# Rules of
## Department of Conservation
### Division 10—Conservation Commission
#### Chapter 9—Wildlife Code: Confined Wildlife: Privileges, Permits, Standards

<table>
<thead>
<tr>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 CSR 10-9.105 General Provisions</td>
<td>3</td>
</tr>
<tr>
<td>3 CSR 10-9.106 Confined Wildlife Permits: How Obtained, Replacements</td>
<td>6</td>
</tr>
<tr>
<td>3 CSR 10-9.110 General Prohibition; Applications</td>
<td>6</td>
</tr>
<tr>
<td>3 CSR 10-9.220 Wildlife Confinement Standards</td>
<td>9</td>
</tr>
<tr>
<td>3 CSR 10-9.230 Class I Wildlife</td>
<td>13</td>
</tr>
<tr>
<td>3 CSR 10-9.240 Class II Wildlife</td>
<td>13</td>
</tr>
<tr>
<td>3 CSR 10-9.350 Class I Wildlife Breeder Permit</td>
<td>13</td>
</tr>
<tr>
<td>3 CSR 10-9.351 Class II Wildlife Breeder Permit</td>
<td>13</td>
</tr>
<tr>
<td>3 CSR 10-9.353 Privileges of Class I and Class II Wildlife Breeders</td>
<td>13</td>
</tr>
<tr>
<td>3 CSR 10-9.359 Class I and Class II Wildlife Breeder: Records Required</td>
<td>15</td>
</tr>
<tr>
<td>3 CSR 10-9.415 Wildlife Rehabilitation Permit</td>
<td>15</td>
</tr>
<tr>
<td>3 CSR 10-9.420 Wildlife Hobby Permit</td>
<td>16</td>
</tr>
<tr>
<td>3 CSR 10-9.425 Wildlife Collector’s Permit</td>
<td>16</td>
</tr>
<tr>
<td>3 CSR 10-9.430 Bird Banding</td>
<td>17</td>
</tr>
<tr>
<td>3 CSR 10-9.440 Resident Falconry Permit</td>
<td>17</td>
</tr>
<tr>
<td>3 CSR 10-9.442 Falconry</td>
<td>17</td>
</tr>
<tr>
<td>3 CSR 10-9.560 Licensed Hunting Preserve Permit</td>
<td>19</td>
</tr>
<tr>
<td>3 CSR 10-9.565 Licensed Hunting Preserve: Privileges</td>
<td>20</td>
</tr>
<tr>
<td>3 CSR 10-9.566 Licensed Hunting Preserve: Records Required</td>
<td>22</td>
</tr>
<tr>
<td>3 CSR 10-9.570 Hound Running Area Operator and Dealer Permit</td>
<td>22</td>
</tr>
<tr>
<td>3 CSR 10-9.575 Hound Running Area: Privileges, Requirements</td>
<td>22</td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
</tr>
<tr>
<td>-----------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>3 CSR 10-9.605</td>
<td>Wildlife Collector’s Permit (Moved to 3 CSR 10-9.425)</td>
</tr>
<tr>
<td>3 CSR 10-9.610</td>
<td>Bird Banding (Moved to 3 CSR 10-9.430)</td>
</tr>
<tr>
<td>3 CSR 10-9.615</td>
<td>Wildlife Rehabilitation Permit (Moved to 3 CSR 10-9.415)</td>
</tr>
<tr>
<td>3 CSR 10-9.620</td>
<td>Wildlife Hobby Permit (Moved to 3 CSR 10-9.420)</td>
</tr>
<tr>
<td>3 CSR 10-9.625</td>
<td>Field Trial Permit</td>
</tr>
<tr>
<td>3 CSR 10-9.627</td>
<td>Dog Training Area Permit</td>
</tr>
<tr>
<td>3 CSR 10-9.628</td>
<td>Dog Training Area: Privileges</td>
</tr>
<tr>
<td>3 CSR 10-9.630</td>
<td>Confined Wildlife Permits: How Obtained, Replacements (Rescinded March 1, 2003)</td>
</tr>
<tr>
<td>3 CSR 10-9.640</td>
<td>Licensed Trout Fishing Area Permit</td>
</tr>
<tr>
<td>3 CSR 10-9.645</td>
<td>Licensed Trout Fishing Area Permit: Privileges, Requirements</td>
</tr>
</tbody>
</table>
Title 3—DEPARTMENT OF
CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined
Wildlife: Privileges, Permits, Standards


PURPOSE: This rule establishes general provisions for the chapter, to be consistent with the format of other chapters.

(1) Any person holding wildlife in captivity in any manner shall have in his/her possession the prescribed permit or evidence of exemption. The commission may suspend, revoke, or deny a permit or privilege for cause, but not until an opportunity has been afforded for a hearing before the commission or its authorized representative. The hearings under this section shall be a contested case pursuant to Chapter 536, RSMo, and any person aggrieved by a final decision shall be entitled to judicial review as provided in Chapter 536, RSMo.

(2) Confined wildlife held under permit within the provision of this chapter shall include only those species listed on the following Approved Confined Wildlife Species List:
## Approved Confined Wildlife Species List

<table>
<thead>
<tr>
<th>Species Code No.</th>
<th>Common Name</th>
<th>Scientific Name</th>
</tr>
</thead>
</table>

### Class I Wildlife Breeders

#### Game Birds

- **Ducks, Mallard**
  - Scientific Name: *Anas platyrhynchos*
- **Grouse, Blue**
  - Scientific Name: *Dendragapus obscurus*
- **Grouse, Greater Sage-**
  - Scientific Name: *Centrocercus urophasianus*
- **Grouse, Gunnison Sage-**
  - Scientific Name: *Centrocercus minimus*
- **Grouse, Ruffed**
  - Scientific Name: *Bonasa umbellus*
- **Grouse, Sharp-tailed**
  - Scientific Name: *Tymanuchus phasianellus*
- **Grouse, Spruce**
  - Scientific Name: *Falcipennis canadensis*
- **Partridge, Gray**
  - Scientific Name: *Perdix perdix*
- **Pheasant, Ring-necked (all subspecies)**
  - Scientific Name: *Phasianus colchicus*
- **Parmigan, Rock**
  - Scientific Name: *Lagopus mutus*
- **Parmigan, White-tailed**
  - Scientific Name: *Lagopus leucurus*
- **Parmigan, Willow**
  - Scientific Name: *Lagopus lagopus*
- **Quail, Bobwhite (all subspecies)**
  - Scientific Name: *Colinus virginianus*
- **Quail, California**
  - Scientific Name: *Callipepla californica*
- **Quail, Gambel’s**
  - Scientific Name: *Callipepla gambelii*
- **Quail, Mountain**
  - Scientific Name: *Oreortyx pictus*
- **Quail, Scaled**
  - Scientific Name: *Callipepla squamata*
- **Turkey, Wild (all subspecies)**
  - Scientific Name: *Melagris gallopava*

### Mammals

- **Armadillo, Nine-banded**
  - Scientific Name: *Dasypus novemcinctus*
- **Badger**
  - Scientific Name: *Taxidea taxus*
- **Beaver**
  - Scientific Name: *Castor canadensis*
- **Bobcat**
  - Scientific Name: *Lynx rufus*
- **Chipmunk, Eastern**
  - Scientific Name: *Tamias striatus*
- **Coyote**
  - Scientific Name: *Canis latrans*
- **Deer, Mule**
  - Scientific Name: *Odocoileus hemionus*
- **Deer, White-tailed**
  - Scientific Name: *Odocoileus virginianus*
- **Fox, Gray**
  - Scientific Name: *Urocyon cinereoargenteus*
- **Fox, Red**
  - Scientific Name: *Vulpes vulpes*
- **Groundhog (Woodchuck)**
  - Scientific Name: *Marmota monax*
- **Mink**
  - Scientific Name: *Neovison vison*
- **Muskrat**
  - Scientific Name: *Ondatra zibethicus*
- **Opossum**
  - Scientific Name: *Didelphis virginiana*
- **Otter, River**
  - Scientific Name: *Lontra canadensis*
- **Rabbit, Eastern Cottontail**
  - Scientific Name: *Sylvilagus floridanus*
- **Rabbit, Swamp**
  - Scientific Name: *Sylvilagus aquaticus*
- **Raccoon**
  - Scientific Name: *Procyon lotor*
- **Squirrel, Eastern Gray**
  - Scientific Name: *Sciurus carolinensis*
- **Squirrel, Fox**
  - Scientific Name: *Sciurus niger*
- **Squirrel, Franklin’s Ground**
  - Scientific Name: *Spermophilus franklinii*
- **Squirrel, Thirteen-lined Ground**
  - Scientific Name: *Spermophilus tridecemlineatus*
- **Squirrel, Southern Flying**
  - Scientific Name: *Glaucous volans*
- **Weasel, Least**
  - Scientific Name: *Mustela nivalis*
- **Weasel, Long-tailed**
  - Scientific Name: *Mustela frenata*

### Amphibians

#### Salamanders

- **Newt, Central**
  - Scientific Name: *Notophthalmus viridescens*
- **Salamander, Tiger**
  - Scientific Name: *Ambystoma tigrinum*

#### Frogs and Toads

- **Bullfrog**
  - Scientific Name: *Rana catesbeiana*
- **Frog, Green (Bronze)**
  - Scientific Name: *Rana clamitans*
- **Frog, Southern Leopard**
  - Scientific Name: *Rana sphenocephala*
- **Toad, American**
  - Scientific Name: *Bufo americanus*
- **Treefrog, Eastern (Cope’s) Gray**
  - Scientific Name: *Hyla versicolor/chrysoscelis*
- **Treefrog, Green**
  - Scientific Name: *Hyla cinerea*
<table>
<thead>
<tr>
<th>Species Code No.</th>
<th>Common Name</th>
<th>Scientific Name</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Reptiles</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Turtles</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cooter, River</td>
<td><em>Pseudemys concinna</em></td>
</tr>
<tr>
<td></td>
<td>Slider, Red-eared</td>
<td><em>Trachemys scripta elegans</em></td>
</tr>
<tr>
<td></td>
<td>Softshell, Smooth</td>
<td><em>Apalone mutica</em></td>
</tr>
<tr>
<td></td>
<td>Softshell, Spiny</td>
<td><em>Apalone spinifera</em></td>
</tr>
<tr>
<td></td>
<td>Turtle, Ornate Box</td>
<td><em>Terrapene ornata</em></td>
</tr>
<tr>
<td></td>
<td>Turtle, Alligator Snapping</td>
<td><em>Macrochelys temminckii</em></td>
</tr>
<tr>
<td></td>
<td>Turtle, Common Map</td>
<td><em>Graptemys geographica</em></td>
</tr>
<tr>
<td></td>
<td>Turtle, Common Musk (Stinkpot)</td>
<td><em>Sternothorus odoratus</em></td>
</tr>
<tr>
<td></td>
<td>Turtle, Common Snapping</td>
<td><em>Chelydra serpentine</em></td>
</tr>
<tr>
<td></td>
<td>Turtle, Mississippi Mud</td>
<td><em>Kinosternon subrubrum</em></td>
</tr>
<tr>
<td></td>
<td>Turtle, Southern Painted</td>
<td><em>Chrysemys picta dorsalis</em></td>
</tr>
<tr>
<td></td>
<td>Turtle, Three-toed Box</td>
<td><em>Terrapene carolina triunguis</em></td>
</tr>
<tr>
<td></td>
<td>Turtle, Western Painted</td>
<td><em>Chrysemys picta belli</em></td>
</tr>
<tr>
<td><strong>Lizards</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lizard, Eastern Collared</td>
<td><em>Crotaphytus collaris</em></td>
</tr>
<tr>
<td></td>
<td>Lizard, Prairie (Fence)</td>
<td><em>Sceloporus consobrinus (undulates)</em></td>
</tr>
<tr>
<td></td>
<td>Lizard, Slender Glass</td>
<td><em>Ophisaurus attenuatus</em></td>
</tr>
<tr>
<td></td>
<td>Lizard, Texas Horned</td>
<td><em>Phrynosoma cornutum</em></td>
</tr>
<tr>
<td></td>
<td>Skink, Five-lined</td>
<td><em>Eumeces fasciatus</em></td>
</tr>
<tr>
<td><strong>Snakes</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bullsnake</td>
<td><em>Pituophis catenifer sayi</em></td>
</tr>
<tr>
<td></td>
<td>Kingsnake, Prairie</td>
<td><em>Lampropeltis calligaster</em></td>
</tr>
<tr>
<td></td>
<td>Kingsnake, Speckled</td>
<td><em>Lampropeltis getula holbrooki</em></td>
</tr>
<tr>
<td></td>
<td>Snake, Black Rat</td>
<td><em>Elaphe obsoleta obsoleta</em></td>
</tr>
<tr>
<td></td>
<td>Snake, Eastern Garter</td>
<td><em>Thamnophis sirtalis sirtalis</em></td>
</tr>
<tr>
<td></td>
<td>Snake, Eastern Hog-nosed</td>
<td><em>Heterodon platirhinos</em></td>
</tr>
<tr>
<td></td>
<td>Snake, Great Plains Rat</td>
<td><em>Elaphe guttata emoryi</em></td>
</tr>
<tr>
<td></td>
<td>Snake, Red Milk</td>
<td><em>Lampropeltis triangulum sypila</em></td>
</tr>
<tr>
<td></td>
<td>Snake, Red-sided Garter</td>
<td><em>Thamnophis sirtalis parietalis</em></td>
</tr>
<tr>
<td></td>
<td>Snake, Western Hog-nosed (Dusty and Plains)</td>
<td><em>Heterodon nasicus</em></td>
</tr>
<tr>
<td><strong>Class II Wildlife Breeders</strong></td>
<td>Bear, Black (&amp; hybrids)</td>
<td><em>Ursus americanus</em></td>
</tr>
<tr>
<td></td>
<td>Copperhead</td>
<td><em>Agkistrodon contortrix</em></td>
</tr>
<tr>
<td></td>
<td>Cottonmouth</td>
<td><em>Agkistrodon piscivorus</em></td>
</tr>
<tr>
<td></td>
<td>Lion, Mountain (&amp; hybrids)</td>
<td><em>Puma concolor</em></td>
</tr>
<tr>
<td></td>
<td>Rattlesnake, Pygmy</td>
<td><em>Sistrurus miliarius</em></td>
</tr>
<tr>
<td></td>
<td>Rattlesnake, Timber (Canebrake)</td>
<td><em>Crotalus horridus</em></td>
</tr>
<tr>
<td></td>
<td>Wolf, Gray (&amp; hybrids)</td>
<td><em>Canis lupus</em></td>
</tr>
<tr>
<td><strong>Game Bird Hunting Preserves</strong></td>
<td>Ducks, Mallard</td>
<td><em>Anas platyrhynchos</em></td>
</tr>
<tr>
<td></td>
<td>Partridges, Exotic (all species)</td>
<td>All species</td>
</tr>
<tr>
<td></td>
<td>Pheasants (all species)</td>
<td>All species</td>
</tr>
<tr>
<td></td>
<td>Quail (all species)</td>
<td>All species</td>
</tr>
<tr>
<td><strong>Big Game Hunting Preserves</strong></td>
<td>Antelope, Pronghorn</td>
<td><em>Antilocapra americana</em></td>
</tr>
<tr>
<td></td>
<td>Boar, Wild (including feral hogs, razorback hogs, European boars and other pig species)</td>
<td><em>Rangifer tarandus</em></td>
</tr>
<tr>
<td></td>
<td>Caribou (Reindeer)</td>
<td><em>Dama dama</em></td>
</tr>
<tr>
<td></td>
<td>Deer, Fallow</td>
<td><em>Odocoileus hemionus</em></td>
</tr>
<tr>
<td></td>
<td>Deer, Mule</td>
<td><em>Cervus species</em></td>
</tr>
<tr>
<td></td>
<td>Deer, Red</td>
<td><em>Cervus nippon</em></td>
</tr>
<tr>
<td></td>
<td>Deer, Sika</td>
<td><em>Odocoileus virginianus</em></td>
</tr>
<tr>
<td></td>
<td>Deer, White-tailed</td>
<td><em>Cervus elaphus</em></td>
</tr>
<tr>
<td></td>
<td>Elk</td>
<td><em>Oreamnos americanus</em></td>
</tr>
<tr>
<td></td>
<td>Goat, Mountain</td>
<td><em>Alces alces</em></td>
</tr>
<tr>
<td></td>
<td>Moose</td>
<td><em>Ovis canadensis</em></td>
</tr>
<tr>
<td></td>
<td>Sheep, Bighorn</td>
<td><em>Ovis dali</em></td>
</tr>
<tr>
<td></td>
<td>Sheep, Dall</td>
<td>deer, antelope deer, goats, sheep, etc.</td>
</tr>
<tr>
<td></td>
<td>Ungulates (other species)</td>
<td></td>
</tr>
</tbody>
</table>
### Wildlife Hobby

<table>
<thead>
<tr>
<th>Species Code No.</th>
<th>Common Name</th>
<th>Scientific Name</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Badger</td>
<td>Taxidea taxus</td>
</tr>
<tr>
<td></td>
<td>Beaver</td>
<td>Castor canadensis</td>
</tr>
<tr>
<td></td>
<td>Bobcat</td>
<td>Lynx rufus</td>
</tr>
<tr>
<td></td>
<td>Coyote</td>
<td>Canis latrans</td>
</tr>
<tr>
<td></td>
<td>Fox, Gray</td>
<td>Urocyon cinereorarzenteus</td>
</tr>
<tr>
<td></td>
<td>Fox, Red</td>
<td>Vulpes vulpes</td>
</tr>
<tr>
<td></td>
<td>Groundhog</td>
<td>Marmota monax</td>
</tr>
<tr>
<td></td>
<td>Mink</td>
<td>Neovison vison</td>
</tr>
<tr>
<td></td>
<td>Muskrat</td>
<td>Ondatra zibethicus</td>
</tr>
<tr>
<td></td>
<td>Opossum</td>
<td>Didelphis virginiana</td>
</tr>
<tr>
<td></td>
<td>Otter, River</td>
<td>Lontra canadensis</td>
</tr>
<tr>
<td></td>
<td>Pheasant</td>
<td>Phasianus colchicus</td>
</tr>
<tr>
<td></td>
<td>Quail, Bobwhite</td>
<td>Colinus virginianus</td>
</tr>
<tr>
<td></td>
<td>Rabbit, Eastern Cottontail</td>
<td>Sylvilagus floridanus</td>
</tr>
<tr>
<td></td>
<td>Rabbit, Swamp</td>
<td>Sylvilagus aquaticus</td>
</tr>
<tr>
<td></td>
<td>Raccoon</td>
<td>Procyon lotor</td>
</tr>
<tr>
<td></td>
<td>Squirrel, Eastern Gray</td>
<td>Sciurus carolinensis</td>
</tr>
<tr>
<td></td>
<td>Squirrel, Fox</td>
<td>Sciurus niger</td>
</tr>
<tr>
<td></td>
<td>Weasel, Least</td>
<td>Mustela nivalis</td>
</tr>
<tr>
<td></td>
<td>Weasel, Long-tailed</td>
<td>Mustela frenata</td>
</tr>
</tbody>
</table>

### Wildlife Collector’s Permit

- Species and numbers of each are limited to those specified on the permit.

### Resident Falconry Permit

- Birds of prey as permitted under 3 CSR 10-9.422.

### Hound Running Area Operator and Dealer Permit

<table>
<thead>
<tr>
<th>Wildlife</th>
<th>Coyote</th>
<th>Canis latrans</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Fox, Gray</td>
<td>Urocyon cinereorarzenteus</td>
</tr>
<tr>
<td></td>
<td>Fox, Red</td>
<td>Vulpes vulpes</td>
</tr>
</tbody>
</table>

### Field Trial Permit

- Ducks, Mallard: Anas platyhyrchos
- Partridges, Exotic (all species): All species
- Pheasants (all species): All species
- Quail (all species): All species

### Dog Training Area Permit

- Drake, Mallard: Anas platyhyrchos
- Partridges, Exotic (all species): All species
- Pheasants (all species): All species
- Quail (all species): All species

---


---

3 CSR 10-9.106 Confined Wildlife Permits: How Obtained, Replacements

**PURPOSE:** This rule moves the language in 3 CSR 10-9.630 to the beginning of Chapter 9 for easier reference and better organization.

Confined wildlife permits and replacements for them may be issued only through the department office in Jefferson City upon receipt of proper application and the required permit fee. A service fee of three dollars ($3) is required for a replacement confined wildlife permit.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-9.630. Original rule filed May 9, 2002, effective March 1, 2003.

---

3 CSR 10-9.110 General Prohibition; Applications

**PURPOSE:** This rule prohibits the pursuit, taking, possession, or any use of wildlife except as provided in the Code.

**PUBLISHER’S NOTE:** The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Possession of Native Species.

- (A) A maximum of five (5) specimens of any native wildlife not listed in 3 CSR 10-9.110(4) or 3 CSR 10-9.240, except endangered species, bats, dusty hog-nosed snake, Kirtland’s snake, western fox snake, and alligator snapping turtles, may be taken and possessed alive by a resident of Missouri without permit, but these animals shall not be bought or sold. Bones, skins, shells, and other parts of such wildlife may be possessed for personal use without permit, but these wildlife parts in any form shall not be bought or sold.
Wildlife held under this subsection may not be transported (or shipped) from the state.

(B) Native invertebrates listed in the current Missouri Species and Communities of Conservation Concern Checklist booklet, which is hereby incorporated in this Code by reference, may only be collected and held by holders of a Wildlife Collector’s Permit and only as prescribed in 3 CSR 10-9.425. This booklet is published annually in January by, and a printed copy can be obtained from, the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180 and is also available online at www.missouricon- servation.org. This rule does not incorporate any subsequent amendments or additions to the Checklist.

(2) Except for federally-designated endangered species and species listed in 3 CSR 10-4.117 and 3 CSR 10-9.240, the following may be bought, sold, possessed, transported, and exhibited without permit: Asian clams (Corbicula species) taken from impoundments that are not waters of the state; bison; amphibians, reptiles, and mammals not native to Missouri; and those birds (except ring-necked pheasants and gray partridge) not native to the continental United States.

(3) Fish and crayfish may be bought, sold, transported, propagated, taken, and possessed by any person without permit throughout the year in any number or size and by any method providing—

(A) That person has in his/her possession a dated, written statement showing the number or weight of each species and the weight of extracted fish eggs (raw or processed) of each species, as proof that such animals or fish eggs were obtained from other than waters of the state or from a licensed commercial fisherman, provided that animals or fish eggs from outside the state were legally obtained from a commercial source;

(B) That person shall keep a dated receipt that includes the number or weight of each species and the weight of extracted fish eggs (raw or processed) of each species, that were sold or given away and the name, address, and signature of the recipient. These receipts shall be retained for three (3) years and shall be made available for inspection by an authorized agent of the department at any reasonable time;

(C) That person is in compliance with all provisions of this Code pertaining to importation, purchase, or sale of endangered species, and importation of live fish or viable fish eggs of the family Salmonidae;

(D) Except as further provided in this rule, live crayfish, other than those prohibited in 3 CSR 10-4.117, may be imported, bought, or sold only for—

1. Human consumption; or

2. Scientific research conducted by, or food for confined animals held by, an authorized representative of a university, college, school, incorporated city, state, or federal agency, publicly-owned zoo or wildlife or research organization, or other qualified individual.

(E) Only the Virile (or “Northern”) crayfish (Orconectes virilis) may be purchased for re-sale or sold for use as live bait. Live Virile (“Northern”) crayfish may not be imported into the state.

(F) That the privileges of this section do not apply to taking or possession in, on, or from waters of the state, waters stocked by the state, or waters subject to movements of fishes into and from waters of the state, except—

1. Animals defined as live bait and possessed under provisions of this section may be possessed on the waters of the state for use as live bait except that bighead carp and silver carp may not be used as live bait but may be used as dead or cut bait;

2. Fish cultured by a commercial fish producer that remain in a man-made impoundment following inundation by flooding from waters of the state as defined in this Code shall not be considered the property of the impoundment owner; provided the remaining fish species are the same as were present in the impoundment prior to inundation. Any other fish species in the impoundment shall be considered the property of the state and not available for sale, and shall be returned unharmed immediately to the waters of the state when harvested; and

3. With the written authorization of the director, a privately owned impoundment that is entirely confined and located completely on the premises of an approved producer that remain in a man-made impoundment following inundation by flooding from waters of the state as defined in this Code shall not be considered the property of the impoundment owner; provided the remaining fish species are the same as were present in the impoundment prior to inundation. Any other fish species in the impoundment shall be considered the property of the state and not available for sale, and shall be returned unharmed immediately to the waters of the state when harvested; and

(G) That the privileges of this section apply only to the following:

1. Species listed in the Approved Aquatic Species List (including all subspecies, varieties, and hybrids of the same bought, sold, transported, propagated, taken, and possessed for purposes of aquaculture, but excluding transgenic forms);

2. Species frozen or processed for sale as food products;

3. Species incapable of surviving in fresh water;

4. Fish held only in aquaria, tanks, or other containers having water or solid wastes discharged only into septic systems or municipal waste treatment facilities that are designed and operated according to guidelines of the Missouri Department of Natural Resources or that entirely recirculate all of the water so that none of it shall drain into a water body;

5. Species other than fish held only in aquaria, tanks, or other containers that have the following specifications: all containers including the drain pipe or stand pipe must be completely covered with an intact screen of a maximum mesh size of one-sixteenth inch (1/16”) square, and having water or solid wastes discharged only into septic systems or municipal waste treatment facilities that are designed and operated according to guidelines of the Missouri Department of Natural Resources or that entirely recirculate all of the water so that none of it shall drain into a water body; and

6. Species or systems that do not meet the conditions of one of paragraphs 1. through 5. above that have been inspected by a representative of the department and received prior written approval from the director. Only closed systems from which the escape of live organisms (including eggs, parasites, and diseases) is not possible will be approved. A system is considered closed when it is contained securely within an enclosed structure having no discharge of water or solid wastes. Any water or solid wastes removed from the system shall be disposed only into septic systems or municipal waste treatment facilities that are designed and operated according to guidelines of the Missouri Department of Natural Resources. Outdoor impoundments are not considered closed systems; and

(H) Approved Aquatic Species List.

1. Fishes.

A. Shovelnose sturgeon (Scaphirhynchos platyrhinus)

B. Paddlefish (Polyodon spathula)

C. Spotted gar (Lepisosteus oculatus)

D. Longnose gar (Lepisosteus osseus)

E. Shortnose gar (Lepisosteus platostomus)

F. Bowfin (Amia calva)
<table>
<thead>
<tr>
<th>Code</th>
<th>Taxonomy</th>
<th>Species</th>
</tr>
</thead>
<tbody>
<tr>
<td>G</td>
<td>American eel (Anguilla rostrata)</td>
<td></td>
</tr>
<tr>
<td>H</td>
<td>Gizzard shad (Dorosoma cepedianum)</td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>Threadfin shad (Dorosoma petenense)</td>
<td></td>
</tr>
<tr>
<td>J</td>
<td>Rainbow trout (Oncorhynchus mykiss)</td>
<td></td>
</tr>
<tr>
<td>K</td>
<td>Golden trout (Oncorhynchus aquabonita)</td>
<td></td>
</tr>
<tr>
<td>L</td>
<td>Cutthroat trout (Oncorhynchus clarkii)</td>
<td></td>
</tr>
<tr>
<td>M</td>
<td>Brown trout (Salmo trutta)</td>
<td></td>
</tr>
<tr>
<td>N</td>
<td>Brook trout (Salvelinus fontinalis)</td>
<td></td>
</tr>
<tr>
<td>O</td>
<td>Coho salmon (Oncorhynchus kisutch)</td>
<td></td>
</tr>
<tr>
<td>P</td>
<td>Atlantic salmon (Salmo salar)</td>
<td></td>
</tr>
<tr>
<td>Q</td>
<td>Northern pike (Esox lucius)</td>
<td></td>
</tr>
<tr>
<td>R</td>
<td>Muskellunge (Esox masquinongy)</td>
<td></td>
</tr>
<tr>
<td>S</td>
<td>Goldfish (Carassius auratus)</td>
<td></td>
</tr>
<tr>
<td>T</td>
<td>Grass carp (Crenopharyngodon idella)</td>
<td></td>
</tr>
<tr>
<td>U</td>
<td>Common carp (Cyprinus carpio)</td>
<td></td>
</tr>
<tr>
<td>V</td>
<td>Bighead carp (Hypophthalmichthys nobilis)</td>
<td></td>
</tr>
<tr>
<td>W</td>
<td>Golden shiner (Notemigonus crysoleucus)</td>
<td></td>
</tr>
<tr>
<td>X</td>
<td>Bluntnose minnow (Pimephales notatus)</td>
<td></td>
</tr>
<tr>
<td>Y</td>
<td>Fathead minnow (Pimephales promelas)</td>
<td></td>
</tr>
<tr>
<td>Z</td>
<td>River carpsucker (Carpiodes carpio)</td>
<td></td>
</tr>
<tr>
<td>AA</td>
<td>Quillback (Carpiodes cyrinus)</td>
<td></td>
</tr>
<tr>
<td>BB</td>
<td>White sucker (Catostomus commersoni)</td>
<td></td>
</tr>
<tr>
<td>CC</td>
<td>Blue sucker (Coryopis elongatus)</td>
<td></td>
</tr>
<tr>
<td>DD</td>
<td>Bigmouth buffalo (Ictiobus cyprinellus)</td>
<td></td>
</tr>
<tr>
<td>EE</td>
<td>Black bullhead (Ameirus melas)</td>
<td></td>
</tr>
<tr>
<td>FF</td>
<td>Yellow bullhead (Ameirus natalis)</td>
<td></td>
</tr>
<tr>
<td>GG</td>
<td>Brown bullhead (Ameirus nebulosus)</td>
<td></td>
</tr>
<tr>
<td>HH</td>
<td>Blue catfish (Ictalurus furcatus)</td>
<td></td>
</tr>
<tr>
<td>II</td>
<td>Channel catfish (Ictalurus punctatus)</td>
<td></td>
</tr>
<tr>
<td>JJ</td>
<td>Flathead catfish (Pylodictis olivaris)</td>
<td></td>
</tr>
<tr>
<td>KK</td>
<td>Mosquitofish (Gambusia affinis)</td>
<td></td>
</tr>
<tr>
<td>LL</td>
<td>White bass (Morone chrysops)</td>
<td></td>
</tr>
<tr>
<td>MM</td>
<td>Striped bass (Morone saxatilis)</td>
<td></td>
</tr>
<tr>
<td>NN</td>
<td>Green sunfish (Lepomis cyanellus)</td>
<td></td>
</tr>
<tr>
<td>OO</td>
<td>Pumpkinseed (Lepomis gibbosus)</td>
<td></td>
</tr>
<tr>
<td>PP</td>
<td>Warmouth (Lepomis gulosus)</td>
<td></td>
</tr>
<tr>
<td>QQ</td>
<td>Orangespotted sunfish (Lepomis humilis)</td>
<td></td>
</tr>
<tr>
<td>RR</td>
<td>Bluegill (Lepomis macrochirus)</td>
<td></td>
</tr>
<tr>
<td>SS</td>
<td>Longear sunfish (Lepomis megalotis)</td>
<td></td>
</tr>
<tr>
<td>TT</td>
<td>Redear sunfish (Lepomis microlophus)</td>
<td></td>
</tr>
<tr>
<td>UU</td>
<td>Smallmouth bass (Micropterus dolomieu)</td>
<td></td>
</tr>
<tr>
<td>VV</td>
<td>Spotted bass (Micropterus punctulatus)</td>
<td></td>
</tr>
<tr>
<td>WW</td>
<td>Largemouth bass (Micropterus salmoides)</td>
<td></td>
</tr>
<tr>
<td>XX</td>
<td>White crappie (Pomoxis annularis)</td>
<td></td>
</tr>
<tr>
<td>YY</td>
<td>Black crappie (Pomoxis nigromaculatus)</td>
<td></td>
</tr>
<tr>
<td>ZZ</td>
<td>Yellow perch (Perca flavescens)</td>
<td></td>
</tr>
<tr>
<td>AAA</td>
<td>Sauger (Sander canadensis)</td>
<td></td>
</tr>
<tr>
<td>BBB</td>
<td>Walleye (Sander vitreus)</td>
<td></td>
</tr>
<tr>
<td>CCC</td>
<td>Freshwater drum (Aplodinotus grunniens)</td>
<td></td>
</tr>
</tbody>
</table>

2. Crustaceans.
   A. Freshwater prawn (Macrourabaxum rosenbergii)
   B. Pacific white shrimp (Liopontaeus vannamei)
   C. Virile ("Northern") crayfish (Orconectes viridis)
   D. White River crawfish (Procambarus acutus)
   E. Red Swamp crawfish (Procambarus clarkii)
   F. Calico ("Papershell") crayfish (Orconectes immittus)

(4) Live fish, their eggs, and gametes of the family Salmonidae (trouts, char, salmon) may be imported to the state only by the holder of a salmonid importation permit and any other appropriate state permit. An importation permit shall be required for each shipment and will be issued at no charge. Application forms for the salmonid importation permit may be obtained from the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180 and online at www.missouriconservation.org. The application for salmonid importation permit must be received not less than fifteen (15) nor more than eighty (80) days prior to the proposed date of shipment. Prior to permit issuance, the immediate source of the importation must be currently certified as negative for viral hemorrhagic septicemia, infectious pancreatic necrosis, infectious hematopoietic necrosis, Myxobolus cerebralis, or other diseases which may threaten fish stocks within the state, must have been certified negative for the previous three (3) consecutive years, and must not pose a threat of introducing unwanted species. When importing live fish, the immediate source of importation must be certified as currently free of Salmoinka sp. Certification will only be accepted from federal, state, or industry personnel approved by the department and only in accordance with provisions on the permit application form. Fish, eggs, and gametes imported under this permit are subject to inspection by authorized agents of the department and this inspection may include removal of reasonable samples of fish or eggs for biological examination.
3 CSR 10-9.220 Wildlife Confinement Standards

PURPOSE: This rule establishes standards to be followed by those holding wildlife in captivity to assure the animals are confined in humane and sanitary conditions and in ways that prevent escape.

(1) Cages, pens, or other enclosures for confining wildlife shall be well braced, securely fastened to the floor or ground, covered with a top as required, and constructed with material of sufficient strength to prevent escape. Animals may not be released to the wild and must be confined at all times in cages, pens, or enclosures except in lead or drag races or birds held under a falconry permit or otherwise permitted in this chapter. Except for unweaned young, Class II wildlife and bobcat, American badger, coyote, red fox, and gray fox may not roam freely anywhere within a residence or inhabited dwelling. The following requirements shall be met:

(A) Clean drinking water shall be available in adequate amounts at all times. Semiaquatic animals, such as beaver and muskrat, shall be provided a pool of sufficient water depth for the animal to completely submerge.

(B) A shelter shall be provided for security and protection from inclement weather. Shade or an overhead structure shall be provided in warm seasons.

(C) Captive wildlife shall be fed daily, or as required, with a diet appropriate to the species and the age, size, and condition of the animal. Feeding containers shall be kept clean and uneaten food removed within a reasonable time.

(D) Animal wastes shall be removed daily and disposed of properly. If bedding is provided, it shall be cleaned out and replaced every two (2) weeks.

(E) Facilities for holding captive-reared migratory waterfowl must be designed to prevent escape to surrounding properties and managed to prevent contact with non-captive migratory waterfowl. Captive-reared mallard ducks may be temporarily released for flight exercise beginning one (1) hour after sunrise. Facilities must be designed to re-capture such ducks, and a reasonable effort must be made to re-capture them by one (1) hour after sunset each day.

(F) Captive-reared mallard ducks must be physically marked prior to six (6) weeks of age by removal of the hind toe from the right foot, or by tattooing of a readily discernible number or letter or combination thereof on the web of one (1) foot. Other captive-reared migratory waterfowl must be physically marked prior to six (6) weeks of age by at least one (1) of the following methods and as provided in federal regulations:

1. Removal of the hind toe from the right foot.
2. Pinioning of a wing; provided that this method shall be the removal of the metacarpal bones of one (1) wing or a portion of the metacarpal bones which renders the bird permanently incapable of flight.
3. Banding of one (1) metatarsus with a seamless metal band.
4. Tattooing of a readily discernible number or letter or combination thereof on the web of one (1) foot.

NOTE: (For federal regulations on migratory waterfowl, see Title 50, Parts 20 and 21 of the Code of Federal Regulations.)

(2) Cages, pens, or other enclosures for Class I wildlife shall meet the following standards:

<table>
<thead>
<tr>
<th>Species</th>
<th>Minimum Enclosure Space (sq. ft.)</th>
<th>Space Per Each Additional Animal (sq. ft.)</th>
<th>Enclosure Height (ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) American Badger</td>
<td>30</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>(B) Beaver</td>
<td>40</td>
<td>8</td>
<td>5</td>
</tr>
<tr>
<td>(C) Bobcat</td>
<td>32</td>
<td>8</td>
<td>6</td>
</tr>
<tr>
<td>(D) Coyote</td>
<td>80</td>
<td>25</td>
<td>6</td>
</tr>
<tr>
<td>(E) E. Cottontail Rabbit</td>
<td>15</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>(F) Fox Squirrel</td>
<td>9</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>(G) Gray Fox</td>
<td>40</td>
<td>8</td>
<td>5</td>
</tr>
<tr>
<td>(H) Gray Squirrel</td>
<td>9</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>(I) Groundhog</td>
<td>12</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>(J) Mink</td>
<td>9</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>(K) Muskrat</td>
<td>12</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>(L) Nine-Banded Armadillo</td>
<td>12</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>(M) Otter</td>
<td>36</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>(N) Raccoon</td>
<td>24</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>(O) Red Fox</td>
<td>40</td>
<td>8</td>
<td>5</td>
</tr>
<tr>
<td>(P) Virginia Opossum</td>
<td>12</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>(Q) Weasel</td>
<td>9</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>(R) White-tailed Deer, white-tailed deer-hybrids, mule deer, or mule deer-hybrids</td>
<td>500</td>
<td>125</td>
<td>See 3 CSR 10-9.220 (3)</td>
</tr>
</tbody>
</table>


(3) Cages, pens, or other enclosures of individuals permitted to hold cervids shall meet the standards and requirements provided in this section no later than June 30, 2016. New permits for holding cervids on or after January 30, 2015, will be limited to individuals who meet the following fencing and holding requirements:

(A) Cages, pens, or other enclosures
1. All fencing shall extend at least a minimum of eight feet (8’) high for its entire length, and consist of twelve and one-half (12 1/2) gauge high-tensile used welded wire, fourteen and one-half (14 1/2) gauge high-tensile woven wire, wood planks, or chain link. Strands of barbed wire shall not be used to achieve the maximum required height.
2. Spacing between vertical wires and wooden planks shall not exceed six and one-half inches (6 1/2”).
3. If two (2) woven wire fences are combined, one (1) of the other, the woven wire fences shall be overlapped at least six inches (6”) and firmly attached to each other at intervals no greater than three feet (3’) or combined and firmly attached to each other at intervals no greater than six inches (6”) apart with hog rings.
4. The fence bottom shall be installed to provide not more than three inches (3”) of ground clearance for its entire length.

(B) Right-of-way
1. The fence right-of-way shall be cleared for a minimum distance of six feet (6’) on the outside of the fence on land(s) under his/her control and six feet (6’) on the inside of the fencing.
2. The permit holder shall fell all dead trees with a height greater than the distance to the fence on land(s) under his/her control.

(C) Fence posts
1. Fence posts shall extend at least a minimum of eight feet (8’) high and shall be of sufficient strength to maintain fence integrity.
2. Pine wood posts shall be treated.
3. Wood and steel pipe posts shall be set to a minimum depth of three feet (3’).
4. Metal T-posts shall be installed according to manufacturers’ specifications.
5. Metal U-posts shall be of a sufficient strength to support the fence.

(D) Line posts
1. Wooden line posts shall be a minimum of four inches (4”) in diameter and shall not be spaced more than twenty-four feet (24’) apart.
2. Steel pipe line posts shall
   A. Be a minimum of two and three-eighths inches (2 3/8”) in outside diameter; and
   B. Not spaced more than twenty-four feet (24’) apart.
3. Metal “T” and “U” line posts shall be spaced no more than twenty feet (20’) apart.
4. If the woven wire is not high tensile, there shall be a wooden or steel pipe post every sixty feet (60’).
5. Line braces shall be used at least every one thousand feet (1000’) of straight line distance and, if necessary, at shorter intervals to sufficiently support the fence.

(E) Corner and end posts
1. Wooden corner and end posts shall be a minimum of five inches (5”) in diameter.
2. Steel pipe corner and end posts shall be a minimum of two and seven-eighths inches (2 7/8”) inoutside diameter.
3. Corner and end posts of other materials shall be of sufficient strength to maintain fence integrity and must be approved by the department prior to installation.
4. Corner and end posts must be set in concrete and braced in a manner to sufficiently support the fence.

(F) Gates shall be
1. Constructed to meet the specifications of the fence;
2. Equipped with at least one (1) latching and one (1) locking device; and
3. Gate support posts must be braced in a manner to sufficiently support the fence.

(G) Water gaps and stream crossings
1. Swinging water gaps and stream crossings shall be constructed to equal or exceed the standards of the fence.
2. These crossings shall be adequate to prevent ingress and egress during high water.
3. Permissible water gaps are as follows:
   A. Swinging gates constructed to match the contour of the stream supported by a galvanized steel cable or hinge. Cable shall be a minimum of five-eighths inch (5/8”) in diameter;
   B. Pipe with swinging barrier;
   C. Pipe with fixed mesh barrier; and
   D. Heavy gauge woven barrier contoured to fit the gap.

(H) If topographic, natural, or other conditions exist that enable cervids to pass through, under, or over the fence, the permit holder shall be required to supplement the fence with additional, stronger or higher fence posts, special grading, additional wire to increase fence height, or other measures to prevent escape.

(I) Fencing shall be maintained in a condition to prevent an escape at all times.

(4) Care of captive turtles shall meet requirements set out in section (1). At least ten (10) gallons of water shall be provided for each adult aquatic turtle over four inches (4”) in shell length, and three (3) gallons of water shall be provided for each hatching or turtle under four inches (4”) in shell length. At least four (4) square feet of ground space shall be provided for each box turtle over three inches (3”) in shell length and one (1) square foot of ground space shall be provided for each hatching or turtle under three inches (3”) in shell length.

(5) Cages, pens, or other enclosures for confining Class II wildlife shall be constructed to prevent direct physical contact with the public. At a minimum, this may be accomplished by a secondary barrier of wire mesh no smaller than eleven and one-half (11 1/2) gauge with openings of no more than nine (9) square inches, with a minimum distance of three feet (3’) between animal cage and public and a minimum height of six feet (6’). Doors shall remain locked at all times with appropriate locks and chains. Enclosures shall be constructed with a den, nest box, or connected housing unit that can be closed off and locked with the animal inside, or be a divided cage with a door between the compartments, to allow servicing and cleaning. The enclosure mesh size or spacing of bars shall be sufficient to prevent escape. A barrier system of wet or dry moats or structures, as approved by the American Association of Zoological Parks and Aquariums, will meet these requirements.

(A) Class II wildlife shall be confined in cages, pens, enclosures, or in buildings of sufficient strength with restraints affixed to all windows, doors, or other means of entry or exit.

(B) Cages, pens, or other enclosures for Class II wildlife shall meet the standards outlined in Appendix A of this rule, which is included herein.

(6) Mobile temporary exhibit and wildlife auction/sale facilities may be used to confine wildlife, except white-tailed deer, white-tailed beef-deer-hybrids, mule deer, or mule deer-hybrids, for no more than fourteen (14) days and shall meet the following criteria:

(A) Facilities shall be of sufficient size to ensure that each animal or compatible groups of animals can stand erect, turn about freely, and lie naturally. Facilities shall be designed to provide fresh air, be free from injurious drafts and engine exhaust fumes, and provide adequate protection from the elements. The structural strength of the facilities shall be sufficient to contain the wildlife and to withstand the normal rigors of transportation.

(B) Class I wildlife facilities shall contain doors that are locked when unattended, but easily accessible at all times for emergency removal of the wildlife.

(C) Facilities for Class II wildlife and bobcat, American badger, coyote, red fox, and gray fox shall be designed to prevent direct physical contact by the public and constructed of steel or case hardened aluminum. Facilities must have at least two (2) openings.
which are easily accessible at all times for emergency removal of the wildlife. Doors shall be locked at all times.

(D) Venomous reptiles shall only be transported in a strong escape-proof enclosure capable of withstanding a strong impact. Enclosures shall be locked and prominently labeled with the owner’s full name, address, telephone number, list of species being transported, and a sign labeled VENOMOUS.

(7) Other wildlife native to Missouri not listed in sections (2) and (5) and in rule 3 CSR 10-9.110, and birds native to the continental United States, shall be cared for and confined in facilities that provide comparable requirements for similar size animals as listed in this rule.

(8) Requirements of this rule shall not apply to wildlife under the care of a veterinarian or rehabilitation center, or to animals legally held in circuses, publicly owned zoos, American Zoo and Aquarium Association (AZA) accredited not-for-profit facilities, bona fide research facilities, or on fur farms whose sole purposes are to sell pelts or live animals to other fur farms and whose facilities meet generally accepted fur farming industry standards and adhere to provisions of sections (1), (5), and (6) of this rule.

(9) Other variations from requirements of this rule shall be only as specifically authorized by the director.
APPENDIX A
CAGE, PEN OR OTHER ENCLOSURE STANDARDS FOR CLASS II WILDLIFE

3 CSR 10-9.220 (5) [Revised 06/24/96, 03/01/03, 03/01/07]

<table>
<thead>
<tr>
<th>Species</th>
<th>Enclosure Space (sq. ft.)</th>
<th>Space per Each Additional Animal</th>
<th>Enclosure Height (feet)</th>
<th>Cage Material</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black Bear or hybrids</td>
<td>150</td>
<td>50% larger</td>
<td>8(w/top)</td>
<td>Not smaller than 9 gauge steel chain link; top required for 8-foot enclosure; 3-foot lean-in on top of fence acceptable for 10-foot enclosure. (For enclosures constructed after 3-1-03, height (without top) must be 12 feet with 3-foot lean-in on top; two strands of hot wire (8000-10000 volt) on fence, one strand on lean-in, one strand along bottom or middle of fence; 4-inch concrete floor or non-rust 9 gauge chain link buried 2 feet and angled underground toward enclosure interior, or for pens anchored flush with ground, 3-foot interior dig-out panel required at ground surface.)</td>
</tr>
<tr>
<td>Mountain Lion or hybrids</td>
<td>200</td>
<td>50% larger</td>
<td>8</td>
<td>Not smaller than 11 gauge steel chain link; top required</td>
</tr>
<tr>
<td>Wolf or hybrids</td>
<td>200</td>
<td>50% larger</td>
<td>6</td>
<td>Not smaller than 9 gauge steel chain link; 4-inch concrete floor or non-rust 9 gauge chain link buried 2 feet and angled underground toward enclosure interior, or for pens anchored flush with ground, 3-foot interior dig-out panel required at ground surface; top required, except 8-foot fence with 3-foot lean-in acceptable for wolves.</td>
</tr>
<tr>
<td>Venomous Snakes</td>
<td>(Perimeter must be 1 1/2 times length of longest snake)</td>
<td>25% larger</td>
<td></td>
<td>When on public display outside approved confinement facility, any side of exhibit cage exposed to the public shall have a double glass or escape-proof double mesh barrier designed to prevent contact between venomous reptile and the public.</td>
</tr>
</tbody>
</table>
3 CSR 10-9.350 Class I Wildlife Breeder Permit

PURPOSE: This rule establishes a permit for wildlife breeders.

To exercise the privileges of a Class I wildlife breeder. Fee: fifty dollars ($50).


3 CSR 10-9.351 Class II Wildlife Breeder Permit

PURPOSE: This rule establishes a new permit for holders of wildlife classified as inherently dangerous to humans.

To exercise the privileges of both a Class I and Class II wildlife breeder. Fee: two hundred fifty dollars ($250).


3 CSR 10-9.353 Privileges of Class I and Class II Wildlife Breeders

PURPOSE: This rule establishes privileges and requirements for wildlife breeders. It has been reorganized from an older version to provide better organization and understanding; and to clarify that migratory waterfowl may be reared and held in captivity as provided in federal regulations but that such waterfowl may only be hunted as provided in 3 CSR 10-9.625 of this Code.

(1) Class I and Class II wildlife as defined in 3 CSR 10-9.230 and 3 CSR 10-9.240, may be exhibited, propagated, reared, or held in captivity by the holder of the appropriate Class I or Class II wildlife breeder permit at a specific location indicated on the permit. Applicants for a Class I permit to hold white-tailed deer, white-tailed deer-hybrids, mule deer, or mule deer-hybrids, or a Class II permit must qualify by passing with a score of at least eighty percent (80%) on a written examination provided by the department.

(2) Such wildlife may be used, sold, given away, transported, or shipped; provided, that state and federally-designated endangered species may not be sold without the written approval of the director; that skunks may not be imported, bought, sold, transported, given away, or otherwise disposed of; that live white-tailed deer, white-tailed deer-hybrids, mule deer, mule deer-hybrids, raccoons, foxes, and coyotes may not be imported; and that wildlife may be sold or given away only to the holder of the appropriate permit, where required, except as provided in section (9) of this rule.

(3) A permit may be granted after satisfactory evidence by the applicant that stock will be secured from a legal source other than the wild stock of this state; that the applicant will confine the wildlife in humane and sanitary facilities that meet standards specified in 3 CSR 10-9.220; and that the applicant will prevent other wildlife of the state from becoming a part of the enterprise. Any person applying for a Class I or Class II Wildlife Breeder Permit to hold white-tailed deer, white-tailed deer-hybrids, mule deer, or mule deer-hybrids shall complete an application involving on-site inspections of the area prior to and following construction activities by an agent of the department to determine that all provisions of this rule are met before a permit is issued.

(4) Cities, towns, and counties may establish ordinances further restricting or prohibiting ownership of Class II wildlife, with approval of the department. In instances where prohibitions apply, no permit will be issued by the department. Persons possessing Class II wildlife must comply with all requirements of section 578.023, RSMo.

(5) No Class I or Class II wildlife breeder permit is required for wildlife legally held by circuses, publicly owned zoos, American Zoo and Aquarium Association (AZA) accredited not-for-profit facilities, or bona fide research facilities; however, those wildlife may not be...
(10) Notification of the date and place of any public sale of consigned wildlife shall be provided the conservation agent of the county in which the sale will be held not less than thirty (30) days prior to the sale.

(11) All black bears and black bear-hybrids, mountain lions and mountain lion-hybrids, and wolves and wolf-hybrids defined as Class II wildlife in 3 CSR 10-9.240 and introduced into a Class II wildlife breeder operation and/or currently held under such permit are subject to the following requirements:

(A) Within sixty (60) days of birth or acquisition, animals shall be permanently tagged or marked with an identification number via a subcutaneous microchip Passive Integrated Transponder tag (PIT tag) provided by the department implanted along the animal's back between the shoulder blades, which uniquely identifies each individual animal.

(B) A blood or tissue sample sufficient for DNA analysis and registration for each animal shall be submitted to the department within sixty (60) days of birth or acquisition.

(C) The holder of a Class II wildlife breeder permit shall report the death, sale, or transfer of any animal within three (3) days to an agent of the department, including the identification number from the animal's subcutaneous microchip. Microchips shall not be reused in other animals.

(12) The holder of a Class I or Class II wildlife breeder permit may exhibit wildlife, except white-tailed deer, white-tailed deer-hybrids, mule deer, or mule deer-hybrids, at fairs, exhibitions, and/or currently held under such permit are subject to the following requirements:

(A) Within sixty (60) days of birth or acquisition, animals shall be permanently tagged or marked with an identification number via a subcutaneous microchip Passive Integrated Transponder tag (PIT tag) provided by the department implanted along the animal's back between the shoulder blades, which uniquely identifies each individual animal.

(B) A blood or tissue sample sufficient for DNA analysis and registration for each animal shall be submitted to the department within sixty (60) days of birth or acquisition.

(C) The holder of a Class II wildlife breeder permit shall report the death, sale, or transfer of any animal within three (3) days to an agent of the department, including the identification number from the animal's subcutaneous microchip. Microchips shall not be reused in other animals.

(13) Any sale, shipment, or gift of wildlife by a Class I or Class II wildlife breeder shall be accompanied by a written statement giving the permit holder's permit number and showing the number of each species and the name and address of the recipient. No wildlife of any kind may be liberated unless specific permission has been granted on written application to the conservation agent in the county where the release is to be made.

(14) None of these privileges shall extend to permitting the act of hunting for such stock except that big game mammals may be killed for purposes of herd management by the permit holder or his/her agents, but only with authorization from an agent of the department.

(15) The holder of a Class I or Class II wildlife breeder permit shall report escaped animals immediately to an agent of the department.

(16) The holder of a Class I wildlife breeder permit may sell legally acquired game bird eggs or dressed or processed quail, pheasants, and partridges at retail and to commercial establishments under provisions of 3 CSR 10-10.743, provided all sales are accompanied by a valid invoice, and the required records are maintained by the wildlife breeder.

(17) Except as provided in this section, the holder of a Class I or Class II wildlife breeder permit shall have an accredited veterinarian collect and submit samples from all known cases of mortality for cervids over six (6) months of age to a United States Department of Agriculture-approved Chronic Wasting Disease testing laboratory. The department reserves the right to require additional sampling and testing during disease investigations or morbidity/mortality events. Animal health standards and movement activities shall comply with all state and federal regulations. The holder of a Class I or Class II wildlife breeder permit must maintain participation in a United States Department of Agriculture-approved Chronic Wasting Disease-hold certification program to hold white-tailed deer, white-tailed-deer-hybrids, mule deer, or mule deer-hybrids; failure to participate and comply with the certification program may result in the suspension or revocation of permit privileges.

(A) In the event of a mass casualty/mortality event, the director of the department may exempt the holder of a Class I or Class II wildlife breeder permit from the Chronic Wasting Disease testing requirements within this rule. The following conditions apply:

1. All mass casualty/mortality event exemption requests must originate from an accredited veterinarian and must be verbally reported to a conservation agent, regional protection supervisor, or the state wildlife veterinarian of the department.

2. The department will have access to collect and submit disease samples from all known cases of mortality for cervids, pertaining to, and in the event of a mass casualty/mortality event.

(18) Confirmed positive results from any disease test for a white-tailed deer, white-tailed-deer-hybrids, mule deer, or mule deer-hybrids must be verbally reported by the permit holder to a conservation agent or regional protection supervisor of the department within twenty-four (24) hours of receiving the report and provide a copy of the testing report to the state wildlife veterinarian of the department within seventy-two (72) hours of receiving the report. In the event of confirmed positive results from a Chronic Wasting Disease test, the permit holder shall comply with a
Chapter 9—Wildlife Code: Confined Wildlife: Privileges, Permits, Standards

3 CSR 10-9


3 CSR 10-9.359 Class I and Class II Wildlife Breeder: Records Required

PURPOSE: This rule requires each wildlife breeder to submit a report of his/her activities.

(1) Each Class I and Class II wildlife breeder, except those possessing white-tailed deer, white-tailed deer-hybrids, mule deer, or mule deer-hybrids, shall maintain a current record, by date, of all transactions showing the place of origin and the numbers and species of wildlife which were possessed, propagated, bought, sold, consigned, brokered, transported, shipped, given away, used, or which have died, on forms provided by the department. Printed copies of these forms can be obtained from the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180 and online at www.missouriconservation.org. These records and applicable state and federal animal health records and permits for each animal shall be maintained on the premises of the wildlife breeder and shall be subject to inspection by an authorized agent of the department at any reasonable time.

(2) Each Class I and Class II wildlife breeder possessing white-tailed deer, white-tailed deer-hybrids, mule deer, or mule deer-hybrids will complete an annual physical herd inventory in the presence of an accredited veterinarian. Herd inventory records must be signed by the attending accredited veterinarian and must include the following for each animal: permanent physical identification, species, date of birth, gender, date of acquisition, complete address of source, complete address and name of current and previous owner, date of removal, destination of any animal removed, mortality date, cause of death (if known), official Chronic Wasting Disease test results for all white-tailed deer, white-tailed deer-hybrids, mule deer, or mule deer-hybrids six (6) months of age or older at time of death, and method and location of carcass disposal. These herd inventory records must be maintained to provide accountability for all purchases, sales, births, and mortality. These records and applicable state and federal animal health and movement records and permits for each animal shall be maintained on the premises of the wildlife breeder and shall be subject to inspection by an authorized agent of the department at any reasonable time for a period of at least five (5) years. All animals over six (6) months of age must be identified with an official ear tag or other United States Department of Agriculture approved identification device.


3 CSR 10-9.415 Wildlife Rehabilitation Permit

PURPOSE: This rule is being established to provide specific authority for qualified individuals or entities to hold wildlife for rehabilitation.
(1) A permit to take, possess, transport and
hold in captivity for rehabilitation, sick or
injured wildlife of Missouri origin. Wildlife
may not be propagated, sold, exhibited, given
away, held more than one hundred twenty
(120) days, released or otherwise disposed of
except as authorized by an agent of the
department. This permit may be issued only
to individuals or organizations qualified to
rehabilitate wildlife through graduation from
a school of veterinary medicine or other sub-
stantive training and experience in wildlife
rehabilitation.

(2) Species authorized to be held are limited
to those specified on the permit. Any traps,
nets or other devices used to take sick or
injured wildlife under this permit shall be
attended daily, or be constantly attended if so
stated on the permit, and labeled with the
permit holder’s full name and address. The
names and addresses of persons assisting
under the direct supervision of the holder of
the permit shall be submitted to the local con-
servation agent in writing before assistance
can be rendered. This permit does not relieve
the holder of full compliance with other pro-
visions of the Code or other state and federal
requirements. The wildlife rehabilitation per-
mit is not valid until signed.

(3) Animals held for rehabilitation must
remain at the location specified on the permit
or a veterinarian’s premises except as other-
wise authorized in writing by the director.
The permit holder will confine the wildlife
for public safety in a humane and sanitary
condition acceptable to the Department of
Conservation.

(4) Each permit holder shall maintain a cur-
cent record, on forms furnished by the depart-
ment, of each animal received, rehabilitated,
destroyed, or released. Printed copies of
these forms can be obtained from the Mis-
souri Department of Conservation, PO Box
180, Jefferson City, MO 65102-0180 and
online at www.missouriconervation.org.
These records shall be available for inspec-
tion by an authorized agent of the department
at any reasonable time.

**AUTHORITY:** sections 40 and 45 of Art. IV,
Mo. Const. This rule previously filed as 3
CSR 10-9.615. Original rule filed Aug. 1,
1980, effective Jan. 1, 1981. Amended: Filed
July 31, 1981, effective Jan. 1, 1982. Amend-
ded: Filed Aug. 29, 1983, effective Jan. 1,
1984. Amended: Filed Dec. 4, 1984, effective
March 11, 1985. Amended: Filed May 10,

---

(1) A wildlife hobby permit authorizes the
holder to purchase, possess and propagate
more than fifty (50) ring-necked pheasants
and bobwhite quail, in the aggregate, for per-
sonal use only and not for sale; and to hold in
captivity not more than one (1) game
mammal purchased from a Missouri wildlife
breeder permit holder, except that Class II
wildlife, hooded mammals and skunks may
not be held under this permit. Game mam-
mals may be held in captivity but may not be
propagated or sold. This permit shall be
obtained prior to receipt of wildlife. The per-
mittee must furnish proof that game mam-
mals and birds were legally obtained.

Wildlife must be confined in humane and
sanitary facilities that meet standards speci-
fied in 3 CSR 10-9.220. Wildlife may be dis-
posed of only in accordance with instructions
of an agent of the department but may not be
released, sold or given away. The permittee is
subject to all provisions of section 578.023,
RSMo.

(2) Banded birds possessed under this permit
can be temporarily released and recaptured
when training dogs. Any device used to
recapture birds in accordance with this provi-
sion must be labeled with the user’s full
name, address and wildlife hobby permit
number and be attended daily. Fee: ten dol-
lars ($10).

**AUTHORITY:** sections 40 and 45 of Art. IV,
Mo. Const. This rule previously filed as 3
CSR 10-9.620. Original rule filed Aug. 27,
1975, effective Dec. 31, 1975. Amended:
Amended: Filed Aug. 31, 1979, effective Jan.
1, 1980. Amended: Filed Aug. 29, 1980,
3, 1984, effective Jan. 1, 1985. Amended:
Amended: Filed Aug. 8, 1989, effective Jan.
1, 1990. Amended: Filed May 10, 1990,
effective Jan. 1, 1991. Emergency amend-
ment filed Nov. 2, 1992, effective Jan. 1, 1993,
expired Jan. 15, 1993. Amended: Filed June
2, 1992, effective Jan. 15, 1993. Amended:
Amended: Filed April 27, 1994, effective Jan.
1, 1995. Amended: Filed June 11, 1997,
effective March 1, 1998. Amended: Filed
April 24, 2000, effective March 1, 2001.

---

(1) A permit to collect, possess, mount, or
preserve wildlife for scientific related purpos-
es.

(A) Wildlife Collector’s Permit for Sci-
centific Purposes. Wildlife collector’s permits
may be granted to an authorized representa-
tive of a university, college, school, incorpo-
rated city, state or federal agency, publicly-
owned zoo, or wildlife or research
organization or other qualified individual;
provided, that the collection shall be used
exclusively for scientific, educational or
museum purposes. Fee: five dollars ($5).

(B) Wildlife Collector’s Permit for Special
Collections of Wildlife. Wildlife collector’s
permits may be issued to professionally qual-
ified individuals who charge a fee for biolog-
ical studies for specific projects where the
potential results are of sufficient public value
and interest to justify special collection of
wildlife. Fee: fifty dollars ($50).

(2) General Requirements for Permit Hold-
ers. Species and numbers of each to be col-
clected and collecting methods are limited to
those specified on the permit. Advance noti-
 fica tion shall be given to the conservation
agent or Protection Division regional super-
visor in the county or area as to where and
when the collecting will be done. The permit
holder’s name, address, and wildlife collec-
tor’s permit number shall be on all trapping
and netting devices. The traps, nets, or other
devices used under this permit shall be
attended at least daily, or be constantly attended if so stated on the permit. The col-
clected specimens shall be donated to a muse-
um or educational institution or disposed of
in accordance with instructions of the depart-
ment. Wildlife held under a wildlife collect-
or’s permit may be propagated but shall not
be sold or exhibited commercially. When
holding live specimens, permit holders are
required to adhere to wildlife confinement
standards set forth in 3 CSR 10-9.220. Wild-
life removed from the wild and held in
captivity at locations other than the point of
capture are not to be returned to the wild
unless specifically approved on the permit.

Assistant in the field must be under the
direct, in-person supervision of the permit
holder at all times. This permit does not relive
the holder of full compliance with
other provisions of the Code or other state and federal requirements.

(3) The wildlife collector’s permit is not valid until signed by the permit holder. The permit is valid for one (1) year from January 1. The permit holder shall submit a wildlife collector’s permit report to the department within thirty (30) days of the permit’s expiration date. Issuance of permits for the following year shall be conditioned on compliance with this Code, specified conditions of the permit, and receipt of a satisfactory wildlife collector’s permit report. Stream Teams, Discover Nature Schools classes, and department volunteers, working on department authorized programs or wildlife collection projects, are exempt from the requirements of this rule.


3 CSR 10-9.430 Bird Banding

PURPOSE: This rule authorizes bird banding by persons holding a federal permit.

Birds may be livetrapped for banding and released by persons holding a valid federal permit in addition to a Missouri Wildlife Collector’s Permit.


3 CSR 10-9.440 Resident Falconry Permit

PURPOSE: This rule establishes a permit for residents of the state to engage in falconry.

To take, possess alive, care for, and train birds of prey (raptors) and to use birds of prey to take other wildlife in accordance with 3 CSR 10-9.442 and federal falconry regulations. Fee: one hundred dollars ($100). This permit shall remain valid for three (3) years from date of issuance. A federal falconry permit will no longer be issued.


3 CSR 10-9.442 Falconry

PURPOSE: This rule establishes provisions for hunting with birds of prey.

(1) Birds of prey may be taken, transported, possessed, or used to take wildlife by holders of a falconry permit, to be issued only to residents qualified by passing with a score of at least eighty percent (80%) a written examination meeting federal standards and whose facilities and equipment meet requirements specified in this rule. The barter, sale, purchase, importation, or exportation of raptors without a permit is prohibited. If a permittee allows his/her permit to lapse for a period of less than five (5) years, the permit may be reinstated at the level previously held. A permittee who allows his/her permit to lapse five (5) years or longer must pass the written examination with a score of at least eighty percent (80%), at which point the permit may be reinstated at the level previously held.

(2) Only designated species and numbers of birds of prey may be possessed and each bird shall bear a numbered, non-reuseable marker provided by the department. Documented health problems or injuries caused by the band may qualify the permit holder for an exemption to the banding requirement for that raptor, in which case a copy of the exemption paperwork must remain in the permittee’s possession when transporting or flying the raptor. If the bird with documented health issues caused by the band is a wild goshawk, Harris’s hawk, peregrine falcon, or gyrfalcon an International Organization for Standardization (ISO)-compliant microchip must be used. Birds held under a falconry permit may be used, without further permit, to pursue and take wildlife within the following seasons and bag limits:

(A) Cottontail and swamp rabbits may be taken from October 1 to March 31. Daily limit: six (6) rabbits, including no more than two (2) swamp rabbits; possession limit: twelve (12) rabbits, including no more than four (4) swamp rabbits.

(B) Squirrels may be taken from the fourth Saturday in May to February 15. Daily limit: ten (10) squirrels; possession limit: twenty (20) squirrels.

(C) Quail may be taken from October 1 to January 15. Daily limit: three (3) quail; possession limit: six (6) quail.

(D) Migratory game birds to include only doves, ducks, mergansers, and coots may be taken, possessed, transported, and stored only as provided in federal regulations and this Code. (Regulations for doves, ducks, mergansers, coots, and other migratory game birds are determined annually by the commission following receipt of regulations prescribed by the Secretary of the Interior under authority of the Federal Migratory Bird Treaty Act. See 3 CSR 10-7.440.)

(E) Pheasants of either sex may be taken in the areas and during the periods and within the bag and possession limits listed in 3 CSR 10-7.430.

(F) Other wildlife may be taken only within the specified seasons and bag limits, except that pheasants, quail, turkeys, and game mammals may be taken outside of the specified falconry seasons with a daily limit of one (1) per raptor per day.

(G) Permittees may use legally obtained and captive-reared quail, pheasants, exotic partridges, and mallard ducks for training of falconry raptors. Quail, pheasants, and exotic partridges shall be marked with a permanent avian leg band prior to release. Mallard ducks shall be marked by removal of the hind toe from the right foot or by tattooing a readily discernable number or letter or combination on the web of one (1) foot.

(H) Game birds held for more than twenty-four (24) hours must be confined as specified in 3 CSR 10-9.220. For mallard ducks, such facilities must be designed and managed to immediately recapture any unharvested ducks.

(3) A nonresident who holds a valid falconry permit and a valid Missouri hunting permit may use birds of prey properly licensed in other states to take wildlife during the open season. Properly licensed falconry raptors may, without further permit, be entered and used by nonresidents to take wildlife in any regional or national falconry field trial authorized by letter from the director.


(4) An applicant for a permit shall submit an application with information including the number of raptors possessed and the species, age, sex, date of acquisition, and source of each. An applicant under eighteen (18) years of age must have a parent or legal guardian co-sign the application. Falconry permits are issued by classes as follows:

(A) Apprentice Class—A permittee shall be at least twelve (12) years old and shall have a sponsor holding a general or master falconry permit. A sponsor shall have no more than three (3) apprentices at any one (1) time. An apprentice may possess only one (1) wild caught, captive-bred, or hybrid raptor of the order Accipitriformes or Falconiformes except the following: Osprey, American swallow-tailed kite, Mississippi kite, bald eagle, white-tailed eagle, Steller’s sea-eagle, northern harrier, Swainson’s hawk, ferruginous hawk, sharp-shinned hawk, golden eagle, peregrine falcon, Prairie falcon, flammulated owl, burrowing owl, barn owl, long-eared owl, and short-eared owl and may obtain not more than two (2) raptors from the wild during the twelve (12)-month reporting period. An apprentice permittee may not possess a bird taken from the wild as a nesting or that is imprinted on humans;

(B) General Class—A permittee shall be at least sixteen (16) years old and shall have a letter from his/her sponsor documenting at least two (2) years’ experience in falconry at the apprentice level, including maintaining, training, flying, and pursuing wildlife with the raptor(s) for at least four (4) months each calendar year. A general falconer may not possess more than three (3) wild caught, captive-bred, or hybrid raptors of the family Accipitridae, or of the family Falconidae, or of the family Strigidae; but not to include any eagle or any threatened or endangered species. A general falconer shall not obtain more than two (2) raptors from the wild during the twelve (12)-month reporting period;

(C) Master Class—A permittee shall have at least five (5) years’ experience in falconry at the general class level and shall not possess more than five (5) wild raptors of the family Accipitridae, or of the family Falconidae, or of the family Strigidae; but not to include more than three (3) golden eagles (Aquila chrysaetos). A master falconer shall not obtain more than two (2) raptors from the wild during the twelve (12)-month reporting period. A master falconer may possess any number of captive-bred or hybrid raptors; provided, the captive-bred raptors are trained in the pursuit of wild game and used in hunting; and:

(D) The twelve (12)-month reporting period begins July 1 and ends June 30 of the following year.

(5) Facilities for raptors (mews and/or weathering area) shall be inspected and certified to meet the following standards:

(A) Indoor facilities (mews) shall be large enough to allow easy access for caring for the raptors. Raptors shall be tethered or separated by partitions, and each bird shall be provided enough area to allow it to fully extend its wings. If raptors are untethered, all openings must be secured to prevent injury or escape, such as with vertical bars spaced narrower than the body width of the smallest raptor housed in the facility, heavy-duty netting, or other such measures and materials. There shall be adequate perches, a secure door easily closed, and at least one (1) opening for sunlight. The floor shall be well drained and shall permit easy cleaning. Tethered raptors may be kept inside the permittee’s residence if a suitable perch is provided;

(B) Outdoor (weathering area) facilities shall be fenced and covered with netting or wire or roofed. The enclosed area shall be large enough to ensure that birds flying from a perch cannot strike the fence. Raptors shall be provided at least one (1) covered perch and protection from excessive sun, wind, and inclement weather; and

(C) Falconry permits may be temporarily kept outside in the open if they are in the immediate presence of the permittee or a designated helper.

(6) Applicants for falconry permits shall possess the following equipment:

(A) Jesses (straps attached to the legs)—at least one (1) pair of jesses constructed of pliable leather or other suitable material for use when any raptor is flown free;

(B) Leashes and swivels—at least one (1) flexible, weather-resistant leash and one (1) strong swivel of acceptable falconry design;

(C) Bath container—a suitable container for each raptor which must be wider than the length of the raptor;

(D) Outdoor/portable perches—a weathering area perch of acceptable design for each raptor; and

(E) Weighing device—a reliable scale or balance suitable for weighing the raptors held.

(7) Raptors may be taken from the wild only as follows:

(A) Raptors shall be taken only in a humane manner. Any device used to take birds of prey shall be labeled with the name and address of the user and shall be personally attended by the user at all times;

(B) Young birds not yet capable of flight (eyasses/nestlings), except ospreys, northern harriers (marsh hawks), sharp-shinned hawks, Swainson’s hawks, peregrine falcons, bald eagles, Mississippi kites, barn owls, short-eared owls, and long-eared owls, may be taken only by a general or master falconer, and no more than two (2) eyasses may be taken by a falconer during the twelve (12)-month reporting period. The permittee must leave at least one (1) young in any nest or aerie from which an eyass is taken;

(C) Any permittee may recapture any raptor wearing falconry equipment or an escaped captive-bred raptor at any time, including those species not authorized for possession. Recaptured raptors do not count toward the authorized possession limit but must be reported to an agent of the department within five (5) business days. Recaptured raptors must be returned to the permittee who lost it, if that person may legally possess it. Disposition of a bird whose legal possession cannot be determined will be at the discretion of an agent of the department;

(D) Only American kestrels and great horned owls may be taken when over one (1)-year old (haggard). Birds not listed in subsection (7)(B) of this rule may also be taken when over one (1)-year old, but only when taken under a depredation or special purpose permit by a general or master falconer. A master falconer, in any twelve (12)-month period, may take up to two (2) golden eagles from the wild only in a livestock depredation area (declared by the United States Department of Agriculture (USDA) Wildlife Services or by the governor) during the time the depredation area is in effect; and

(E) Nonresidents who have valid falconry permits, with written authorization of the director, may take from the wild and, when banded, possess and transport raptors under conditions and at those places and times as the director may specify; providing, that this person shall possess a valid Missouri nonresident hunting permit. (Note: Persons transporting raptors so taken into another state also may need permission for the transfer from the other state.)

(8) Special Provisions.

(A) A falconry permit does not authorize the capture or release of raptors or the practice of falconry on public lands if such use is prohibited on those lands, or on private property, without permission from the landowner.

(B) A hybrid raptor flown for falconry must have two (2) separate, attached, functioning radio transmitters to determine location. The permanent release of a hybrid or non-native raptor is prohibited. Wild-caught raptors native to Missouri may be released to
the wild at any time and without authorization; however, no captive-bred raptor shall be released to the wild without written authorization from the Department of Conservation. Markers shall be removed from permanently-released birds and surrendered to the department.

(C) Except as provided in this section, all feathers (including body feathers) collected from any falconry golden eagle that are not needed for imping (method of repairing broken feathers), and all golden eagle carcasses including all feathers, talons, and other parts, must be sent to the National Eagle Repository at the following address: U.S. Fish and Wildlife Service, National Eagle Repository, Rocky Mountain Arsenal, Building 128, Commerce City, Colorado 80022. Feathers from all other captive raptors may be retained by permittees for imping purposes only.

(D) Permittees may trap, take, trade, or transfer raptors only with a photocopy of Federal Form 3-186A (Migratory Bird Acquisition/Disposition Report) or electronic reporting at http://permits.fws.gov/186A submitted to the department within ten (10) business days of the action, and no money or other consideration may be involved, except that permittees may purchase, sell, or barter only captive-bred raptors marked with a seamless, numbered band. A permittee must notify the department within five (5) business days of any change in facility location.

(E) A permittee shall report by July 31 each year a listing of all raptors possessed on June 30, by species, marker number, sex, age, and the date and source of acquisition. The same information shall be reported for raptors possessed or acquired since the previous report but no longer possessed, with the source and date acquired and the date and reason for termination of possession.

(F) Raptors that are bred in captivity and utilized for falconry shall not be treated as threatened or endangered species for purposes of this rule.

(G) Except as provided in section (2), the permittee shall leave any accidentally killed animal where it lies, except that the raptor may feed upon the animal prior to leaving the site of the kill.

(H) Hacking (temporary release to the wild) is an approved method for conditioning raptors for falconry. Only general and master falconers may hack falconry raptors. Any raptor being hacked must be a species the permittee is authorized to possess and counts toward the permittee’s possession limit. Any hybrid raptor being hacked must have two (2) separate, attached, functioning radio transmitters during hacking. No falconry bird may be hacked near the nesting area of a federal-ly-threatened or -endangered bird species, or in any location where the raptor is likely to disturb, harm, or take a federally-threatened or -endangered animal species.

(I) Raptors held by general and master falconry permittees and used primarily for falconry may be used for public conservation education programs that must include information regarding the biology, ecological roles, and conservation needs of raptors; programs that do not address falconry and conservation education are not allowed. A fee not to exceed the amount necessary to recover participation costs is allowed. The permittee assumes all potential liability associated with such programs.

(J) Raptors held by a permittee may be cared for by another permittee at either permittee’s facility for up to one hundred twenty (120) consecutive days. Birds receiving such care remain in possession of the original permittee and do not count toward the possession limit of the care-giving permittee. The original permittee must provide to the care-giving permittee a signed and dated statement authorizing the temporary possession and indicating duration of care and the privileges granted to the care-giving permittee along with federal Form 3-186A showing original possession of the raptors. Raptors held by a permittee may be cared for by a non-permittee for up to forty-five (45) consecutive days, but only at the permittee’s facility; birds under such care may not be flown for any reason.


3 CSR 10-9.560 Licensed Hunting Preserve Permit

**PURPOSE:** This rule establishes a permit for licensed shooting areas.

(1) To maintain and operate a licensed hunting preserve and to buy, propagate, hold in captivity, hunt, and sell only legally obtained and captive-reared: pheasants, exotic partridges, quail, mallard ducks, and ungulates (hoofed animals), except hogs may only be propagated, held in captivity, and hunted on big game hunting preserves approved specifically for hogs by the department on or before January 30, 2015.
(2) Any person applying to establish a licensed hunting preserve shall complete any application involving on-site inspections of the area prior to and following construction activities by an agent of the department to determine that all provisions of this rule and 3 CSR 10-9.565 are met before a permit is issued. Fees: 
(A) Game Bird Hunting
Preserve $100 valid for one (1) year
(B) Big Game Hunting
Preserve $750 valid for three (3) years


3 CSR 10-9.565 Licensed Hunting Preserve: Privileges

PURPOSE: This rule sets out the privileges and requirements for licensed shooting areas.

(1) Licensed hunting preserves are subject to inspection by an agent of the department at any reasonable time. Animal health standards and movement activities shall comply with all state and federal regulations. Any person holding a licensed hunting preserve permit may release on his/her licensed hunting preserve only legally obtained and captive-reared: pheasants, exotic partridges, quail, mallard ducks, and ungulates (hoofed animals) for shooting throughout the year, under the following conditions:

(A) Game Bird Hunting Preserve.

1. A game bird hunting preserve shall be a single body of land not less than one hundred sixty (160) acres and no more than six hundred forty (640) acres in size. Game bird hunting preserves may be dissected by public roads, and shall be posted with signs specified by the department.
2. Only legally obtained and captive-reared: pheasants, exotic partridges, quail, and mallard ducks may be used on game bird hunting preserves.
3. Permits for game bird hunting preserves will not be issued:
   A. For areas within five (5) miles of any location where there is an ongoing department game bird release program or where the most recent release of department game birds has been made less than five (5) years prior to receipt of the application.
   B. In any location where those activities are considered by the department as likely to further jeopardize any species currently designated by Missouri or federal regulations as threatened or endangered wildlife.
   C. For preserves using captive-reared mallard ducks, within five (5) miles of the following areas:
      (I) Bob Brown Conservation Area
      (II) Clarence Cannon National Wildlife Refuge
      (III) Columbia Bottom Conservation Area
      (IV) Coon Island Conservation Area
      (V) Duck Creek Conservation Area
      (VI) Eagle Bluffs Conservation Area
      (VII) Fountain Grove Conservation Area
      (VIII) Four Rivers Conservation Area
      (IX) Grand Pass Conservation Area
      (X) B. K. Leach Memorial Conservation Area
      (XI) Marais Temps Clair Conservation Area
      (XII) Mingo National Wildlife Refuge
      (XIII) Montrose Conservation Area
      (XIV) Nodaway Valley Conservation Area
      (XV) Otter Slough Conservation Area
      (XVI) Schell-Osage Conservation Area
      (XVII) Settle’s Ford Conservation Area
      (XVIII) Squaw Creek National Wildlife Refuge
      (XIX) Swan Lake National Wildlife Refuge
      (XX) Ted Shanks Conservation Area
      (XXI) Ten Mile Pond Conservation Area
   D. Mallard ducks must be physically marked prior to six (6) weeks of age by removal of the hind toe from the right foot, or by tattooing of a readily discernable number or letter or combination thereof on the web of one (1) foot.
   C. Mallard ducks may be temporarily released for the sole purpose of flight training beginning one (1) hour after sunrise each day. Covered facilities must be designed to re-capture such ducks, and a reasonable effort must be made to re-capture them by one (1) hour after sunset each day.
   D. Mallard ducks may be released and taken only from September 1 through February 15 by hunting methods from one (1) hour after sunrise to one (1) hour before sunset, and only non-toxic shot may be used. Covered facilities must be designed and managed to re-capture any unharvested mallard ducks, and a reasonable effort must be made to re-capture ducks by one (1) hour after sunset each day.
   E. Ducks which are not captive-reared may not be hunted on preserves using captive-reared mallard ducks, and all waterfowl except captive-reared mallard ducks must be flushed from the immediate hunting area prior to hunting activity.

5. Any person taking or hunting game birds on a licensed hunting preserve shall have in his/her possession a valid small game hunting permit or licensed hunting preserve hunting permit, except that persons fifteen (15) years of age or younger, when accompanied by a properly licensed adult hunter, and residents sixty-five (65) years of age and older, may hunt without permit. Licensed hunting preserve hunting permits may be issued to persons without requiring display of a hunter education certificate card for use on game bird hunting preserves; provided s/he is hunting in the immediate presence of a properly licensed adult hunter age eighteen (18) or older who has in his/her possession a valid hunter education certificate card or was born before January 1, 1967.

6. Game birds, other than captive-reared mallard ducks, may be taken in any number on a hunting preserve and may be possessed and transported from the preserve only when accompanied by a receipt listing the date, number, and species taken, and name of the hunting preserve; or when accompanied by an approved transportation sticker for each game bird taken. Transportation stickers must be purchased from the department by the hunting preserve permit holder.

7. Captive-reared mallard ducks may be taken in any number on a hunting preserve and may be possessed and transported from the preserve only when accompanied by a...
receipt listing the date, number, and species taken, and the hunting preserve permit holder’s name and address. In addition, the marked foot must remain attached to mallard ducks.

8. The hunting preserve permit holder may exercise privileges provided in 3 CSR 10-9.353 for game birds held under this permit in propagation or holding facilities within or directly adjacent to the game bird hunting preserve. Propagation or holding facilities may be separated from the hunting preserve by a public road, but must be directly adjacent. Any such propagation or holding facilities shall meet standards specified in 3 CSR 10-9.220. Other propagation or holding facilities not contained within or directly adjacent to the hunting preserve are not covered under the privileges of this rule.

NOTE: (See rule 3 CSR 10-7.440, and for federal regulations on migratory waterfowl, see Title 50, Parts 20 and 21 of the Code of Federal Regulations.)

(B) Big Game Hunting Preserve.

1. A big game hunting preserve for ungulates shall be a fenced single body of land, not dissected by public roads, and not less than three hundred twenty (320) acres and no more than three thousand two hundred (3,200) acres in size. The hunting preserve shall not be cross-fenced into portions of less than three hundred twenty (320) acres. The hunting preserve shall be fenced so as to enclose and contain all released game and exclude all hoofed wildlife of the state from becoming a part of the enterprise and posted with signs specified by the department. Fence requirements shall meet standards specified in 3 CSR 10-9.220. Fencing for hogs shall be constructed of twelve (12) gauge woven wire, at least five feet (5’) high, and topped with one (1) strand of electrified wire. An additional two feet (2’) of such fencing shall be buried and angled underground toward the enclosure interior. A fence of equivalent or greater strength and design to prevent the escape of hogs may be substituted with written application and approval by an agent of the department.

2. The permittee may exercise privileges provided in 3 CSR 10-9.353 only for species held within breeding enclosure(s) contained within or directly adjacent to the big game hunting preserve. Any such breeding enclosure(s) shall meet standards specified in 3 CSR 10-9.220. Breeding enclosures may be separated from the hunting preserve by a public road, but must be directly adjacent. Other breeding enclosures not contained within or directly adjacent to the hunting preserve are not covered under the privileges of this rule.

3. Any person taking or hunting ungulates on a big game hunting preserve shall have in his/her possession a valid licensed hunting preserve hunting permit. The permittee shall attach to the leg of each ungulate taken on the hunting preserve a locking leg seal furnished by the department, for which the permittee shall pay ten dollars ($10) per one hundred (100) seals. Any packaged or processed meat shall be labeled with the licensed hunting preserve permit number.

4. Except as provided in this section, the holder of a Big Game Hunting Preserve Permit shall have an Accredited Veterinarian collect and submit samples from all known cases of mortality for cervids over six (6) months of age to a United States Department of Agriculture approved laboratory for Chronic Wasting Disease testing. The department reserves the right to require additional sampling and testing during disease investigations or morbidity/mortality events. Animal health standards and movement activities shall comply with all state and federal regulations.

A. In the event of a mass casualty/mortality event, the director of the department may exempt the holder of a Big Game Hunting Preserve Permit from the Chronic Wasting Disease testing requirements within this rule. The following conditions apply:

(I) All mass casualty/mortality event exemption requests must originate from an accredited veterinarian and must be verbally reported to a conservation agent, regional protection supervisor, or the state wildlife veterinarian of the department.

(II) The department will have access to collect and submit disease samples from all known cases of mortality for cervids, pertaining to, and in the event of, a mass casualty/mortality event.

5. Big game hunting preserve permittees shall report escaped animals immediately to an agent of the department.

6. Confirmed positive results from any disease test for a cervid must be verbally reported by the permit holder to a conservation agent or regional protection supervisor of the department within twenty-four (24) hours of receiving the report and provide a copy of the testing report to the state wildlife veterinarian of the department within seventy-two (72) hours. In the event of confirmed positive results from a Chronic Wasting Disease test, the permit holder shall comply with a herd disease response plan approved by the department. The plan may include, but not be limited to, quarantine requirements, testing and depopulation, premises cleaning and disinfection, additional fencing requirements, and restocking guidelines. Failure to comply with an approved herd disease response plan may result in the suspension or revocation of permit privileges.

7. All ungulates acquired by a holder of a Big Game Hunting Preserve Permit must be individually identified on a Breeder’s Movement Certificate or a Certificate of Veterinary Inspection. A Breeder’s Movement Certificate may be completed by the breeder. The form must list the official identification, age, gender, species, complete address of both the origin and destination, and complete address and name of buyer and seller. The original form must accompany the shipment and a copy shall be maintained by the herd of origin for at least five (5) years. Sources for cervids must be enrolled in a United States Department of Agriculture-approved Chronic Wasting Disease-herd certification program.

8. New permits for big game hunting preserves will not be issued for a period of five (5) years within twenty-five (25) miles of a location where Chronic Wasting Disease-positive animal(s) have been confirmed by the department.

9. Live cervids imported into the state shall not be held in a licensed big game hunting preserve. Only cervids born inside the state of Missouri may be propagated, held in captivity, and hunted on big game hunting preserves.

These records and applicable state and federal animal health certification, applicable permits and harvest, on a form furnished by the Department of Conservation.

(1) Big game hunting preserve permittees shall keep a permanent record, by date, of the number of each species held, acquired, propagated, sold, released, the number of each species taken on the preserve, and the full name, address, and permit number (if applicable) of each buyer, seller, shooter, and/or taker, on forms provided by the department. Printed copies of these forms can be obtained from the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180 and online at www.missouriconservation.org. The holder of a Big Game Hunting Preserve Permit must establish and maintain a system of inventory for all acquired ungulates that includes the following for each animal: permanent physical identification, species, date of birth, gender, date of acquisition, complete address of source, complete address and name of both the current and previous owner, mortality date, cause of death (if known), official Chronic Wasting Disease test results as required in 3 CSR 10-9.565 (1)(B)4., method and location of carcass disposal, and the numbers from the Licensed Hunting Preserve Permit of the hunter and locking leg seal (if applicable). These records and applicable state and federal animal health and movement records and permits for each animal shall be maintained on the premises of the licensed big game hunting preserve and shall be subject to inspection by an authorized agent of the department at any reasonable time.

(4) Big Game Hunting Preserve Permit holders exercising the privileges provided in 3 CSR 10-9.353 shall also meet record keeping requirements specified in 3 CSR 10-9.359.

PURPOSE: This rule requires that licensed hunting preserves maintain records on the premises that would include information on species, purchase, sale, propagation, health certification, applicable permits and harvest, on a form furnished by the Department of Conservation.

(2) Game bird hunting preserve permittees shall keep a permanent record of the number of each species acquired, propagated, sold, released, the number of each species taken and the full name and address of the taker.

(3) These records and applicable state and federal animal health records and permits for each animal shall be maintained on the premises of the licensed hunting preserve and shall be subject to inspection by an authorized agent of the department at any reasonable time.

(5) Prior to being chased, all newly-acquired foxes and coyotes shall be provided a minimum of seven (7) days to acclimate to the area. Wildlife held under this permit are subject to inspection by an agent of the department and this inspection may include removal of reasonable samples for biological examination.

(6) Any person releasing dogs on a hound running area shall have in his/her possession a valid Missouri small game hunting permit, except that Missouri residents fifteen (15) years of age and under and sixty-five (65) years of age and over are exempt from this requirement.

(7) The hound running area operator/dealer shall keep an accurate permanent record on forms provided by the department of the supplier’s full name and address and number of each species held, captured, purchased, sold, propagated, released on the area, or otherwise disposed of. Printed copies of these forms can be obtained from the Missouri Department of Conservation.

PURPOSE: This rule establishes a permit for operation of a hound running area for training or racing hounds.

To maintain and operate a hound running area and to purchase, transport, propagate, hold in captivity and sell to or release legally acquired foxes and coyotes into a permitted hound running area. Fee: fifty dollars ($50).


Conservation, PO Box 180, Jefferson City, MO 65102-0180 and online at www.missouri-conservation.org. Ear tag numbers must also be recorded for each animal released into the area. These records are subject to inspection by an agent of the department at any reasonable time.


### 3 CSR 10-9.605 Wildlife Collector’s Permit
(Moved to 3 CSR 10-9.425)

### 3 CSR 10-9.610 Bird Banding
(Moved to 3 CSR 10-9.430)

### 3 CSR 10-9.615 Wildlife Rehabilitation Permit
(Moved to 3 CSR 10-9.415)

### 3 CSR 10-9.620 Wildlife Hobby Permit
(Moved to 3 CSR 10-9.420)

### 3 CSR 10-9.625 Field Trial Permit

**PURPOSE: This rule establishes a permit to conduct field trials and sets requirements for conducting these trials.**

(1) To conduct a field trial on lands other than those owned or leased by the department, application for a permit must be made to the department by a resident, and postmarked not less than ten (10) days prior to the trial. The application shall specify location of trial headquarters in Missouri, area where the trial will be held, type of wildlife to be chased or pursued, approximate number of hunters, approximate number of dogs, and starting and closing dates. A single trial permit shall not cover a period of more than ten (10) consecutive days. Fee: twenty dollars ($20).

(2) Each permit holder shall record the names and addresses of all participants for each trial held, and shall maintain these records for one (1) year following the closing date of the trial. These records shall be subject to inspection by an authorized agent of the department at any reasonable time.

(3) Future permits shall be conditioned on compliance with this rule. Receipt by the department of unresolved and repeated complaints from area landowners concerning operation of the field trial may result in permit denial.

(4) A field trial permit does not authorize trespass.

(5) Except as otherwise provided in this rule, permits will not be valid for hound field trials during or five (5) days prior to the spring turkey or firearms deer hunting seasons except on established field trial areas. Permits for raccoon field trials will be valid during nighttime hours and provide for casting no more than four (4) dogs at one (1) time during or five (5) days prior to the spring turkey hunting season. In field trials under permit, wildlife not prohibited in 3 CSR 10-7.410 may be chased by dogs under control but may be pursued and taken only during the open seasons and only by persons possessing a valid hunting permit, except as provided in section (6) of this rule. The sponsoring organization shall issue identification bearing the field trial permit number to all persons without a valid hunting permit who enter dogs in a trial; provided, that this identification shall not be required for trials held entirely on one (1) contiguous tract of land where an agent of the department is provided with a complete list of the names and addresses of all participants before the trial.

(6) For game bird field trials:
(A) Designated shooters, under the field trial permit, may shoot only legally obtained and captive-reared: quail, pheasants, exotic partridges, and mallard ducks. The permit holder may purchase quail, pheasants, and mallard ducks no more than ten (10) days prior to a trial and hold them no longer than ten (10) days after a trial.
(B) Quail, pheasants and exotic partridges shall be marked with a permanent avian leg band prior to release. Mallard ducks shall be marked by removal of the hind toe from the right foot, or by tattooing a readily discernible number or letter or combination on the web of one (1) foot.
(C) Legally obtained quail, pheasants, exotic partridges, and mallard ducks may be taken in any number during a field trial and may be possessed and transported from the field trial area by persons other than the field trial permit holder only when accompanied by a receipt listing the date, number and species, and name, address and permit number of the field trial permit holder. In addition, the marked foot must remain attached to mallard ducks.

**AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000.**


### 3 CSR 10-9.627 Dog Training Area Permit

**PURPOSE: This rule establishes a permit to operate a bird dog training area.**

To operate a dog training area, and to purchase, hold, release and shoot on the training area only legally obtained and captive-reared: pheasants, exotic partridges, quail, and mallard ducks. Fee: twenty dollars ($20).

3 CSR 10-9.628 Dog Training Area: Privileges

PURPOSE: This rule clarifies the privileges and responsibilities under this permit by creation of a new rule, and clarifies that more than one (1) dog training area permit may be issued for the same tract of land.

(1) A dog training area permit is required to operate a dog training area, and to purchase, hold, release and shoot on the training area only legally obtained and captive-reared: pheasants, exotic partridges, quail and mallard ducks. Captive-reared mallard ducks may be taken, possessed, transported, and stored only as provided in this chapter and federal regulations. Such ducks must be physically marked prior to six (6) weeks of age by removal of the hind toe from the right foot, or by tattooing of a readily discernible number or letter or combination thereof on the web of one (1) foot. Receipts for all game birds purchased or held must be maintained, and are subject to inspection by an authorized agent of the department at any reasonable time.

(2) Game birds held for more than twenty-four (24) hours must be confined in covered facilities that meet standards specified in 3 CSR 10-9.220. For mallard ducks, such facilities must be designed and managed to immediately re-capture any unharvested ducks.

(3) Dog training areas shall be a single tract of land not more than forty (40) acres in size and posted with signs as specified or provided by the department. These signs can be obtained from the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. Multiple dog training area permits may be issued for a single tract of land.

(4) Shooting privileges shall be limited to the individual dog training area permit holder and not more than two (2) training assistants, whose names shall be listed on the permit application and the dog training area permit. All shooters shall possess the prescribed hunting permit. Only non-toxic shot may be used for taking mallard ducks.

(5) Game birds taken while dog training, other than mallard ducks, may be possessed and transported from the area only when accompanied by a receipt listing the date, number and species taken, and the dog training area permit holder’s name and permit number; or when accompanied by an approved transportation sticker for each game bird taken. Transportation stickers must be purchased from the department by the dog training area permit holder.

(6) Captive-reared mallard ducks taken while dog training may be possessed and transported from the area only when accompanied by a receipt listing the date, number and species taken, and dog training area permit holder’s name and permit number. In addition, the marked foot must remain attached to mallard ducks.

NOTE: (For federal regulations on migratory waterfowl, see Title 50, Parts 20 and 21 of the Code of Federal Regulations.)


3 CSR 10-9.630 Confined Wildlife Permits: How Obtained, Replacements

(Rescinded March 1, 2003)


3 CSR 10-9.640 Licensed Trout Fishing Area Permit

PURPOSE: This rule establishes a Licensed Trout Fishing Area Permit.

To maintain and operate a licensed trout fishing area, and to stock legally acquired trout. Fee: one hundred dollars ($100).


3 CSR 10-9.645 Licensed Trout Fishing Area Permit: Privileges, Requirements

PURPOSE: This rule delineates the privileges and requirements associated with the Licensed Trout Fishing Area Permit.

(1) A representative of the department shall inspect each proposed licensed trout fishing area to determine that it meets all requirements of this rule before a permit is issued.

(2) Permits will not be issued for water areas where:
   (A) The department manages trout populations that are maintained by stocking or natural reproduction.
   (B) The release of trout is likely to jeopardize any wildlife designated as a state or federal threatened or endangered species.
   (C) There is not year-round trout habitat.

(3) A permittee may release legally-acquired rainbow trout or brown trout for fishing and harvest throughout the year, under the following conditions:
   (A) The immediate source of the trout to be stocked must be currently certified as negative for viral hemorrhagic septicemia, infectious pancreatic necrosis, infectious hematopoietic necrosis, Myxobolus cerebralis, or other diseases which may threaten fish stocks within the state, must have been certified negative for the previous three (3) consecutive years, and must not pose a threat of introducing unwanted species. The immediate source of trout to be stocked must be certified as currently free of Salmincola spp. except that this requirement will not apply to trout stocked from a trout production facility contiguous with the licensed trout fishing area. Certification will only be accepted from federal, state, or industry personnel approved by the department and only in accordance with provisions of fish importation permit regulations (see 3 CSR 10-9.110(4)).
   (B) The permittee shall keep an accurate record of all trout of each species released into and taken from the licensed trout fishing area. These records shall be subject to inspection by an authorized agent of the department at any reasonable time. The permittee shall provide each customer or guest with a receipt indicating the date and number of trout taken. Customers or guests must retain this receipt during transport and storage of the trout.
   (C) Customers or guests may fish for and take rainbow trout and brown trout in any numbers within the licensed trout fishing area without additional permits.

(4) A Licensed Trout Fishing Area Permit is not required for stocking trout into an impoundment that is not subject to movement of fishes to and from waters of the state and is entirely confined and located completely upon lands owned or leased by a single person or by two (2) or more persons jointly or
as tenants in common or by corporate shareholders.
