

## Meeting Minutes: September Board Meeting

Date: September 21, 2022

Location: Riverview Dairy (26406 470th Avenue, Morris, MN 56267) and teleconference on Microsoft Teams

### Attendance

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#### Board Members

- Erica Sawatzke, President
- Peggy Anne Hawkins, Vice President
- Dean Compart
- Jessica Koppien-Fox
- Alex Stade

#### Consultants to the Board

- Michelle Medina, Minnesota Department of Agriculture
- Laura Molgaard, University of Minnesota College of Veterinary Medicine
- Albert Rovira, University of Minnesota Veterinary Diagnostic Laboratory
- Joni Scheftel, Minnesota Department of Health

#### Guests

- Paul Anderson, Veterinarian and former Board staff
- Karina Burger, USDA Animal and Plant Health Inspection Service (APHIS), Veterinary Services
- Mary Donahue, USDA-APHIS, Veterinary Services
- Anna Gedstad, Minnesota Department of Agriculture
- Katlin Gralish – USDA-APHIS, Veterinary Services
- Jayne Griffiths, Minnesota Department of Health
- Elaine Hanson, Minnesota Pet Breeders Association
- Brenda Hartkopf, Elk Producer
- Erik Hildebrand, Minnesota Department of Natural Resources
- Stacy Holzbauer, Minnesota Department of Health
- Steve Just, USDA-APHIS, Veterinary Services
- Christina Kreuser, USDA-APHIS, Veterinary Services
- Dale Lauer, Veterinarian and former Board staff
- Tamara Nelsen, Minnesota AgriGrowth
- Laura Paynter, Legislative Analyst, Senate Agriculture and Rural Development Finance and Policy Committee
- Mackenzie Reberg, USDA-APHIS, Veterinary Services
- Jill Resler, Minnesota Pork Producers Association
- Abby Schuft, University of Minnesota Extension

- Marc Schwabenlander, Minnesota Center for Prion Research and Outreach
- Julia Wilson, Minnesota Board of Veterinary Medicine

## Staff

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|--------------------|--------------------|-----------------------|
| • Linda Glaser     | • Veronica Bartsch | • Tony LaBarre        |
| • Marion Garcia    | • Brian Hoefs      | • Addie Evans-Engelke |
| • Erik Jopp        | • Kara Schmidt     | • Sam Kappel          |
| • Shauna Voss      | • Michael Crusan   | • Kayla Pierson       |
| • Courtney Wheeler | • Erin Crider      | • Duane Fox           |
| • Myah Walker      | • Betsy Lempelius  | • Lisa Ehlen          |

## Call to Order and Approval of Minutes and Agenda

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Erica Sawatzke called the meeting to order. She asked for a motion to approve the April 12, 2022, quarterly meeting minutes. Dean Compart made the motion, and Alex Stade seconded it. There was no discussion, and Ms. Sawatzke called for a vote, with all voting aye to approve the April minutes. She then asked for a motion to approve the minutes from the Special Board Meeting held on August 17, 2022. Mr. Stade made the motion, and Dr. Jessica Fox seconded it. There was no discussion, and board members voted unanimously to approve the minutes from August 17.

Ms. Sawatzke then asked for a motion to approve the agenda. Mr. Stade made a motion, and Dr. Fox seconded. There was no discussion, and Ms. Sawatzke called for a vote, and Board members voted unanimously to approve the agenda.

## Legislative Update

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Michelle Medina stated that Minnesota is still in an outbreak of Highly Pathogenic Avian Influenza (HPAI). The legislature approved adding \$1 million to the Ag Emergency Fund on April 7, 2022, and another \$3 million was added to the fund on May 22 for HPAI response activities. There is still available funding in this account, and the Board and the Department of Agriculture will be watching to see how the outbreak proceeds. She said staff are working with the Governor's office on waiving hours of service for trucking so that resources, such as water or carcass hauling, are available for response activities, as needed. She invited anyone interested in staying up to date on the HPAI outbreak to join the weekly stakeholder calls on Fridays at 2:00 p.m.

Work on the biannual budget for fiscal years 2024 to 2025 has begun. Staff at both the Department of Agriculture and the Board are preparing budget numbers to send to Minnesota Management and Budget by October 15.

The next legislative session will begin on January 3, 2023. This session will mainly concern the biennial budget, but there may be policy issues as well. Ms. Medina is working closely with both the Board and the Department of Agriculture to discuss legislative issues for the upcoming session.

## Board of Animal Health Update

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Dr. Linda Glaser announced that the new State Veterinarian, Dr. Marion Garcia, started on September 12. Dr. Garcia briefly introduced herself and thanked Board staff for helping her learn and get started.

Dr. Glaser said the Board received USDA cooperative agreement funding for HPAI, which is primarily being used to pay overtime for staff responding to the outbreak. Ag Emergency funding is being used to pay for pre-movement testing for flocks and supplies needed for the response.

The Board has several staff vacancies and is working to fill those positions, which include a temporary administrative support position at the Minnesota Poultry Testing Laboratory (MPTL), an agricultural advisor in the Rochester area, a district veterinarian in the Mankato area, and two office positions in St. Paul. Some positions in the interview process, and some are currently open for applications. Dr. Garcia will make decisions about any remaining vacancies as she examines the Board's organizational structure.

Dr. Glaser shared that she has set her retirement date for November 1, 2022.

Mr. Compart asked how many people had applied for the Board's posted positions. Kara Schmidt stated that the Board is currently interviewing for two office positions, and each of them had about 30 applications, which is significantly more than previous postings. This is very helpful in choosing the best candidate for each job. She said there are three positions currently open for application, but she will have to wait until they close to see how many people have applied.

Mr. Compart asked what the background of an agricultural advisor would be. Ms. Schmidt said the Board is looking for someone with experience or relevant schooling in agriculture who understands how premises work and can work with producers to make sure they are compliant with our regulations.

## USDA Update

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Dr. Steve Just, USDA District Veterinarian, presented for Dr. Schaeffbauer. The USDA is recognizing the 20-year anniversary of the National Animal Health Laboratory Network (NAHLN), formed in 2002. The NAHLN has allowed for early detection of high-consequence diseases, a rapid response to confirmed cases, and appropriate recovery from an outbreak through large numbers of tested samples to demonstrate disease freedom. Minnesota is fortunate to have two NAHLN laboratories, the Veterinary Diagnostic Laboratory (VDL) and the Minnesota Poultry Testing Laboratory (MPTL).

In response to the widespread HPAI outbreak, the USDA is conducting a voluntary case-control study of commercial table egg premises affected by HPAI. They hope to identify risk factors and biosecurity challenges, refine biosecurity recommendations, and compare biosecurity practices used during the 2015 and 2022 HPAI outbreaks. This study will begin before the end of September. They are working on a similar study for turkey premises, with a planned start date in October.

The USDA continues to move forward with their proposed changes to the Animal Disease Traceability (ADT) rule, which states that identification tags for cattle and bison need to be both visual and electronic. The rule change continues to move through the rulemaking process and will not be published any sooner than 2023. Dr. Just stated the USDA has been offering low-frequency RFID tags for replacement heifers. In Fiscal Year 2021, they distributed almost 8 million tags; in FY 2022, they distributed about 3 million. Dr. Just was unsure of the reason for the drop in tag distribution. Dr. Glaser added that tag manufacturers experienced some supply chain issues, which slowed down production and consequently, tag distribution.

Mr. Compart asked if there were any changes anticipated for swine official identification. Dr. Just said he was not aware of any discussion on changing swine identification requirements.

## College of Veterinary Medicine Update

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Dr. Laura Molgaard noted the College received over 1,400 applications for the 125 seats in the Class of 2026 (this number includes the South Dakota State University (SDSU) "Two Plus Two" program). This class has the highest

number of first-generation college students they have seen at the College. The SDSU “Two Plus Two” program just enrolled its second class of 20, increasing the program’s enrollment to 40. She mentioned that Dr. Fox is teaching some of the classes in this program, which is for students with an interest in rural, mixed veterinary practice. They complete their first two years at SDSU and then transfer to the University of Minnesota to complete their third and fourth years.

In response to higher rates of depression and suicide within the veterinary profession, the College has made an investment in wellbeing support for students. In addition to a veterinary medical social worker, they have hired a Director of Student Wellbeing and Success and a counselor to work with students who have unique counseling needs.

The Minnesota Center for Prion Research and Outreach (MNPRO) is testing sentinel technology for chronic wasting disease (CWD) surveillance and have completed the evaluation of their four-hour field test. They have received \$4 million in Legislative-Citizen Commission on Minnesota Resources (LCCMR) funding. Students from the College continue to help with CWD sample collection during hunting season.

Dr. Jerry Torrison, former Director of the Veterinary Diagnostic Laboratory (VDL), has stepped down to take a position in private industry. Dr. Albert Rovira is serving as Interim Director while the College conducts a search for the next director.

Mr. Compart asked if the “Two Plus Two” program was modeled after another program. Dr. Molgaard said there are several similar programs around the country, each with a slightly different approach. He then asked Dr. Fox what courses she teaches. She said she is teaching Clinical Skills to first year students this semester, Professional Development both semesters, and she will teach a course next semester on dentistry, nutrition, and behavior for non-traditional pets.

Brenda Hartkopf asked if the validation of the CWD test developed by MNPRO was nearing completion. Dr. Albert Rovira said there are the scientific confirmations done at the University, but then then the test needs to go through USDA validation, which can take a long time. The goal is to be able to use this test in the laboratory, but the lab needs to use other testing methods until validation is complete. Mrs. Hartkopf asked if the test could be used for CWD testing of wild deer in the field. Dr. Glaser said a field test for wild deer does not require USDA approval. MNPRO has worked with the DNR to develop the test and do research on hunter harvested deer for several years.

## **Veterinary Diagnostic Laboratory Update**

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Dr. Albert Rovira, Interim Director, introduced himself. He is working with Dr. Molgaard in the search for a new VDL director and welcomed candidate recommendations from the group.

Dr. Jeremy Schefers left the VDL for a job in private industry. Dr. Schefers was the VDL’s main ruminant diagnostician and was their CWD expert. The VDL is making plans to cover the loss of his expertise and to train the person who fills this position. They are outsourcing CWD testing in the short term, but they would like to use the CWD test developed by Dr. Peter Larsen and MNPRO. They are in the process of buying the equipment needed to run the test; however, the USDA needs to finish test validation before they can use it, so this is still in their long-term plans.

The response to HPAI has kept the VDL and MPTL very busy. The VDL does one run of testing every weekday and does some weekend testing, usually on Saturdays. The MPTL performs two runs of testing per weekday. They also do sick bird and movement testing on Sundays, as needed. Both labs will adjust their testing schedules to meet the changing response needs.

The VDL continues to do testing for foreign animal disease (FAD) investigations. Many of these during the summer have been for swine vesicular diseases, in which the VDL runs tests for Foot and Mouth Disease (FMD) and Seneca Valley Virus (SVV). Usually, the tests have been positive for SVV. Dr. Rovira noted that this summer currently has seen the second highest number of SVV cases in the last five years, with testing in October still to come.

The VDL is currently in the process of placing orders for new equipment with \$1.25 million in funding from the legislature. They also received CDC funding to purchase a new PCR machine to increase their testing throughput. They are working on updating their online submission form to improve the quality of the data they receive.

Mr. Compart asked if the SVV cases possibly could be a new disease that has not been identified yet. Dr. Rovira said two sets of samples are collected for testing: one for the VDL, and one for the Foreign Animal Disease Diagnostic Laboratory (FADDL) in Plum Island, New York. If the VDL finds a case that is negative for both SVV and FMD, it gets sent to the FADDL for additional vesicular disease testing. In the past, the VDL suspected these cases might be something else and have done testing for other diseases. This year, cases are consistently testing positive as SVV, and the VDL is comfortable with that diagnosis. Mr. Compart asked if the U.S. deals with SVV more than other countries. Dr. Rovira said some countries do not want to share that they have SVV, so it is difficult to know how widespread it is. He noted that there were not many SVV cases around the world last year, but it is in many countries this year.

## Minnesota Department of Health Update

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Jayne Griffith, a senior epidemiologist with the Minnesota Department of Health (MDH), shared information on the current Monkeypox outbreak. She first gave a brief overview of the history of the disease. The first case in 2022 was detected on May 7 in London, in a traveler from Nigeria, a country that has had an ongoing outbreak since 2017. Four more cases were found within a week, all men who had sex with men, and had no connection to the first case or travel history. The first U.S. case was identified on May 18. As of September 19, there have been 62,406 cases worldwide (99 percent of which are in countries that have not historically reported monkeypox), including 23,893 cases and one death in the U.S.

Ms. Griffith described U.S. case characteristics for the 2,891 cases reported between May 17 and July 22. Case report forms were received for 41 percent of the cases. Of those, the median age of infected people was 35, and 99 percent of them were men. Of the men who shared information on sexual behaviors (358), 94 percent reported close or intimate contact with a man or men during the three weeks before symptom onset.

Minnesota has seen 171 cases, 96 percent of which are in men. Ninety-five percent of cases are in the metro area, with a median age of 34. There have been seven hospitalizations and no deaths. Minnesota case characteristics mirror those of the national cases, with most cases occurring among gay, bisexual, or men who have sex with men. Cases peaked around August 8-10. They have begun a decline, but MDH continues to watch case numbers.

Monkeypox is transmitted person-to-person through prolonged contact with skin lesions or body fluids. It is not clear yet if it can be sexually transmitted. Symptoms appear approximately 7 to 9 days after exposure. A person is infectious at the onset of symptoms, with infection ending when the scabs fall off and new skin develops, which takes about 2 to 4 weeks. This time may be decreased with the use of the antiviral Tecovirimat (TPOXX).

Monkeypox cases usually are mild but are inconvenient. In addition to quarantines, some people report severe pain or severely swollen lymph nodes. Ocular lesions or secondary bacterial infections can occur. Those at risk for serious illness include immunosuppressed people, pregnant women, and children.

Symptoms during this outbreak vary from those of classic monkeypox symptoms. People may or may not have any symptoms until the rash appears, may only have the rash in one area of the body, or may develop just one or a few lesions. The rash is sometimes mistaken for syphilis, herpes or varicella.

People should be tested for monkeypox if they have a new, unexplained rash or if they have monkeypox symptoms and were exposed to the virus through contact with infected people or animals or have traveled to a country with confirmed cases of monkeypox within 21 days of symptom onset.

Monkeypox can be treated with antivirals if patients experience severe pain or illness. Monoclonal antibody treatment is also available for severe cases. There are two vaccines licensed by the FDA for preventing monkeypox. Vaccine supply is low, so MDH is using guidance for both pre- and post-exposure prophylaxis, as needed.

Ms. Griffith described a case of an Italian greyhound contracting monkeypox from its two owners in Paris. They were both monkeypox positive and shared their bed with the dog. The dog developed a rash on its abdomen and anal ulceration 12 days after the owners developed symptoms. This was the first time monkeypox was reported in a domestic animal. The CDC developed guidance for people with monkeypox who also have pets in the home. Ms. Griffith noted that when MDH conducts case interviews, they ask if the infected person has any pets and talk to them about taking preventive steps to protect the animals, such as asking others to care for their pets, wearing gloves and a mask around them, and preventing contact with the infected person's bedding, clothing or bandages.

Dr. Wheeler asked about the rate of smallpox vaccination among Minnesota's monkeypox cases. Ms. Griffith said no one in Minnesota has reported smallpox vaccination. Several national cases have reported vaccination for smallpox.

## HPAI Update

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Dr. Erik Jopp, Assistant Director of the Board, discussed the Incident Command (IC) structure currently in place for the emergency response to highly pathogenic avian influenza (HPAI). The Board has a Memorandum of Understanding (MOU) with the Minnesota Department of Agriculture (MDA), so their employees and Minnesota USDA staff are filling roles in the IC structure, which makes sure all the needs of the response are covered. The Board has also requested half of a USDA team to assist with response efforts as new cases are identified.

Dr. Shauna Voss stated the outbreak began on March 25, 2022. Cases were identified all over the state, with most being commercial turkey premises. Cases tapered off at the end of May, but a new case was identified on August 28. While this happened earlier than expected, the Board was ready to respond. As of this morning, Minnesota has confirmed 12 cases in nine counties, with another five cases pending in two counties. Premises include seven meat-type turkey, two commercial breeder turkey, and three backyard, non-poultry facilities. The west central part of the state has seen the most cases, but this area is where the most poultry is grown. The U.S. also continued to see cases spread west over the summer, with 39 states affected.

Dr. Voss noted signs of HPAI, including sudden increased mortality, depression and decreased water consumption. There is a small (2 to 3 percent) decrease in water consumption the day before clinical signs appear, but the decrease is very noticeable the day symptoms appear. Spleens are enlarged or speckled, and there is no decrease in feed.

Risk factors for commercial flocks include close proximity to wild birds, location inside an infected zone or buffer zone, large fly or beetle infestations, recent crop harvest activity that attracts wild birds, increased rodent activity, and recent activity such as vaccination crews or excavation activity that raises dust close to the barns. Risk factors for small flocks include free access to outdoor areas and ponds shared with wild birds, feeding birds on the ground, and having a mixed flock of chickens and waterfowl. Dr. Voss noted there do not seem to be any direct or indirect links between backyard and commercial poultry.

Dr. Voss shared the Board's new online mapping tool, which allows anyone to enter an address to find out if it is in an established control area and what the requirements are if they are in a control area. There has been a good response to this new tool.

The Board and the University of Minnesota Extension – Poultry held a webinar on HPAI for small flock owners on September 15. Participation was low compared to the same webinar held in the spring. The webinar was recorded for later viewing. Dr. Voss stated the Board imposed a ban on poultry events in the spring but made the decision not to ban poultry events this fall, opting to focus on holding safe events to mitigate and prevent disease spread. Outreach materials for event managers and veterinarians are in development.

Dr. Just asked if this HPAI virus is more adapted to chickens. Dr. Voss said the virus was very poultry adapted before it came to the U.S., and the incubation period is often so short that by the time the Board tests birds, they are often already dying.

Mr. Compart asked if ducks are better able to handle HPAI infection than turkeys or chickens are. Dr. Voss said turkeys are susceptible to many diseases. Wild waterfowl and domestic ducks and geese are getting HPAI but seem to live longer with the infection than turkeys or chickens.

Ms. Sawatzke asked if there is a plan to keep state response equipment maintained between outbreaks. Kara Schmidt stated the equipment is owned by MDA, and there is discussion on creating a maintenance plan going forward.

There was discussion on the possible use of vaccines to prevent HPAI. As of now, when a country uses a vaccination for HPAI, trade with that country is shut down. There needs to be much more discussion before making the decision to use vaccines. There is some concern with vaccines masking HPAI symptoms, making them more difficult to detect. Some in the layer industry are more open to discussing vaccines, but some are not, and there is no consensus on which poultry would be vaccinated. Countries are able to declare disease freedom faster by stamping it out instead of vaccinating for it. There need to be studies to determine which method will provide the fastest disease freedom from this particular HPAI virus.

Ms. Sawatzke stated that since HPAI is back this fall, some producers who had positive cases in the spring have expressed anxiety over possibly getting HPAI again. They are under a lot of stress and may lose their farms. She asked if there is any support the state can provide to poultry farmers before they become infected. Dr. Jopp said the MDA's Farm and Rural Helpline is available 24 hours a day/7 days a week for any farmer at any time. They also have farm advocates who can help farmers facing financial crises or natural disasters.

Mr. Compart asked if air filtration has been used to combat HPAI. Dr. Garcia said most of the turkey industry does this, using landscape fabric and spraying it down with disinfectant to keep disease out. However, part of their frustration is determining how many actions they should take without knowing how HPAI is getting into their barns. This is likely why turkey producers pushed to be included in the USDA's case-control study. They want better indicators of which risk factors they need to address.

## **Board of Animal Health Bylaws**

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Kara Schmidt summarized the draft Board of Animal Health Bylaws, which include the mission, the description of what the agency does, explanations of Board statutes and rules, data practices, meetings and procedures, when elections are held, Board member duties, a code of ethics for Board members, and legal counsel. She then asked for discussion.

Mr. Compart commented that the Board Member Duties section includes an expectation to go on a farm inspection periodically. While he has not been on an inspection, he feels it would be important for more fully understanding and appreciating the Board's work.

Dr. Peggy Anne Hawkins shared that she had not read through the draft thoroughly but has noticed some inconsistencies that need refining before adoption of the bylaws document. She pointed out the inconsistent use of the terms "President" and "Chair" of the Board. Ms. Schmidt agreed and said these inconsistencies can be corrected and the document can be resubmitted to the Board for adoption at the December meeting.

Dr. Wheeler asked if there is a regular review period for the bylaws. Ms. Schmidt said a review period could be added to the bylaws. Ms. Sawatzke agreed and suggested that they receive the revised bylaws with more time to review before the December meeting. She suggested that Board members take time to review the draft bylaws and submit their comments to Ms. Schmidt by October 1. Ms. Sawatzke then asked for a motion to table the bylaws until the December meeting and provide comments on the draft by October 1. Dr. Hawkins made the motion, and Dr. Fox seconded it. A vote was taken, with all voting aye to approve the motion.

## Department of Natural Resources Update

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Erik Hildebrand stated the Department of Natural Resources (DNR) has CWD tested over 106,000 wild deer since 2002, mostly from Southeastern Minnesota. The DNR continues to place feeding and attractant bans in counties where positive cases in the wild are found. Surveillance zones are established around positive farmed cervid herds and only have feeding bans.

This fall, the DNR is performing surveillance in 10 areas of the state, which includes five management zones, one control zone, and four surveillance zones. Mr. Hildebrand pointed out this year's new areas of surveillance, including the management zone in Deer Permit Area (DPA) 661 and the surrounding surveillance zones in the Northwest area of the state; and the management zone in DPA 679 around Grand Rapids. All of these surveillance areas will have mandatory CWD sampling over opening weekend of firearms season on November 5-6, with the exception of surveillance zones on a voluntary, point-based sampling model.

Mr. Hildebrand outlined other new changes to this fall's surveillance plan. Self-service sampling stations are not available to hunters during archery and muzzleloader seasons in management and control zones, but they will be available during the entire firearms season. They have hired technicians to assist hunters in all management zones, where movement restrictions and the need for sampling opportunities have increased.

They have responded to the increased need for other options for CWD sampling statewide, including creating hunter mail-in kits and an expanded statewide Partner Sampling Program. Hunter mail-in kits have all the items needed to collect and send in a sample for CWD testing. These kits can be ordered on the [DNR's CWD mail-in kits webpage](#) or picked up at an area wildlife office. The Partner Sampling Program works with taxidermists to collect samples from hunter-harvested deer. Taxidermists are provided with shipping materials and will send in the samples for testing. Hunters can find a list of participating taxidermists on the [DNR's Partner Sampling Program webpage](#).

The DNR is continuing their Adopt-a-Dumpster program in CWD management and control zones, where carcass movement restrictions are in place. These dumpsters are heavily used and are serviced weekly by vendors.

The DNR is doing postcard mailings to management and control zone hunters, notifying them of the lack of self-service stations during archery and muzzle loader season and giving options for voluntary deer testing outside of opening weekend. The DNR is encouraging hunters to check their DPA to see if it has any mandatory testing requirements. This information is available on the DNR website.

Mr. Hildebrand said there have been no confirmed cases of Epizootic Hemorrhagic Disease (EHD) in the summer or fall, and no reports of multiple dead deer in a localized area.

The DNR's HPAI surveillance in late summer and fall have detected a few positive cases in pelicans, swans and geese. The agency responds to reports of mortality or morbidity of five or more birds. They are assisting with USDA Wildlife Services national surveillance efforts, including collecting samples from banded birds over the summer, testing hunter harvested ducks in the fall, and more live bird capturing and sampling during the winter months.

Dr. Wheeler asked what training resources are provided for hunters sampling their own deer. Mr. Hildebrand said the mail-in kits include pictures of sampling and a QR code to a video showing how to extract samples. She then asked if hunters can leave a whole head at the self-service stations. Mr. Hildebrand said they may leave the whole head or collect the lymph nodes themselves.

Mr. Compart asked if pelicans, geese and ducks are able to survive HPAI. Mr. Hildebrand stated that not all pelicans that test positive are dead, so there is some survivability. It is unknown why this is.

Ms. Sawatzke asked if the pelicans were found and tested or were they part of the USDA surveillance. Mr. Hildebrand said they were found and reported as a group of five or more dead birds.

Dr. Fox asked where the DNR's CWD samples go for testing. Mr. Hildebrand said the lymph nodes from hunter harvested deer go to Colorado State University or the Wisconsin Veterinary Diagnostic Laboratory. If the DNR receives a whole carcass, it goes to the University of Minnesota VDL for testing.

Dr. Fox asked if the Raptor Center has seen a lot of HPAI cases come in. Mr. Hildebrand said they have seen some, but not as many as they saw in the spring.

Mr. Compart asked if there will be resources available for sampling and testing hunter-harvested deer in Southwestern Minnesota, and if the DNR has seen any voluntary testing from this area. Mr. Hildebrand said hunters in these areas can obtain a mail-in kit or work with a taxidermist in the Partner Sampling Program. The DNR only gets notified of a sample independently submitted by a hunter if the test comes back positive. They are not notified of "not detected" results.

Dr. Hawkins asked what the DNR is doing to clean up the area around their self-service stations to prevent the spread of CWD to deer passing through the area. Mr. Hildebrand said these stations are in places with vehicle traffic, such as gas station parking lots, so these are not places where deer are regularly passing through.

## **Farmed Cervidae Update**

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Dr. Linda Glaser displayed a map of Minnesota with locations of licensed farmed cervid herds. She said the state has 6,617 animals in 227 herds, including 122 white-tailed deer (WTD) herds and 19 herds with WTD and other cervid species. The number of licensed herds has been declining substantially since 2017.

Dr. Glaser then showed a flow chart depicting the progression of the Houston/Beltrami County herd CWD investigation, which began in October 2020 with the detection of a CWD positive animal at a Winona County herd. That herd had been quarantined since then and had been conducting CWD surveillance of its animals with no CWD detected in 47 animals. Then, in July 2022, a culled WTD doe tested positive. The Board received USDA cooperative agreement funds for the depopulation and is discussing a contract for depopulation with USDA Wildlife Services. The CWD-exposed Hennepin and Dakota County herds are scheduled to be released from quarantine in October 2022 if their animals remain healthy and no CWD tests are pending.

The Douglas County herd found CWD positive and depopulated in 2019 has been under a herd plan that required them to maintain intact perimeter fencing to keep out wild deer for five years. At their first quarter inspection in 2022, everything looked good. The second quarter inspection did not occur due to the HPAI response. At the third quarter inspection, the Board inspector found the gates had been removed and no biohazard signs were posted. The Board issued a Notice of Violation and a correction order. The Board was unable to contact the producer, so the county sheriff delivered the documents to the person who has power of attorney for the landowner. The Board is getting this person's contact information to make sure he understands what is needed to get back into compliance with the herd plan.

The Meeker County herd found CWD positive and depopulated in 2017 has been maintaining their perimeter fencing and biohazard signs for the last five years. The Board recently released the premises from quarantine.

Dr. Glaser summarized activities related to the CWD-infected (and depopulated) Beltrami County herd. The herd owner had illegally dumped carcasses on public land, resulting in the construction of a fence around the dump site to keep out wild deer. The Board and the DNR have shared the cost of constructing the fence through a Joint Powers Agreement. She summarized the ongoing legal process to collect damages and the cost of the fence from the herd owner. Additionally, MNPRO would like to do CWD testing on the dump site, so the Board is working with Beltrami County on an easement from the landowner to access the fences.

Dr. Glaser gave an overview of compliance issues. The Mille Lacs County WTD herd whose registration was cancelled in 2021 was depopulated in February 2022 with no CWD detected. An Isanti County herd has had compliance issues for the last year and a half, and a herd cancellation notice was sent to the herd owner on August 23. The herd owner does not want to depopulate his herd, so the Board is working with him on a compliance agreement. A Clearwater County herd has had paperwork issues, and the Board is working the herd owner on a compliance agreement.

Dr. Glaser showed a map of the Board's CWD endemic areas around the state. Endemic areas are placed in a 15-mile radius around any CWD case found in the wild. Farmed cervid herds within these areas have additional movement restrictions. The Board will be watching for new CWD positives this fall, will add to the endemic areas and contact affected herd owners as needed.

Alex Stade asked why the Board uses a 15-mile radius. Dr. Glaser explained the Board's rules require a 10-mile radius. The DNR have been conducting a research study with radio collared deer in Southeastern Minnesota, and their research showed that 15 miles encompasses most of the average daily movement of deer in that area. As a result, the DNR asked the Board to consider expanding their endemic areas to a 15-mile radius. The Board agreed to make this change in 2018.

The Board's Memorandum of Understanding (MOU) with the DNR is nearing completion. The Board received the draft MOU from the DNR on August 4, and it was reviewed and returned to the DNR on August 19.

The Board received USDA cooperative agreement funds to conduct three farmed cervid projects. They are working with University of Minnesota partners to get the cooperative agreements submitted and will get contracts in place to start the projects once they receive the award amounts.

## **Compliance Program Update**

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Myah Walker, Compliance Unit Supervisor, introduced herself. She then shared a brief history of how compliance was historically handled at the Board. Each unit handled their own compliance actions, which resulted in significant variation in compliance enforcement at the office and field staff levels. Board leadership recognized this and created a new Compliance Unit Supervisor role to enforce Board statutes and rules, assist field staff with compliance issues,

develop training materials and compliance best practices, and bring uniformity to compliance actions. The Compliance Team has staff located in all areas of the state.

Ms. Walker shared the Board’s mission statement, which is, “The mission of the Minnesota Board of Animal Health is to protect the health of the state’s domestic animals through education and cooperation with veterinarians, producers, owners and communities.” She said that compliance is not a “naughty word.” Compliance actions are “tools in the toolbox” to help Board staff consistently educate producers and veterinarians on rules and statutes and work with them on what they need to do to fix an issue.

Ms. Walker outlined goals for compliance, including having compliance actions issued by the right people; issue compliance actions with consistency through use of a matrix; and document compliance enforcement consistently so they look similar from person to person. These goals will help to streamline the compliance action process, reduce repeat violations through progressive compliance actions, and improve turnaround time for compliance actions, when applicable.

Dr. Hawkins thanked Ms. Walker for her positivity. Those working in compliance need to have a positive attitude to help the Board consistently apply compliance actions.

## Companion Animal Program Update

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Dr. Veronica Bartsch said the Companion Animal Advisory Task Force as met three times since its inception last winter. They discussed foster-based rescues and whether there was a need for increased regulation. Foster-based rescues lack a centralized location for housing animals, exempting them from the Board’s kennel regulations and inspections. This raises concern over animal housing and sanitation, veterinary care and disease transmission, and transport and animal welfare. After discussion, the task force has developed three recommendations:

- **There is a need for increased state-level oversight of foster-based rescues.** The task force recommends meeting this need either through use of existing policies and statutes regarding animal welfare and importation and increasing education and outreach through non-profit groups or local law enforcement, or by creating new or modified legislation to include foster-based rescues.
- **There is a need for a centralized and standardized guide for compliance with, and enforcement of, companion animal regulations.** Currently, municipal ordinances and guidance from other sources often govern regulations, which causes confusion. There is a desire for the Board to be the central authority for companion animals.
- **There is a need to increase import requirements for companion animals to mitigate disease introduction.** This will be the topic of the next task force meeting, which will be planned for November or December.

Dr. Bartsch shared information on the Office of Animal Protection (OAP), which is part of a proposed bill that could be introduced during the next legislative session. The authors discussed this bill with Drs. Glaser, Jopp and Bartsch from the Board and the Minnesota Veterinary Medical Association (MVMA) and shaped it to meet their recommendations. The OAP would be a new division within the Department of Public Safety to give them law enforcement capabilities. Officers would have similar law enforcement capabilities to DNR conservation officers. The OAP would inspect and regulate foster-based animal rescues and shelters and help with some disaster relief coordination. This would allow for a standardization and centralization of response for domestic animal services.

Dr. Bartsch showed a comparison between the OAP and the Companion Animal Bill (CAB), which likely will be reintroduced this legislative session. While the OAP is a complement to the Board’s current work, the CAB would remove the Commercial Breeder regulation and enforcement from the Board. The OAP would not cover livestock, but

the CAB leaves room for including livestock. There are gaps in both bills that will need to be addressed if they move forward.

Dr. Fox recommended the OAP bill include funding for a position with forensic pathology experience, as the VDL no longer has someone with that experience. Dr. Bartsch said the bill language is fairly open, so this could be added. Dr. Fox asked if the OAP would be primarily in the metro area or greater Minnesota. Dr. Bartsch said the plan is to have a central office in the metro area but have agents stationed around the state.

Elaine Hanson asked if the OAP bill would repeal the language in MN Statutes Chapter 343 stating humane societies can appoint agents to investigate animal cruelty cases. Dr. Bartsch said the bill does not specifically address that language, but the authors are aware of that it would need to be repealed to avoid redundancy.

Dr. Fox asked how horses are considered in the OAP bill. Dr. Bartsch said the need for welfare oversight for horses was briefly discussed, but it was not explicitly added to the bill language. Dr. Hawkins stated the USDA considers horses livestock, so legally, they need to be treated as such.

## **Next Meeting and Adjourn**

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The next quarterly meeting of the Minnesota Board of Animal Health will be held on Tuesday, December 6, 2022, starting at 9:30 a.m., location to be determined.

Ms. Sawatzke asked for a motion to adjourn the meeting. Dr. Hawkins made the motion, and Dr. Fox seconded it. A vote was taken, with all voting aye to adjourn.

Respectfully Submitted,

Linda C. Glaser  
Interim Executive Director  
Interim State Veterinarian