

**Meeting Date:** July 26, 2018

**Agenda Item No. 5J**

**Agenda Item:** Carcass Transport Chronic Wasting Disease (CWD)

**Bureau Chief Approval:** 

**Prepared by:** Toby Boudreau

**Background:**

In 2016, Department staff began revising the Chronic Wasting Disease (CWD) Strategy, which was first written in 2002 and revised in 2010 and 2012. The Strategy Revision is a comprehensive document that includes updated background information on research and management on CWD, prevention, surveillance strategies for both pre- and potentially post-detection, potential management strategies for post-detection and communication strategies.

As part of the strategy update process, staff developed several conceptual ideas for rule changes that would reduce the risk for CWD in Idaho. They included restrictions on carcass transport/importation; winter feeding of wildlife; and possession of live mule deer, white-tailed deer, and elk. The Commission also asked the Department to consider banning the use of natural urine-based lures.

The Department initiated formal rulemaking on a rule to limit transport of cervid carcasses into Idaho from states with CWD. This rule would create limitations on import/export and transportation of cervid carcasses to reduce risk of transmission of CWD. These rules are proactive measures to prevent potential transmission of CWD prions via infected cervid parts from other states where CWD has been detected, or from within a CWD management zone within the state if/when CWD is detected in Idaho.

Temporary and proposed rulemaking authority has been granted by the Governor because it confers a benefit to the public; there is benefit to applying the rule for the 2018 hunting season because the rule revision is recommended as a proactive measure to reduce transmission risk of CWD. The rule would take effect upon adoption by the Commission but must be upheld by the 2019 Legislature to become final.

Draft language for the proposed rule will follow under separate cover.

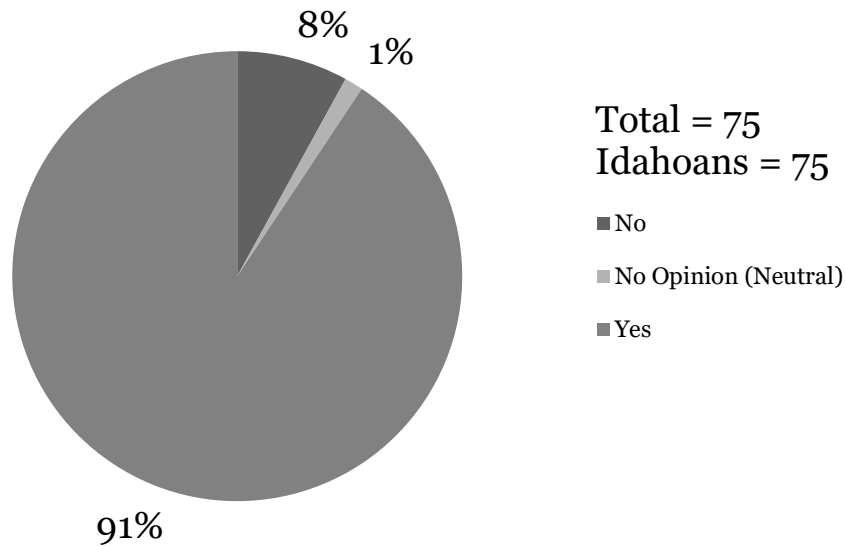
**Statutory Authority and/or Policy issues:**

Idaho Code 36-104 grants authority to the Commission to set seasons and promulgate IDAPA rules. Idaho Code 67-52 (Idaho Administrative Procedure Act) governs the process for considering, adopting, and implementing IDAPA rules.

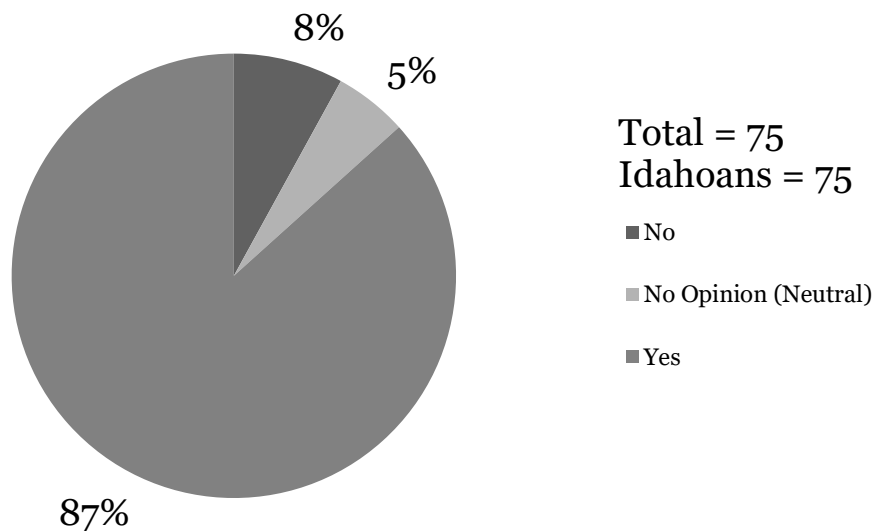
**Public Involvement Process:**

A Notice of Intent to initiate rulemaking was published in the Administrative Bulletin and the proposed rule was published and made available for public review and comment on the Department's website during a 21-day period following publication. Public comments are summarized in charts based on Yes/No/No Opinion responses to specific questions regarding the rule.

To reduce the possibility of entry of Chronic Wasting disease into Idaho, and to prevent the spread of CWD within the state after it has been detected, do you support a rule that would prohibit the importation of wild cervid carcasses into Idaho from any CWD-positive state?



Do you support a rule that would prohibit the export/transport of a wild cervid carcass from within a defined CWD management zone in Idaho (post detection) to an area outside of the zone?



Public opinions on the proposed exemptions to the carcass transport rule:

<b>Exemption:</b>	Meat that is cut and wrapped	Quarters or deboned meat that does not include brain tissue	Edible organs that do not include brain	Hides without heads	Upper canines (buglers, whistlers, ivories)	Finished taxidermy and dried antlers	Cleaned and dried skulls and skull caps
<b>% Support</b>	92	83	76	78	87	92	85
<b>% Oppose</b>	6	13	19	11	8	3	10
<b>% No Opinion</b>	2	5	5	11	5	5	5

**Justification:**

Staff reviewed all the public comments on the carcass importation and the exceptions. The majority of the public supported the proposal to ban carcass importation (91%); 8% oppose the rule and 1% have no opinion. The public supported the exemptions for carcass transport from 76% to 92%. The public also supported banning the transport of carcasses out of defined CWD management zones within Idaho with the same exceptions as interstate transport by 87%; 8% were opposed and 5% had no opinion.

Comments opposing the proposed rule were counter to best management practices presented by AFWA for CWD prevention and management and practices the Department has acknowledged are beneficial in the 2018 CWD Strategy.

**Staff Recommendation:**

Staff recommends that the Commission adopts the proposed rule to limit transport of cervid carcasses into Idaho from states with CWD with the exceptions as follows:

- Meat that is cut and wrapped
- Quarters of deboned meat that does not include brain or spinal tissue
- Edible organs that do not include brains
- Hides without heads
- Upper canines (buglers, whistlers, or ivories)
- Finished taxidermy and dried antlers
- Cleaned and dried skulls or skull caps.

**Suggested Motion:** The Commission adopt the rule to limit transport of cervid carcasses into Idaho from states with CWD with exceptions as recommended by staff.