

ISSUES SUBMITTAL FORM

Date: 02/09/2022

ISSUE:	Should disease testing requirements for cervids in commercial parks be updated to match revised requirements for alternative livestock under CDA's regulation 8 CCR 1201-17?
DISCUSSION (FACTS AND FIGURES, EXPLANATION OF ISSUE):	
<p>The Colorado Department of Agriculture (CDA) is revising 8 CCR 1201-17: Concerning the prevention of disease in alternative livestock. Two major proposed changes in the revised regulation include 1) removing chronic wasting disease (CWD) testing requirements for import, certification, and movement of fallow deer; and 2) removing tuberculosis testing requirements for intrastate movement of alternative livestock. Additional minor revisions in verbiage throughout 8 CCR 1201-17 are also being made to update ear tagging and testing procedures and streamline verbiage for readability.</p> <p>Colorado Parks and Wildlife (CPW) has regulatory authority over the importation of all wildlife into Colorado, including privately held deer and elk; however, there is a split of jurisdiction between CDA and CPW regarding the possession of privately held deer and elk after they have been lawfully imported into Colorado. CDA has the authority to regulate the possession of fallow deer and elk, otherwise referred to as alternative livestock, at alternative livestock facilities licensed by CDA. CPW has the authority to regulate the possession of all other cervids, including the possession of deer and elk at commercial wildlife parks licensed by CPW.</p> <p>Due to this split jurisdiction on privately held deer and elk, CDA and CPW agreed that there was a need to cooperate on the regulation of importation and possession of deer and elk by private parties in Colorado. Part of this cooperation included development of a memorandum of agreement between the Colorado Department of agriculture and the Colorado Department of Natural Resources, Division of Wildlife for development of a coordinated state program to address chronic wasting disease. In keeping with this agreement, CPW staff routinely work with CDA to review disease testing information, and cervid import and movement requests. CPW staff have worked directly with CDA in the revision process for 8 CCR 1201-17.</p> <p>CPW regulation W-00 Article 6 #006-B-4 Requires testing for tuberculosis for all intrastate movement of live captive cervids. Colorado has not documented a case of bovine tuberculosis in captive cervids since the early 1990s. According to CDA, cases of tuberculosis in domestic livestock are very rare with only one individual case seen in the past 10 years. The incidence of bovine tuberculosis in Colorado is low and eliminating testing requirements for cervid movements within state would hold low risk. Testing requirements should remain in place for interstate movement. Testing procedures for tuberculosis in W-00 and appendices may require updating to meet current CDA testing standards.</p> <p>CPW regulations (W-00 and W-11) require CWD testing of all captive deer (including fallow deer) for importation and movement. To date, there have been no documented cases of CWD in fallow deer under natural exposure conditions. Fallow deer have been held at captive facilities containing CWD positive animals and remained free of CWD. There is no current evidence that fallow deer are susceptible to CWD under natural exposure conditions and eliminating testing requirements for fallow deer would hold low risk for CWD transmission.</p> <p>Disease-related sections of CPW regulations W-00 and W-11 are formatted and written to mirror language in CDA regulations to ensure consistency and cooperation on requirements for privately held deer and elk within Colorado. Updating W-00 and W-11 to incorporate modifications made in CDA's regulation 8 CCR 1201-17 will maintain consistency in regulation of privately held cervids in Colorado. Most modifications will serve to relax disease-testing requirements, clarify ear-tagging and testing procedures, streamline language for improved readability, and will not result in an increased burden on producers.</p>	
STATE LAW REQUIRES CPW TO SOLICIT INPUT FROM STAKEHOLDERS THAT MAY BE AFFECTED POSITIVELY OR NEGATIVELY BY THE PROPOSED RULES. THE FOLLOWING STAKEHOLDERS HAVE BEEN ADVISED OF AND INVITED TO PROVIDE INPUT ON THE REGULATORY CHANGES PROPOSED IN THIS ISSUE PAPER:	
IT IS ASSUMED THAT ALL NECESSARY INTERNAL PARTIES HAVE BEEN NOTIFIED.	

Commercial parks license holders, alternative livestock producers, domestic livestock producers. There has been no solicitation for input and we are waiting to determine whether this issue will move forward in the process before solicitation of input.	
ALTERNATIVES: (POSSIBLE OUTCOMES or POSSIBLE REGULATIONS):	
<ol style="list-style-type: none"> 1. *Preferred Alternative*: Remove CWD testing requirements for captive fallow deer in commercial parks. Remove tuberculosis testing requirements for intrastate movement of captive cervids. Modify language in W-00 and W-11 to remain consistent with CDA regulations. 2. No change in current regulations. 	
Issue Raised by:	
Author of the issue paper (if different than person raising the issue):	Mary Wood and Luke Hoffman
CC:	Regulations Managers
APPROVED FOR FURTHER CONSIDERATION BY:	Jeff Ver Steeg
REQUIRES NEW SPACE IN THE BROCHURE?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ARE ADEQUATE STAFF AND FUNDING RESOURCES AVAILABLE TO IMPLEMENT?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
REGION, BRANCH, OR SECTION LEADING IMPLEMENTATION	
RECOMMENDED FOR CONSENT AGENDA?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO