



# DNR-BAH WTD Co-Authority Update

Major Robert Gorecki – DNR Operations Manager

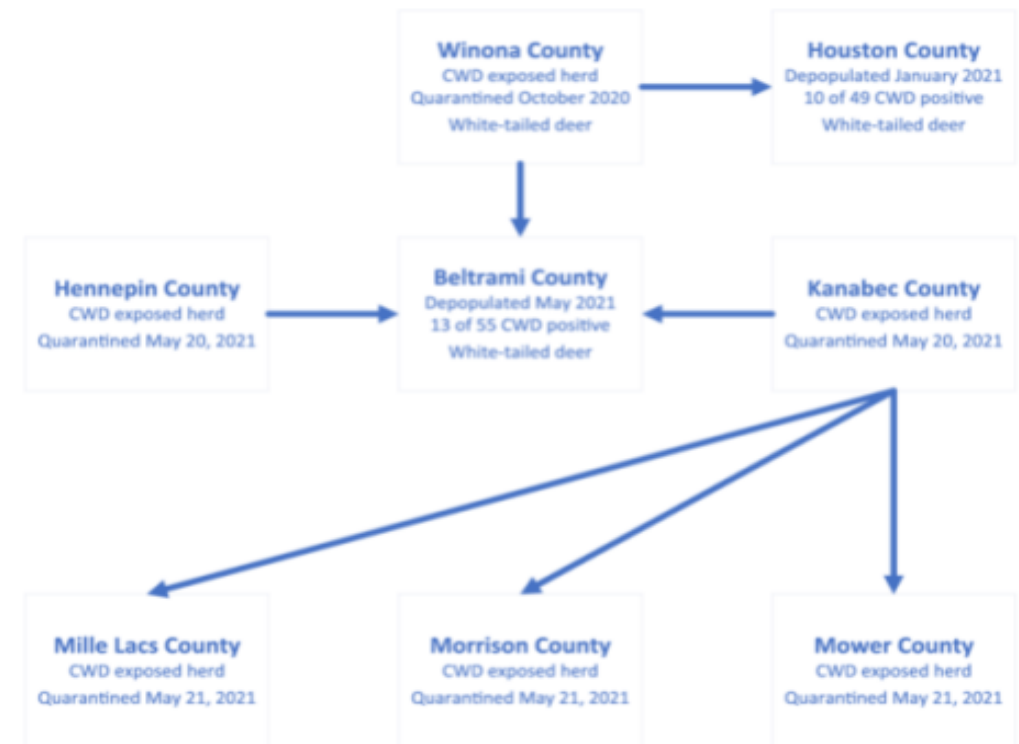
CWD/Cervid Farm Enforcement Coordinator

# How did we get here?

- CWD Infections confirmed or “exposed” in numerous deer farms across Minnesota.
- CWD prions likely to have been introduced to public lands from illegal deer farm dump in Beltrami County.
- Previous (and future) deer farm CWD exposures highlight the increased risk deer farms are a significant vector of large distance CWD spread.

May 25, 2021

## 5 more MN deer farm herds exposed to CWD; Beltrami carcass dump site inquiry continues



Back in April, we posted [BAH: Southern Minnesota CWD investigation identifies new infection in Beltrami County](#).

That location turned up again in May 18's [News release: U of M testing finds presence of CWD prions at Beltrami Co. carcass dump site](#), from the University of Minnesota.



# Why does it matter?

- Deer hunting is engrained into Minnesotan's cultures, values, and traditions.
- Deer hunting in Minnesota generates more than \$500 million annually in economic activity.
- Outdoor recreation in Minnesota generates more than \$14 billion annually in economic activity.
- Critical to Minnesota's indigenous people's way of life.
- Primary source of lean protein for thousands of families.



# How did we respond? 2021 Legislative Change-WTD Concurrent Authority

- Effective July 1st, 2021 Legislation gave DNR Co-Authority over White Tail Deer (WTD) Farms with the Board of Animal Health
- MN Statute 35.155 subdivision 14 added which states:
- Subd. 14. Concurrent authority; regulating farmed white-tailed deer. (a) The commissioner of natural resources and the Board of Animal Health possess concurrent authority to regulate farmed white-tailed deer under this section, sections 35.92 to 35.96, and any administrative rules adopted pursuant to this section or sections 35.92 to 35.96. This does not confer to the commissioner any additional authorities under chapter 35, other than those set forth in sections 35.155 and 35.92 to 35.96, and any administrative rules adopted thereto.
- (b) By February 1, 2022, the commissioner of natural resources, in conjunction with the Board of Animal Health, must submit a report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over the environment and natural resources and agriculture on the implementation of the concurrent authority under this section. The report must include:
  - (1) a summary of how the agencies worked together under this section, including identification of any challenges;
  - (2) an assessment of ongoing challenges to managing chronic wasting disease in this state; and
  - (3) recommendations for statutory and programmatic changes to help the state better manage the disease.



# DNR Concurrent Authority Project Plan: Implementation

- DNR creates CWD/Deer Farm Co-Management Project team.
- DNR creates a Project plan to analyze the deer farming industry.
- As of July 1<sup>st</sup>, 2021, there was a total of approximately 176 WTD farms across the state. *\*Less than 150 WTD farms currently in the state.*
- DNR Identifies a 6-month goal to inspect a minimum of 40 WTD farms.
- All the information would be then summarized in the required legislative report.



This is a picture of the fence the DNR put up around the CWD contaminated area in Beltrami County.

# New CWD Incident During Co-Authority Management

- On 09/26/2021, MN DNR was made aware of potentially CWD exposed deer that were imported from a CWD positive herd in Wisconsin.
- BAH confirmed that 3 MN deer farms have received deer directly from the WI farm.
- Risks of the 380+ remaining deer shipped to other state's unknown if they had entered or passed through Minnesota deer farms.





# DNR Temporary Movement Restrictions

- Effective 10/07/21-DNR issues an Emergency Rule temporarily prohibiting the movement of WTD.
- Time was needed to thoroughly investigate the remaining deer sent to other states.
- MN DNR worked with MN BAH, USDA APHIS, WI, and several other states to attempt to establish the trace outs, pass throughs, and dispositions of the remaining deer.
- DNR exhausted all reasonable efforts to establish risk to MN from the remaining deer. \*\*\*Some deer are still not accounted for due to differences in tracking requirements in certain states.
- On December 2<sup>nd</sup>, 2021, the MN DNR publicly announced the rescinding of the temporary movement ban effective December 6<sup>th</sup>, 2021.

10/07/21 REVISOR CKM/RC RD4728

1.1 Department of Natural Resources

1.2 Adopted Expedited Emergency Game and Fish Rules: Temporary Prohibition on

1.3 Moving Farmed White-Tailed Deer

1.4 6232.0550 TEMPORARY PROHIBITION ON MOVING FARMED WHITE-TAILED

1.5 DEER.

1.6 Subpart 1. Definition. For purposes of this part, "farmed white-tailed deer" means

1.7 white-tailed deer (*Odocoileus virginianus*) that are raised for any purpose and are required

1.8 to be registered in a manner approved by the Board of Animal Health.

1.9 Subp. 2. Temporary prohibition on movement. Notwithstanding parts 1721.0400

1.10 and 1721.0410, moving farmed white-tailed deer for any reason to another location, except

1.11 as described in subpart 3, is prohibited. Both importation of farmed white-tailed deer into

1.12 Minnesota and intrastate movement of farmed white-tailed deer within Minnesota are

1.13 included in this temporary prohibition.

1.14 Subp. 3. Exception. The prohibition in subpart 2 does not apply to:

1.15 A. transporting farmed white-tailed deer on a direct route through the state or on

1.16 a direct route from a facility in Minnesota to an area outside the state if the deer remain

1.17 inside the trailer or shipping container at all times; or

1.18 B. transporting farmed white-tailed deer directly to a slaughtering establishment

1.19 having state or federal inspection and for the sole purpose of causing the animal to be

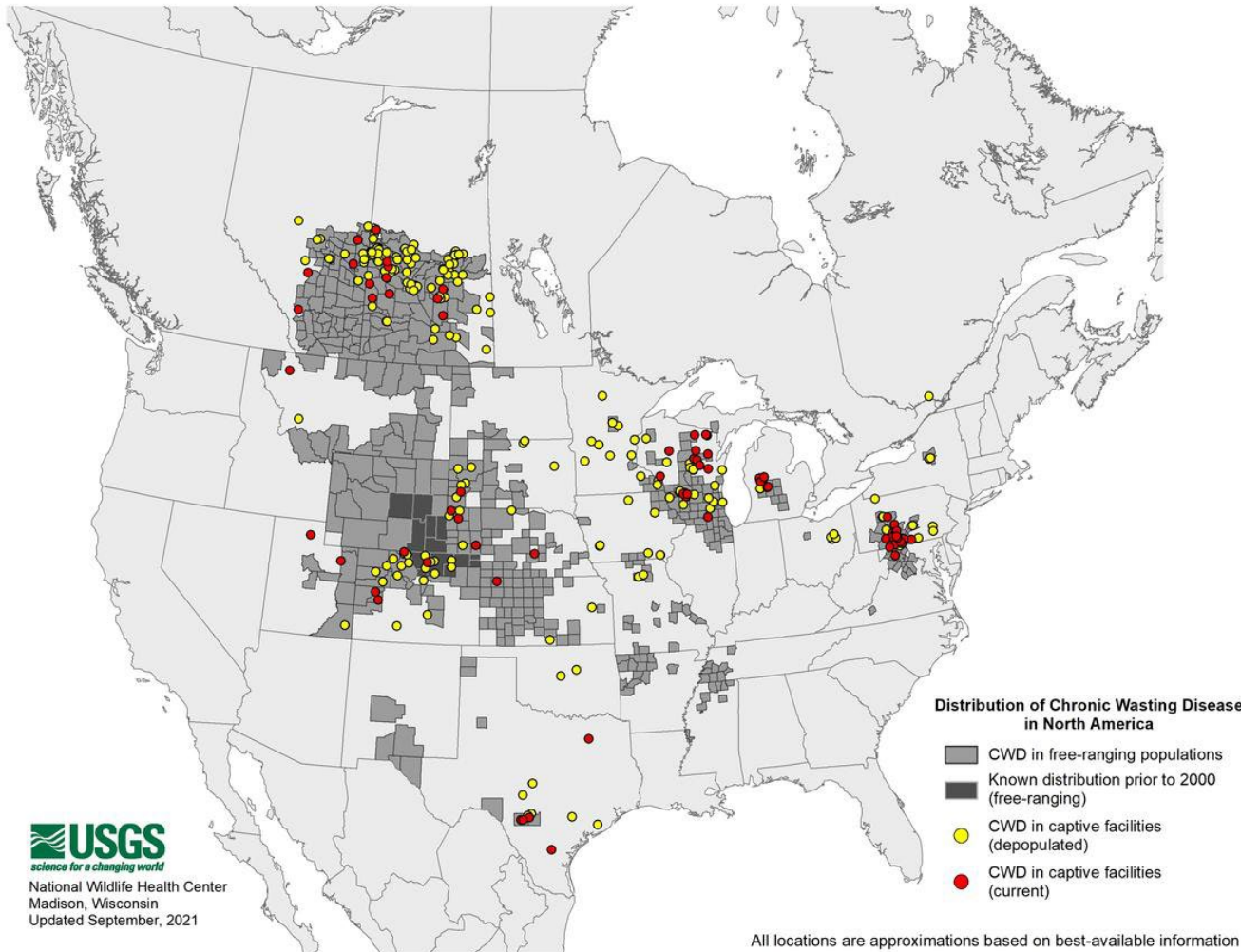
1.20 slaughtered and inspected according to Minnesota Statutes, chapters 31 and 31A. For

1.21 purposes of this subpart, "slaughtering establishment" does not include a terminal hunt

1.22 facility.

1.23 EFFECTIVE PERIOD. Minnesota Rules, part 6232.0550, expires April 11, 2023.

# Why is Interstate Movement of Farm Cervids Risky?



- CWD is currently known to exist in 28 US states and 4 Canadian provinces in North America
- Many states/provinces lack the financial resources to adequately conduct CWD surveillance of wild cervids in every county
- USDA herd certification program does not guarantee freedom from disease in a herd, only participation in CWD surveillance
  - More than half of CWD-infected herds in the US over the past 5 years had achieved the highest level in USDA's CWD Certification Program at the time of disease discovery
- Due to lack of valid ante-mortem testing, we are often behind the disease 1-2 years from exposure to detection within in a herd. Thus, exposed animals may move multiple times before CWD discovery.



# Temporary Movement Restriction-Series of Events

- MN DNR was made aware of the positive CWD deer farm on September 26th, 2021. 4 deer tested positive on the Infected Farm.
- MN BAH confirmed the location/disposition of the 5 deer imported directly to MN. 1 deer was still alive, and that farm was quarantined after DNR inquiry into the news article. \*\*\*MN BAH did not know the CWD status of the live deer until 11/04/2021.
- DNR Places stop movement order on 10/11/2021 in order to Investigate disposition of the remaining 382 deer sold from the positive CWD farm.
- WI sends a complete list of the deer from the positive CWD Deer Farm on 10/28/2021 to BOTH MN DNR and BAH.
  - 174 deer who were sold within Wisconsin. 94 of the deer were not tested, 3 tested were confirmed "Positive CWD"
  - 20 WTD were sold to Illinois, no deer had been tested (according to WI records).
  - 44 WTD were sold to Kansas, no deer had been tested (according to WI records). Discrepancies on some deer if sold to KS or still on original farm.
  - 5 WTD were sold to Minnesota, 4 dead, 1 alive. Quarantined and tested after Indemnity. All tested negative.
  - 9 WTD were sold to North Dakota, 6 dead and tested negative, 3 alive and not tested (according to WI records).
  - 146 WTD were sold to Oklahoma, no deer had been tested (according to WI records). Hunt facilities not required to test deer that are killed.
  - 11 WTD were sold to Pennsylvania, all deer dead, none had been tested.
- Total deer sold/exported from CWD Positive Farm: 409    Total deer sold/exported that had not been tested: 318, **77% of total deer sold untested**

# DNR Concurrent Authority Process to Date: Run (Future Planning)

## Run Phase: Current & Future Planning:

- Submitted Legislative report by February 1st, 2022, as required.
- Identify and develop statutory and rule changes to better manage CWD.
- Continue to operate under current legislation until directed otherwise in coordination with the BAH.
- Continue to work with the BAH in coordinating Co-Authority efforts to maximize efficiency and lean into the strengths of both agencies.



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## Report: Concurrent Authority Regulating Farmed White-tailed Deer

As required by Minnesota Session Law 2021, 1<sup>st</sup> Special Session, Chapter 6

02/01/2022

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# Legislative Audit Report-Summary

- **Inspections Compliance Findings:**

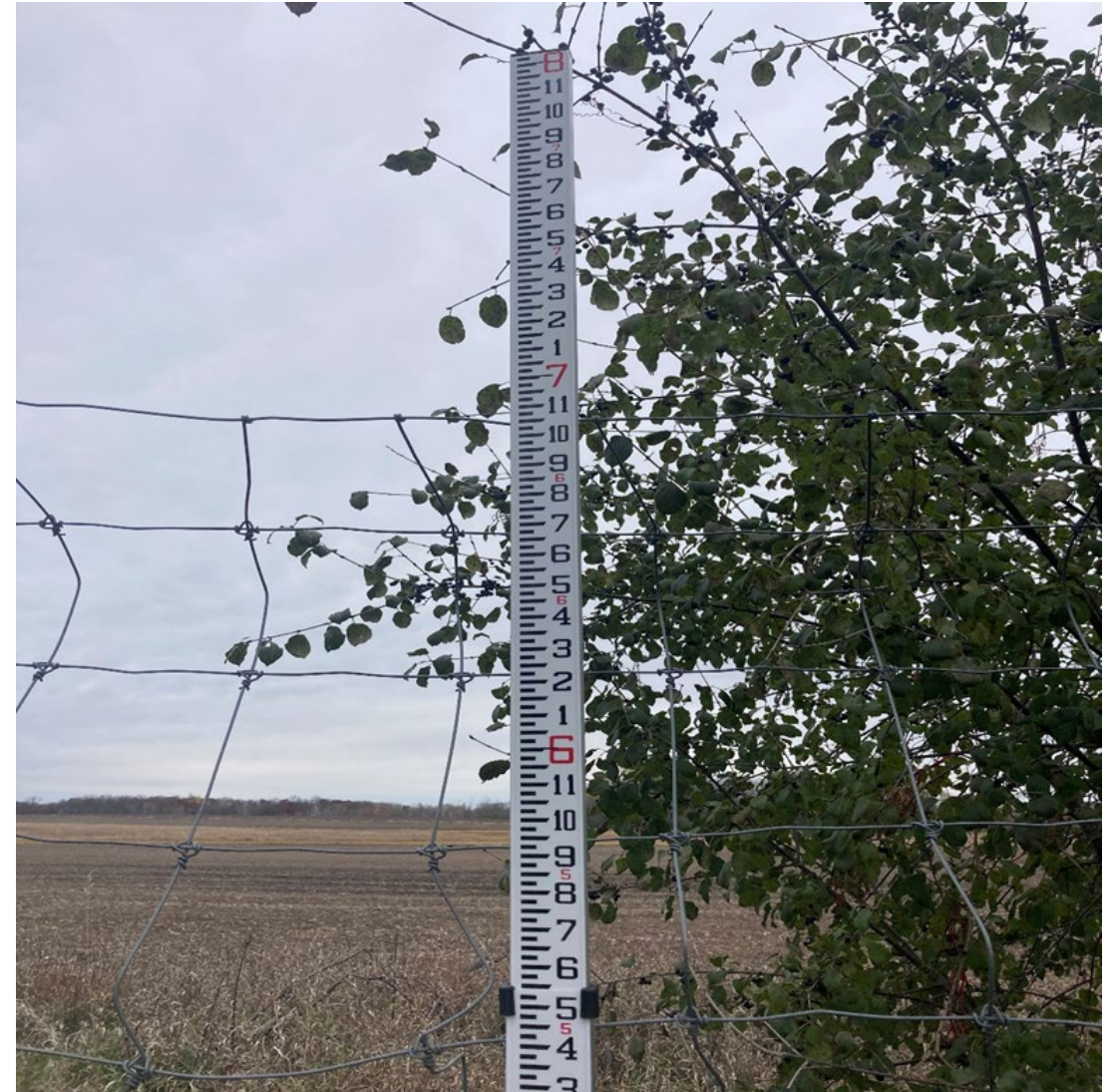
- DNR inspected 50 WTD farms with BAH. Technical violations found by agencies include:
  - 10 farms with fencing violations
  - 2 farms with gating violations
  - 2 farms with deer tagging violations
  - 2 farms with deer reporting violations
  - 1 farm with CWD testing violations
- **17 total violations found at 15 of the 50 farms inspected. 30% violation rate**

- **Deer Interaction Findings:**

- 70% of deer farms were located in areas of good deer conditions.
- 44% of deer farms had direct evidence of close or direct wild deer/farmed deer contact.
- 46% of deer farms fed and/or watered their deer on or within very close proximity to the fence. (Attract wild deer)

# Inspections: Ongoing Challenges

- Clear, consistent, and disciplined inspection process must be adhered to by inspectors.
- Consistent follow through with penalties for violations must be administered.
- New inspection scheduling system must be developed to ensure compliance. (Producers decide when the inspection will take place).
- Review of current fencing, tagging, and inspection requirements. *Are these rules adequate to prevent the spread of CWD?*
- Streamlining and modernization of reporting requirements of producers is needed to keep records accurate.





# Ongoing Challenges: Communication

- Continue and improve education and communication with producers.  
*\*multiple producers informed us that they would not allow DNR to inspect their facilities.*
- Continue to improve communication between DNR and BAH agencies on all issues relating to CWD, deer farms, and deer farm escapes.
- Continue to educate and inform the public, hunters, user groups, and other government agencies on CWD issues. Work with both agencies to ensure consistent messaging when appropriate.

# Statute/Regulations: Ongoing Challenges

- Change amount of time to correct a deficiency from 45 to 14 days.
- Require all WTD to be officially tagged within 14 days after birth. *(Currently not required until after October 31<sup>st</sup>)*
- Require all WTD facilities to have a physical inspection every 2 years to allow for reading of ear tags to improve accuracy of inventories. *(Currently required every 3 years)*
- Propose importation ban of WTD from any state or province who currently has CWD in farms or the wild. *(Currently only banned from counties with CWD confirmed in the wild)*
- Movement of deer restricted if producer fails to test any deer as required. *(Currently no such automatic restriction)*
- Require testing of all farmed WTD older than 6 months and reporting the death within 7 days. *(Currently its older than 12 months, and report within 14 days)*



# Ongoing Challenges: Escaped Farmed Cervids

- In last 6 months of 2021: 8 Cervid escape incidents, 7 of which were WTD.
- 4 additional public received farmed deer escapes that couldn't be confirmed.
- In past 5 years, there have been 60 escaped Cervid incidents/reports. (158 total Cervids)
- In past 10 years, there have been 159 escaped Cervid incidents/reports.
- Work on developing a more effective reporting, response, and recovery/dispatching procedure.





# MN DNR Efforts to Prevent the Spread of CWD in Wild Deer- Summary



# DNR-Wild WTD CWD Response

- DNR continues to monitor wild deer health and investigate reports of sick deer from the public.
- Sick deer are tested for CWD year-round.
- Minnesota spent approximately \$2.9M in fiscal year 2021 on additional CWD-related activities.
- Each new CWD-positive farmed herd results in a minimum of 3 years of wild deer surveillance at a cost to Minnesota of \$300,000 to \$500,000.
- DNR prohibits the importation of Cervid carcasses into the state from other states.





# DNR-Wild WTD CWD Response

- DNR has imposed restrictions on feeding deer, and other kinds of deer attractants in CWD zones.
- DNR has enhanced the penalties for baiting to include forfeiture of firearms, increased fines, and revocation of future hunting time periods.
- DNR proactively educates and notifies the public of deer health issues including CWD, voluntary testing opportunities, and
- DNR works with sportsman's groups, numerous media outlets, community leaders, and sportsman in the field to educate and teach the importance of CWD and deer health.

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CWD suspected in a wild deer harvested along northwestern Minnesota's border : Nov 3, 2021 | News Release | Minnesota DNR



DNR RESPONSE TO COVID-19: For information on the status of in-person services at DNR facilities, visit [this webpage \(https://www.dnr.state.mn.us/covid-19.html\)](https://www.dnr.state.mn.us/covid-19.html). For more general information on the state's COVID-19 response, visit the [Minnesota COVID-19 response webpage \(https://mn.gov/covid19/\)](https://mn.gov/covid19/).

## CWD suspected in a wild deer harvested along northwestern Minnesota's border

November 3, 2021

*Area deer hunters asked to submit samples for testing at stations in Climax, Nielsville*

The first suspected case of chronic wasting disease in a wild deer along Minnesota's border with North Dakota has prompted the Minnesota Department of Natural Resources to implement voluntary CWD sampling for all deer harvested in this area during the 2021 firearms season.

Hunters who harvest deer in permit areas 261 and 262, which are located between Moorhead on the south and Oslo on the north, are strongly encouraged to leave samples at self-service stations in Nielsville and Climax. Once exact locations are established for these two stations, details and instructions will be available on the [DNR website \(https://links.gd/L/eyJhbGciOiJIUzI1NiJ9.eyJidWxsZXI6Im9saWZlY2kiOjoxMDAsInVyaS61mJmWjpiJ1\)](https://links.gd/L/eyJhbGciOiJIUzI1NiJ9.eyJidWxsZXI6Im9saWZlY2kiOjoxMDAsInVyaS61mJmWjpiJ1), alongside information about sampling stations in CWD surveillance, management and control zones.

Preliminary test results from a deer harvested southwest of Climax strongly indicate a CWD infection. Confirmation of the initial result is expected next week.

No cases of CWD had been reported in wild or captive deer in nearby areas, and no CWD sampling requirements were in place. The hunter voluntarily collected the sample and paid for a private test. When preliminary results came back positive, the hunter contacted the DNR.

"Thanks to this hunter's early discovery, we have the chance to act quickly and be proactive," said Seth Goreham, acting wildlife research manager for the DNR. "We're asking hunters to submit samples so we can determine the extent of CWD in the area and take steps to help control the spread."

Testing is free for deer harvested in permit areas 261 and 262 as well as any other deer permit area designated a CWD surveillance, management or control zone. Hunters outside a CWD zone can collect lymph node samples and pay a small fee for a CWD test. Complete

<https://www.dnr.state.mn.us/news/2021/11/03/cwd-suspected-wild-deer-harvested-along-northwestern-minnesotas-border>

1/2

# Questions?

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Thank you!