

Meeting Minutes: Cervid Advisory Task Force

Date: 05-02-2018 at 2:00 p.m.

Minutes prepared by: Michael Crusan

Location: Minnesota Turkey Growers Association Office, Buffalo, Minnesota

Attendance

- Dr. Linda Glaser, Board of Animal Health
- Don Myren, Board of Animal Health
- Dr. Beth Thompson, Board of Animal Health (non-member)
- Michael Crusan, Board of Animal Health (non-member)
- Dr. Michelle Carstensen, Minnesota Department of Natural Resources
- Brooks Johnson, Farmed Cervid Producer At-Large
- Denny Niess, Farmed Cervid Hunting Preserve
- Gary Olson, Minnesota Deer Farmer's Association
- Leo Windschitl, Minnesota Deer Farmer's Association
- Mark Luedtke, Minnesota Elk Breeders Association
- Brenda Hartkopf, Minnesota Elk Breeders Association
- Jim Byrnes, Minnesota Elk Breeders Association (alternate member)
- Greg Lubinski, Minnesota Elk Breeders Association (non-member)
- Glen Zebarth, Veterinarian

Welcome

Dr. Glaser welcomed everyone to the meeting, facilitated introductions, passed around a sign-in sheet for members of the task force, and a Farmed Cervid Advisory Task Force overview document (attached). She continued by outlining the member responsibilities of the task force and identified members not in attendance at today's meeting; a representative from the U.S. Department of Agriculture and a practicing cervid veterinarian.

Legislative update and Office of the Legislative Auditor update

Dr. Thompson reviewed the past and upcoming deadlines for the legislature this session. March 22 was the deadline for committees to act on bills. March 29 was the deadline for committees to act on bills from the other body (house and senate). April 20 was the deadline for all bills to move through appropriations or finance committees. She clarified that omnibus bills aren't restricted by committee deadlines and the Board is currently waiting to see if any relevant legislation gets attached to an omnibus bill.

Draft language pertaining to cervidae exists in S.F. 4024 and H.F. 4447. Additionally, S.F. 3828 mentions tracking devices for farmed cervidae. All of these bills were introduced and didn't pass through the committee hearing process. They could still make it into an omnibus bill.

A question was posed if anyone knew why one of these bills seeks to separate language for deer species and elk species. None of the members had an answer.

Another question was asked about who authored the aforementioned bills. H.F. 4447 was authored by Representatives Hansen and Becker-Finn. S.F. 3828 was authored by Senators Hawj and Bigham. S.F. 4024 was authored by Senators Hawj and Bigham.

Group discussion concurred that a couple things were attached to the Senate omnibus regarding a CWD task force and Board of Animal Health task force. These are believed by the group to be in response to the legislative audit report.

Dr. Thompson proceeded to present a recap of the legislative audit report and the timeline of events since its publication. The public release of the audit took place at an April 20 hearing in front of the legislative audit commission. There was another hearing in the senate environment committee, and tomorrow there will be an informational hearing in the house with the Agriculture Policy and Environment and Natural Resources Policy and Finance committees.

Dr. Thompson mentioned a number of recommendations in the report regarding how the Board is tracking things internally and working with field staff to handle compliance actions. There is talk about discussing increased penalties at the next Board meeting. It should be noted that such increases would affect all species, not solely the cervid industry.

On April 10, the Board and the Department of Natural Resources entered a data sharing agreement for non-public or private data released to the DNR by the Board.

Dr. Glaser reviewed the key recommendations of the audit, which are listed in order of discussion below.

- 1) The legislature should consider expanding the number of board members and adding at least one member of the general public.
- 2) The BAH should clarify expectations of whether and how often producers must verify their herd inventory on an animal-by-animal basis. Dr. Glaser specified, this means physically handling the animals

to read each tag in the animal's ear. The Board is working on developing plans upon these recommendations.

A member of the task force asked if these inventories would be accepted if they're conducted by non animal health staff. For example, if the herd veterinarian signs off on the inventory, is that acceptable. Dr. Glaser clarified this already occurs with producers that test their herd regularly to be TB accredited free or brucellosis certified free or want to meet federal CWD program requirements to be able to move animals interstate. This can be done by the herd veterinarian and producers.

- 3) The BAH should (1) systematically analyze CWD-testing compliance, and (2) appropriately penalize those producers who fail to submit CWD-testing samples. Dr. Glaser said her plan is to develop an end of the year report to summarize each herd's testing compliance for internal tracking. She needs to be able to create data reports to compare how many animals die and how many samples are collected

She cited Exhibit 2.5 from page 26 in the legislative audit report. This chart refers to producers not submitting samples for testing on dead animals. The chart does not apply to location sampling errors. Dr. Glaser is looking at the USDA's new federal cervid program standards to determine penalties for missed sampling.

Members of the task force broke into a side discussion on how to handle smaller producers who aren't adhering to program standards and laws. They discussed the footnote to Exhibit 2.5 and the fact that some producers didn't report dead animals in a timely manner to gather an adequate CWD sample for testing. A small group of producers have a recurring problem with failing sample collection. The task force broached the idea of the Board's ability to shut down those herds based on sampling issues. Dr. Glaser replied that even if the Board were to "shut down" a herd by cancelling the registered status of the herd, the Board would need the owner's cooperation to remove the herd as it is still the personal property of the owner. The DNR has the authority to seize and destroy cervids possessed in violation of this requirement.

- 4) The BAH should develop an approval program for deer and elk producers who wish to collect their own CWD test samples. Dr. Glaser said if veterinarians or producers currently collecting unsuitable samples, they are contacted by Board staff and must stop collecting samples until they are retrained by Board field staff. Another option is to submit the head directly to the MVDL to remove the tissues needed for testing. Additionally, this program is similar to the Board's Authorized Poultry Testing Agents, which trains poultry producers to take their own samples for submission to the laboratory.
- 5) The BAH should (1) ensure producers follow Minnesota deer and elk laws, (2) strengthen consequences for producers, and (3) monitor field staff performance.
- 6) The BAH and DNR should draft a memorandum of understanding outlining each agencies' responsibilities with respect to data sharing.

- 7) The Legislature should convene an advisory task force to evaluate the state's regulations related to deer feeding and live-animal imports. The task force discussed that Minnesota is a net exporter of cervidae. The industry needs to be able to export, because there are reciprocal agreements with other states that would be terminated if Minnesota ceased imports from their state herds. The nonnative-species member brought up the point that the task force should also be aware of differences between the different industries and how they move animals. For example, reindeer move as individual animals, or a small number of animals around the country for holiday displays or other exhibitions.

A member asked the question, how would the legislative task force membership be appointed? Dr. Thompson and Dr. Glaser responded that likely the chairs of the legislative committees would assign membership in conjunction with industry.

Task force objective 1: exclusionary fencing

Dr. Glaser passed out a handout (attached) reviewing the basics of the task force objectives. She then discussed Objective 1. and what fencing could be approved and what accomplishes the goal of preventing commingling between wild and farmed cervidae. The Board previously had a document with recommended parameters. Dr. Glaser believes these were not comprehensive enough to address the issue. Dr. Glaser is interested in having this task force dictate the best practices and outline what are the best methods of exclusionary fencing.

The veterinarian member recommended an existing guide from Colorado, and also something from Canada.

The farmed cervid hunting premises member recommended a woven netting for exclusionary fencing. The product is a dense nylon mesh netting. His operation has it attached to the outside of the existing fence and it creates an impenetrable barrier. He also recommended vendors: Better Baseball (800-997-4233) or 3T Products (866-439-4660).

Dr. Glaser said there is a lot of talk about electrical fencing as an option. The veterinarian member mentioned a farm he visited in Colorado where they ran two wires of electric fence at different heights. The group thinks you could reasonably do it on the outside of the 96" fence. If it's on the inside, animals tend to get tangled in the fencing.

The DNR member said Wisconsin announced exclusionary fencing guidelines today. The Governor ordered the Department of Agriculture, Trade and Consumer Protection to draft up policy requiring cervid farms to have a second 96" fence, an electric fence or an impenetrable fence. In the past, Wisconsin supported a cost-share sponsorship of owners putting up a second 96" fence.

Task force members brought up the idea of government provided cost-share to install exclusionary fencing. Their concern is that the exclusionary fencing will be passed into law without funding and then forced upon farmers. They suggest making it voluntary with a 75/25 financing for producers.

A member asked if the DNR has any cost-share for fencing. The DNR member answered that there are some existing funds for depredation fencing.

Another member asked if there are statistics guaranteeing exclusionary fencing prevents CWD spread? Dr. Glaser responded that there's no guarantee, it could still come in from food sources or other means.

The veterinarian member relayed information that saliva has a high level of prions and is likely a primary route for transmission. He suggested either impenetrable barrier fencing. He also mentioned the work to develop breeds without prion protein (a resistant animal). The sheep industry took a dozen years to change the genetics in its industry to reduce scrapie in genetic lines. It's possible.

Dr. Glaser redirected the group to focus on fencing issues. The goal of the task force is to expand fencing parameters and create a group of things to recommend to producers who are thinking of installing exclusionary fencing. This group should provide the guidance for the Board to consider for rules and enforcement. The task force should also determine a height requirement and distance spacing for the "double-fencing" model of exclusionary fencing.

A member asked about exclusionary fencing on the annual inspection report. Dr. Glaser explained the portion of the inspection addressing exclusionary fencing is currently optional and only applies to those who have a system in place. If a producer doesn't have exclusionary fencing, then it's not part of their inspection.

Dr. Glaser told all members of the task force to think about any viable exclusionary fencing setups and bring their ideas to the next meeting.

Task force objective 2: farmed cervid business viability

The first topic of discussion around this topic regarded hunting preserves. Members are concerned because if there's a CWD detection in the wild near a hunting preserve, it puts their business at risk. They want to be able to keep bringing in animals for hunts because a preserve is a terminal location. However, the current rules would have to be changed to allow preserves to continue business as a terminal operation if they're located in an endemic area. Task force members recommend the Board consider a rule change to allow preserves to continue receiving animals in such a situation. They state the law should at least be equal to when CWD is found inside the fence. When it is found inside the fence, the law allows them to continue importing animals into a preserve. Reference of the rule change was made to 1721.0410 Subpart 5 part B. Dr. Glaser said she will send explanation of these rules and statutes to the group to review and they can send suggestions for changes.

Producers on the task force also said they need more preserves in Minnesota to remain viable. With CWD becoming a growing national problem, they want to be able to keep operations running in Minnesota if movements are cutoff between states. They also expressed desire to keep the raised animals here from start to finish and bring the economic interests to Minnesota instead of shipping the animals out of state and having other preserves make money off of the hunt. The farmed cervid producer at large, farmed cervid hunting preserve, Board field staff, and Minnesota Deer Farmer's Association members were assigned to meet separately and create a preserve recommendation for the next task force meeting.

Dr. Glaser asked the task force if there's a better way to break apart the different ownership groups in the cervid industry; hobby, preserve, breeder and zoos. Task force members agreed this might be a good measure to help address the hobby producers and those who keep animals for non-business purposes. They proposed increasing

the annual fee and eliminating the per-animal clause. They would like to see a whole-herd fee. A non-member at the meeting recommended using the USDA's definition of a "farm" to separate the different groups, saying it defines "\$1,000 of farmed goods production annually" as the threshold for being a farm.

A question was posed about the USDA's epidemiological reports about CWD detections on farms. The task force wanted to know if those are public data. Dr. Thompson said the majority of the report is non-public data. However, summaries of the reports have been presented at quarterly board meetings, which are open to the public. Members are encouraged to attend those meetings to get the latest updates on epidemiological reports.

Next steps and meeting conclusion

Dr. Glaser summarized the main discussions of the meeting and said she will prepare a legislative session recap to the task force for the next meeting. She will also review other states fencing requirements before the next meeting. The DNR member is going to check with Wisconsin on its interpretation of exclusionary fencing and report back at the next meeting.

Dr. Glaser reminded a subset of members of their assignment to meet and draft hunting preserve recommendations. She then said she'd provide a copy of all documents discussed at this meeting and the minutes within the next week.

Dr. Glaser reminded the group of the fencing requirements and told them to remind their membership groups that 96 inches is the minimum fence height requirement. Fences need to be 96 inches or higher.

The task force requested the next meeting take place in the same location and around the same time within a month. Dr. Glaser will coordinate the meeting and send out notifications to the group when something is scheduled. Topics to address at the next meeting include Board program updates, USDA updates, legislative updates, DNR updates, fencing requirements, exclusionary fencing, and preserve recommendations.

The meeting adjourned at 5:10 p.m.

Next Meeting

Date: TBA

Time: 2:00 p.m.

Location: Minnesota Turkey Growers Association

Agenda items: Board program updates, USDA updates, legislative updates, DNR updates, fencing requirements, exclusionary fencing, and preserve recommendations.