobbyists. The owner or lessee of any lands within the state suitable for the breeding and propagating of game birds or animals as may be approved by the department shall have the right upon complying with this section, to establish, operate and maintain a game bird and animal farm for the purpose of breeding, propagating, killing and selling game birds and game animals on such lands. On areas where the hunting or killing of wild animals is to be permitted, the game farm license shall only include species listed in s. 29.01(4), (6) and (7), Stats.

(2) **SIZE OF HUNTING OR KILLING AREAS.** No game farm license shall be issued for any land area larger than 640 contiguous acres or less than 80 contiguous acres where hunting, trapping or killing of wild animals is allowed, except for such land areas licensed as game farms prior to the effective date of this subsection.

(3) **MIGRATORY BIRD DISPOSAL.** No person shall import, export or sell waterfowl or other migratory birds without compliance with federal regulations except captive-reared mallard ducks, alive or dead, or their eggs may be acquired, transported, exported but not imported and disposed of by any person without a permit provided such ducks are properly marked as specified within the federal regulations.

(4) **WILDLIFE FEE ASSESSMENT.** In addition to an annual license fee, signs and expense payment for the inspection board, each applicant shall pay to the department a specified sum of money for each wild animal found on the lands which are desired for propagation. The fee assessed for each animal shall be the amount established in s. 29.65 (1), Stats.

(5) **PEN REQUIREMENT.** (a) When individual animals licensed under s. 29.574, Stats., are confined to an area which does not exceed one-fourth acre in size, the standards established in s. NR 16.10 (10) and (11) shall apply.

(b) A person licensed prior to the enactment of these regulations shall be exempt from the pen requirement criteria.

(c) Variation in pen construction other than specified shall be submitted to the department and may be approved by the department if found to comply with the intent and purpose of this section.

(d) All waterfowl bred, propagated or held on a game farm licensed pursuant to this section shall be enclosed within a covered pen by the licensee throughout the open season for hunting waterfowl in the state

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when written or oral notice is given to the licensee by the department or its agents.

(6) **WATERFOWL DISEASE CONSIDERATIONS.** In addition to the above requirements and pursuant to s. 29.586, Stats., if the department determines that any species of waterfowl licensed under this section may pose potential threat to native wildlife populations due to disease transmittal or other factors, the department may prescribe additional requirements including:

(a) If a contagious disease is suspected, all birds exposed to the disease shall be quarantined until certified free of contagious disease by a qualified veterinary authority.

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