

IDAPA 13 – IDAHO DEPARTMENT OF FISH AND GAME

Wildlife Bureau

13.01.10 – Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife

Who does these rules apply to?

These rules apply to individuals who may import, possess, release, sell, or possess live wildlife, including eggs thereof, including commercial and private captive wildlife facilities. These rules also apply to individuals who may salvage wildlife. These rules also apply to individuals who may operate shooting preserves for domestic game birds.

Note: These rules do not apply to these activities as they relate to bullfrog, fish or crustacean, which are governed by IDAPA 13.01.11, “Rules Governing Fish” and IDAPA 13.01.12, “Rules Governing Commercial Fishing.” These rules do not apply to domestic cervids, domestic furbearers, or other domestic animals, which are regulated by the Idaho State Department of Agriculture.

What is the purpose of these rules?

These rules govern the commercial and non-commercial importation, possession, release, sale, or salvage of wildlife. These rules govern import and transport permit issuance, captive wildlife, disease of captive wildlife, recovery, possession and sale of wildlife parts, prohibition on possession, importation and transportation of deer/elk/moose carcasses or parts from areas known to have animals with Chronic Wasting Disease, private parks and commercial wildlife facilities, and operation of shooting preserves for domestic game birds. These purpose of these rules is to promote public health and safety, and wildlife health (including captive wildlife), and to regulate wildlife-related activities so that Idaho continues to have wildlife populations to support public use and enjoyment of wildlife in the future. These rules also manage social aspects to provide a range of opportunities and balance different public interests and preferences.

What is the legal authority for the agency to promulgate this rule?

This rule implements the following statutes passed by the Idaho Legislature:

Fish and Game Commission:

- [Section 36-103, Idaho Code](#) – Wildlife Property of the State, Preservation
- [Section 36-104, Idaho Code](#) – General Powers and Duties of Commission

Restrictions on Possession, Transportation, Sale and Use of Wildlife:

- [Section 36-501, Idaho Code](#) – Sale and Purchase of Wildlife – Restrictions – Exceptions
- [Section 36-504, Idaho Code](#) – Wildlife Taken in Violation of Other Laws – Violations
- [Section 36-506, Idaho Code](#) – Wildlife Struck with Vehicle – Dispatch – Salvage

Captive Wildlife:

- [Section 36-701, Idaho Code](#) – Held Captive w/out License or Permit Unlawful – Exceptions
- [Section 36-703, Idaho Code](#) – Commercial Wildlife Farms – Restrictions – License
- [Section 36-704, Idaho Code](#) – Propagation of Publicly Owned Wildlife Prohibited
- [Section 36-706, Idaho Code](#) – Private Parks and Ponds – Noncommercial – Permits
- [Section 36-708, Idaho Code](#) – Humane Treatment – Commission Authorized to Make Rules

Shooting Preserves:

- [Section 36-2201, Idaho Code](#) – Purpose
- [Section 36-2202, Idaho Code](#) – License
- [Section 36-2203, Idaho Code](#) – Standards
- [Section 36-2204, Idaho Code](#) – Boundaries
- [Section 36-2205, Idaho Code](#) – Game Birds

Who do I contact for more information on this rule?

Idaho Department of Fish and Game
600 S. Walnut Street
Boise, ID 83712

P.O. Box 25
Boise, ID 83707
Phone: (208) 334-3771
Fax: (208) 334-4885
Email: Rules@idfg.idaho.gov
Webpage: <http://idfg.idaho.gov>

Table of Contents

13.01.10 – Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife

000. Legal Authority.	4
001. Title And Scope.	4
002. – 009. (Reserved)	4
010. Definitions.	4
011. – 099. (Reserved)	4
100. Permits For Import, Export, Transport, Possession, Release, And Sale Of Live Wildlife.	4
101. Import Or Transport Permit Issuance.	5
102. Possession Of Unlawful Import.	6
103. – 149. (Reserved)	6
150. Wildlife In Transit.	6
151. – 199. (Reserved)	6
200. Captive Wildlife.	6
201. Disease Of Captive Wildlife.	6
202. – 299. (Reserved)	6
300. Recovery, Possession, And Sale Of Wildlife Parts.	6
301. Possession, Importation, And Transportation Of Cervid Carcasses Or Parts From Areas With Chronic Wasting Disease (CWD) Unlawful.	8
302. – 399. (Reserved)	8
400. Private Parks And Commercial Wildlife Facilities.	8
401. – 409. (Reserved)	10
410. Large Commercial Wildlife Facilities.	11
411. Humane Treatment Of Captive Wildlife	11
412. Responsibility Of Possessor Of Captive Wildlife.	12
413. – 499. (Reserved)	12
500. Shooting Preserve Rules.	12
501. – 599. (Reserved)	12
600. Captive Wolves.	12
601. – 699. (Reserved)	13
700. Violation Grounds For Licensing Action And Animal Removal.	13
701. – 999. (Reserved)	13

**13.01.10 – RULES GOVERNING THE IMPORTATION, POSSESSION,
RELEASE, SALE, OR SALVAGE OF WILDLIFE**

000. LEGAL AUTHORITY.

Sections 36-103, 36-104, 36-501, 36-504, 36-506, 36-701, 36-703, 36-704, 36-706, 36-708, and 36-2201-2205, Idaho Code, authorize the Commission to adopt rules concerning the importation, possession, release, sale, or salvage of wildlife in the state of Idaho. (3-31-22)

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.10, “Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife.” These rules govern the commercial and non-commercial importation, possession, release, sale, or salvage of wildlife. These rules do not apply to bullfrog, fish or crustacean, the importation, possession, release, sale or salvage of which are governed by IDAPA 13.01.11, “Rules Governing Fish,” and IDAPA 13.01.12, “Rules Governing Commercial Fishing.” (3-31-22)

002. – 009. (RESERVED)

010. DEFINITIONS.

IDAPA 13.01.06, “Classification and Protection of Wildlife,” defines game animals, big game animals, game birds, furbearing animals and unprotected wildlife. Section 36-201, Idaho Code, defines predatory wildlife. As used in this chapter, “wildlife” does not include any bullfrog, fish, or crustacean, for which requirements for import, possession, transport, release, and sale are addressed in IDAPA 13.01.11, “Rules Governing Fish” and 13.01.12 “Rules Governing Commercial Fishing.” (3-31-22)

01. Commercial Wildlife Farm. Any facility where the operator obtains, possesses, or propagates big game animals, for any commercial purpose. (3-31-22)

02. Private Park. Any facility where the operator obtains, possesses, or propagates big game animals for personal pleasure and not for any commercial purpose. (3-31-22)

03. Bona Fide Pet Store. A legitimate retail store with a set location and regular business hours. (3-31-22)

04. Big Game Animal. As classified in IDAPA 13.01.06, “Classification and Protection of Wildlife,” excluding domestic cervids as defined and regulated by Title 25, Chapter 37, Idaho Code. (3-31-22)

05. Agricultural or Domestic Animals. Animals or their eggs normally considered to be of agricultural or domestic types currently common to Idaho, not including wildlife as defined by Section 36-202, Idaho Code (such as animals listed in IDAPA 13.01.06, “Rules Governing the Classification and Protection of Wildlife.” (3-31-22)

06. Commercial Wildlife Facility. Any facility where the operator obtains, possesses, or propagates wildlife for any commercial purpose, including exhibition, education, entertainment, or sale. A commercial wildlife farm is included in this definition. (3-31-22)

07. Not Permanently Located Within the State of Idaho. A traveling circus, menagerie, or trained act of wild animals that is not located within the state of Idaho more than two (2) months out of any calendar year. (3-31-22)

08. Traveling Circus, Menagerie, or Trained Act of Wild Animals. Any mobile display or exhibit of wildlife maintained for instructional, educational, entertainment, or other commercial purposes. (3-31-22)

09. Publicly Owned Zoo or Wildlife Exhibit. Any facility exhibiting wildlife owned by any municipal, county, state, or federal agency. (3-31-22)

011. – 099. (RESERVED)

100. PERMITS FOR IMPORT, EXPORT, TRANSPORT, POSSESSION, RELEASE, AND SALE OF LIVE WILDLIFE.

No person may import into, export from, sell, or transport, cause to be transported, possess (hold in captivity), propagate, or release within the state of Idaho any living wildlife, including eggs thereof, without having first obtained a permit from the Department. (3-31-22)

01. Exemptions for Import, Export, Transport, Possession or Sale. No permit is needed from the Department to import, export, transport, possess or sell the following (although another state or federal agency may regulate such activity): (3-31-22)

- a.** Agricultural or domestic animals. (3-31-22)
- b.** Domestic furbearing animals, as defined and regulated under Chapter 30, Title 25, Idaho Code. (3-31-22)
- c.** Domestic cervids, as defined and regulated under Chapter 37, Title 25, Idaho Code. (3-31-22)
- d.** Animals commonly considered conventional household pets, including sugar glider (*Petaurus breviceps*) and African hedgehog (*Atelerix albiventris*). (3-31-22)
- e.** Domestic Game birds produced in captivity and lawfully obtained, as shown by proof maintained and presented in accordance with Section 36-709, Idaho Code. (3-31-22)
- f.** Birds of prey, provided actions comply with IDAPA 13.01.14, “Rules Governing Falconry.” (3-31-22)

02. Exemptions for Unprotected and Predatory Wildlife. (3-31-22)

a. Wildlife classified as Unprotected Wildlife and Predatory Wildlife that are lawfully taken by a person licensed or authorized to hunt or trap in accordance with Chapter 4, Title 36, Idaho Code, may be sold, exported, transported, or possessed, without additional permit from the Department, provided such action is not otherwise in violation of federal, state, county, or city laws, rules, ordinances, or regulations. The Idaho Department of Agriculture may restrict the possession, sale, or import of fox, skunk, raccoon or other animals, such as restrictions under Section 25-236, Idaho Code. (3-31-22)

b. Lawfully taken native unprotected or predatory wildlife may be released on private lands in the county of origin without a Department permit in accordance with Section 36-502, Idaho Code and with written landowner consent in possession while such wildlife is in transit to the release site. (3-31-22)

03. Exemption for Native Reptiles and Amphibians. A person licensed or authorized to hunt or trap in accordance with Chapter 4, Title 36, Idaho Code, may capture alive, or hold in captivity and possess, up to four (4) individuals per species of Idaho native reptiles or amphibians at the same time, provided such action is not otherwise in violation of federal, state, county, or city laws, rules, ordinances, or regulations. (3-31-22)

04. Restriction on Permit Issuance. The Department will not issue any permit for import, export, transport, release, possession, or sale of live wildlife or eggs thereof, if the wildlife or eggs thereof would pose a threat to the state of Idaho, including threat of disease, genetic contamination or displacement of or competition with existing species. Because of the threat of chronic wasting disease, the Department will not issue any permit for the import into Idaho of any live cervid not regulated as a domestic cervid by the Idaho State Department of Agriculture, including mule deer, white-tailed deer, moose, and wild-origin elk. (3-31-22)

101. IMPORT OR TRANSPORT PERMIT ISSUANCE.

01. Application. Application for a permit to import or transport wildlife will be on a form prescribed by the Department. The applicant must possess a valid commercial or private wildlife facility license or individual captive wildlife permit or make concurrent application for such facility license or individual animal possession permit. (3-31-22)

02. Inspection and Examination. Upon Department request, the applicant must provide a valid Certificate of Veterinary Inspection from the state of origin for each animal imported or transported. (3-31-22)

03. Additional Requirements. The Department may impose test and certification requirements related to genetic issues or diseases of concern for any animal to be imported or transported. (3-31-22)

102. POSSESSION OF UNLAWFUL IMPORT.

No person may possess any wildlife, progeny or eggs thereof, whose import into this state was unlawful. (3-31-22)

103. – 149. (RESERVED)

150. WILDLIFE IN TRANSIT.

All required licenses, permits, and certificates must accompany live captive wildlife while in transit. (3-31-22)

151. – 199. (RESERVED)

200. CAPTIVE WILDLIFE.

01. General. No person may possess, hold in captivity, or propagate any wildlife, except those animals exempted under Section 100 of these rules, without obtaining a captive wildlife permit for each individual animal from the Department. (3-31-22)

02. Compliance with Other Agency Requirements. No person may possess, hold in captivity, or propagate any wildlife without complying with relevant city or county ordinances, including any zoning and planning commission approval, and any Idaho or U.S. Department of Agriculture requirements. (3-31-22)

03. Marking Big Game. All big game animals shall be uniquely marked with a Department-approved marking system. (3-31-22)

04. Applications. Application for license will be on a form prescribed by the Department. (3-31-22)

05. Inspections and Records. As a condition to any facility license or individual captive animal permit, the Department will be able to access for inspection at any reasonable time all records, all wildlife, and the facilities where the wildlife are kept, with records maintained as specified in Section 36-709(c), Idaho Code. (3-31-22)

201. DISEASE OF CAPTIVE WILDLIFE.

The Department Wildlife Veterinarian and the Idaho Department of Agriculture Administrator of the Division of Animal Industries will mutually determine the diseases and parasites of concern and the mechanisms and procedures for control of diseases and parasites in captive wildlife within the state of Idaho. Such mechanisms and procedures include but are not limited to examination, testing, quarantine, and slaughter or destruction, at the owner's expense, of individual animals or herds that are infected with or affected by diseases or parasites that may have significant detrimental effect on native wildlife, other captive wildlife, livestock or the public health of the citizens of the state of Idaho. Such disease and parasite control measures will be included in and enforced by regulations of the Division of Animal Industries of the Department of Agriculture. (3-31-22)

202. – 299. (RESERVED)

300. RECOVERY, POSSESSION, AND SALE OF WILDLIFE PARTS.

01. Wildlife Legally Killed. (3-31-22)

a. The possession, sale, and purchase of wildlife or parts of wildlife legally killed is lawful, provided it is in compliance with these rules and Title 36, Idaho Code. (3-31-22)

i. No person may purchase, barter, or sell the edible flesh of wildlife classified as big game animals, upland game animals, game birds, migratory birds, or rattlesnakes taken from the wild. (3-31-22)

ii. The annual sale by holders of a valid Idaho hunting, trapping or combination hunting and fishing license of no more than six (6) skins of legally taken rattlesnakes is lawful. (3-31-22)

b. A written statement showing the taker's name, address, license and tag numbers, date and location

of kill, signed by the taker, must be provided to the buyer of any black bear or mountain lion head, hide or parts (except tanned hides finished into rugs or mounts). A copy of the sales statement must be forwarded by the buyer to the Department within ten (10) days after such sale. A Department Form CE-50, Statement of Sale/Purchase of Wildlife Parts, may be used in lieu of a sales statement. (3-31-22)

c. Persons possessing a taxidermist or fur buyer license shall keep a record of any wildlife received for mounting or preservation, and of any purchase of furbearers, black bear part or raw skin, and mountain lion part or raw skin, with said record to be kept for two (2) years from the respective date of receipt or purchase. Records may be written or retained on media other than paper, provided that the media comply with standards set forth in Section 9-328, Idaho Code; copies of sales statements complying with Subsection 300.01.b. are adequate records. (3-31-22)

02. Animals Found Dead. Protected species of wildlife that have died naturally or accidentally remain in public trust to be disposed of by the Department. However, a person may recover, possess, sell or purchase the wildlife parts as specified below, but only under the conditions specified and only if the wildlife has not been unlawfully killed. Natural causes do not include any man-caused mortality. Accidental death includes accidental vehicle-collision caused mortality. (3-31-22)

a. Horns of Bighorn Sheep. (3-31-22)

i. Bighorn sheep horns of animals that have died of natural causes may be recovered and possessed, provided such horns are presented to a Department office for marking by placement of a permanent metal pin in the horn within thirty (30) days of recovery. No person may sell, barter, purchase, or transfer to another person any horn recovered from a bighorn sheep that has died from natural causes without a permit issued by the Department. The insertion of a pin is not a certification that the animal was legally taken or possessed. (3-31-22)

ii. No person may alter, deface, or remove a pin placed in a bighorn sheep horn by the Department. No person may possess the horn(s) of a bighorn sheep that bears an altered, defaced, or counterfeit Idaho pin or from which the Idaho pin has been removed. (3-31-22)

b. Antlers, hides, bones, and horns of deer, elk, moose, pronghorn and mountain goat, parts of bear and mountain lion and elk teeth of animals that have died of natural causes may be recovered, possessed, purchased, bartered or sold, provided that reporting of bear and mountain lion parts is in accordance with reporting under Subsection 300.01 of this rule. (3-31-22)

c. Parts, including meat, of big game animals, upland game animals, upland game birds, and furbearing animals, which may be lawfully hunted or trapped, that have been accidentally killed as a result of vehicle-collision mortality may be recovered and possessed, provided that such taking is not in violation of state, federal, county, or city law, ordinance, rule, or regulation, and provided that: (3-31-22)

i. Notification to the Department is made within twenty-four (24) hours of salvage; and (3-31-22)

ii. Written authorization is obtained from the Department within seventy-two (72) hours of recovery; and (3-31-22)

iii. Mandatory check and report requirements are complied with for any bighorn sheep, black bear, mountain lion, mountain goat, moose, gray wolf, bobcat, and river otter, as described in IDAPA 13.01.08.420 and 13.01.16.500. (3-31-22)

d. Parts, excluding meat, of big game animals (except bighorn sheep), upland game animals, upland game birds, and furbearing animals, which may be lawfully hunted or trapped, that have been accidentally killed as a result of vehicle-collision mortality may be purchased, bartered, or sold, where sale is not specifically prohibited by federal statute or regulation or state statute, when accompanied by written authorization from the Department as described in IDAPA 13.01.10.300.02.c. No person may purchase, barter, or sell bighorn sheep accidentally killed as a result of vehicle-collision. (3-31-22)

03. Wildlife Taken in Other States. Wildlife or parts thereof that have been legally taken outside of Idaho, may be possessed or sold in Idaho if such possession or sale is lawful in Idaho, in the state, province, or

country where taken, and under federal law. (3-31-22)

301. POSSESSION, IMPORTATION, AND TRANSPORTATION OF CERVID CARCASSES OR PARTS FROM AREAS WITH CHRONIC WASTING DISEASE (CWD) UNLAWFUL.

01. Designation of CWD Management Zone. The Commission may designate a CWD Management Zone where wildlife is subject to increased risk of acquiring CWD based on the presence of CWD-infected animals and information on wildlife movement. The Director may designate a CWD Management Zone on a temporary basis, for a period not to exceed ninety (90) days and subject to Commission review. (3-31-22)

02. Prohibitions. It is unlawful to: (3-31-22)

a. Import into Idaho the carcass or any part of a deer, elk, or moose from another state, province of Canada, or country (other than Canada) with any documented case of CWD; (3-31-22)

b. Transport the carcass or any part of a deer, elk, or moose out of any CWD Management Zone to any portion of the state that is not a designated CWD Management Zone; or (3-31-22)

c. Possess the carcass or any part of a deer, elk, or moose that: has been imported from another state, province or country (other than Canada) with a documented case of CWD; or transported out of any CWD Management Zone to any part of the state that is not a designated CWD Management Zone. (3-31-22)

03. Exceptions. This section does not apply to: (3-31-22)

a. Domestic cervids regulated under Chapter 37, Title 25, Idaho Code; (3-31-22)

b. Meat that is cut and wrapped; (3-31-22)

c. Quarters or deboned meat that does not include brain or spinal tissue; (3-31-22)

d. Edible organs, excluding brains; (3-31-22)

e. Hides without heads; (3-31-22)

f. Upper canine teeth (ivories); (3-31-22)

g. Finished taxidermy; (3-31-22)

h. Dried antlers; (3-31-22)

i. Cleaned and dried skulls or skull caps; (3-31-22)

j. Skull caps that do not include brain or spinal tissue; or (3-31-22)

k. A head or tissue from a CWD Management Zone, provided it is presented to the Department for sampling purposes, with the Department to keep possession for appropriate tissue disposal. (3-31-22)

04. Disposal of Carcasses or Parts in Violation. The Department may seize carcasses or parts imported, transported, or possessed in violation of this section, with a person in violation of this section responsible for handling and disposal costs, as authorized under Chapters 34 and 53, Title 19, Idaho Code. (3-31-22)

302. – 399. (RESERVED)

400. PRIVATE PARKS AND COMMERCIAL WILDLIFE FACILITIES.

01. General. No person may operate or maintain a private park or commercial wildlife facility without obtaining the appropriate license for each facility and the individual captive animals from the Department. (3-31-22)

02. Compliance with Other Agency Requirements. No person may operate a private park or commercial wildlife facility without complying with relevant city or county ordinances, including any zoning and planning commission approval, and any Idaho or U.S. Department of Agriculture requirements. (3-31-22)

03. License Display. A commercial wildlife license is to be displayed at the licensed facility in plain view at all times. (3-31-22)

04. Applications. Application for permits or licenses to possess wildlife will be on a form prescribed by the Department, with separate application to be made for each facility and for any animal(s) imported after a facility is licensed. The Department will only consider an application that includes: (3-31-22)

a. The name and address of the applicant. (3-31-22)

b. Proof of compliance with city/county zoning ordinance or zoning permit application. (3-31-22)

c. The name and address of the owner(s) of the wildlife if not the applicant. (3-31-22)

d. The location of the proposed facility, including a legal description of the land and the approximate space devoted to the facility. (3-31-22)

e. The name and address of the owner of the property if not the applicant. (3-31-22)

f. The number and kinds of wildlife being or to be kept. (3-31-22)

g. The date upon which each animal is to be obtained. (3-31-22)

h. The source, including address and telephone number, from which each animal was, or is to be, obtained, and health certificate for all animals addressing diseases of concern. If already in possession, the type of permit or license under which each animal is possessed. (3-31-22)

i. Specifications of pens and shelters furnished for each kind of animal. (3-31-22)

j. Specifications of the guard fence or other security measures to prevent escape or protect the public from injury by the animals. (3-31-22)

05. Inspections. As a condition to any facility license, the licensee will make available for inspection all records, all wildlife, and the facilities covered by the license at any reasonable time upon request of the Department. (3-31-22)

06. Evidence of Legal Possession. Records shall include evidence of legal possession of all wildlife kept at the facility or under the licenses, including licenses, permits, receipts, invoices, bills of lading, or other satisfactory evidence of ownership. The records shall also identify all animals born at the facility, exported from the facility, or transported within the state. (3-31-22)

07. Dead Wildlife. Record of inspection by a licensed veterinarian shall be kept for all wildlife which die on the premises, and a copy forwarded to the Department Wildlife Laboratory within ten (10) days of the death of the animal. (3-31-22)

08. Cages or Enclosures. All wildlife held in captivity in a wildlife facility shall be confined at all times in cages or enclosures of such structure or type of construction that it will be impossible for such animals to escape, and that meet the following minimum specifications: (3-31-22)

a. For big game animals, including bear and mountain lion, the enclosure will: (3-31-22)

i. Have a floor made of cement or concrete at least three (3) inches thick into which metal fence stakes are permanently placed or a floor that consists of chain link or other material that will preclude the animal

- digging through the floor to escape; (3-31-22)
- ii. Have a chain link fence of at least eight (8) feet in height with barbed wire overhang; (3-31-22)
 - iii. Have a chain link cage top; (3-31-22)
 - iv. Have any other Department-approved configuration such as a pit that will preclude escape. (3-31-22)
- b.** For all animals, cages or enclosures will be of sufficient size to give the animal or bird confined ample space for exercise and to avoid being overcrowded. (3-31-22)
- i. The length of the cage or enclosure will be a minimum of four (4) times the body length (tip of nose to base of tail) of the animal being kept, reptiles excepted. (3-31-22)
 - ii. The width will be at least three-fourths (3/4) of the cage length. (3-31-22)
 - iii. For the second animal housed in cage, floor space will be increased twenty-five percent (25%) and for each additional animal housed in the cage, floor space will be increased fifteen percent (15%). Cages with tops will be of reasonable height to accommodate the animals contained therein. No nails or other sharp protrusions that might injure or impair the animal will be allowed within the cages. (3-31-22)
- c.** For all animals, cages or enclosures will be constructed to prevent entrance by other animals and prevent harm to or by the general public. Cages, fencing, and guardrails will be kept in good repair at all times; and gates will be securely fastened and locked. (3-31-22)
- d.** Cages or enclosure for birds and smaller animals will be provided with a den, nest box or other suitable housing containing adequate bedding material for the comfort of the species held. A suitable shelter or shield will be provided for big game and other larger animals for protection from inclement weather and from the sun. At least one (1) wall of the enclosure will be constructed so as to provide a windbreak for the animal confined. (3-31-22)
- e.** For all venomous reptiles, enclosures will have safety glass and cages will have small enough mesh to prevent the animal's escape and double walls sufficient to prevent penetration of fangs to the outside; and all cages and enclosures will be kept locked. (3-31-22)
- f.** Cages or enclosures will be kept dry if containing terrestrial animals and with adequate water if containing aquatic animals. Where natural climate of the species being held differs from the climate of the area where the wildlife facility is located, provisions will be made to adjust holding conditions, as nearly as possible, to natural habitat. (3-31-22)
- g.** Cages or enclosures will be kept in a clean and sanitary condition consistent with good animal husbandry. (3-31-22)
- 09. Sale of Animal Meat or Parts.** (3-31-22)
- a.** A commercial wildlife facility licensee may sell or otherwise dispose of the carcass, parts, or by-products of a properly identified big game animal taken from a commercial wildlife facility only upon preparing an invoice or bill of sale as specified by the Department and attaching a copy of it to the lot shipment, carcass, or container and keeping a copy for his records. Upon the attaching of the invoice or bill of sale to the carcass, parts, or by-products of the animal, the same may be transported to the transferee named on the invoice or bill of sale. (3-31-22)
 - b.** The licensee may sell commercial wildlife facility animals for meat upon compliance with all applicable health laws, USDA, and Idaho Department of Agriculture regulations. (3-31-22)
- 401. – 409. (RESERVED)**

410. LARGE COMMERCIAL WILDLIFE FACILITIES.

Commercial wildlife facilities that are of a size large enough or with a large number of animals incompatible with the cage or enclosure requirements of Section 400 may, in the Director's discretion, be addressed with facility-specific license terms. Only facilities housing at least three (3) or more species or encompassing display or exhibit areas larger than one (1) acre will qualify for this consideration. (3-18-22)

01. Animal Display and Security. Any cage or enclosure shall be of such structure or type of construction to prevent escape of the captive wildlife, or damage to native wildlife through habitat degradation, genetic contamination, competition, or disease. In identifying facility-specific license terms, the Department may refer to standards such as those set by the American Zoological Association for cage, open space, shelter, enclosure, and display in a natural-appearing environment and in such a way as to preserve animal dignity. Terms may include, but are not limited to, fence specifications, electric fence specifications, pits or moats, buried fencing, and display features to enhance appreciation for the species and its natural history. (3-18-22)

02 Application. Application for a large commercial wildlife facility license will generally meet the requirements of Subsection 400.04, and will identify the veterinarian of record for the facility. (3-18-22)

03. Bond. The Department will require, as a license condition, any large commercial wildlife facility to provide a bond to the Department in the amount of fifty thousand dollars (\$50,000), or an amount equal to ten percent (10%) of the total facility construction cost plus two thousand dollars (\$2,000) per animal, whichever is greater, executed by a qualified surety duly authorized to do business in the state of Idaho, to guarantee performance of license conditions and to reimburse the Department for any costs incurred for clean up of abandoned or closed facilities, removal of animals from abandoned or closed facilities, capture or termination of escaped animals, or disease control. With prior approval, the applicant may instead submit a cash bond to the Department including, but not limited to, certificates of deposit, registered checks, certified funds, and money orders. (3-18-22)

04. Specific Requirements. The Director has discretion to identify specific license conditions, and violation of any such condition is a violation of these rules. (3-18-22)

411. HUMANE TREATMENT OF CAPTIVE WILDLIFE

01. Humane Treatment. All captive wildlife must be handled in a humane manner and in a manner to prevent parasites, sickness, or disease, including but not limited to the following actions: (3-31-22)

a. Any captive wildlife afflicted with parasites or disease is immediately given professional medical attention or destroyed in a humane manner. Any infected or injured animal infected is removed from public display. (3-31-22)

b. Any captive wildlife is fed on a regular schedule. Food is adequate and varied and so far as possible, consistent with food ordinarily eaten by such animals. Food is of good quality and stores of same are kept in suitable containers with tight fitting covers so as to render it inaccessible to rats, flies, or other vermin. (3-31-22)

i. The public is not allowed to feed any captive wildlife. Proper signs are conspicuously posted on cages or enclosures advising the public to refrain from feeding or annoying the birds or animals. (3-31-22)

c. Fresh or running water for drinking purposes is available in cages or enclosures at all times, and is kept clean and in a sanitary condition. (3-31-22)

d. Any animals with a propensity to fight or which are otherwise incompatible are kept segregated. (3-31-22)

e. At no time is any wildlife held for public display or exhibition chained or otherwise tethered to any stake, post, tree, building, or other anchorage, except for raptors as provided by IDAPA 13.01.14, "Rules Governing Falconry." (3-31-22)

02. Documentation. At least once a year and otherwise on demand, the owner or possessor of any

captive wildlife held under Department permit must provide to the Department a certificate from a licensed veterinarian, on a form as prescribed by the Department, stating the physical condition or health of each animal in captivity. The permittee must maintain a complete record of illness, treatment and disposition for each permitted animal and make such record available to the Department upon request. (3-31-22)

412. RESPONSIBILITY OF POSSESSOR OF CAPTIVE WILDLIFE.

Any person possessing live wildlife in captivity shall be responsible for the care of the wildlife in possession and the protection of the public, and liable for the expense of capture or destruction of any escaped wildlife, including any costs incurred by the Department. The Department makes no representation concerning public safety of any licensed captive wildlife or facility. (3-31-22)

413. – 499. (RESERVED)

500. SHOOTING PRESERVE RULES.

01. Shooting Preserves. No person may operate a shooting preserve without a permit from the Department. (3-31-22)

02. Applications. Application for a shooting preserve license will be on a form prescribed by the Department. (3-31-22)

03. License Vendorship. No person may operate a shooting preserve unless the operator has a vendorship contract with the Department and maintains a supply of shooting preserve hunting licenses for issuance to clients of the preserve. (3-31-22)

04. Species Permitted. Only those species of upland game birds specified on the permit may be held or released on the shooting preserve. (3-31-22)

05. Disease Free Birds. No person may ship upland game birds into Idaho for release on a shooting preserve unless they are certified free from disease as evidenced by a written statement by a licensed veterinarian. (3-31-22)

06. Holding Facilities. The provisions of Subsection 400.08 of these rules pertaining to bird enclosures apply to all rearing pens, holding pens, and other rearing or holding facilities. (3-31-22)

07. Habitat Requirements. No shooting preserve permit will be issued except upon verification by the Department that the proposed area has suitable habitat to provide food and cover for birds released for hunting purposes. The Department will provide technical advice to the applicant in developing proper habitat needs for the various species permitted under the shooting preserve license. (3-31-22)

08. Inspection. As a condition to any shooting preserve permit, the Department will have reasonable access to the premises of any authorized shooting preserve for the purpose of inspecting rearing, holding, and storage facilities, licenses, hunters' bag limits, and records pertaining to the operation of said shooting preserve. (3-31-22)

501. – 599. (RESERVED)

600. CAPTIVE WOLVES.

01. Definitions – Primary Wolf Characteristics. (3-31-22)

a. Eyes shine greenish orange; (3-31-22)

b. Ears rounded and smaller in proportion to those of the coyote; (3-31-22)

c. Snout is broad with nose pad wider than one (1) inch; (3-31-22)

d. Legs are long, an adult would stand at approximately twenty-six (26) to thirty-two (32) inches at

the shoulder; (3-31-22)

- e.** Length is four and one-half (4.5) to six (6) feet from the tip of the nose to the tip of the tail; (3-31-22)
- f.** An adult weighs at least eighty (80) pounds; (3-31-22)
- g.** Tail is carried high or straight out when running; (3-31-22)
- h.** Fur is long and coarse, varies from white to black but is generally grayish in coloration resembling the coyote. The underparts are not as white and the legs and feet are not as red as those of the coyote. (3-31-22)

02. License and Tattoos. No person may possess a live wolf or other canine exhibiting primary wolf characteristics without proper identification (tattoo) and a license from the Department, to be obtained within three (3) days of commencing possession of a live wolf or other canine exhibiting primary wolf characteristics. Application for license will be on a form prescribed by the Department. (3-31-22)

- a.** Proper tattoo consists of placement of a three (3) digit number, as assigned by the Department, on the right flank or inside of the right ear by a qualified veterinarian. Animals do not require tattooing until the age of six (6) months. The applicant will provide written confirmation of tattooing from the veterinarian. (3-31-22)
- b.** Each wolf license is valid from January 1 through December 31, and renewal is needed each year to continue to possess the animal. (3-31-22)

601. – 699. (RESERVED)

700. VIOLATION GROUNDS FOR LICENSING ACTION AND ANIMAL REMOVAL.

The Department may give written notice of violation(s) to any person, with a permit or license under this chapter, who is violation of Chapter 7 of Title 36, Idaho Code or these rules, and that person will then have ten (10) days to correct such violation(s). If at the end of that time the violation is not corrected, the Department may revoke any existing permit or license and may refuse to issue any future permit. Such revocation or refusal to issue a future permit may be in addition to any criminal charges or civil action that may be filed. All animals held under said license or permit so revoked or held without appropriate license or permit will be removed at owner's expense, with disposition as determined by the Department. (3-31-22)

701. – 999. (RESERVED)