

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Chronic Wasting Disease Control Areas (LAC 76:V.135)

The Wildlife and Fisheries Commission hereby amends the Rules and Regulations for Chronic Wasting Disease (“CWD”) Control Areas by reducing the portions of the existing Control Area where supplemental feeding and baiting is prohibited and adding new areas to the Control Area due to a recent CWD confirmed case found in a harvested white-tailed deer in Catahoula Parish.

The Secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and compiling public comments and submissions for the commission’s review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the proposed rule, the Secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and file the final Rule.

Title 76

WILDLIFE AND FISHERIES

Part V. Wild Quadrupeds and Wild Birds

Chapter 1. Wild Quadrupeds

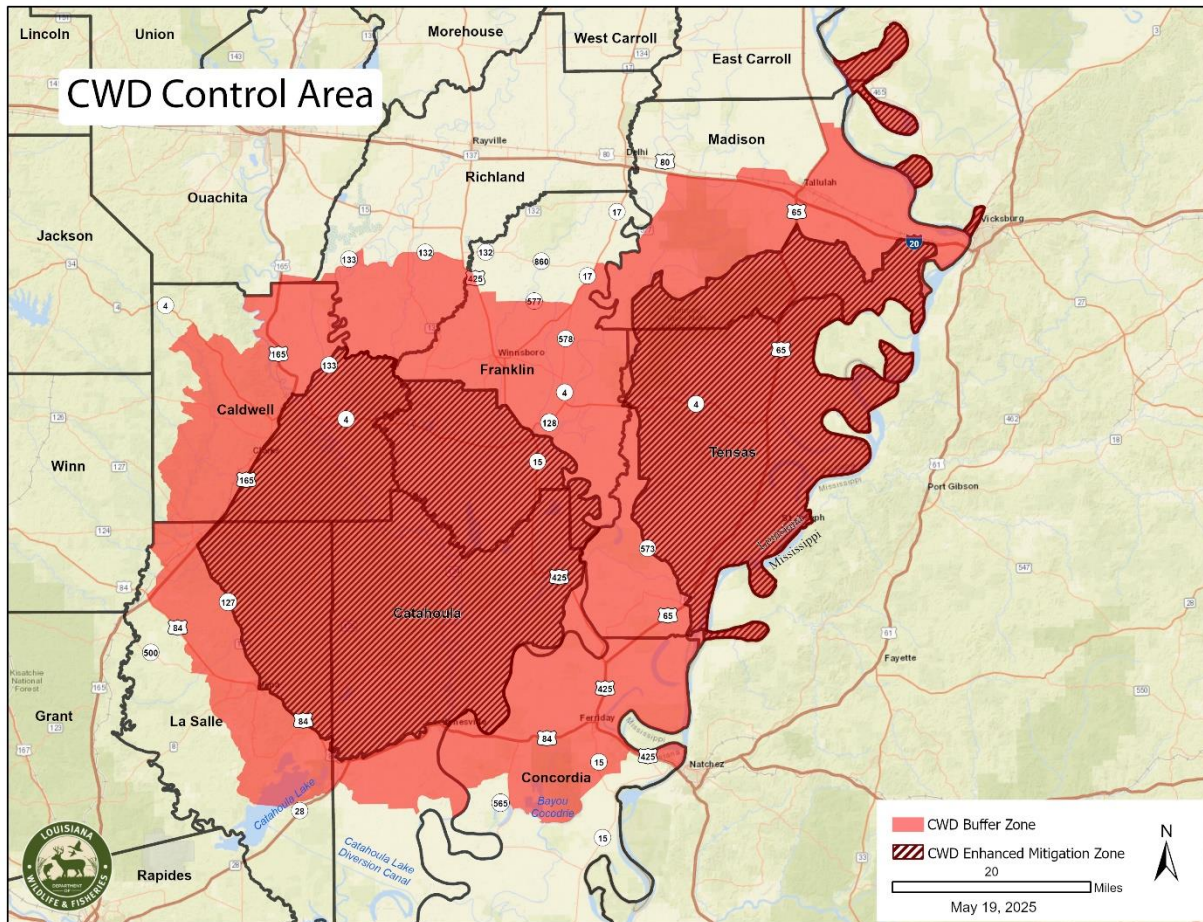
§137. Rules and Regulations for Chronic Wasting Disease Control Areas

A. Definitions

Cervid—any animal of the family *Cervidae* including, but not limited to, white-tailed deer, mule deer, elk, moose, caribou “reindeer”, fallow deer, axis deer, sika deer, and red deer.

Chronic Wasting Disease (CWD)—Neurodegenerative disease found in most deer species, including white-tailed deer, mule deer, elk, red deer, moose, and caribou. It is infectious, always fatal, and has no treatment. CWD is part of a group of diseases known as transmissible spongiform encephalopathies (TSEs) and is similar to BSE (mad cow disease) in cattle and scrapie in sheep. These diseases cause irreversible damage to brain tissue, which leads to excessive salivation, neurological symptoms, emaciation, and death of the animal.

Control Area—a designated area consisting of the CWD infectious zone and buffer zone where mitigation measures and regulations are applied to curb further spread of the disease. The Control Area is established and defined by the map below:



B. Supplemental feeding, baiting, placement of bait, or hunting over bait is prohibited within the portion of the CWD Control Area designated as the CWD Enhanced Mitigation Zone. It is the responsibility of hunters to check their hunting area for bait prior to each hunt. A baited area is an area on which salt, grain, or other feed has been placed, exposed, deposited, distributed, or scattered, if that salt, grain, or other feed could serve as a lure or attractant for wild quadrupeds or wild birds via ingestion. Supplemental feeding and baiting is allowed in the portion of the CWD Control Area designated as the CWD Buffer Zone, but only by non-stationary, mechanical or electronic broadcast methods. The use of bait not normally ingested by deer is allowed for feral hog trapping, or by holders of bear harvest permits during the designated bear baiting period.

C. The export of any cervid carcass or part of a cervid carcass originating within a designated CWD Control Area is prohibited, except for: meat that is cut and wrapped; meat that has been boned out; quarters or other portions of meat with no part of the spinal column or head attached, antlers, clean skull plates with antlers, cleaned skulls without tissue attached, capes, tanned hides, finished taxidermy mounts, and cleaned cervid teeth.

D. Approved parts transported out of the CWD Control Area must be legally possessed. Approved parts must contain a possession tag with the hunter's name, address, LDWF license number, parish of harvest, date of harvest, and sex of deer. All cervid parts transported out of the Control Area that are in violation of the provisions of this ban shall be seized and disposed of in accordance with the Wildlife and Fisheries Commission and Department of Wildlife and Fisheries rules.

E. LDWF shall establish a permitting system to allow for uncleaned cervid heads to be transported out of the Control Area solely for taxidermy purposes by waiver.

AUTHORITY NOTE: Promulgated in accordance with the Louisiana Constitution, Article IX, Section 7, R.S. 56:1, R.S. 56:5, R.S. 56:6(10), (13) and (15), R.S. 56:20, R.S. 56:112, R.S. 56:116.1 and R.S. 56:171 et seq.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 48:2190 (August 2022), amended LR .

Family Impact Statement

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Poverty Impact Statement

This proposed Rule will have no impact on poverty as described in R.S. 49:973.

Provider Impact Statement

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Small Business Analysis

This proposed Rule may have a negative effect on some small businesses that sell deer feed, bait, and other attractants and related gear and equipment.

Public Comments

Interested persons may submit comments relative to the proposed Rule until Thursday, August 5, 2025, to Johnathan Bordelon, Deer Program Manager, Department of Wildlife and Fisheries, 1995 Shreveport Highway, Pineville, LA 71360, phone 318-487-5334 or via e-mail to jbordelon@wlf.la.gov.

Kevin Sagrera

Chairman

SUMMARY (Use complete sentences)

In accordance with Section 961 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated impact on the Louisiana Department of Wildlife and Fisheries (LDWF) expenditures resulting from the proposed rule changes.

The proposed rule change makes the following changes:

1. Clarifies the list of baits and attractants prohibited within Chronic Wasting Disease (CWD) control areas.
2. Allows persons who hold bear harvest permits to place bait that is not attractive to deer within CWD control areas during bear-baiting periods.

3. Prohibits using bait or supplemental feed within the CWD Enhanced Mitigation Zone in portions of Caldwell, Catahoula, Concordia, Franklin, La Salle, and Richland parishes.
4. Allows the use of bait and supplemental feeding dispersed by non-stationary, mechanical, or electronic broadcast methods in portions of Caldwell, Catahoula, Concordia, Franklin, La Salle, and Richland parishes called the CWD Buffer Zone
5. Clarifies language directing the Louisiana Department of Wildlife and Fisheries (LDWF) to allow deer heads to be shipped out of the CWD control areas for taxidermy purposes.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is not anticipated to affect the revenue collections of LDWF or other state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule change may negatively impact the revenues of businesses that sell bait and feed supplements to hunters who hunt for deer within the areas that the proposed rule change will add to the CWD Enhanced Mitigation Zone. The reduction in the sales of deer bait resulting from the proposed rule change may range between \$235,620 and \$471,240.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment as a result of the proposed rule changes.