

Fencing Options Regarding New Legislative Requirement to Prevent Physical Contact Between Farmed White-Tailed Deer and Wild Cervidae

Purpose

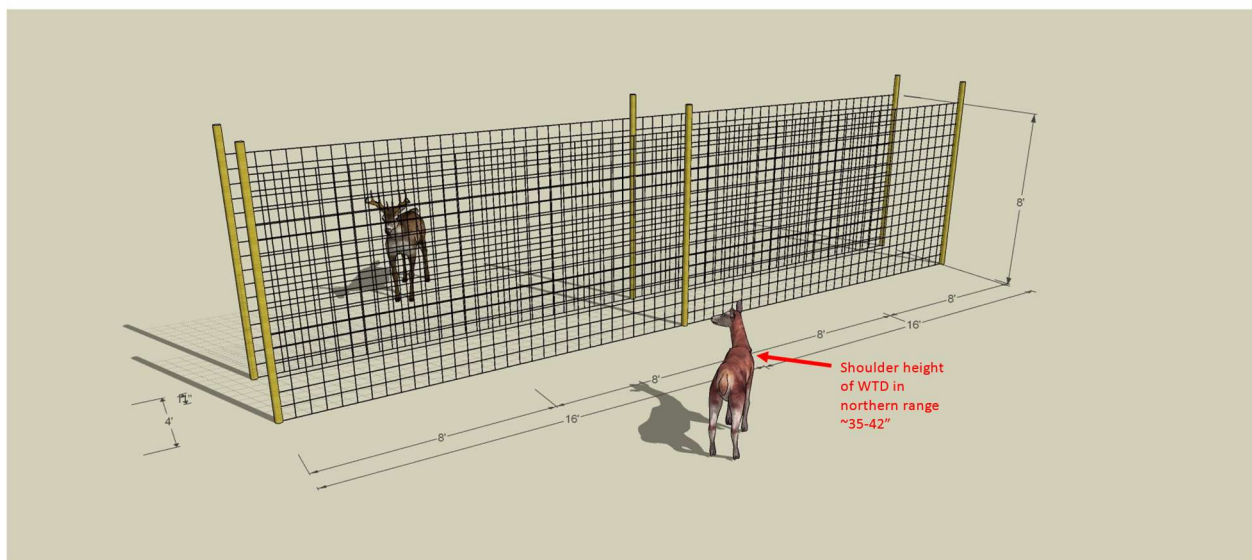
Under Minn. Laws, ch. 60, art. 7, sec. 2, farmed Cervidae must be confined in a manner that prevents “physical contact” between farmed and wild Cervidae. This legislation becomes effective **September 1, 2024**. DNR understands that time is needed to construct or modify existing fences to satisfy the new requirements and that there are upcoming grant application deadlines to consider. The purpose of this document is to help provide examples of possible fence configurations that DNR believes would satisfy the no physical contact requirement. Please note these options are not an exhaustive list for satisfying the statute and are being offered for illustrative purposes only.

Double 96-Inch-High Fence

This configuration would involve a second 96-inch-high fence spaced at least 48 inches from an existing 96-inch primary fence.

1. Pressure treated 4–5-inch posts if made of wood.
2. Steel posts are acceptable.
3. Posts set at least 36 inches in the ground and extend above the top line of the fence.
4. Be spaced no more than 15-25 feet apart.
5. Be vertically erect and unbroken.
6. Mesh size of 6 inches or smaller for white-tailed deer.
7. Fence flush to the ground with no visible gaps due to terrain irregularities.

Option 1 - Double 96” fence

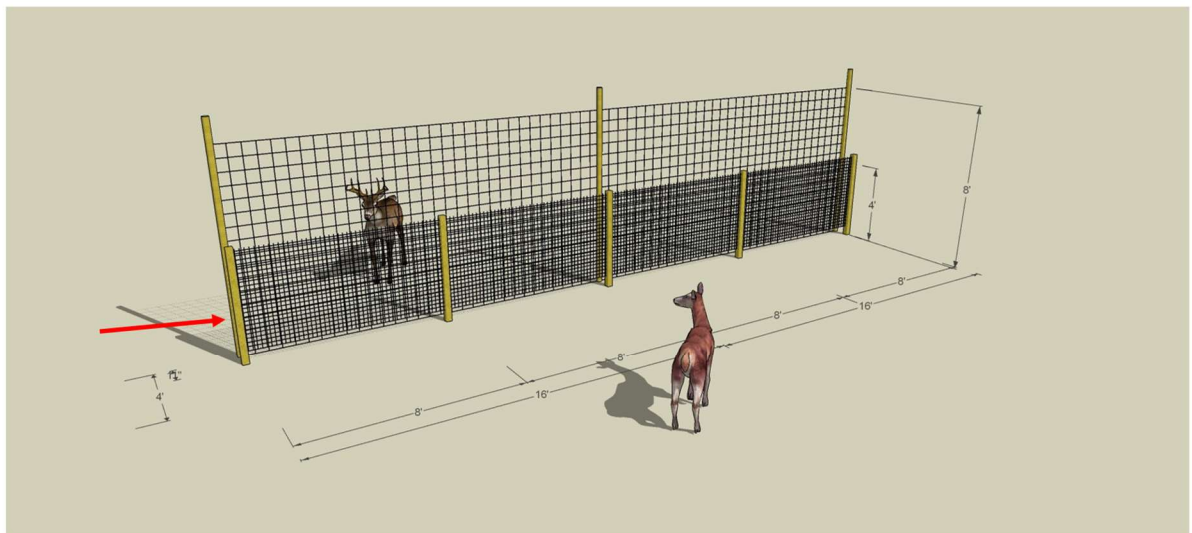


Secondary Mesh Fence

This configuration would involve construction of a secondary mesh fence attached to the inside or outside of the existing 96-inch-high primary fence. Specifications for the mesh fence would include:

1. The width of the fencing material would be at least 48 inches wide with holes no larger than 2 inches by 4 inches. High tensile chain-link fence is acceptable.
2. The bottom of this fence would start no higher than 6 inches above the ground and the top of the fence would be at least 54 inches above the ground.
3. The distance between existing primary fence and the secondary fence would be at least 12 inches.
4. Spacers would occur every 8 feet or less between the primary and secondary fence to ensure that the 12-inch space between the fences is maintained.

Option 2 - Secondary fence attached to existing

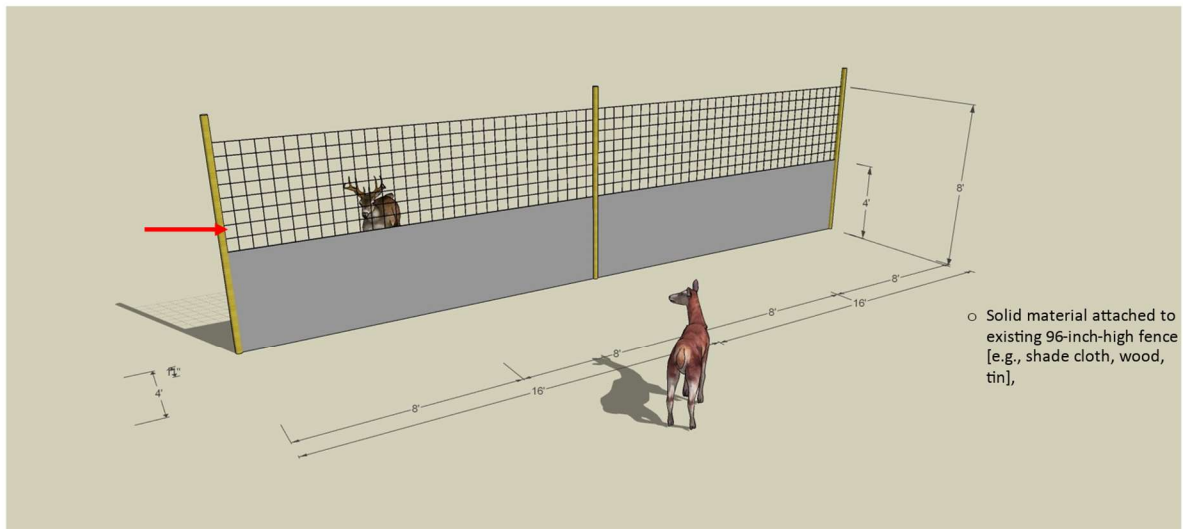


Solid Material Attachment

This configuration would involve attaching a “solid” material to the inside or outside of the existing 96-inch-high fence. Specifications for this type of fence would include:

1. Solid materials would prevent exchange of bodily fluids. Examples of acceptable solid materials include densely woven “shade” cloth, wood, and tin.
2. Solid material would start no more than 6 inches above the ground with the top at least 60 inches in height from ground.

Option 3 - Solid material attached to existing

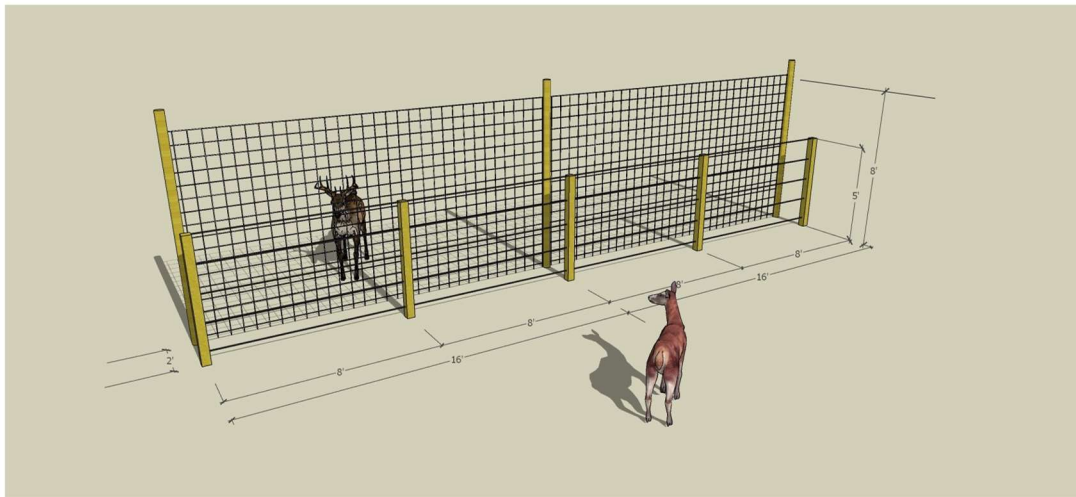


Electric Fence

This configuration would involve construction of an electric fence inside or outside of the existing 96-inch primary fence. Specifications for this type of fence would include:

1. The distance between the electric fence and the existing 96-inch perimeter fence would be at least 24 inches, but no more than 36 inches.
2. Comprised of at least 5 evenly spaced strands of 12.5-gauge wire.
3. Spaces between wires would be no more than 9 inches, with the bottom wire starting 12 inches above ground and the top wire at 48 inches above the ground.
4. Fence would deliver a minimum of 5,000 volts.
5. Energizing system would incorporate a battery backup to energize the fence in the event of power failure.
6. Energizing system would have an alarm/notification system to provide an audible or visual alert if the fence is not energized.

Option 4 – 5-strand electric



8/12/2024

7

The statements in this document do not have the force and effect of law. This document is informational only and should not be interpreted as creating new criteria or requirements beyond what is already established in the relevant statutes and rules. Whether an individual facility complies with the relevant statutes and rules will be determined on a case-by-case basis. Nothing in this document should be considered legal advice.