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October 18, 2019

Ms. Jacqueline Cowan
Arkansas Secretary of State, Rules & Regulation Filing
500 Woodlane Drive, Room 26
Little Rock, AR 72201
Via email only: register@sos.arkansas.gov

RE: Legal Notice for Proposed Rules or Regulations – November 2019 meeting

Dear Ms. Cowan:

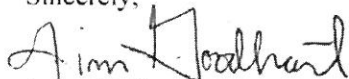
Attached please find for filing and immediate publication on the Secretary of State's website the following:

Legal Notice for upcoming Commission Meetings to be held on November 20-21, 2019, which will run in the Arkansas Democrat-Gazette on October 20, 21, 22, 2019.

Attached is the referenced Captive Wildlife regulation proposal that will be reviewed by the Commission at the upcoming meeting.

Should you have any questions or comments concerning this filing, please do not hesitate to contact me at (501) 223-6327 at your convenience.

Sincerely,


James F. Goodhart
General Counsel

Cc: Ms. Barbara Brown, Bureau of Legislative Research
brownb@blr.arkansas.gov

2 Natural Resources Drive • Little Rock, AR 72205 • www.agfc.com
Phone (800) 364-4263 • (501) 223-6300 • Fax (501) 223-6448

The Arkansas Game and Fish Commission's mission is to conserve and enhance Arkansas's fish and wildlife and their habitats while promoting sustainable use, public understanding and support.

LEGAL NOTICE

The regular monthly meeting of the Arkansas Game and Fish Commission will be held beginning at 9:00 a.m. Thursday, November 21, 2019, at the Riceland Auditorium at the Grand Prairie Center, 2709 Hwy. 165 South, Stuttgart, AR 72160. At that time, regulations and business pertaining to the operation of the Game and Fish Commission and other fiscal and administrative matters will be considered and acted upon, and all interested persons are invited to attend. Additionally, Committee meetings attended by Commissioners and agency staff members will be held throughout the day on Wednesday, November 20, 2019, beginning at 9:00 a.m. at the same location, and all interested persons are invited to attend.

Items on the agenda for the November 21, 2019, meeting will include discussion of proposed regulations that previously were considered at the October 16 and 17, 2019, Commission Meetings, plus consideration of various Hunting and Fishing Regulations and regulations pertaining to the Enforcement Division of the Arkansas Game and Fish Commission, including but not limited to:

Captive Wildlife Regulations – Amend existing and adopt new captive wildlife regulations including, but not limited to:

- Add approximately 30 mammal species (including zebras (3 species), water buffalo, addax, brindled gnu, gaur, gerenuk, Himalayan tahr goat, impala, tamarin monkeys (18 species), black-tufted marmoset and Geoffroy's marmoset) to Addendum R1.02 -- Permitted Captive Wildlife Species List to enable breeding, sale, and import of these species in accordance with applicable permits;
- Add approximately 34 mammal species (including capybara, nilgai, aoudad sheep, oryx (4 species), kudu (2 species), lechwe, ibex (9 species), jaguar, leopard, snow leopard, hippopotamus (5 species) warthog (2 species) and rhinoceros (5 species)) to Addendum R1.03 -- Prohibited Captive Wildlife Species List to prohibit breeding, sale, or importation of these species;
- Add a disease testing requirement in Addendum F1.04 – Wildlife Importation Permit Requirements for brindled gnu; and
- Add certain species (including capybara, nilgai, aoudad sheep, oryx, kudu, lechwe, ibex, jaguar, leopard, snow leopard, hippopotamus, warthog and rhinoceros) to Addendum F1.03 – Wildlife Breeder/Dealer Permit Requirements for prohibiting the sale of these species to only persons who possess a current Wildlife Breeder/Dealer Permit for the respective species or to buyers outside of Arkansas.

All persons wishing to be heard on these subjects should submit comments in writing to this office before the start of the November 21, 2019, meeting (preferably by 4:30 p.m. on the day before). Any request to make an oral presentation at the meeting should be submitted in writing to this office on or before November 8, 2019. Copies of any proposed rules or regulations may be obtained at the Arkansas Game and Fish Commission main office, at www.agfc.com, or through a written request mailed to the address below.

PAT FITTS, DIRECTOR
Arkansas Game & Fish Commission

Game & Fish Commission Building
2 Natural Resources Drive
Little Rock, Arkansas 72205

Summary of Proposed Captive Wildlife Regulation Changes

Recommended Change 1: Add 30 mammal species, with some included in genus or multispecies level reviews, to Addendum R1.02 -- Permitted Captive Wildlife Species List (see page X) that upon staff review appear to pose a moderate but manageable risk to human health and safety, native fish and wildlife health or populations, or agriculture such that they warrant further restriction or oversight. The proposed species include: zebras (3 species), water buffalo, addax, brindled gnu, gaur, gerenuk, Himalayan tahr goat, impala, tamarin monkeys (18 species), black-tufted marmoset and Geoffroy's marmoset. Species listed in Addendum R1.02 -- Permitted Captive Wildlife Species List must have permits for importation, breeding and sale. It is recommended that breeding, sale, and import of this species be done in accordance with applicable permits.

Code Change: Addendum R1.02 (pg. 3-4)

Recommended Change 2: Add a disease testing requirement in Addendum F1.04 -- Wildlife Importation Permit Requirements for brindled gnu which is being proposed to be permitted for importation, breeding and sale. The brindled gnu is a wildebeest which carries a virus called Alcelaphine herpesvirus-1. This virus is shed most by young animals up to 4 months of age, but once infected, wildebeest carry the virus indefinitely. This virus is generally asymptomatic in the reservoir hosts but can cause severe disease (Malignant Catarrhal Fever) in livestock and deer. Prevalence of this virus appears to vary between wild and captive populations. The recommended test is available at the USDA-APHIS National Veterinary Services Laboratory and is very cost effective. This test is commonly used by zoos prior to animal movement to prevent the introduction of this disease into their herds.

Code Change: Addendum F1.04 (pg. 5)

Recommended Change 3: Add 34 mammal species, with some included in genus or multispecies level reviews, to Addendum F1.03 Addendum R1.03 -- Prohibited Captive Wildlife Species List to prohibit the breeding, sale or importation of these species. Evaluation by Commission staff determined these species to be high risk for threats to native wildlife due to their potential to become established in Arkansas, parasites and/or pathogens they are known to carry, capacity to inflict injury or cause death and/or potential damage to agriculture. The proposed species include: capybara, nilgai, aoudad sheep, oryx (4 species), kudu (2 species), lechwe, ibex (9 species), jaguar, leopard, snow leopard, hippopotamus (5 species) warthog (2 species) and rhinoceros (5 species). Currently, there are permitted Wildlife Breeder/Dealers authorized to import, breed and sell these species. The proposed regulation change will allow facilities permitted before November 21, 2019, to continue to breed these species and sale to only existing permit holders or out of state. No new permits will be issued for these species.

Code Change: Addendum R1.03 (pg. 6)

Recommended Change 4: Add capybara, nilgai, aoudad sheep, oryx, kudu, lechwe, ibex, jaguar, leopard, snow leopard, hippopotamus, warthog and rhinoceros to Addendum F1.03 for the purpose of prohibiting the sale of these species to only persons who possess a current Wildlife Breeder/Dealer Permit for the respective species or to buyers outside of Arkansas. Staff are proposing in Recommended Change 3 to add these species to the list of prohibited captive wildlife species. Currently, there are permitted Wildlife Breeder/Dealers authorized to import, breed and

sell these species. The proposed regulation change will allow facilities permitted before November 21, 2019, to continue to breed these species and sale to only existing permit holders or out of state. No new permits will be issued for these species.

Code Change: Addendum F1.03 (pg. 7)

Recommended Change 5: Authorize the Director to extend current Wildlife Breeder/Dealer and Wildlife Importation permits for an additional 92 days through December 31, 2019. The Commission approved an extension of 90 days from the permit expiration date of June 30, 2019, for those permittees authorized to import, breed or sell certain mammal species. Those species include zebra, water buffalo, addax, aoudad sheep, brindled gnu, gaur, oryx, capybara, leopard, jaguar, hippopotamus, warthogs, rhinoceros, gerenuk, Himalayan tahr goat, impala, kudu, lechwe, ibex and nilgai. The initial extension allowed staff additional time to finalize species evaluations for these mammal species. The additional 92 days is needed to submit proposed regulations concerning the species to the Commission for approval, and then consider each permit holder's 2019-20 application for permit renewal. There are approximately 7 facilities that would need to be issued the additional time extension. Commission regulation in AGFC Code Addendum D1.01 -- Licenses, Permits, Stamps, Tags, Costs, And Expiration Dates establishes the end dates of these annual permits as June 30 of each year.

Affected Codes

ARKANSAS REGISTER

Proposed Rule Cover Sheet



Secretary of State
John Thurston
500 Woodlane, Suite 026
Little Rock, Arkansas 72201-1094
(501) 682-5070
www.sos.arkansas.gov



Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal

Other Subdivision or Department, If Applicable Wildlife Management Division

Previous Agency Name, If Applicable NA

Contact Person April M. Soman

Contact E-mail April.Soman@agfc.ar.gov

Contact Phone 501-978-7311

Name of Rule R1.02 Permitted Captive Wildlife Species List

Newspaper Name Arkansas Democrat Gazette

Date of Publishing September 15, 2019 and October 20, 2019

Final Date for Public Comment November 21, 2019

Location and Time of Public Meeting Riceland Auditorium at the Grand Prairie Center, 2709 Hwy. 165 South, Stuttgart, AR 72160 at 9:00 a.m.

R1.02 -- Permitted Captive Wildlife Species List

A. Permits for breeding, sale, and importation may be issued for the following species in accordance with Codes 09.07 (Wildlife Breeder/Dealer Permit Required) and 09.10 (Wildlife Importation Permit Required):

1. Red-necked (Bennet's) wallaby (*Macropus rufogriseus*)
2. African Dwarf Aquatic Frog (*Hymenochirus boettgeri*)
3. Boa Constrictor (*Boa constrictor*)
4. Horned Frog, Pacman Frog (*Ceratophrys spp.*)
5. Moccasins (*Agkistrodon spp.*)
6. Pygmy Rattlesnakes (*Sistrurus spp.*)
7. Rattlesnakes (*Crotalus spp.*)
8. Shield-nosed Cobras (*Genus Aspidelaps*)
9. Cobras (*Genus Naja*)
10. King Cobras (*Genus Ophiophagus*)
11. Tree Cobras (*Genus Pseudohaje*)
12. Desert Cobras (*Genus Walterinnesia*)
13. African Bush Vipers (*Genera Atheris, Proatheris*)
14. Boomslangs (*Genus Dispholidus*)
15. Eurasian/ American Elapid Snakes (*Genera Boulengerina, Bungarus, Calliophis, Dendroaspis, Hemibungarus, Micruroides, Micrurus, Sinomicrurus spp.*)
16. Terrestrial Papuaustralian Elapids (*Genera Notechis, Oxyuranus, Pseudonaja, Pseudechis, Vermicella spp.*)
17. Sea Snakes (*Genera Acalyptophis, Aipysurus, Astrotia, Emydocephalus, Enhydrina, Ephalophis, Hydrelaps, Hydrophis, Kerilia, Kolpophis, Lapemis, Laticauda, Parahydrophis, Pelamis, Praescutata, Thalassophis spp.*)
18. Southeast Asian Vipers (*Azemiops spp.*)
19. Pitvipers (*Genera Calloselasma, Gloydus, Protobothrops, Deinagkistrodon, Hypnale, Ovophis, Trimeresurus, Tropicolaemus, Atropoides, Bothriechis spp.*)
20. African Vipers (*Genus Bitis*)
21. Palaearctic Vipers (*Genus Vipera*)
22. Firebelly Toads (*Genus Bombina*)
23. African Bullfrogs (*Genus Pyxicephalus*)
24. Elands (*Genus Taurotragus*)
25. Nyala (*Tragelaphus angasii*)
26. Sable antelope (*Hippotragus niger*)
27. Waterbuck (*Kobus ellipsiprymnus*)
28. Steenbok (*Raphicerus campestris*)
29. Red Kangaroo (*Macropus rufus*)
30. Serval (*Leptailurus serval*)
31. Caracal (*Caracal caracal*)
32. Patagonian cavy (*Dolichotis patagonum*)
33. European hedgehog (*Erinaceus europaeus*)
34. Ring-tailed coati (*Nasua nasua*)
35. Geoffroy's Cat (*Leopardus geoffroyi*)

36. North American Porcupine (*Erethizon dorsatum*)
37. Old World Porcupines (Subgenus *Hystrix*)
38. Eurasian Lynx (*Lynx lynx*)
39. Giraffe (*Giraffa camelopardalis*)
40. Hyenas (Family *Hyaenidae*)
41. Tamandua (Genus *Tamandua*)
42. Common degu (*Octodon degus*)
43. Cairo spiny mouse (*Acomys cahirinus*)
44. Capuchin monkeys (Subfamily *Cebinae*)
45. Common marmoset (*Callithrix jacchus*)
46. Alexandrine Parakeet (*Psittacula eupatria*)
47. Rose-ringed (Ring-necked) Parakeet (*Psittacula krameri*)
48. Monk Parakeet (Quaker Parrot) (*Myiopsitta monachus*)
49. Zebra (*Equus grevyi*, *E. quagga*, *E. zebra*)
50. Water Buffalo (*Bubalus bubalis*)
51. Addax (*Addax nasomaculatus*)
52. Brindled gnu (*Connochaetes taurinus*)
53. Gaur (*Bos gaurus*)
54. Gerenuk (*Litocranius walleri*)
55. Himalayan tahr goat (*Hemitragus jemlahicus*)
56. Impala (*Aepyceros melampus*)
57. Tamarin monkeys (Genus *Saguinus*)
58. Black-tufted marmoset (*Callithrix penicillata*)
59. Geoffroy's or white-headed marmoset (*Callithrix geoffroyi*)
60. All native species of wildlife not listed in Addendum R1.01 (listing species for which the permits are not necessary) or R1.03 (listing species for which permits will not be issued).
61. Any other unlisted species upon evaluation and determination by the Commission that the species does not pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, and that can be safely confined in a humane manner.

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Proposed Rule Cover Sheet

Secretary of State

John Thurston

500 Woodlane, Suite 026

Little Rock, Arkansas 72201-1094

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Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal

Other Subdivision or Department, If Applicable Wildlife Management Division

Previous Agency Name, If Applicable NA

Contact Person April M. Soman

Contact E-mail April.Soman@agfc.ar.gov

Contact Phone 501-978-7311

Name of Rule F1.04 Wildlife Importation Permit Requirements

Newspaper Name Arkansas Democrat Gazette

Date of Publishing September 15, 2019 and October 20, 2019

Final Date for Public Comment November 21, 2019

Location and Time of Public Meeting Riceland Auditorium at the Grand Prairie Center, 2709 Hwy. 165 South,
Stuttgart, AR 72160 at 9:00 a.m.

F1.04 -- Wildlife Importation Permit Requirements

A. Eligibility and Application Requirements:

1. The applicant must be at least 18 years old and shall not have been convicted of, or entered a plea of guilty or nolo contendere for, violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals within five years of the application date.
2. The applicant shall submit a written application (available from the Commission) for each facility to be permitted.

B. The requested permit shall be denied if:

1. The applicant fails to meet any of the issuance criteria set forth in this addendum chapter;
2. The applicant fails to disclose material information required, makes false statements as to any material fact in connection with the application, or supplies false information or makes a false statement on the application;
3. The Commission finds, through further inquiry or investigation, the issuance of the permit may be potentially harmful to the wildlife resources of the State.

C. Permit Requirements:

1. Wildlife Importation Permit holders may import wildlife into or transport wildlife through the State under the following conditions provided that, prior to transportation, the permit holder possesses the following documentation:
 - i. Written proof of the origin and destination of each animal.
 - ii. Documentation for each animal to demonstrate they have not been kept in, or originated from, a location from which importation has been restricted in accordance with Code 09.11.
 - iii. A completed state or federal certificate of veterinary inspection form upon which an accredited veterinarian has certified each animal to be free of diseases/parasites. Animals other than cervids originating within Arkansas and that are taken from the state for less than 30 days may re-enter the state without the need for a veterinary exam.
2. The Wildlife Importation Permit and issued documentation required in Addendum F1.04(C)(1) must accompany each animal during transport.
 - i. All documentation required in Addendum F1.04(C)(1) shall be submitted by the permit holder to the Commission's Wildlife Management Division within 7 days of the permitted importation.
 - ii. Failure to comply may result in suspension or revocation of any existing permit held by the violator and denial of any future permits. Additionally, criminal charges may be filed.

D. Disease Testing:

1. Prior to importation, brindled gnu (*Connochaetes taurine*) must test negative for Alcelaphine herpesvirus-1 by virus neutralization, or other serologic test as recommended by the U.S. Department of Agriculture's National Veterinary Services Laboratory, within 30 days of import and evidence of such testing must be documented in accordance with F1.04(c)1.

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Agency or Division Name Legal

Other Subdivision or Department, If Applicable Wildlife Management Division

Previous Agency Name, If Applicable NA

Contact Person April M. Soman

Contact E-mail April.Soman@agfc.ar.gov

Contact Phone 501-978-7311

Name of Rule R1.03 Prohibited Captive Wildlife Species List

Newspaper Name Arkansas Democrat Gazette

Date of Publishing September 15, 2019 and October 20, 2019

Final Date for Public Comment November 21, 2019

Location and Time of Public Meeting Riceland Auditorium at the Grand Prairie Center, 2709 Hwy. 165 South,
Stuttgart, AR 72160 at 9:00 a.m.

R1.03 -- Prohibited Captive Wildlife Species List

A. The Commission will not issue permits for breeding, sale, or importation of the following species other than in accordance with the exceptions listed in Codes 09.07, 09.10, 09.11, and Addendum F1.03 (possession of some species may be allowed in accordance with Codes 09.02, 09.05, 09.13, and 09.14):

1. Apes
2. Baboons (Genus *Papio*)
3. Bats (Order Chiroptera)
4. Box turtles (Genus *Terrapene*)
5. Cervids (Family Cervidae)
6. Coyotes that originate from or have lived in Alaska, Idaho, Illinois, Indiana, Iowa, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, South Dakota, Texas, Wisconsin, Wyoming, or Canada
7. Foxes (*Urocyon cinereoargenteus* and *Vulpes vulpes*) that originate or have lived in Alaska, Arizona, Idaho, Illinois, Indiana, Iowa, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New York, North Dakota, Ohio, South Dakota, Texas, Vermont, Wisconsin, Wyoming, or Canada
8. Large carnivores
9. Macaques (Genus *Macaca*)
10. Mountain lions (*Puma concolor*)
11. Raccoon (*Procyon lotor*)
12. Rodents (Order Rodentia) captured in the wild from Arizona, California, Colorado, Idaho, Montana, Nebraska, Nevada, North Dakota, Oklahoma, Oregon, Texas, Utah, or Wyoming
13. Skunks (Genus *Mephitis* and *Spilogale*)
14. Waterfowl (except for the importation of hatching eggs or waterfowl acquired from a Commission-permitted Wildlife Breeder/Dealer)
15. Blackbuck antelope (*Antilope cervicapra*) (possession of these animals and their offspring is restricted to only those facilities permitted before February 20, 2019)
16. Black-tailed prairie dogs (*Cynomys ludovicianus*) (possession of these animals and their offspring is restricted to only those facilities permitted before February 20, 2019)
17. Capybara (*Hydrochoerus hydrochaeris*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
18. Nilgai (*Boselaphus tragocamelus*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
19. Aoudad Sheep (*Ammotragus lervia*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
20. Oryx (Genus *Oryx*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
21. Kudu (*Tragelaphus* spp.) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)

22. Lechwe (*Kobus leche*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
23. Ibex (*Capra spp.*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
24. Jaguar (*Panthera onca*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
25. Leopard (*Panthera pardus*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
26. Snow Leopard (*Panthera uncia*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
27. Hippopotamus (*Hippopotamus amphibious*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
28. Warthog (Genus *Phacochoerus*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)
29. Rhinoceros (Family *Rhinocerotidae*) (possession of these animals and their offspring is restricted to only those facilities permitted before November 21, 2019)

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Name of Department Arkansas Game and Fish Commission

Agency or Division Name Legal

Other Subdivision or Department, If Applicable Wildlife Management Division

Previous Agency Name, If Applicable NA

Contact Person April M. Soman

Contact E-mail April.Soman@agfc.ar.gov

Contact Phone 501-978-7311

Name of Rule F1.03 Wildlife Breeder/Dealer Permit Requirements

Newspaper Name Arkansas Democrat Gazette

Date of Publishing September 15, 2019 and October 20, 2019

Final Date for Public Comment November 21, 2019

Location and Time of Public Meeting Riceland Auditorium at the Grand Prairie Center, 2709 Hwy. 165 South,
Stuttgart, AR 72160 at 9:00 a.m.

F1.03 -- Wildlife Breeder/Dealer Permit Requirements

- A. Wildlife Breeder/Dealer Permits may be issued to applicants complying with the following requirements:
1. The applicant must be at least 18 years old and shall not have been convicted of, or entered a plea of guilty or nolo contendere for, violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals within five years of the application date.
 2. The applicant shall provide to the Commission, in writing, proof from the county judge or sheriff and any municipal planning commission or board with jurisdiction, stating that the applicant's facility shall be in compliance with all local ordinances; and
 3. The applicant shall submit a written application (available from the Commission) for each facility to be permitted.
- B. The requested permit shall be denied if:
1. The applicant fails to meet any of the issuance criteria set forth in this addendum chapter;
 2. The applicant fails to disclose material information required, or makes false statements as to any material fact in connection with the application, or supplies false information or makes a false statement on the application;
 3. The Commission finds, through further inquiry or investigation, the issuance of the permit may pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, or the proposed species cannot be safely confined in a humane manner.
 4. The applicant is seeking to permit a new facility for the rearing, breeding, propagating, or distributing of large carnivores, mountain lions, or any member of the Cervidae family.
 5. The applicant is seeking to permit a facility for a species listed in Addendum R1.03. However, the Director (or designee) may issue a permit for a species not listed in Addenda R1.02 or R1.03 should an evaluation by Commission staff determine the species does not pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture and can be safely confined in a humane manner.
 6. The applicant is seeking a Wildlife Breeder/Dealer Permit for waterfowl on properties where poultry is raised for sale, show, or exhibition.
- C. Permit Requirements:
1. The applicant shall supply satisfactory evidence stock has been/will be secured from a legal source.
 2. Stock may be slaughtered in accordance with established husbandry practices for slaughter of domestic livestock. Purchasers of dressed game birds slaughtered at Wildlife Breeder/Dealer facility shall be issued by a permit holder a receipt with the name and address of the facility, date of sale, name of purchaser, and the number of and species of dress birds sold.
 3. Fencing of enclosures in which deer, elk or other big game animals are to be held shall consist of a permanent deer-proof fence at least 8 feet tall and constructed in

a manner that prohibits escape of captive wildlife and prohibits entry of native wildlife.

4. Waterfowl hatched in wildlife breeder/dealer facilities shall be banded with a seamless metal band.
5. Wildlife Breeder/Dealer Permit holders for cervids, blackbuck antelope, ~~and~~ black-tailed prairie dogs, capybara, nilgai, aoudad sheep, kudu, lechwe, ibex, jaguar, leopard, snow leopard, hippopotamus, warthog and rhinoceros shall only sell individuals of those species to Arkansas residents who possess a current Wildlife Breeder/Dealer Permit for the respective species or to buyers outside of Arkansas. Additionally, Wildlife Breeder/Dealer Permit holders for cervids may sell cervids to Arkansas residents who possess a current Commercial Wildlife Hunting Resort Permit for cervids.
6. Live bobwhite quail sold to Arkansas residents who do not possess a Wildlife Breeder/Dealer Permit or Game Bird Shooting Resort Permit must be banded by the permit holder.
7. Rearing, breeding, propagating, producing or distributing primates shall not be permitted except facilities accredited by the Zoological Association of America.
8. A Wildlife Breeder/Dealer Permit holder is prohibited from moving cervids out of the permitted facility upon written notice by the Commission that a sample taken from a cervid within 25 miles of the facility tested positive for CWD.

D. Reporting and Record-keeping Requirements:

1. Legible records of all wildlife acquisitions and dispositions, including births, deaths, sales, slaughter and transport, shall be kept.
2. Records shall include evidence of legal possession of all wildlife kept under the permit, including licenses, bills of sale, bills of lading, receipts, invoices or other satisfactory evidence of ownership. Records shall include date of acquisition, place of origin, and the name, address and telephone number of the person from whom the wildlife was acquired.
3. Records of sale shall include the name, address and telephone number of the person to whom the wildlife was sold, and the number of each species sold to each person.
4. Records must be retained throughout the time the wildlife is possessed by the permittee or for five years, whichever is longer.
5. Holders of Wildlife Breeder/Dealer Permits shall submit legible, complete quarterly reports (forms available from the Commission) of their inventory and any births, deaths, sales, purchases of wildlife or returned legally owned wildlife originating in Arkansas that has been out of the state for less than 30 days by the fifth day of the following months: March, June, September, and December.
6. Wildlife Breeder/Dealer Permit holders who possess cervids in facilities larger than 25 acres where the animals are allowed free range may report an estimated inventory number based on a Commission-approved survey technique.
7. Stock shall only be acquired from either a Commission-permitted Wildlife Breeder/Dealer or have been brought into the state in accordance with a Commission Wildlife Importation Permit. Permits will not be issued to and existing permits may be revoked for facilities that have acquired stock by any other method except for stock in possession, and not otherwise prohibited by this

Code, for which an application was submitted to the Commission by July 1, 2020, and approved.

8. The Commission shall be notified within 24 hours of the escape of any animals from the facility.

E. Disease Testing and Control:

1. The director of the Commission, in consultation with the director of the Arkansas Livestock and Poultry Commission, or their designees, shall determine mechanisms and procedures for control of diseases and parasites in captive wildlife within Arkansas. Such mechanisms and procedures shall include, but not be limited to, examination, testing, quarantine and slaughter or destruction of individual animals and/or herds or flocks that are, or in the opinion of the Commission may be, infected with a disease or parasite that may have significant detrimental effect on native wildlife, other captive wildlife, livestock or the public health of the citizens of Arkansas.
2. Examinations, testing, quarantine and slaughter of captive wildlife shall be conducted at the expense of the owner. As a condition of any permit issued under this addendum chapter, the Commission may require the captive wildlife be quarantined for a period specified by the Commission.
3. All Cervids that die in captivity must be tested for chronic wasting disease. Copies of test results shall be forwarded to the Commission within seven days of receipt.
4. Captive Cervid facilities must be in compliance with all Arkansas Livestock and Poultry Commission requirements.
5. Permitted Wildlife Breeder/Dealer facilities in which birds are kept are required to adhere to Arkansas Livestock and Poultry Commission requirements regarding pullorum-typhoid disease tests and are encouraged to participate in the National Poultry Improvement Plan.
6. Each Wildlife Breeder/Dealer facility where waterfowl are kept is required to test 60 birds for duck virus enteritis using the PCR technique every May. Facilities containing less than 60 birds shall test all birds in stock. Samples shall be taken by a licensed veterinarian and submitted to the Arkansas Livestock and Poultry Commission at the owner's expense. Copies of test results shall be forwarded to the Commission within seven days of receipt.
7. Flocks testing positive for duck virus enteritis shall be quarantined or destroyed by the owner or operator within 14 days and the carcasses disposed of in accordance with Arkansas Livestock and Poultry Commission regulations.

F. Facility and Caging Requirements:

All wildlife possessed under a Wildlife Breeder/Dealer Permit in Arkansas shall be maintained in a permanent enclosure, pen, or cage strong enough to prevent escape of the wildlife and protect them from injury. All wildlife shall be maintained in humane and healthy conditions. Birds must be kept in buildings or covered pens that prevent escape and that do not allow entry of wild birds. Enclosures shall be kept in good repair at all times and gates shall be securely fastened with latches or locks. Enclosures, pens or cages considered unsafe by Commission personnel must be repaired or reconstructed within 10 days or as specified by the Commission.

1. Facilities containing large carnivores and mountain lions shall meet the following requirements:
 - i. A written plan of action shall be prepared and a copy submitted with permit application for use in the following events: Severe damage to enclosures from fire, wind, floods or other natural forces; animals attacking and/or injuring humans, and animals escaping enclosures. Plans should identify the location of temporary holding facilities and necessary mechanisms to safely transport large carnivores to these facilities. Recapture plans shall outline procedures for handling and recapturing escaped large carnivores. Plans should include a list of safety equipment which shall be available for use. The Commission shall immediately be notified upon the escape of any large carnivores or mountain lions. In the event of sickness, the name, address, phone number, and signature of the veterinarian who has agreed to care for the animal shall be provided.
 - ii. A perimeter fence sufficient to deter entry by the public, at least 8 feet tall shall completely surround cages where animals are housed or exercised outdoors. Perimeter fences that allow objects to be passed through them, such as chain link or welded wire, shall be at least 3 feet from cages or exercise areas.
 - iii. Warning signs must be posted at the entrance to the property.
 - iv. All cages or enclosures shall be equipped with an entrance or device that allows a keeper to enter or exit a cage without providing an avenue of escape to an animal (such as a double-gated entry door, interconnected cages that can be isolated from each other, a lock-down area, or other comparable device). Safety entrances shall be constructed of materials of equivalent strength as those prescribed for cage construction. Doors or gates in perimeter fences shall be locked when unattended.
 - v. Cages shall be equipped with a lockout area that allows the keeper access while the animal is contained in a separate area.
 - vi. Cages shall be well braced and securely anchored at ground level to prevent escape by digging or erosion. The fasteners and fittings used in construction shall be of equivalent strength to the material required for cage construction.
 - vii. In facilities containing tigers, African lions and bears cage construction materials shall consist of at least 9-gauge chain link or equivalent materials. In facilities containing mountain lions, cage construction materials shall consist of at least 11-gauge chain link or equivalent materials. Juvenile animals may be kept in incubation or rearing facilities not meeting these standards until they weigh more than 25 pounds.
 - viii. Cages containing a single African lion, tiger or bear shall have a cage floor at least 300 square feet and shall be at least 8 feet tall. For each additional animal the cage size shall be increased 100 square feet.
 - ix. Cages containing a single mountain lion shall have a cage floor at least 200 square feet and shall be at least 8 feet tall. For each additional animal the cage size shall be increased 100 square feet.

- x. Large carnivores and mountain lions may temporarily be housed in cages or enclosures smaller than specified in this chapter while being transported, while in veterinary care or while being quarantined provided temporary caging is large enough for the animal to stand up, lie down and turn around without touching the sides of the enclosure or another animal.
 - xi. Open-top outdoor exercise areas are allowed providing they have vertical walls at least 12 feet tall, topped by either: an inward-angled overhang at an angle between 35 and 55 degrees, which is at least 2 feet long and of equal strength as the cage walls; or, two strands of electric fencing, one of which is 1 foot below the top of the vertical wall, and the other at the top of the wall or the upper 3 feet of the interior of the fence consists of sheer, solid metal. Animals may not be left in exercise areas overnight.
 - xii. Permit holders whose facility, including enclosures, pens and cages, is not in compliance with this Commission Addendum Chapter shall be notified in writing and shall have 10 days to correct the violation.
 - xiii. If the violation has not been corrected in 10 days of notification, the Commission may revoke any existing permit and may refuse to issue any future permit. Such revocation or refusal to issue a future permit shall be in addition to any criminal charges that may be filed.
2. Facilities containing medically significant venomous reptiles shall meet the requirements in Addendum F1.08.

G. Inspection:

1. Any person issued a Wildlife Breeder/Dealer Permit shall allow entry, at any reasonable hour, to Commission employees or their agents to inspect any wildlife and/or facilities kept under authority of the permit.
2. Each permittee shall pen the captive wildlife in suitable pens and restrain them for inspection, at a reasonable time, when requested to do so by the employee or agent.

H. Renewal, Transfer, Suspension and Revocation:

1. Permits may be revoked for failure to comply with the terms of the permit or with the terms of this Commission Addendum Chapter.
2. Persons in violation of the terms of this permit, violation of the Commission Addendum, or upon conviction of associated regulations of the U.S. Fish and Wildlife Service, shall be notified in writing of such violations and shall have 20 days to respond.
3. If, at the end of 20 days, just cause has not been given, the Commission may suspend or revoke any existing permit and refuse to issue any future permit. Permit suspension, revocation or refusal shall be in addition to any criminal charges that may be filed.
4. Upon revocation, permit holder must legally remove all captive wildlife within the time designated in the revocation, not to exceed 60 days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense.
5. No existing permit can be transferred to another person, firm or corporation rearing, breeding, propagating, producing or distributing any member of the Cervidae family.

6. Holders of Wildlife Breeder/Dealer Permits for cervida or large carnivores whose facilities are void of their permitted species for one (1) year shall not have their permit renewed as of July 1, 2018.