

**State-Federal Aquatic Animal Health Partnership Meeting  
Eastern States  
Washington D.C.  
January 16-17, 2007**

**Day 1**

Opening remarks were given by Dr. John Clifford, Deputy Administrator USDA APHIS VS; Bill Hogarth, Director, NOAA Fisheries; Stuart Leon, Director of the National Fish Hatchery System, U.S. Fish and Wildlife Service. Remarks are enclosed at the end of the meeting minutes.

Meryl Broussard, USDA CSREES, provided an introduction to the Joint Subcommittee on Aquaculture (JSA) and reporting structures.

Question and Answer Session:

Q: How is the NAAHP going to be funded?

A: Depending on the type of program, it could be through both user fees and through funding from Congress. For eradication and surveillance, there must be cooperative efforts between the Federal and State governments and industry. If there isn't funding, there isn't going to be a program.

Q: Is there cooperation with other Federal agencies such as EPA, Coast Guard, etc?

A: We do cooperate with other agencies, and take the lead where appropriate. Agencies lead issues for which they have the primary responsibility for the issue.

Q: There is a vast difference in diversity of aquaculture industries. Will the task force continue to help States grasp the larger issues?

A: Yes – the Task Force and the NAAHP are focused on issues of national concern, recognizing that there may be issues of a regional or State concern that will not be addressed by the NAAHP. We are focusing on the larger picture.

Sherman Wilhelm: Will the NAAHP be flexible to recognize differences in different industries?

A: Yes, the Plan will recognize the diversity of the industries. Sound science will be used and importations will be done through risk mitigation, not just shut down. Still may not have everyone agree when move forward with the Plan.

Q: What about NEPA?

A: NEPA is not part of the NAAHP itself. NEPA has to be considered as part of the rule making process, along with an economic assessment, risk analysis and all other components that enter into the rulemaking process.

John Clifford: Is there general support for a NAAHP, or not?

A: The entire document isn't complete, so it's difficult to comment.

John Clifford: What about support for the concept?

A: The devil is in the details!

Janet Whaley: If States already have plans, do they have to revisit their plans when the NAAHP is complete?

A: This is not a heavy-handed approach. If the issue is of national concern, we would want a consistent approach.

Janet Whaley: Are there different approaches?

Kevin Amos: We have looked at many existing State plans, such as Florida, Washington and Alaska.

Mary Ann McBride: Is there a central source where one can view these plans?

Robert Bakal: No – but I can help identify where the plans are.

Betsy Hart: Some States have plans, some don't. It's been a big hindrance to industry that there is a lack of consistency. It would be helpful if existing State plans could be viewed on one web site.

Kevin Amos: Didn't NASAC have an aquaculture regulations web site?

Betsy Hart: It's on APHIS' web site.

John Clifford: Many States have both regulations and plans.

Mary Ann McBride: North Carolina hasn't previously dealt with aquatics – they are in a learning stage. There are lots of players in aquaculture, and you don't always know who the players are.

Betsy Hart: It's not all one industry – there are multiple players and some States make rules that don't pertain to all species.

Janet Whaley: In the mid 1990s, Maryland developed its own aquatic plan.

Bob Ehlenfeldt: The focus should be on health – not invasive species.

John Clifford: The focus is primarily on health, and where there is an interface between invasive/endangered species and health – we have to consider that too.

Don Hoenig: For the ISA program, endangered species was an important issue due to the native listed Atlantic salmon, and how reducing infection pressure in farmed Atlantic salmon could also benefit the natural population as well.

Sherman Wilhelm: The NAAHP needs to focus on health. It's important to recognize the difference between non-native species, injurious species and exotic species.

Joseph Myers: What about issues that fall between the cracks, like baitfish, oyster gardening, etc?

A: We need feedback about these other practices and need to look at potential risks.

Presentation by John Kerwin on the Pacific Northwest Fish Health Protection Committee (PNFHPC) and Association of Fish and Wildlife Agencies (AFWA) perspective on the NAAHP. Essentially view the NAAHP as a safety net for those States who do not have plans or regulations in place, and support its implementation.

Doug Stang (NY): How specifically do you see it as a safety net?

John Kerwin: It provides policy for States such as Idaho that has no regulations, and helps to protect States downstream from Idaho, such as Washington.

Jill Rolland provided an overview of the National Poultry Improvement Plan  
Spencer Garrett provided an overview of the Interstate Shellfish Sanitary Conference

Both programs are examples of State –Federal cooperative programs that could serve as models for an advisory committee to the NAAHP.

Mike Staggs (WI): Is the authority over the NPIP at the State or Federal level?

John Clifford: The NPIP is funded and run at the State level even though the regulations are Federal. It's a voluntary program, but in order to move product, you almost have to be a member.

Nancy Frank: There are Incentives in these Federal/State programs (NPIP, AI programs) that help make them work. For example, if you find low pathogenic avian influenza, the Federal government pays indemnity to depopulate those flocks.

Todd Holbrook: Can States be more restrictive?

John Clifford: Yes - for the NPIP that's a voluntary program. Let's talk about the issue of Federal pre-emption. Uniform Methods and Rules are guideline documents that States can exceed. When it comes to a Federal Regulation – when we publish a Rule – it is the standard. It has not been decided in courts, and we don't want it to be. States can take additional action once in the State, but the State cannot prevent the action. Today, all States don't apply the regulations equivalently. We enforce Federal regulations at ports. We notify the State that the shipment is arriving.

Don Hoenig: In Maine there is an embargo on chronic wasting disease (CWD); however, if Canada meets USDA requirements, they would let an animal in, but the State of Maine would then quarantine and test the animal.

Todd Holbrook: It seems like similar impacts – a small industry and a large wild population.

John Clifford: APHIS looks to mitigate wild to farm animal transmission. We missed the mark on the CWD rule. That's why we pulled it back to redo. It was never the intent to pre-empt the authority for a State to allow deer farming.

Marianne: What's the next CWD rule?

John Clifford: OGC hasn't decided if the rule will be a proposed rule or an interim rule. Comments just closed on January 5<sup>th</sup>. Rules are not written as minimum standards.

Doug Stang: There would not necessarily be regulations?

John Clifford: It depends on the issue. The range of programs is from certification to eradication programs. Maybe just import protocols are developed.

Doug Stang: What would be left to the State?

John Clifford: There are decisions at the national level and the State level. States sometimes have their own plans and regulations. What we would like to see is some consistency between the State and Federal approach.

Betsy Hart: What about the VHS interim rule?

John Clifford: That's a different process – with the Federal Order.

Betsy Hart: But you will develop standards?

John Clifford: Yes.

Doug Stang: New York's State regulations go beyond the Federal regulations by adding additional diseases. The result has been a loss of friendliness with neighboring States because our requirements have gone above and beyond.

John Clifford: If State standards are above the Federal requirements, the State could be challenged. Taking additional requirements after the movement has occurred into the State, may be a better process. States implement the Federal requirements.

Doug Stang: Where do we anticipate disease/provisions, etc? Which ones might there be regulations on?

John Clifford: It has not been decided what will be done with the diseases listed as program diseases.

Spencer Garrett: With the WTO, we cannot apply internationally what we don't control nationally.

What's the standard –when you have a disease, you have to have standard methodologies, etc.

Samantha Horn-Olsen: Disease by disease standards? If a State wants standards for a disease not in the NAAHP, can they do that?

John Clifford: Absolutely. Most States do have programs to address issues that the Federal government does not.

Robert Bakal: We only enforce Federal law, and then the State could take additional action.

John Kerwin: Product from Canada transiting Washington to go to California – Washington cannot stop the shipment from transiting – this was a Supreme Court Decision.

Nancy Frank: Models for State-Federal cooperative programs include the Scrapie and Tuberculosis programs. VHS may lend self more to that model.

John Clifford: VHS probably lends itself better to a State-Federal program

Betsy Hart: No industry involvement?

John Clifford: This has to do with the implementation of the regulation, not input to the regulation.

Nancy Frank: You don't need to rely on one model for the entire NAAHP.

John Clifford: I totally agree. There needs to be trust between partners – especially where there is a wildlife-farmed interface. We are often viewed as trying to tell States what to do with wildlife.

VHS-when you don't have a disease, don't care. Now that it's an issue, people are jumping to do something about the issue. We should model action after the NAAHP. Consistency is needed. DNR and FWS need to work together on animal health and water issues. (Ohio vet)

John Clifford- the overarching theme is to not polarize – everyone needs to think in the same field. We can't make everyone happy – we have to protect resources.

Sherman Wilhelm: On parts of the plan- are you suggesting we're creating an advisory body? You need a body where all the States get together so everyone has a common understanding. It would be a good thing to have a forum for States to discuss.

John Clifford: We support that. But, we're supplying options. Which ones do you think are best for the NAAHP?

Spencer Garret: Can you pick organizations that have aspects that you appreciate?

Robert Bakal: We talk about models because we don't want to reinvent the wheel. Reality is that no one model will fit aquaculture – what elements from existing plans can we use?

Betsy Hart: Once the plan is developed – if we see it's missing a component – it can be added later or changed later. Industry looks at it as a wish list/blue print that can be changed as needed.

John Clifford: The foundation of the plan is cooperation and collaboration. We need to develop a process to ensure a level of cooperation to make sure we're headed towards a common vision/direction.

Kevin Amos: Appreciates direct, constructive comments from Sherman. With diversity in authority and expertise and issues that cross jurisdictions, our hope is to get groups to communicate and cooperate.

END DAY ONE

## **Day 2**

Interactive Session led by Spencer Garrett

Improve Communications

Impediments:

- Jurisdiction/Turf - H
- Multiple agency involvement - H
- Different agency laws – H

- Conflicting laws/regulations - H
- Trust
- Trying to address both wild harvest and cultured resources
- Resources (\$ and people)
- U.S./Canada issues
- Disparate public groups (NGO's and users, etc.)
- Data management/sharing
- Longstanding institutional relationships
- Institutional counterparts/relationship inertia
- Production/marketing/trade knowledge on part of regulators and industry
- Wild harvest/aquaculture conflicts
- Different Federal responsibilities/cultures/approaches for natural resource management
- Diversity of aquaculture industry. Need to figure out who the players are
- Different methods for notification of aquatic animal health diseases and how they are distributed
- Lack of state agency motivation where role is lacking or minimal
- Operations are crisis driven
- Different responsibilities for confidentiality

#### Improve Teamwork

- Need to understand culture of all stakeholders
- Getting a team to practice together
- Contingency plans to pilot test
- Identification and agreement on outcome – what are you going to accomplish?
- Identifying team members
- Get coach involved
- Need multiple teams – Inter/Intra-agency
- Partnership roles may change depending on issue
- Pick a few issues which are common to the team and figure out how to solve them
- Importance for team leaders, coaches, etc. to understand needs of the working-level team members
- Figure out who the coach is – will change given the issue (requires willingness to change)
- Clear identification of process and how the information will be used for decision making

#### Panel discussion on partnerships

- Examples by panel members:  
Hoenig- Maine –process of re-writing salmon aquaculture disease regs – inclusive process (Ag, State resource agencies, industry, Feds). Established a fish health technical committee. Met monthly. Key points for success – trust, relationships developed; challenges – everyone trying to achieve perfection

Kerwin – PNFHPC included state reps (policy and technical), private, tribal, and NGOs, Canada – developed a model program; advisory, not regulatory; meet twice a year; Working examples – VHS in 1989, marking farm-reared salmon; Successes – working with industry/stakeholders; Challenges – resources.

Garrett – HAACP plan development illustrated need for regulators to be educated and affected parties need to have input on product/rules/policies. Challenges- not having a plan!

Bakal – SVC in North Carolina provided an opportunity to develop inter-agency teamwork; Challenge – dealing with SVC on an emergency basis rather than having a plan in place.

Rolland: WSSV in shrimp in Hawaii. Introduced via infected processed shrimp? Contingency plan for eradication in place but needed people and \$ for indemnification...which APHIS provided assistance.

Success – plan in place and knowing roles and responsibilities.

Hart – Coach recognizing workers. Folks educated workers at EPA which resulted in success. Continuity of staff key! Technical and institutional memory.

LaPointe (Maine) – Not resting on our laurels is important...be pro-active on ID future threats.

What is role of States' wildlife agencies in JSA, Fed rule making? State has a lot of info from its stakeholders that need to be listened to.

Hoening – Yes, agrees that stakeholders may be overlooked; example -animal ID rule making.

Garrett – States will play a/the major role in implementation of NAAHP, therefore; need to get resources for States

Rolland – Education (of public) on aquatic health is a key part of the process.

Is there motivation for States to form partnerships?

Bob Ehlenfeldt – WI Ag – Started working together on fish diseases but moved on to other wildlife diseases. Cooperation continues but \$ lacking.

Doug Stang, NY Conservation agency – Maybe state agency (ies) not motivated until crisis hits, like VHS in baitfish. Challenge to explain VHS is a real problem (esp. when some don't believe it).

Jan Landsbert FL wildlife agency – Need a hierarchy on issues/disease problems. This was the focus of the aquatic species work groups...these discussions should be held within each state.

Kerwin – People in DNR agencies are highly motivated, but setting priorities and \$ the challenge

Nancy Frank – MI - Ditto Kerwin's comments



Samantha – Maine – Need to know more about NAAHP in order to understand what/how plan will achieve objectives of stakeholders since at this time only 4 chapters available.

Doug Stang – Is Chap. 6 & 7 about done? Jill suggests that NY look to other programs like ISA

NY State vet? NY has ongoing interagency work group to discuss emerging wildlife disease, such as CWD. Frustration – segregating wild from cultured animals. Historical meetings developed a team.

Doug Stang – Started its own surveillance program. Lab capacity improved would be a help. Bakal – FWS Lamar lab could help out NY and other states.

Mike, WI – Need to see the rest of the NAAHP. What are next steps?

Rolland – NAAHP is a living doc. Need to prioritize elements of plan, esp. which diseases are important??

Implementing plan is dependent upon \$ made available.

Myers – Each State needs to identify its own issues

Garrett – Need to consider federal/state “surge” labs as part of the plan.

Remember, plan is a framework...not a compilation of response to individual diseases.

NAAHP need to identify research id process, education, etc.

Sherman Wilhelm – FL – There is a NASAC from a mix of agencies, some Ag some wildlife...appointed by “coach”/gov./agency director.

Need to involve this NASAC rep.

There must be flexibility within the NAAHP. In FL, had an advisory council, but did not work because too many chefs. FL legislature changed laws to fix “problem”.

Garrett – There will be flex in NAAHP.

Tony Forshey, dept. of Ag, Ohio.

VHS is an important disease. Never been in a position to be so reactive...w/o resources to address problem, like VHS. Lessons tell us NAAHP needs to be a living doc.

Hart – Flex in plan needs to be front loaded. Industry needs be at the table and has been there since the inception of the NAAHP.

Attendees – please share discussions at meeting with your agencies, stakeholders and start discussions on how to support plan.

Evaluations were filled out by participants. In general, most participants felt they understood the mission of the Aquatic Animal Health Task Force and why a national plan is being developed. There was medium to strong support for implementing a national aquatic animal health plan, although some participants expressed they could not support the national plan before they had more information and have a better understanding of the plan and how it might impact their State. In general, most participants understood and support the need to develop partnerships both within States and with Federal Agencies. Some States indicated they would pursue developing State plans as well as coordinating with an overall NAAHP. Some participants suggested a review of the content of current chapters could have been useful for discussions. Some participants provided specific suggestions for how to move forward in developing the NAAHP.

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