

**MINUTES OF THE 396th COMMISSION MEETING**  
**Texas Animal Health Commission**  
**August 23, 2016**

The TAHC Commissioners met in the agency's headquarters in Austin on Tuesday, August 23, 2016. Chairman Coleman Locke began the meeting at 8:30AM.

**Item 1 – Welcome and Call to order by Chairman Locke**

Commissioners Jay Winter, William Edmiston, and Tommy Kezar were not present.

**Item 2 – Approval of the minutes of the 395<sup>th</sup> Meeting**

A motion to APPROVE the minutes of the 395<sup>th</sup> Commission meeting held on February 16, 2016, was made by Commissioner Selman and seconded by Commissioner Jordan. The motion carried.

**Item 3 – Designation of Vice-Chairman**

Chairman Locke designated Commissioner Ken Jordan as a vice-chairman of the Commission. A motion to approve the appointment was made by Commissioner Tommy Oates and seconded by Commissioner Vermedahl. The motion carried.

**Item 4 – Report of the Executive Director, Field Animal Health Program Activities and Approval of Waiver Requests for the Period 5/24/2015 to 8/23/2016**

Dr. Schwartz presented the following:

- **Agency Business**
  - Preparation for 85<sup>th</sup> Legislative Session
    - Strategic Plan – submitted before June 24, 2016 deadline
    - Customer Service Survey – included in Strategic Plan
    - Legislative Appropriations Request – submitted before August 12, 2016 deadline
  - Staffing, Management changes
    - Dr. Susan Rollo selected as State Epidemiologist
    - Chief of Staff
    - Deputy Director of Animal Health Programs
  - Disease challenges
    - Tuberculosis
      - Met with USDA, APHIS, VS Cattle Health staff on indemnity issues
    - Chronic Wasting Disease
      - Implementation of antemortem testing – laboratory issues
      - Containment and Surveillance Zones where CWD is known to exist – rule proposal developed with input from Cervid Health Working Group. Discussion on implementation prior to 2016-2017 hunting season
      - Surveillance in Non-native CWD Susceptible Species statewide – input from Cervid Health Working Group. Additional input and development needed – rule proposal likely at next commission meeting
    - Fever Ticks
      - Anti-tick vaccination being implemented
      - Fever Tick Forum hosted by Congressman Vela

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- USFWS Southwest Region Director visiting Los Fresnos ICP today
- Reduction of Nilgai antelope populations
- Endangered Species Act: Consultation with Ecological Services, US Fish and Wildlife Services on feeding of treated corn to deer, and grazing of cattle on systematic treatment
- Fever Tick Working Group meeting July 18, 2016
- **Rule Proposal for consideration**
  - Chapter 38, Trichomoniasis, Certification Period & Sample Submission Timeframe
  - Chapter 40, Chronic Wasting Disease, Repeal and Replace Movement Restriction Zone/Carcass Entry Requirements
- **Rules for Passage Considerations**
  - Chapter 47, Authorized Personnel, CWD Authorized Personnel Requirements
- **Waiver Report**
  - 3 waivers requested and 2 approved:
    - Pullorum Typhoid/Avian Influenza – **Approved** – allowed under-aged ducks and chicks to enter Texas without a PT/AI test. Younger fowl had been comingled with older birds that had tested negative for both diseases.
    - Tuberculosis – **Approved** – allowed dairy heifers to be TB tested upon return to Texas from pasture in New Mexico due to low disease risk, superior facilities on Texas location, and negative TB test prior to departing Texas of entire herd.
  - 1 Waiver not approved:
    - Fever ticks – **Not Approved** – Owner requested waiver of official RFID in cattle to be sold for exhibition purposes from an infested premise located in the systematic area. TAHC recognizes that official identification devices offered great legibility overtime when compared to tattoos or brands, and therefore requires the application of these devices.

A motion to APPROVE the actions of the Executive Director for the period from May 25<sup>th</sup>, 2016 through August 23<sup>rd</sup>, 2016 was made by Commissioner Jordan and seconded by Commissioner Leathers. The motion carried.

### **Item 5 - Presentation of Epidemiology, and Animal Disease Traceability (ADT) Activities**

Dr. Susan Rollo, Field Epidemiologist, presented the following report:

#### **I. Cattle**

##### **A. Tuberculosis:**

**1. Current Status of the infected dairy in Castro County, Texas in 2014-2015:** The first herd (~10,000 head) confirmed with *Mycobacterium bovis* (MB) was identified on a slaughter trace in October 2014. Following the confirmation, the dairy was tested 3 times in an effort to remove any infectious animals and was eventually depopulated in April 15, 2016 due to the high prevalence in the herd. The dairy has completed the cleaning and disinfection process using USDA guidelines and restocking is in progress. The second dairy (~12,000 head) under the same ownership which was epidemiologically linked, has completed testing, and was released from hold in January, 2016.

**2. Status of the infected Herds in Parmer County and Lamb County, Texas:** The feed yard in Parmer County and the two organic dairies in Lamb County which are all under the same ownership remain under quarantine. The epidemiological investigation of this group is ongoing and the source of introduction has yet to be determined.

To date, there have been 25 trace-out herds identified including 10 in other states which all have been notified. The additional dairies tested thus far, have not yielded any additional lesioned cattle. Cattle sold through a local livestock market (~125 groups) from this herd over the last 5 years are also being evaluated.

Both dairies and the feed yard have undergone an assessment test and 4 removal tests since last April (April, July, September, December, and March). There have been 53 confirmed MB compatible animals from this group including the original 6 steers that traced to this herd. Results of the March test yielded 168 CFT responders. Thirty-three high risk cattle were tested in April and 9 had histocompatible lesions (all 9 from the feed yard). The removal of the balance of the CFT responders is pending an agreement of the current appraisal.

Currently, the prospect of depopulation verses test and removal is under evaluation. A recent model predicts that at least 13-16 whole herd tests must be required to be 95% sure that TB is no longer in the herds.

In summary, there have been ~144,000 TB tests conducted on Texas dairy cattle including the multiple tests on the index herds and associated trace-out herds. Genetic analysis of both strains indicates no relationship between the 2 groups of dairies or with any other known TB strain in the US. The closest relationship was from a dairy in 1997 in Mexico. Potential sources continue to be investigated or ruled out. The dairy workers were evaluated by the Department of State Health Services. In addition, wildlife surveys in a 5 mile radius around the dairies were surveyed for TB with no infection detected. In addition, in a collaboration with TPWD, TB surveillance in cervids shall focus on a survey of cervids in the panhandle for the upcoming 2016-2017 year.

**3. Other TB cases in the 2016:** Since May, one new Mexican-origin beef animal slaughtered have been confirmed with histo-compatible lesions for *M. bovis* and epidemiological investigations are ongoing.

**B. Trichomoniasis:**

Through July CY 2016 there have been 320 positive bulls found in 23,386 tests (1.3% test positive). In CY 2015 the test positive percentage was approximately 1.6%.

**C. Cattle Fever Tick:**

The Temporary Preventive Quarantine Area (initiated on 10/7/14) in Cameron and Willacy Counties continues to face challenges. Currently, there are 17 infested premises in Cameron and 12 in Willacy. Nine previously infested premises and sections of an additional premise have been released in Cameron County. In regards to trace-in or trace-out herds associated with infested premises, 100% of the original traces have been completed in Cameron and Willacy Counties.

In Cameron and Willacy counties, the infestation rate in WTD and Nilgai has increased since 2014 for both species. Recently, 80 Nilgai were harvested from Unit 4 of Laguana Atascosa refuge and 78 of the 80 were infested with fever ticks. The refuge is agreeable to removing additional nilgai from Unit 4 of Laguana Atascosa refuge as well as from the Bahia Grande refuge and Boca Chica in an effort to reduce the population density to a level that will not maintain the tick. In addition to the nilgai removal, other means of reducing the tick population to a point of eradication are being addressed. For example, USDA and TAHC initiated the contact with the National Conservation Resource Services agency to help evaluate the refuge habitat and land for the potential of cattle grazing. This agency will be helpful in devising a strategic plan for cattle grazing that will promote success for both the refuge and TAHC/USDA.

In region 5, 2 infestations remain under quarantine. These infestations were identified through trace-out investigations from the TPQA in Cameron. The infestation in Kleberg County is under evaluation for the presence of a wildlife population that may be harboring the tick and novel survey techniques such as using a drone are being evaluated as a means to determine the presence and population size of Nilgai antelope in the area.

## **II. Swine**

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- A. **Brucellosis:** There have been no infected herds disclosed in CY 2016 to date.
- B. **Pseudorabies (PRV):** Three infected herds have been disclosed in CY 2016.

## **III. Equine**

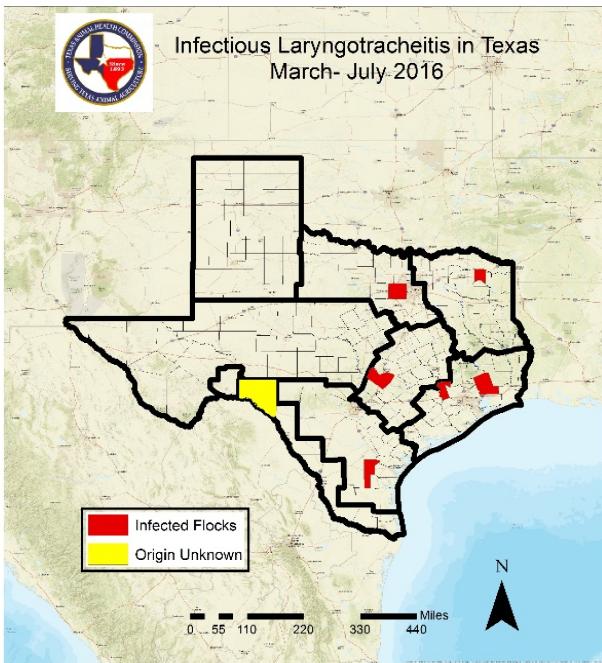
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- A. **Equine Piroplasmosis (EP):** There have been 16 positive horses confirmed in Texas this year.
- B. **Equine Infectious Anemia (EIA):** In CY 2016, there have been ten positive equine disclosed out of the 118,823 animals tested in Texas (0.008% positive rate).
- C. **Equine Herpes Virus (EHV):** Since the 2 cases of EHV diagnosed this year in February, there was one new EHV cluster in a quarter horse barn complex in Cooke County in late May 2016. A total of 7 horses including the index mare ultimately tested positive for the neuropathogenic strain of EHV-1. Of the 7 horses, 2 horses exhibited neurologic signs. TAHC provided guidance on testing protocols and biosecurity measures. The quarantine was lifted on June 22, 2016.

## **IV. Poultry**

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- A. **Highly Pathogenic Avian Influenza (HPAI):** No cases of HPAI have been detected in Texas in 2016. The Texas Animal Health commission preparedness efforts are ongoing in preparation for any incursions that may directly affect Texas poultry.
- B. **Infectious Laryngeal Tracheitis (ILT):** Ten flocks have been identified with positive ILT results in 6 regions (see map below). Five from backyard flocks, 1 from a commercial flock (on 2 premises), 3 from flocks adjacent to the commercial flock, and 1 flock of ~80 birds in Region 8. Subsequent testing in the back yard flocks showed no local disease spread. Based on the distribution of the disease across the state during the timeframe, ILT in Texas appears to be sporadic and possibly seasonal.



## V. Sheep and Goats

**Scrapie:** The first positive scrapie case in Texas since 2008 was identified in the Panhandle in April 2016. A clinical ewe was tested after an owner notified TAHC. The remaining flock was evaluated and 1 susceptible ram was identified which will remain restricted. An epidemiological investigation is ongoing to determine the origin of the positive ewe. Tracing of animals sold from the flock is in progress (~7 traces).

## VI. Cervids

**CWD:** On June 30, 2015, a two year old white-tailed deer at a breeding facility (Index facility) located in Medina County was confirmed positive for CWD. Through testing requirements associated with tracing of deer either from or moved to this facility, CWD has also been confirmed in 3 other captive white-tailed deer facilities as of July 30, 2016. Two of the three additional facilities are in Medina and Uvalde counties and one facility is in Lavaca County. Of the 4 positive herds, two have been depopulated and the other 2 are being monitored. The latest positive facility had 14 positive deer in one pen including the initial positive submitted in March. Testing is ongoing on this premise but to date, no other positive deer have been detected through post-mortem testing of natural mortalities or from ongoing ante-mortem testing.

TAHC continues to evaluate trace in and trace out herds from all of these facilities. In some exposed herds, ante-mortem testing has been utilized to evaluate the herd status.

## ANIMAL DISEASE TRACEABILITY ACTIVITIES

### Current Project(s)

- ADT has received the replacement electronic data capture equipment, 25 handhelds and 25 RFID wands with cases. 4 sets have been sent to Region 6. Vinh is completing pairing on the other 21 wands which will be sent to the regions as soon as possible.
- ADT staff is cross-training and continuing the ongoing work to meet the annual USDA quotas for Trace Performance Measure Exercises. Since 2012 when USDA initiated the Trace

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Exercises, TAHC has consistently met or exceeded USDA quotas annually. So far during this cooperative year, 8 traces have been completed and 2 are being processed.

### **Approved Tagging Facilities and tag distribution:**

- Approved Tagging Sites: (no change) 80 livestock markets + 13 feeders = 93
- Tag Distribution Partners: (no change) 204 AgriLife Extension Offices + 61 veterinarians + ICP-Cameron Co = 266

Total number of Official ID Tags distributed:

CY 2016 (first 6 months) total – 409,414

2nd quarter, April- June 2016- 225,252

1st quarter, January- March 2016 – 184,162

CY 2015 – 757,113

CY 2014 – 657,367

Scrapie tags ordered:

CY 2016 (first 6 months) total – 180,238

2<sup>nd</sup> quarter, April-June – 114,856

1<sup>st</sup> quarter, January-March – 65,382 CY 2015 – 270,202

CY 2014 – 225,597

Current # of Active Premises ID Numbers: 32,229

# of New PINs issued:

CY 2016 (first 6 months) total – 126

2<sup>nd</sup> quarter, April-June – 48

1<sup>st</sup> quarter, January-March – 78

CY 2015 – 311

CY 2014 – 223

Current Total # of LIDs: 28,315

# of New LIDs assigned:

CY 2016 (first 6 months) total – 4,614

2<sup>nd</sup> quarter, April-June – 2,754

1<sup>st</sup> quarter, January-March – 1,860

CY 2015 – 7,782

CY 2014 – 10,314

### **Item 6 – Presentation of Animal Health Program Activities**

Dr. T.R. Lansford, Assistant Executive Director of Animal Health Programs, provided an update on field activities:

- **Report Items**
  - Cattle Fever Ticks – Region 5 and Region 8
    - Infestations continue in Webb, Zapata, Starr, Cameron, and Willacy counties
    - Kleberg county
      - Fever ticks rediscovered on infested premises in July 2016; first fever ticks found since June 2015;
      - Established control purpose quarantine area remains in place

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- Novel approaches for wildlife surveillance to be tried
- Jim Wells county
  - Infested premises undergoing systematic treatment
  - Surveillance on adjacent premises has not disclosed additional fever ticks to this point
- Fever tick vaccine
  - Delivered May 17 and 18, 2016
  - CFTEP/TAHC personnel training materials and sessions completed in July
  - Vaccine administration began in July
  - Producer meetings scheduled for the first two weeks of September
- Fever Tick Working Group
  - Met in San Antonio on July 18, 2016
  - Additional meeting in planning stage
- Tuberculosis – Region 1
  - Infected Complex 1 investigation
    - Restocked and operating
    - Assurance testing tentatively scheduled for November/December 2016
  - Infected Complex 2 investigation
    - Test and cull protocol has been delayed due to indemnity issues
    - Trace herd investigations continue
- Chronic Wasting Disease
  - All Regions continue to work with herd owners through complexities, including antemortem testing, of each individual herd to develop or reassess specific herd plans
  - TAHC Cervid Health Working Group met on July 26, 2016 to discuss surveillance zones and susceptible species surveillance
- Region Office Support Staff Conference held August 2-4, 2016

### **Item 7 – Presentation of USDA Veterinary Services Update**

Dr. Mike Pruitt presented the USDA, Veterinary Services report:

Dr. Pruitt provided information on the Tuberculosis indemnity process for the USDA program concerning the disease in the Texas Panhandle and gave an update on the status of poultry flocks in other state that were affected by Avian Influenza in the past year. He detailed USDA support to the recent Operation Palo Duro exercise and noted that USDA in Texas had offered support to Louisiana in the aftermath of recent flooding. Dr. Pruitt also gave an update on USDA staff changes such as the opening of an Emergency Coordinator for Texas, and adding an Area Animal Identification Coordinator. He also outlined USDA's support for the stray cattle round up in west Texas in coordination with TAHC and local officials.

### **Item 8 - Presentation of Emergency Management Program Activities**

The Emergency Management Update was presented by Mr. Jeff Turner, Emergency Management Coordinator:

#### **State Planning Updates and Planning Efforts**

The Emergency Management department continues to work with federal, state, local, and academic partners in developing and revising planning documents for responses to both natural disasters and animal disease emergencies. Ongoing projects include involvement with the Texas Division of Emergency Management (TDEM) to have animals included in all state EM planning documents, as relevant. As reported in earlier meetings, this process will take several years. Current efforts are to change all State Emergency Annexes to an Emergency Support Function (ESFs) format. This process takes considerable coordination across all disciplines, and, with the inclusion of both agricultural and companion animals, is a substantial project. Additionally, plan reviews continue related to disease events. Plans related to the response to and recovery from a foreign animal disease are being reviewed and discussed. EM staff remain diligent in reviewing and revising planning documents and procedures while coordinating with industry to assure preparedness levels continue to be strengthened.

### **Emergency Management Responses**

TAHC Emergency Management staff remain active in response activities. Heavy rain and flooding events which occurred in late May and June produced significant flooding in numerous areas of the state. TAHC assisted in the coordination and response to these wide spread incidents. The most significant event EM staffers responded to occurred in Ft. Bend and Brazoria Counties. Staff deployed to assist in the coordination of veterinarian assistance, evacuation and sheltering of livestock and companion animals, and the overall assessment of animal needs.

Recent incursions of feral livestock along the Texas/Mexico border will also require a response from TAHC. EM staff are actively participating in the planning and coordination of these upcoming responses.

### **Emergency Management and Industry Conferences**

EM staff have attended and presented at numerous conferences and workshops across Texas and the southwest. Presentations and speaking engagements related to livestock, poultry, and companion and service animals in the past few months aim to spread the need for animal-related emergency and disaster preparation, response and recovery activities.

### **Exercises**

EM staff continued planning efforts for the Palo Duro II Functional exercise which occurred August 16 and 17, 2016. The exercise was the culmination of efforts to bring industry, federal, state, and local stakeholders together to exercise response plans to a foreign animal disease. Additional exercise activities include participation in the agency HPAI training meant to hone staff skills for efficient response to a potential high-consequence outbreak. TAHC also participated in the Texas Association of Dairymen's FMD disaster drill and the TDEM Rio Grande Valley Air-Evacuation Exercise. Both exercises sharpened operational awareness and preparedness efforts.

### **Item 9 – Audit Subcommittee report**

Commissioner Joe Leathers gave the report from the Audit Subcommittee meeting that was held earlier that morning. The committee approved a region office audit and the follow up audits of a region office

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and a post payment process, noting that all audit recommendations were met or in the process of being met.

A motion to APPROVE the actions of the Audit Subcommittee was made by Commissioner Jordan and seconded by Commissioner Selman. The motion carried.

### **Item 10 – Administration/Budget Status Report**

Mr. Steven Luna, Director of Finance, gave a report on the agency's budget status:

#### **Biennium FY 2016 & FY 2017**

##### **Appropriations/Budget**

- General Revenue (GR) appropriations:
  - These totals are not contingent on revenue generated by fees approved by the Commission
  - State FY 2016
    - The TAHC was appropriated \$11.4M for State FY 2016
    - Additional appropriations include \$175K for across the board 2.5% salary increase
  - State FY 2017
    - The TAHC is appropriated \$10.5M for State FY 2017
    - Additional appropriations include \$155K for across the board 2.5% salary increase
  - Change of approximately **-4.5%**
- Federal Funds and Grants (Federal Fiscal Year runs April 1 to March 31)
  - State FY 2016
    - Received \$2.53M – Year-To-Date (YTD)
  - State FY 2017
    - Estimate approximately \$2.09M
  - Change of approximately **-17.1%**
- Capital Budget Funding
  - \$261.5K towards Fleet Vehicles, has been completely allocated towards the acquisition of trucks
  - \$150K towards the Acquisition of Information Resource Technologies, has been or will be completely allocated towards the acquisition of hardware/software and towards annual licensing renewals
    - \$86K Tech Refresh
    - \$64K Equipment Replacement
- Overall Funding change of **-6.5%**

##### **Revenues**

- State FY 2016 & 2017
  - Fee Revenue is estimated per year to be approximately \$512K.
    - TAHC Portion - \$424K

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- Received \$424K – Year-To-Date (YTD)
- State Portion \$87K - Achieved

### Overall Budget

- FY 2016
  - Total Funding \$14,126,765
  - Total Expenditures \$13,737,066
  - Total Difference \$ 389,699
- FY 2017
  - Total Funding \$13,211,498
  - Total Expenditures \$13,361,649
  - Total Difference \$ (150,151)

### Full Time Equivalent Employees (FTEs):

- State FY 2016
  - The TAHC is appropriated 184.2 FTE's
  - Currently there are 176 FTE's
- State FY 2017
  - The TAHC is appropriated 185.2 FTE's

### Additional Appropriations (Included in GR total):

- State FY 2016 & FY 2017
  - CAPPs (Centralized Accounting & Payroll/Personnel Systems) deployment
  - The TAHC is appropriated 1 FTE, which does not affect our FTE cap
  - \$41K
- 2.5% Salary Increase (Statewide)
  - State FY 2016 – \$175K
  - State FY 2017 – \$155K

### Budgetary Transfers:

- The TAHC has Unexpended Balance (UB) authority within the Biennium

### FY 2018-19 Legislative Appropriations Request (LAR)

- Funding
  - General Revenue
    - Baseline \$21,441,570 for Biennium
      - Approximately \$10,720,785 per year
      - -4% Baseline decrease from FY 2016-17
    - \$446,700 per year
  - Federal Funds
    - Project approximately \$1.83M per year
    - Change of **-5.6%** from FY 2017 to FY 2018
  - Overall
    - GR \$10,720,785
    - Federal Funds \$ 1,830,011
    - Total \$12,550,796

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- Exceptional Items (Total)
  - TAHC Infrastructure - Rents & Leases:
    - *FY 2018 \$3,000; FY 2019 \$421,941; Total \$424,941*
  - Restoration of 4% Loss to GR
    - *FY 2018 \$446,700; FY 2019 \$446,699; Total \$893,400; FTE's - 6*
  - Animal Health Disease Preparedness, Response, & Mitigation: Cattle Fever Tick
    - *FY 2018 \$803,000; FY 2019 \$490,088; Total \$1,293,676; FTE's - 7*
  - Animal Health Disease Preparedness, Response, & Mitigation: Chronic Wasting Disease
    - *FY 2018 \$711,518; FY 2019 \$430,278; Total \$1,141,796; FTE's - 6*
  - Animal Health Automated Information System – ERP
    - *FY 2018 \$377,362; FY 2019 \$131,968; Total \$509,330*
  - Acquisition of Information Resource Technology - Software/Network Upgrades
    - *FY 2018 \$68,350; FY 2019 \$56,650; Total \$125,000*
  - Acquisition of Information Resource Technology - Computer Replacement
    - *FY 2018 \$44,000; FY 2019 \$44,000; Total \$88,000*
  - Exempt Position Equity Adjustment
    - *FY 2018 \$57,088; FY 2019 \$57,088; Total \$114,176*
  - Transportation Fleet Vehicle Acquisition
    - *FY 2018 \$240,000; FY 2019 \$240,000; Total \$480,000*
  - Pay Differential for Veterinary Staff in South & West Texas
    - *FY 2018 \$75,000; FY 2019 \$75,000; Total \$150,000*
- Riders
  - Two major changes
    - New Rider – Site Differential Pay authorization
    - Revise Fee Revenue Rider
      - Include CWD inspection fees
      - Requesting all Fee Revenue - \$520,000
  - Remaining changes –
    - update FY's
    - Performance Measure #'s
    - Capital Budget \$'s

A motion to APPROVE the Administration/Budget Status Report was made by Commissioner Jordan and seconded by Commissioner Leathers. The motion carried.

## Item 11 – Consideration of and Possible Action on Agency Contracts and Purchases

Ms. Larissa Schmidt presented contracts and purchases for the consideration of the commissioners.

A motion to APPROVE the contracts and purchases request was made by Commissioner Jordan and seconded by Commissioner White. The motion carried.

### **Item 12 – Consideration of Agency Strategic Plan**

Ms. Larissa Schmidt detailed the Agency Strategic Plan for 2017-2021 for the approval of the commissioners. The agency is required to submit a new Strategic Plan every 2 years. The plan identifies the performance goals against which the agency's performance is measured.

The instructions for the strategic plan have remained static for quite a few cycles; however, this year, the instructions changed and the agency was asked to carefully review all performance goals to ensure that all goals made sense and could easily be measured. The instructions also asked the agency to consider eliminating or changing goals that were not truly measuring the agency's performance.

The last Strategic Plan submitted for FY 2015-2019 had a total of 34 performance measures.

Through meetings and review of that plan, the TAHC pared and honed the measures to 19 for the period of 2017-2021, while adequately capturing a true picture of the TAHC's performance.

A motion to APPROVE the Agency Strategic Plan for 2017-2021 was made by Commissioner Selman and seconded by Commissioner Bouma. The motion carried.

### **Item 13 – Consideration of Agency Legislative Appropriations Request**

Ms. Larissa Schmidt presented the Legislative Appropriations Request for Fiscal Years 2018 and 2019 for the approval of the commissioners.

The agency provided a baseline budget with a total amount of 4% below last biennium's funding. The agency has requested 10 exceptional items, which are requests for funding consideration for things not in the current budget. The agency was asked to rank these items by importance.

1. Rents and Leases – The agency has 6 leases expiring during the 18-19 biennium. (\$424,941 for the biennium.)
2. Restoration of the 4% reduction. (\$893,400 biennium)
3. Animal Health Disease Preparedness, Response and Mitigation for Cattle Fever Tick – \$1,293,676 for the biennium.
4. Animal Health Disease Preparedness, Response and Mitigation for Chronic Wasting Disease – \$1,141,796 for the biennium.
5. Animal Health Information Resource Technology – Enterprise System - \$509,330 for the biennium.
6. Software and network upgrades – \$125,000 for the biennium.
7. Computer Replacement – \$88,000 for the biennium.
8. Exempt Position Equity Adjustment – \$114,176 for the biennium.
9. Transportation Fleet Vehicle Acquisition – 12 more trucks, \$480,000 for the biennium
10. Pay Differential for Veterinary staff in South and West Texas – \$150,000 for the biennium.

A motion to APPROVE the Legislative Appropriations Request was made by Commissioner Jordan and seconded by Commissioner Selman. The motion carried.

### **Item 14 – Consideration of Final Order**

Gene Snelson, General Counsel, presented a final order for a violation of Commission rules for the consideration of the Commissioners.

A motion to APPROVE the final order was made by Commissioner White and seconded by Commissioner Vickers. The motion carried.

### **Item 15 – Consideration of and Possible Action on REGULATION PROPOSALS**

Gene Snelson then discussed the following REGULATION PROPOSALS:

Each Regulation Proposal was reviewed and voted on individually.

- (a) Chapter 38, Trichomoniasis, Certification Period and Sample Submission Timeframe
  - (b) Chapter 40, Chronic Wasting Disease, Repeal and Replace Movement Restriction Zone/Carcass Entry Requirements
- (a) The Texas Animal Health Commission (commission) proposes amendments to §38.1, concerning Definitions, §38.4, concerning Certified Veterinary Practitioners, and §38.6, concerning Official Trichomoniasis Tests, in Chapter 38, which is entitled “Trichomoniasis”. The purpose of the amendments is to change the Trichomoniasis (Trich) certification period for veterinarians and reduce the shipping time for sample submission.

The Trich organism causes abortion and extended calving seasons. Bulls will remain persistently infected and spread infection from cow to cow. Older bulls are typically the main reservoir of infection in a herd; this is because older bulls often have deeper preputial folds (crypts) creating a more favorable environment for Trich.

The Bovine Trich Working Group (TWG) had an annual meeting on April 26, 2016, to evaluate the effectiveness of current rules. The TWG discussed the program overview to date, the management of infected herds, entry requirements, and the need for possible revisions to the program.

The TWG recommended extending the certification period of veterinarians certified to perform Trich program functions from 3 years to 5 years. The TWG also recommended reducing the time of arrival of Trich samples sent to the lab for testing. The group discussed the integrity of the sample to be tested at 120 hours, which provides a longer chance for inhibitors to negatively impact testing. Literature shows that after 30 hours there is a decline; therefore, the group recommended changing the arrival time at the lab from 120 hours to 96 hours.

Commissioner Jordan moved and Commissioner Bouma seconded a motion to PROPOSE the amendments to Chapter 38, Trichomoniasis, located in Title 4 of the Texas Administrative Code. The motion to approve the proposed amendments and to publish it in the Texas Register with a 30 day comment period passed. There was one dissenter.

(b) The Texas Animal Health Commission (commission) proposes amendments to §40.4, concerning Entry Requirements, and a new §40.6, concerning CWD Movement Restriction Zones in Chapter 40, which is entitled “Chronic Wasting Disease”. The purpose of the amendments is to repeal the existing §40.6 and replace it with a new section which creates additional CWD movement restriction zones in areas where animals have been disclosed as CWD positive. The amendments will also prohibit the entry of the carcasses or parts of susceptible species outside of Texas where CWD has been detected in free-ranging or captive herds, unless certain conditions have been met. Surveillance testing is a key, critical component to early detection of the disease and also the monitoring of the disease prevalence in all areas of the state where any CWD susceptible species inhabit. Risk based surveillance is directing surveillance activities in a particular geographic area where CWD is most likely to be found based on host factors and potential exposure. An inadequate surveillance program promotes the spread of disease unnoticed and ultimately makes the task of disease freedom exponentially more difficult. In today’s current environment, the mobility and transportation of agricultural animals throughout the state and country has greatly increased the spread of diseases and makes risk mitigation more difficult and complex. A good surveillance system supports our animal industries by having confidence in the health and marketability of their animals.

CWD has been proven to be transmissible by direct contact between susceptible species and through environmental contamination. Those realities can create adverse economic impacts through the reluctance to purchase or to hunt a susceptible species from a facility in an area where CWD has been confirmed. CWD contaminates the environments which creates a serious obstacle for controlling and eradicating the disease. This can negatively impact ranching, hunting, real estate, tourism, and wildlife management-related economies, unless it is contained and controlled. The purpose of the restriction zones is to both reduce the risk of CWD being spread from areas where it might exist and to increase detection of CWD by increased surveillance.

Commissioner Leathers moved and Commissioner Vickers seconded a motion to PROPOSE the amendments to Chapter 40, Chronic Wasting Disease, located in Title 4 of the Texas Administrative Code. The motion to approve the proposed amendments and to publish it in the Texas Register with a 30 day comment period passed. There was one abstention.

#### **Item 16 – Consideration of and Possible Action on REGULATION ADOPTIONS**

Gene Snelson then discussed the following REGULATION ADOPTION:

Each Regulation Adoption was reviewed and voted on individually.

- (a) Chapter 47, Authorized Personnel, CWD Authorized Personnel Requirements

## Summary Minutes of the 396<sup>th</sup> Commission Meeting – 8/23/2016

- (a) The Texas Animal Health Commission (commission) proposes amendments to §47.21, concerning Definitions, §47.22, concerning General Requirements and Application Procedures, §47.23, concerning Duration and Additional Training Requirements, and §47.24, concerning Grounds for Suspension or Revocation, in Chapter 47, which is entitled “Authorized Personnel”.

The purpose of the amendments is to establish and clarify requirements for persons authorized to perform certain activities that relate to Chronic Wasting Disease (CWD). Section 161.047 of the Texas Agriculture Code requires a person, including a veterinarian, to be authorized by the commission in order to engage in an activity that is part of a state or federal disease control or eradication program for animals, which includes Chronic Wasting Disease. Chapter 47, Subchapter C, which is entitled “Chronic Wasting Disease” includes standards and requirements for persons authorized by the commission to perform work as a Certified CWD Sample Collector. At the time the existing Subchapter C regulations were adopted, the commission only recognized test results from postmortem CWD sample collection. Since this sampling was not performed on live animals, the commission established standards and authorized non-veterinarians to collect postmortem samples.

A motion to ADOPT the amendment to Chapter 47, Authorized Personnel, located in Title 4 of the Texas Administrative Code was made by Commissioner Leathers and seconded by Commissioner Selman. The motion passed.

### **Item 17 – Presentation of Awards**

Larissa Schmidt presented Ms. Lori Stanley her service award for 25 years with the Commission.

### **Item 18 – Public Comment**

Public comment items were heard at the time of the presentation of rule proposal on Chapter 40, Chronic Wasting Disease. A full audio of the comments and the complete discussion that followed is available on the Texas Animal Health Commission website.  
<http://www.tahc.texas.gov/agency/meetings.html>

### **Item 19, 20, and 21 – Closed Executive Sessions and Consideration of Any Needed Action**

A closed executive session to receive legal advice, discuss pending or contemplated litigations, and settlement offers as permitted by section 551.071 of the Texas Government Code, was not needed at this meeting.

### **Item 22 – Set Date for 397<sup>th</sup> Commission Meeting**

The date for the 397<sup>th</sup> Commission Meeting was not set at the time of the meeting, but is tentatively scheduled for early December 2016. Notice will be posted on the agency’s website when the next Commission meeting date has been set.

### **Item 23 – Adjournment**

The meeting adjourned at 12:05PM.