



House Energy and Natural Resources Committee
Testimony on HB 1151

North Dakota Game and Fish Department
Casey Anderson, Wildlife Division Chief
January 20, 2023

Chairman Porter and members of the House Energy and Natural Resources Committee, my name is Casey Anderson, Wildlife Division Chief for the North Dakota Game and Fish Department (Department). I am testifying today in opposition of HB 1151.

I would like to start out by reading you an excerpt. “Hunting, trapping, and fishing and the taking of game and fish are a valued part of our heritage and will be forever preserved for the people and managed by law and regulation for the public good.” section 27 of article XI of the North Dakota Constitution. The North Dakota Game and Fish Department is entrusted with the responsibility of making sure that happens using the best available science and management for present and future generations. The Governor through proclamation and the Legislature through century code enact those laws and regulations. This bill seeks to eliminate the Department, through Governor’s Proclamation, from restricting the use of baiting for deer hunting. The legislation removes one of the Department’s tools, to maintain healthy deer herds for the benefit of all North Dakotans, when faced with trying to manage any transmissible disease.

As written this bill would also remove a tool from the Departments toolbox not just on private land but also on its public Wildlife Management Areas (WMAs). The Department banned baiting on its WMAs in 2006 for many reasons. It habituates deer to unnatural feed sources and patterns, creates conflicts between hunters on public land, has the potential to spread noxious weed seed and facilitate the spread of disease and parasites.

In the spring of 2009 Senator Olafson introduced a bill, SB2351, that the Department supported, to ban baiting and feeding of big game state-wide in response to concerns over Bovine Tuberculosis (TB) in the deer herd in NW Minnesota. He was concerned about TBs potential impacts on the livestock industry if it were to get into wild deer or elk in ND. The Department had peer reviewed research to support his bill and the same concerns for multiple diseases including Chronic Wasting Disease (CWD) which hadn’t been detected in ND. The bill was not passed with the thinking that it was a more proactive approach than ND was ready for, and the Department should only use a baiting restriction as a reactive approach when a disease, where baiting increases the chance for spread, became known in the state. The first positive detection of CWD was confirmed in the fall of 2009 in deer hunting unit 3F2 followed by efforts to keep

the disease to a minimum. Those efforts include banning baiting, changing harvest management, and managing carcass movement.

The Department is greatly concerned about CWD because of its long-term effects on herd health. CWD is a prion disease that affects deer, moose, and elk. It is spread from animal to animal by ingestion of infectious prions directly between animals or deposited in the environment through urine, feces, saliva, and carcass parts of infected animals. Once it's contracted it is always fatal. There is no proven landscape level treatment or treatment for individual animals. Over time with high prevalence rates it has been shown to affect herd age structure and even population size. When CWD is found in a unit the goal is to maintain as low of a prevalence as possible, prevent movement of the disease to other areas and maintain or reduce deer densities to decrease the chance of disease spreading between animals or by animals forced to seek resources elsewhere. For a disease that spreads like CWD the number of times and the amount of time a healthy animal is in contact with a positive animal or its bodily fluids the more likely the disease is to transfer to that healthy animal. The persistence of this disease in the environment tells us time is of the essence and we cannot regain time.

To reduce the risk of CWD spread the Department has been implementing a ban on baiting as a method of take for hunting to reduce the number of times and duration of these times that deer spend in close contact as CWD is detected. The ban is implemented in the CWD positive unit as well as any unit within 25 miles of the positive detection. As CWD has been confirmed in more areas, units have been added to the baiting restrictions (currently 20 of 38 deer gun units).

Baiting is a method of take used by some hunters and many have concerns that the loss of the ability to bait will have detrimental impacts on recruitment and retention of hunters. The Department's data shows that that has not occurred. Archery license sales have seen a steady increase and have gone from 21,218 in 2009 to 27,696 in 2022 (exhibit 1). The trend for youth is the same with youth archery licenses going from 580 in 2009 to 1,739 in 2022. Youth deer gun licenses have also consistently increased from 3,516 in 2009 to 6,345 in 2022 (exhibit 2). Lastly, deer gun season applications for the first deer gun season lottery have maintained stable with a yearly average of 72,698 applicants since 2009. In 2022 73,654 applicants applied for a deer gun license in the first lottery (exhibit 3).

Ever since the Department's first CWD management plan in 2002 the Department has been discussing the issue of baiting, feeding, and CWD with the public and landowners. In 2021 a survey was done by an independent consulting firm (Human Dimensions of Natural Resources (HDNR) Consulting) titled "Chronic Wasting Disease Survey of North Dakota Hunters". Some results of the survey are 79% of those surveyed trust the NDGFD to follow the best available science in managing CWD. 74% of North Dakota deer hunters perceive a baiting restriction to be slightly to very effective in managing CWD and only 11% consider NDGFDs current approach to managing CWD to be too aggressive (Disease Transmission Flyer). This issue is a tough one and the Department is deeply concerned for the future of deer, elk, moose, and the opportunities

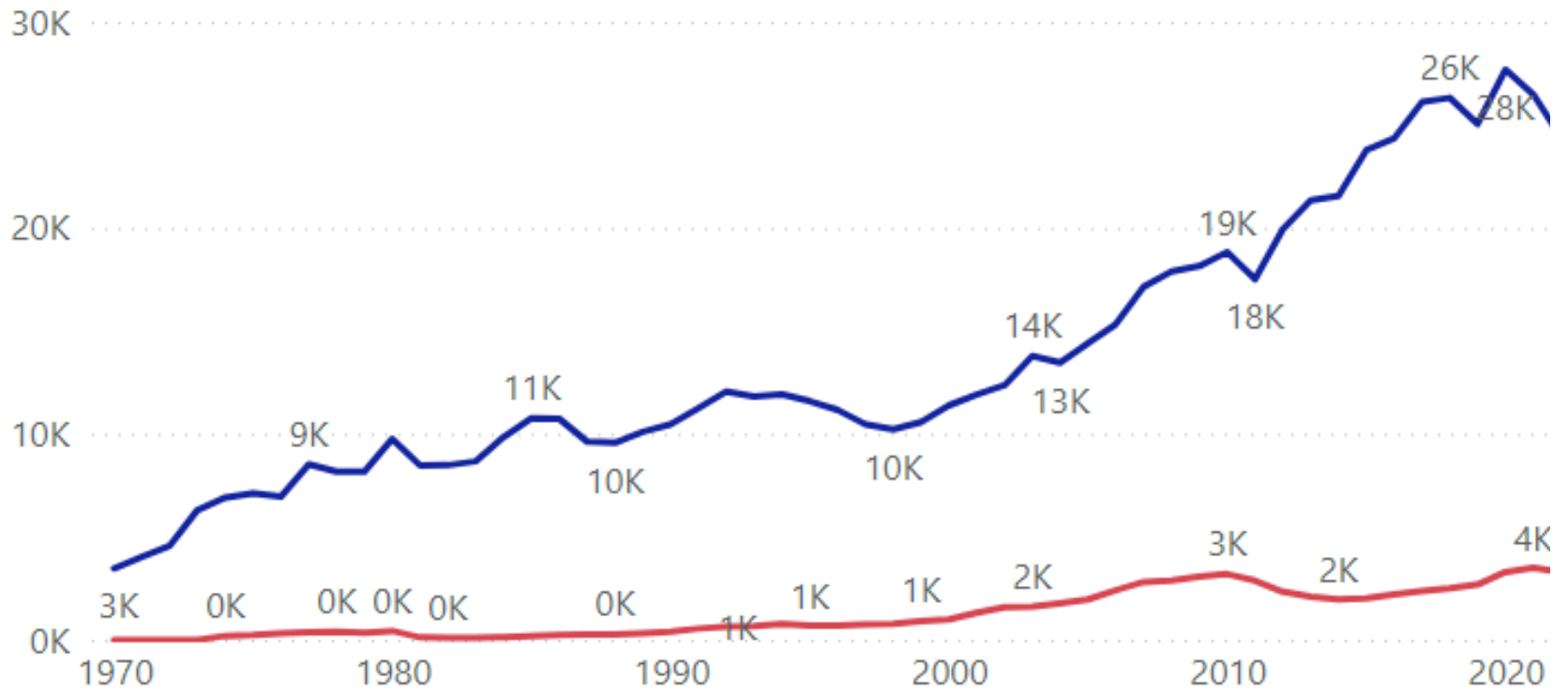
they provide to the public. The Department and the Legislature have a responsibility to maintain the public resource of wildlife for all citizens to enjoy now and into the future.

Before I turn the microphone over to Dr. Charlie Bahnson to take a deeper look into the disease of CWD and the risks of baiting, I would ask that as work is done on this bill the “public good”, as stated in our State Constitution, is the beneficiary of the outcome.

Exhibit 1

North Dakota Deer Bow Licenses Issued

● Resident ● NonResident



North Dakota Youth Deer Licenses Issued

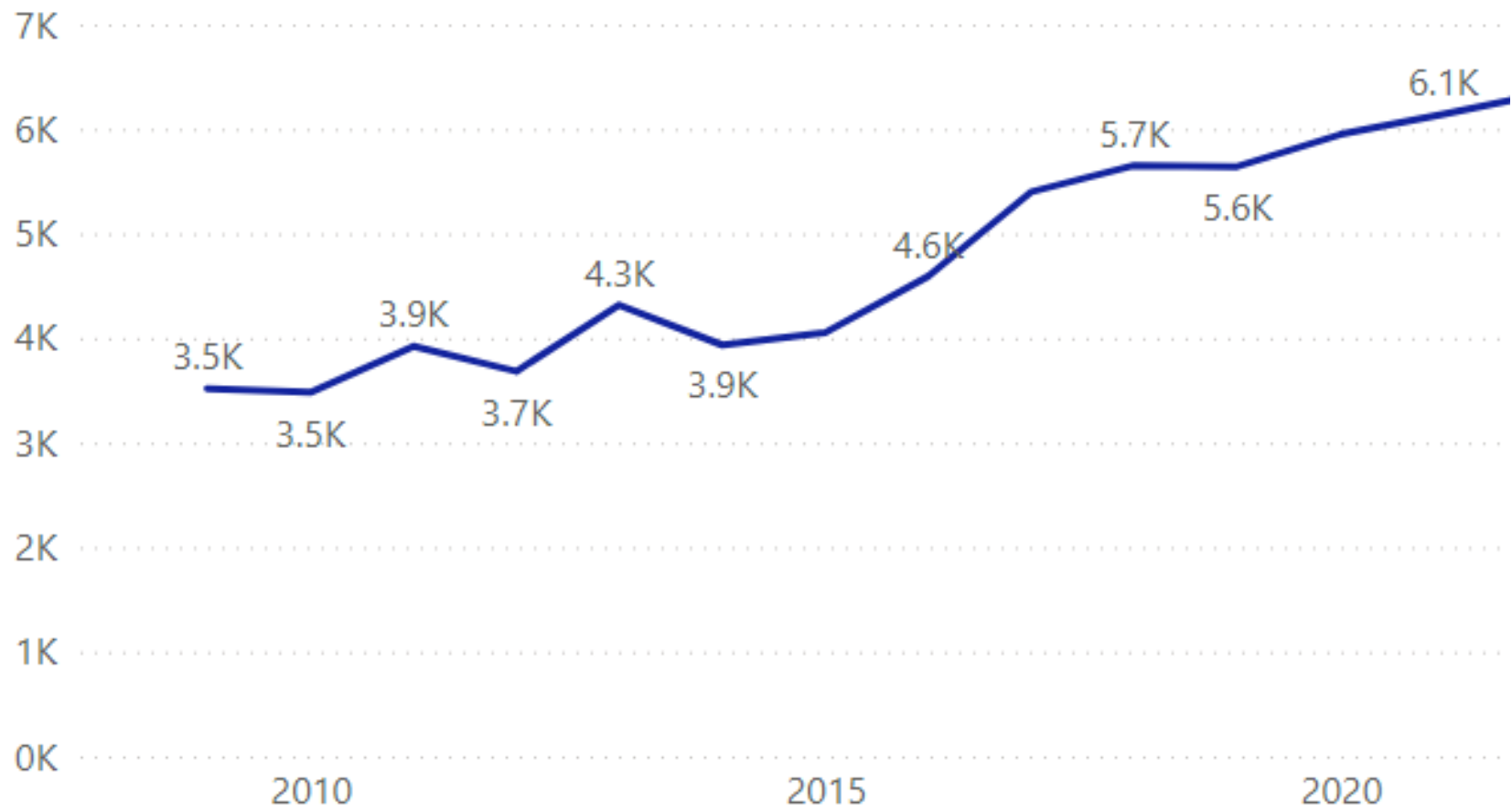
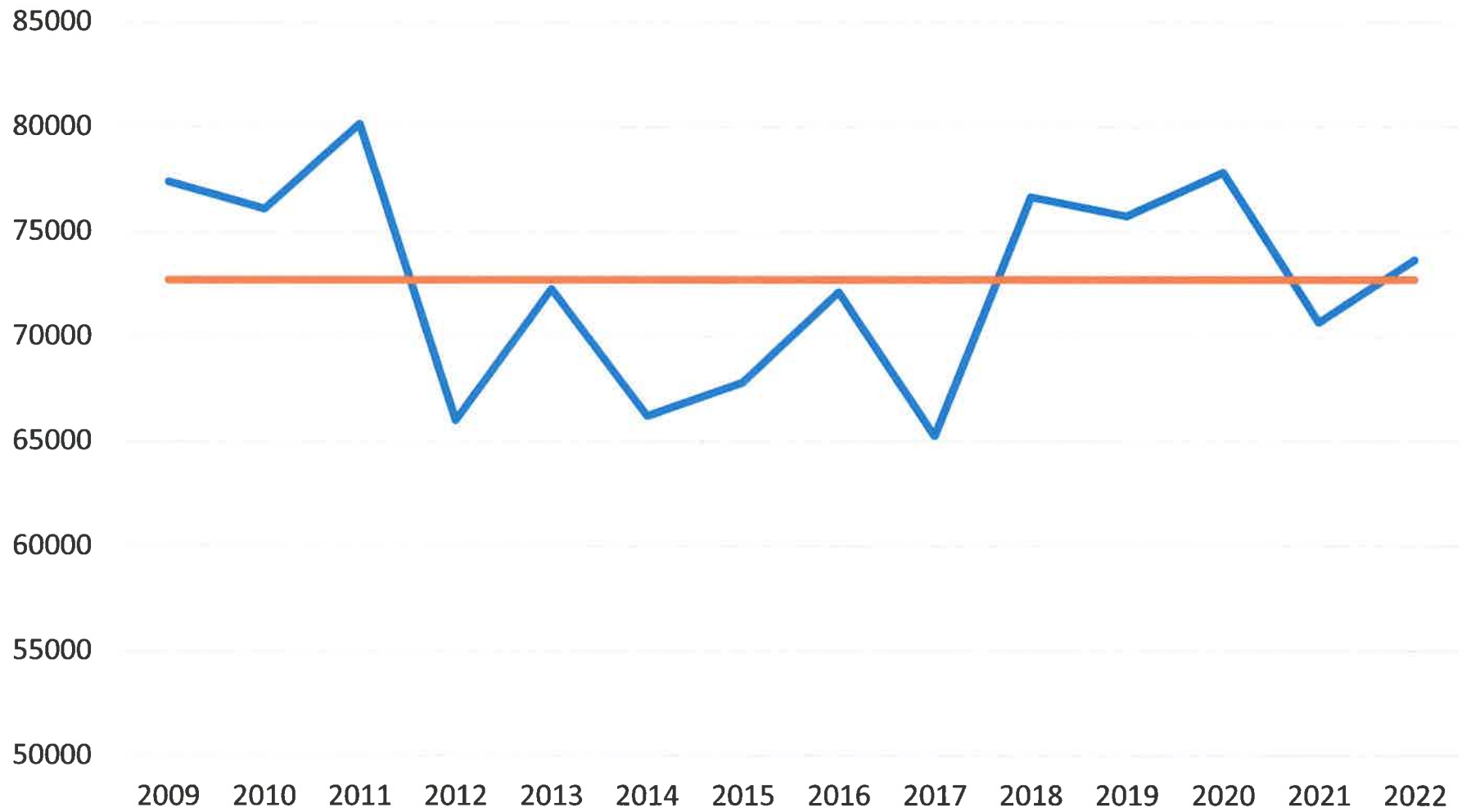


Exhibit 3 -- Deer Gun Applications





DISEASE TRANSMISSION RISKS WITH BAITING

¹ Chronic wasting disease is caused by a prion and is always fatal. It spreads through direct contact with infected animals, contact with contaminated bodily fluids from infected deer, and contact with contaminated environments. Thus, practices promoting these events increase the risk of disease transmission.

79%

² Trust NDGF to follow the best available science in managing CWD.

74%

² ND deer hunters perceive a baiting restriction to be slightly to very effective in managing CWD.

11%

² Consider NDGF's approach to managing CWD to be too aggressive.

³ In Saskatchewan, where baiting and feeding is widespread and was never regulated, infection rates in mule deer have risen from approximately 3% to 70% in 15 years in core areas. *This is the fastest increase documented in free-ranging cervids. CWD has been detected in North Dakota unit 3F2 since 2009 but infection rates in mule deer are approximately 5% as of 2022.*



⁴ Research has shown that food plots do not present the disease concerns that bait piles represent, even within areas with bovine TB.



⁵ When deer are artificially congregated under captive settings, CWD spreads more rapidly and to substantially higher rates than documented in wild populations.

⁶ **Bovine tuberculosis (TB)** is spread through similar mechanisms as CWD, making it a useful model for understanding CWD. Baiting and feeding has demonstrably been shown to facilitate increased transmission of TB in deer. Baiting and feeding enabled the TB outbreak in Michigan to persist and spread. Infection rates decreased after restrictions were applied. These continue to be a pivotal component of reducing the spread of this disease within deer and limiting the economic impact to the cattle industry.

⁷ Baiting was associated with higher deer concentration and extensive face-to-face contacts which increases the frequency and intensity of direct and indirect contacts among deer.

⁸ Baiting breaks down the natural spatial segregation of maternal family groups, resulting in increased contact of unrelated animals that typically don't associate.

⁹ Deer preferentially and more intensively visited artificial feed sources such as grain piles compared to natural browse sites, rubs, salt licks, and waterholes. At these artificial sources, they had more contacts with the environment resulting in higher potential exposure.

* Numbers associated with citations on back.



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