



March 15, 2023

The Honorable Dale Patten
North Dakota State Senate, District 26
Chairman, Energy and Natural Resources Committee
State Capitol
600 East Boulevard Avenue
Bismarck, ND 58505
dpatten@ndlegis.gov

RE: Opposition to House Bill No. 1151 – Diseases Risk & Authority of NDFG

Dear Chairman Patten,

The Central Mountains and Plains Section of The Wildlife Society (CMPS) includes professional wildlife biologists in the State of North Dakota. CMPS strongly opposes House Bill No. 1151, introduced in North Dakota's 68th Legislative Session. This letter outlines CMPS' primary concerns regarding this bill, focused on (1) the increasing risk of transmitting diseases and infections among individuals (including to domestic livestock) and (2) that it undermines the North Dakota Game and Fish Department's authority and ability to manage deer populations based on the best available science.

Known as the "Baiting Bill," this legislation endeavors to create and enact a new section to chapter 20.1-05 of the North Dakota Century Code. This bill was originally described as relating to baiting deer for hunting but has recently been broadened, according to the Legislative website, and now reads "relating to baiting big game animals and supplemental feed attractants." Following intense, and at times emotional testimony and discussion concerning the Bill, the House of Representatives passed the Bill, and it has now moved to the Senate for consideration.

CMPS opposes H.B. 1151 for two major reasons. **First, the practice of artificially placing bait on a site to attract deer, primarily for hunting purposes, has the potential to severely impact and threaten the deer and elk populations in the state by increasing risk of transmitting diseases and infections among individuals.** *Chronic Wasting Disease* (CWD) is of high concern, presently, as it spreads across North Dakota and the nation. CWD is a transmissible disease that can be spread directly from animal to animal, or indirectly through CWD-contaminated environments.

Baiting and feeding artificially increases the frequency in which deer directly contact one another and creates contaminated hotspots with higher risk of indirect transmission of disease. Many of these diseases, such as CWD, are spread by saliva exchange on bait sites. Once contracted, CWD results in mortality of the affected animal and can cause population-level effects [1]. In Saskatchewan, where baiting and feeding are widespread and were never regulated, infection rates in mule deer have risen from approximately 3% to 70% in 15 years in core areas [2]. This is the fastest increase documented in free-ranging deer.

Research has repeatedly demonstrated that supplemental feeding and baiting have been major factors in the propagation and persistence of several diseases in deer and elk populations, many of which can also infect livestock [3,4].

Bovine Tuberculosis (bTB) is one such pathogenic disease that should be considered as it are capable of being transmitted rapidly as deer and elk feed in high density and in close proximity to one another. Michigan and Minnesota continue to have outbreaks of bTB in wild white-tailed deer, with concerns for human health. In response, both states have followed the same general approach to eradicating bTB, which includes eliminating baiting and supplemental feeding of wildlife [5,6]. Scientific studies in Michigan found that baiting and feeding of deer enabled the bTB outbreak to persist and spread. Specifically, “consistent availability of food over longer periods of time, as would occur with supplemental winter feeding or persistent recreational feeding, increased [bTB] prevalence in deer and cattle herd[s]” [7]. The infected deer population of the endemic area of Michigan contribute to continued infections in cattle – a cause for concern among producers who engage in national and international market [6]. In addition to bTB, *Bovine brucellosis* is also a heightened concern to the U.S. Department of Agriculture because this contagious and costly disease of ruminants (e.g. cattle, bison and cervids¹) has significant animal health, public health, and international trade consequences.

The North Dakota Game and Fish Department has developed a *Chronic Wasting Disease and Surveillance Plan 2023-2027*. This plan seeks to scientifically slow down the spread of this deadly disease in the North Dakota deer herd. One tool that can be used to slow down the spread of the disease is the elimination of artificially placed bait piles. CMPS supports the North Dakota Game and Fish Department’s plan to address this rapidly growing threat to the deer population. During winter in North Dakota, deer will naturally concentrate in areas where food is available. However, the responsible management action for the sustainable health and well-being of the deer herd is to eliminate congregating deer on artificially created sites such as on bait piles that increase the risk of disease transmission.

¹ Cervid – deer, elk, moose, etc.

Second, CMPS opposes H.B. 1151 because it would seriously and severely undermine the North Dakota Game and Fish Department's authority and ability to manage deer and deer hunting with the best-available science. The Game and Fish Department has been given the authority and responsibility to manage wildlife populations and their habitats by the State of North Dakota. The Department employs educated and trained personnel in fulfilling this responsibility using the best and most up-to-date science available. CMPS encourages the North Dakota Senate to support the North Dakota Game and Fish Department in its efforts to manage and perpetuate wildlife populations and their necessary habitats in the state. The use of sound science by the Game and Fish Department in managing the state's wildlife populations will result in the best and most sustainable use of these resources by the public, which we recognize are of great value to residents and visitors alike.

We hope that the discussion related to H.B. 1151 spurs the state of North Dakota to consider following the lead of other Great Plains and Midwestern states and provinces that are protecting their deer (and the benefits associated with them, to include but not limited to hunting, local economies, etc.) from disease, not putting them at greater risk. Of note, in the aforementioned region, baiting is banned in Iowa, Missouri, Indiana, Illinois, Nebraska, Minnesota, and South Dakota, minimizing disease transmission risk. In places where baiting is regulated, Michigan, Wisconsin, Wyoming, and Saskatchewan, increased levels of costly disease transmission have been documented.

Thank you for the opportunity to offer comment to the North Dakota Senate as it discusses and debates H.B. 1151 and ultimately, make a decision on the proposed legislation.

Respectfully,



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cc: Jeb Williams, Director | North Dakota Game and Fish Department (ndgf@nd.gov)
Doug Goehring, Agriculture Commissioner | North Dakota Department of Agriculture
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ABOUT THE WILDLIFE SOCIETY

Founded in 1937, The Wildlife Society is an international network of over 11,000 leaders in wildlife science, management and conservation who are dedicated to excellence in wildlife stewardship. The Wildlife Society is composed of regional sections, state and provincial-based chapters, and working groups.

The **Central Mountains and Plains Section** represents TWS members in seven states: North Dakota, South Dakota, Kansas, Nebraska, Colorado, Utah, and Wyoming. Alongside our seven state chapters, we endeavor to sustain wildlife populations and habitats through science-based management and conservation. For more information: <https://wildlife.org/cmp/>

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