



WISCONSIN DEPARTMENT OF NATURAL RESOURCES
NOTICE OF FINAL GUIDANCE & CERTIFICATION

Pursuant to ch. 227, Wis. Stats., the Wisconsin Department of Natural Resources has finalized and hereby certifies the following guidance document.

DOCUMENT ID

WM-19-0014-C

DOCUMENT TITLE

Deer Rehab Policy

PROGRAM/BUREAU

Wildlife Management

STATUTORY AUTHORITY OR LEGAL CITATION

Wisconsin State Statutes Chapter 29 or Chapter 10 of the Administrative Code of the Department of Natural Resources

DATE SENT TO LEGISLATIVE REFERENCE BUREAU (FOR PUBLIC COMMENTS)

Nov. 11, 2019

DATE FINALIZED

Dec. 9, 2019

DNR CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

12/3/19

Signature

Date

DEER REHABILITATION POLICY 2016 (rev. March 2019)

Orphaned, sick, or injured deer are recovered every year by the public and Department staff and placed with wildlife rehabilitators. Fifty-five Wisconsin counties are designated as CWD affected and this policy outlines the desired procedures for the intake, release, and marking of deer to address disease management issues as well as compliance with state and federal laws. Specific geographic guidance will be communicated by the Department directly to all licensed rehabilitators in the state annually or more frequently if necessary. Additionally, current information will be available through the Department Wildlife Rehabilitation website and the Wisconsin Wildlife Rehabilitators Association.

A. The rehabilitation of deer is PROHIBITED for deer originating from an entire county if requested by the Department of Agriculture, Trade and Consumer Protection, and either:

1. A bovine tuberculosis (TB) positive domestic, or wild deer has been confirmed in the county, or
2. The county or portion of the county is within a 10-mile radius of a domestic or wild deer that has been tested and confirmed to be positive for bovine TB.

B. If section A does not apply, then the rehabilitation of deer is PERMITTED and the following conditions must be followed:

Intake of Deer

1. When possible, deer in rehabilitation should be in contact only with deer from the same county, or preferably even smaller area of a county.
2. Deer from identified CWD affected areas can only be rehabilitated at a facility in a CWD affected area (See Appendix A).
 - a. Facilities that accept deer at any time from a CWD affected county should consider all deer that are admitted to that facility as being exposed to CWD.
 - b. Whenever possible, deer originating from areas of the state where CWD has not been identified should not be placed in rehabilitation facilities located in CWD affected areas.

Release of Deer

1. Whenever possible, deer in rehabilitation from areas of the state where CWD has not been identified should be released back to the county, and preferably the specific area, where found.
2. No deer identified from any CWD affected county will be released in a county where CWD has not been found.
3. Deer cannot be released on Department lands without permission from the Department.
4. Release location for rehabilitated deer will be mutually agreed upon after consultation between the licensed rehabilitator and the DNR Wildlife Rehabilitation Program Manager. This will allow both parties to collaborate in making decisions that will seek to reduce and prevent the spread of chronic wasting disease and the potential influence of human related introductions of CWD.
5. The placement of wild deer in deer farms is PROHIBITED. Wisconsin Administrative Code states, "No person keeping a herd of farm-raised deer may do any of the following ... take or accept into the herd, on a temporary or permanent basis, any cervid from a free-ranging herd" (s. ATCP 10.46(11)(b))." Placement of deer that were free-ranging into a captive herd is a violation of these rules and the farm will be placed under quarantine by the Wisconsin Department of Agriculture, Trade and Consumer Protection.

Marking of Deer

1. All extra label drug use (ELDU), which is the use of a drug in any way not listed on the drug's label and includes use of over-the-counter medication must be done in accordance with the federal Animal Medicinal Use Drug Clarification Act (AMDUCA), and Wisconsin State Statute 89.068. Working with your consulting veterinarian,



all deer treated with extra label drugs must be marked in a manner that allows identification of individual deer throughout the withdrawal time of the drug used. Estimated withdrawal times can be found on the USDA Food Animal Residue Avoidance Databank (FARAD) website. Any deer released back to the wild before completion of the withdrawal time for an extra label drug shall be marked with an ear tag supplied by the department. These regulations are designed to ensure human health and safety standards through patient identification and providing an adequate drug withdrawal time before an animal, including deer, may be consumed.

2. Ear tagging is **STRONGLY ENCOURAGED** at the time of intake for all rehabilitated and/or rescued deer likely to be held for more than 24 hours.
3. The department recommends both ears be tagged with plastic ear tags issued in the event one falls out. Department issued tags shall be designed to distinguish them from ear tags used for other purposes such as those visible from a distance commonly used on farmed deer or livestock. Ear tagging is a common and useful animal care practice used throughout North America for animal identification and individualized health records and produces minimal distress to the animal. Tagging provides for greater collaboration between rehabilitators and the department to achieve the following wildlife conservation benefits:
 - a. Increase the small base of knowledge on survivability of rehabilitated deer and their integration into local deer communities.
 - b. Identification of best management practices associated with favorable deer release outcomes.

CWD Suspect & CWD/TB Confirmed Deer

1. When a licensed rehabilitator receives a deer exhibiting clinical signs compatible with CWD (for example poor condition, neurologic signs, excessive thirst or salivation, difficulty swallowing) and these symptoms cannot be attributed to another health condition, the deer shall be euthanized and tested for CWD.
2. Unless medical separation as defined by ATCP 10.58* is in place, if a deer in rehabilitative care is confirmed CWD positive, all deer housed with that deer within the affected building/structure/pen or otherwise exposed to the identified deer, will be considered exposed and be euthanized and the facility will be prohibited from rehabilitating deer as follows:

The rehabilitation of deer will be PROHIBITED for at least 5 years in the affected enclosure if any of the following conditions occur:**

1. A deer exhibiting clinical signs compatible with CWD or TB, tests positive for CWD or TB while still at a rehabilitation facility.
2. A deer tests positive for CWD between the date the deer was released and the end of the following calendar year.

* **ATCP 10.58 Farm-raised deer; separation from diseased wild deer.** For purposes of ss. [ATCP 10.53\(7\)\(a\)4](#), and [10.56\(4\)\(c\)](#), a double protective barrier means one of following systems, or a combination of any of the following systems, which fully encloses a farm-raised deer herd and is approved by the department:

- (1) A double fence that meets all of the following requirements:
 - (a) Each fence is at least 8 feet high at every point.
 - (b) The 2 fences are at least 10 feet but not more than 16 feet apart at every point.
- (2) A solid barrier that is at least 8 feet high at every point.

History: [CR 07-107](#); cr. [Register November 2008 No. 635](#), eff. 12-1-08; correction in (intro.) and renumbering made under s. [13.92\(4\)\(b\)1](#), and [7](#), Stats., [Register November 2008 No. 635](#).

** The Department will establish guidelines for the facility during this time.

Reporting

1. Deer under a rehabilitator's care will be reported quarterly, using the standard Department wildlife rehabilitation quarterly reporting form.



Appendix A

CWD-affected Counties

