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**Subject:** Rules Governing Domestic  
**Date:** Thursday, June 3, 2021 1:32:57 PM  
**Attachments:** [image003.png](#)

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Cervidae stakeholders –

Thank you to everyone who has participated, thus far, in ISDA's negotiated rulemaking meetings for Rules Governing Domestic Cervidae. Regarding the remaining issues left to reach a consensus (i.e. – wild CWD import proximity, CWD testing requirements, fence height and red deer testing), ISDA has thoroughly reviewed all submitted comments in the rulemaking record as well as testimony provided in the previous 2 meetings. Proposed changes to the rule that address each of these issues, based upon stakeholder input, have been posted to the ISDA rulemaking website. Please go to <https://agri.idaho.gov/main/i-need-to/see-lawsrules/rulemaking/isda-rulemaking-2021-2022/> to review the current version of the domestic cervidae strawman in advance of the final rulemaking meeting, scheduled for June 16<sup>th</sup> @ 830am. Please keep in mind all written comments must be submitted to ISDA no later than June 20 to be included in the rulemaking record.

A summary of the proposed changes is as follows:

Section 050. Red Deer Gene Testing. Until a reliable test can be validated, ISDA cannot enforce red deer gene testing requirements.

Section 102. Fencing Requirements. All reindeer fences constructed and approved during or after 2021 must be 8 feet in height. Reindeer fences constructed prior to 2021 may remain at 6 feet in height.

Section 500. CWD testing/import requirements. See proposed language below.

A new subsection in IDAPA 02.04.19.500.01 has been created:

**03. Ranches Receiving Imports or Transfers.** Brain tissue from one hundred percent (100%) of all domestic elk and reindeer sixteen (16) months of age or older that die for any reason on a facility that receives imported or transferred cervids must be submitted for CWD testing for no less than sixty (60) months following the most recent date of import or transfer. Fallow deer are exempt from CWD testing. The owner or operator of the domestic cervidae ranch must submit all tissue samples to an official laboratory to be tested for CWD, as provided for in these rules. Tissue samples submitted to an official laboratory that are untestable or are given an indeterminate test result do not count towards the tissue submission requirement.

In summary....if a ranch receives ANY imported or transferred animals (regardless of origin), that ranch must then test ALL cervids that die for the next 5 years....not just the ones that were imported. If a producer operates multiple facilities and imports/transfers animals to only one of those facilities....all cervids in all facilities owned by that producer must test at 100%. If a producer does not import or transfer any animals into their facility, the existing CWD testing requirement will remain in effect (10% harvested; 100% non harvest deaths).

Because the CWD testing requirement is being increased for importing facilities, the 25 mile "minimum

safe distance” from a wild CWD case requirement for imported animals will be removed. Standard import rules will apply....imports from within an officially designated CWD endemic area are still prohibited and all imports must be consistent with federal herd certification requirements.

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