



OFFICIAL MINUTES OF THE 407th COMMISSION MEETING

Texas Animal Health Commission

September 22, 2020

Item 1 – Welcome and Call to order by Chairman Locke

The Texas Animal Health Commission (TAHC) Commissioners met in the agency's headquarters, in Austin, and remotely, via conference call, on Tuesday, September 22, 2020. Chairman Coleman Locke began the meeting at 8:30AM. The Pledge of Allegiance was recited.

Item 2 – Roll Call for Commission Members

The Chairman called the roll for the commission members. For public awareness, the commissioners indicated if they were physically present or present by teleconference:

Commissioners Michael Vickers, Jimmie Ruth Evans, Melanie Johnson, Coleman Locke, Ken Jordan, Tommy Oates, Keith Staggs, Wendee Langdon, Barrett Klein, and Joe Leathers were present in person. Commissioners Leo Vermedahl and Joe Osterkamp were present via teleconference. One member, Jim Eggleston, was absent.

Item 3 – Roll Call for Public Participants Providing Public Comment

Due to Governor Greg Abbott's March 13, 2020 proclamation of a state of disaster affecting all counties in Texas due to the Coronavirus (COVID-19) and the Governor's March 16, 2020 suspension of certain provisions of the Texas Open Meetings Act, this meeting of the Texas Animal Health Commission was held by teleconference as authorized under Texas Government Code section 551.125. The Chairman asked that all attendees microphones be muted until such time as public comment is requested or the individual is called upon to speak. Also, because this meeting was held by live audio and teleconference, all individuals were asked to identify themselves by first and last name, and indicate if they represented themselves or an organization before speaking. Any individual who requested to speak on a specific agenda item or during the public comment period was instructed to press *3 to "raise their hand" signifying they wished to speak. At that time, they would be unmuted one at a time and provided with their opportunity to speak and once finished placed on mute again. Once done speaking, participants were asked to press *3 to "lower their hand".

_There were no participants identified for public comment.

Item 4 – Approval of the minutes of the 406th Meeting

An opportunity for public comment was offered and instructions for unmuting lines and for the speaker to identify themselves was detailed. There was no public comment concerning the minutes of the 406th Commission meeting.

A motion to approve the minutes of the 406th Commission meeting held on June 23, 2020, was made by Commissioner Leathers and seconded by Commissioner Jordan. The motion carried.

Item 5 – Ratification of the June 23, 2020 Report of the Executive Director and Waiver Requests for the Period 12/10/2019 Through 6/23/2020

A motion to ratify the June 23, 2020 Report of the Executive Director was made by Commissioner Jordan and seconded by Commissioner Oates. The motion carried.

Item 6 – Report of the Executive Director, Field Animal Health Program Activities and Approval of Waiver Requests for the Period of 6/23/2020 to 9/22/2020

Dr. Schwartz presented the following:

• **AGENCY OPERATIONS AND AFFAIRS**

- TAHC operations continue in SARS-CoV-2 (COVID-19) Pandemic
 - TAHC provides services that are considered part of our nation’s essential critical infrastructure. As such, TAHC is authorized, and expected, to continue providing services to support Texas animal agriculture in a manner that protects both the health of agency employees and the health of producers we work with on a daily basis.
 - On March 17, 2020, TAHC employees began teleworking to the extent possible, as allowed by their job duties.
 - Field personnel have continuously conducted their duties at livestock markets, farms, ranches, and other livestock facilities.
 - On June 1, Region Offices resumed full staffing except for individual employees in situations warranting continued telework. The TAHC Central Office began Phase 1 of our return to office work policy with 25% staffing.
 - TAHC provided the Office of the Governor daily updates on COVID-19 related activities, developments, and concerns pertaining to the agency and the Texas livestock industry
 - TAHC hosted regular teleconferences with industry and response partners, focused on COVID-19 issues related to livestock
 - TAHC Central Office in-office staffing is currently at 50% with plans to resume more normal staffing soon, pending the number of Covid-19 cases in the Austin area.
- Preparations for 87th Legislative Session, which is set to begin January 12th, 2021
 - Budget Cost Savings Strategy – Return 5% of the budget for the current 2020-2021 biennium (details provided at previous commission meeting)
 - Legislative Appropriations Request for the 2022-2023 biennium is due on Friday, Sept. 25, 2020, to include a 5% reduction for the upcoming biennium . This item is up for consideration under agenda item #12.

• **SUNSET UPDATE**

- Sunset Advisory Commission meeting set for Wednesday, September 23, 2020

- Invited testimony only (agency representatives).
- Public comments accepted in writing until October 28, 2020
- Meeting will be broadcast live on the internet

- **DISEASE INFORMATION**

- Cattle Fever Ticks, Rio Bravo Buffer Zone: This is an effort to address cattle fever tick incursions from Mexico by establishing a buffer zone in Mexico mirroring the one in Texas. Regular Steering Committee calls began in March 2020, with representatives from TAHC, APHIS, SENASICA, CNOG, Coahuila, Nuevo Leon, and Tamaulipas. Efforts are focused on establishing two cooperatively funded fever tick eradication pilot projects, one in Tamaulipas and one in Coahuila. Funding for these pilot projects is up for consideration under agenda item #15.
- Bovine Trichomoniasis
 - A Trichomoniasis working group meeting is being scheduled during the week of October 26-30, 2020. TAHC staff are seeking input on two issues, addressing female cattle in affected herds, and novel approaches to increase surveillance.
- Scrapie
 - APHIS conducted a Scrapie Consistent State Review in September 2019. The plan to address findings of concern, primarily related to enforcement of sheep and goat ID requirements, has been submitted to APHIS. Implementation of the plan is underway.
- Entry Requirements/ADT Interstate Movement Issue
 - TAHC staff continue to work with a calf ranch, dairies, other states, and the USDA to develop an alternate process for interstate movement of dairy calves <10 days of age that safeguards the health of Texas cattle while taking advantage of electronic identification and electronic data transfer. A six-month pilot of the alternate system was initiated on September 15, 2020. Initial feedback has been positive.

- **NATIONAL UPDATE**

- Animal Disease Traceability (ADT)
 - The USDA's policy on discontinuation of metal tags and the requirement for RFIDs was withdrawn. A new proposal has been published in the federal register. The public comment period closes October 5, 2020.
 - Texas UHF Back Tag Project – progressing well
- The National Assembly/USDA APHIS VS TB Rule Working Group completed its work on proposed CFR and Program Standards changes in mid-July. APHIS staff will continue work, with expectations for inclusion on the spring 2021 federal regulatory calendar.

- Foot and Mouth Disease (FMD) Vaccine: APHIS sought public comment on production of FMD vaccine derived from a leaderless FMD strain consisting of a modified non-infectious and non-transmissible strain of the virus on the U.S. mainland. I submitted comments in support of allowing this production.
- **EMERGENCY MANAGEMENT UPDATE**
 - July 2020: TAHC field personnel in Laredo and Beeville Regions assisted in local responses to livestock issues and flooding during and after Hurricane Hanna
 - August 2020: TAHC staff prepared for Hurricane Laura, coordinating efforts to provide information on livestock and companion animal shelters to receive animals from the predicted storm. An Animal Response Operations Center was stood up, and personnel from Rockdale and Sulphur Springs Regions were deployed in advance of landfall. TAHC coordinated responses to poultry production concerns resulting from power outages and interrupted rail service.
- **PRESENTATION OF FIELD ANIMAL HEALTH PROGRAM ACTIVITIES**
 - Field Staffing: 126 filled FTEs, 6 posted, 8 vacant
 - Workshops: Tentative Schedule
 - Regional Director – Not scheduled
 - Inspector Workshops – held in region offices, three remain to be scheduled
 - Administrative staff virtual training – pending scheduling
 - 2nd Quarter Inspection Totals:
 - Events- 26
 - Feed yard/Calf Ranch- 222/142
 - Feral Swine- 413
 - Fowl- 547
 - Livestock Market- 1385
 - Livestock Shipment- 3199
 - Swine Survey- 8 new producers, 148 total surveys, 9 herd tests, 160 head tested
 - Swine First Point Testing- 3383 swine sold, 448 sows/boars sold, 315 test/80% tested
 - Slaughter plant- 253
 - Trich- 202
 - Waste feeders- 16/71
 - Authorized Personnel:

- 2254 Accredited Authorized Vets
- 85 CWD Antemortem Certified
- 1061 CWD Postmortem Certified
- 832 Trich Certified
- ADT:
 - 33,709 total active premises
 - 61,635 total new active premises
 - 305 Scrapie Flock ID
- Field Materials and Upcoming
 - Complete inspection manuals & revise field manuals
 - Develop material and agendas for fall workshops
 - Continued messaging to Texas veterinarians to provide relevant updates and information
 - Development of Texas Secure Food Supply Plan and field and vet training
 - Continued training with agency on emergency preparedness
- **WAIVER REQUESTS FOR THE PERIOD OF 06/23/2020 THROUGH 09/22/2020**
 - Chronic Wasting Disease – **Denied** – Denied request of waiver of CWD entry requirements for entry of reindeer from a non-certified herd.
 - Leptospirosis – **Approved** – allowed entry swine involved in a closed, terminal research project.

An opportunity for public comment was offered and instructions for unmuting lines and for the speaker to identify themselves was detailed. There was no public comment.

A motion to APPROVE the waiver requests for the period from June 23, 2020 through September 22, 2020 was made by Commissioner Jordan and seconded by Commissioner Vickers. The motion carried.

Item 7 – Consideration of and Possible Action on Agency Laboratory

Dr. Andy Schwartz presented the following on the agency laboratory:

The Sunset Advisory Commission stated that the Texas Animal Health Commission's (TAHC) Laboratory is no longer needed or cost-effective, and recommended that the lab be closed. TAHC staff examined options and determined that beginning to transition testing to the Texas Veterinary Medical Diagnostic Laboratory would be in the best interest of the agency's future. As a first step in the transition process, approval is needed for a request to be sent to the Texas Facilities Commission to cancel the lease for the existing laboratory building.

This item was opened for comment, and instructions for unmuting lines and for the speaker to identify themselves were detailed. There was no public comment.

A motion to approve the request to cancel the laboratory lease was made by Commissioner Jordan and seconded by Commissioner Oates. The motion passed with one dissenting vote.

Item 8 - Presentation of Epidemiology Activities

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

Cattle Tuberculosis (TB):

- 1. Status of the infected herds in Parmer and Lamb Counties:** Two organic dairies and a feed yard (~12,000 head) completed an assessment test in April 2015, and fifteen subsequent removal tests. To date, there are sixty-eight histocompatible samples disclosed. Currently the dairy is pending the verification and quarantine releasing test in October. If negative, then annual assurance testing will be scheduled for five years.
- 2. Status of the infected dairy in Bailey County (feed yard and associated dairy in Parmer/Bailey):**
The dairy is released from quarantine.
- 3. Status of the infected dairy in Sherman County and two associated infected grower operations in Dallam County that are epidemiologically linked to the positive dairy.**
 - The ~8,700 head dairy was previously tested annually 2015-2017 with negative test results after they received exposed heifers from a bovine TB affected dairy. The fourth test in December 2018, resulted in a high response rate. Further testing led to the identification of 68 animals with confirmed TB by culture after one assessment and two removal tests. The third removal test in June resulted in two histocompatible samples that are pending whole genome sequencing (WGS). Of the original sixty-eight, WGS revealed that sixty-seven had a strain of last known linkage with cattle in central Mexico and one had a strain distantly linked to one from the Iberian Peninsula. The fourth removal test is scheduled for October.
 - One associated grower facility is a ~70,000 head calf ranch. To date, one positive heifer was disclosed on 3/1/2019. Approximately 12,000 head at the facility are considered 'exposed' and are on a testing plan. The final test is scheduled for October prior to release.
 - The positive dairy and a second Colorado dairy under the same management utilized a heifer raising premises with ~4,500 head in Dallam County. The first whole herd test on April 8, 2019 disclosed one positive heifer. The remaining heifers at the facility returned to the affected Texas dairy and with the completion of cleaning and disinfection, this facility is closed.
- 4. Status of infected beef herd in Austin County:** In June 2019, a positive beef herd was disclosed from a slaughter trace back. After one assessment test, an additional positive cow was identified. WGS describes a unique strain to the US with Mexican origin. A third whole herd test was completed in February and a verification test is scheduled for October.
- Two trace investigations are being conducted. The trace in investigation was conducted to determine the origin on TB introduction to the herd. The index cow arrived at Crystal City, Texas from North Carolina in 2013. A trace of the index cow's South Texas pen cohort (two years duration) has been completed. This

trace involved four regions (SV, SS, AM and RD) and thirty-four animals including the pen bull. Out of state traces involved NM, CA, SD, MS and KS and thirteen animals.

- The trace out investigation aims to disclose whether TB was transferred into additional herds. This work is ongoing, with some cases closed involving USDA indemnity. To date, TB has not been detected in those cows under enhanced slaughter surveillance. Regions involved are RD, SS, SV and BV. Over ninety different buyers have been identified over the five-year trace time frame involving >300 animals. Pass through herds where the trace animal no longer resides, or cannot be positively identified result in a whole herd test of all test age eligible animals by Caudle Fold Test as per USDA recommendations.

5. Status of slaughter traced to a large dairy in northeastern Panhandle. A whole herd assessment test was completed in April 2020 with no additional positive cattle disclosed. A second whole herd test is underway. To date, this dairy is not considered an infected dairy unless additional positives are disclosed. Genetically the strain indicates a new strain to the US with historic ties to Mexico.

6. New slaughter traced to beef herd in Sutton County. Further testing identified three additional positive cattle. WGS is pending. An epidemiological investigation which includes identifying and tracing cattle sold within the previous five years as well as investigating the source is underway.

7. Additional TB slaughter trace cases in the FY2020:

- One slaughter trace which was Mexican origin led to a feed yard in the Panhandle. The animal did not have an official tag and was closed as MXU (unknown) no official id.
- A second trace led to a different feed yard. This animal did have an official ID which was Mexican origin originating in Tamaulipas.
- The third trace was an animal that originated in Nebraska. This sample was histocompatible but PCR negative and the culture is pending.
- In August, two slaughter trace backs from Wisconsin and California were disclosed. One was a Mexican import used for roping and the other was a retired roping steer of unknown origin. All known exposed and potentially exposed steers are undergoing testing.

Cattle Trichomoniasis:

From January 2020 through August 2020, there were 256 positive bulls disclosed of 25,088 bulls tested (1.0% test positive).

Cattle Fever Tick (CFT):

The Cattle Fever Tick Eradication Program is a cooperative activity between TAHC and USDA-VS. In the Permanent Quarantine Area (PQA), the Temporary Preventive Quarantine Areas (TPQA), and additional Control Purpose Quarantine Areas (CPQA), there are 173 total infestations disclosed through July 31, 2020. Beginning with an infested property outside the TPQA in southern Cameron County discovered January 30, 2020, trace out investigations identified three additional infested premises which then led to further discoveries. Each associated infested premises have additional trace out investigations. In all, Cameron County has five new infested premises outside the TPQA and four of the five are epi-linked. The fifth infested property was likely exposed from infested Nilgai antelope that were moving westward from the TPQA. In addition, Hidalgo and Jim Hogg Counties have one epi-linked and Willacy now has 2 epi-linked

infestations resulting in new CPQAs. The most recently identified infestation occurred at a premise in Willacy County. Trace documentation will be distributed to the corresponding counties and regions for follow up. In addition to the current new outbreaks, the Jim Wells CPQA was initiated in August 2019. The Beeville Region continues to manage this CPQA with 414 quarantines. Genetically, the ticks are similar to a premise in Hidalgo County, which was infested in 2017. but no clear linkages have been determined.

Equine Infectious Anemia (EIA) and Equine Piroplasmosis (EP):

Texas continues to disclose both diseases in racing quarter horses when tested for movement. In 2020, 10 EIA cases and 11 EP cases have been disclosed.

EIA:

- March - Kleberg County - one Quarter Horse (QH), Harris County - two QH
- April - Travis County - one QH, Harris County - two QH
- June - Ellis County - two QH, Brazoria County - one QH
- July - Bastrop County – one, QH * (dual infected with EP)

Equine Piroplasmosis: Infected horses are being quarantined/isolated for treatment but there is an undersupply of imidocarb dipropionate for use in USDA's approved treatment protocol for EP. Horses found positive for EP in the United States must be placed under quarantine and can either enroll in the USDA-APHIS-approved EP treatment program, remain under life-long quarantine, or be euthanized. The USDA-APHIS-approved EP treatment protocol uses high doses of imidocarb dipropionate to permanently clear the organism from the horse. Treated horses are released from quarantine once all diagnostic tests return to a negative antibody status. Quarantines may last for one or more years as antibody titers take time to reach negative levels.

- February - Brazoria County - six QH
- May - Dallas County - one QH
- June - Fayette County - 1 QH
- July - Bastrop County - three QH* (one horse dual infected with EIA)

Equine Herpes Myeloencephalopathy (EHM):

There have been two horses with EHM this year. One performance horse in February and a second one in June. Prompt reporting, isolation, and disease monitoring by accredited veterinarians was successful in that no additional equine were infected.

Scrapie: The flock identified in April 2016 remains under quarantine in Hartley County.

Infectious Laryngeal Tracheitis (ILT) in Poultry:

Three additional ILT infections were disclosed since the last report. One was a backyard flock tested by a private veterinarian. Two infected flocks were identified based on active surveillance initiated along two poultry dense traveled highways. The two highways consisting of ~50 miles include HW 271 from Mt. Pleasant to Gilmer and HW 155 from Gilmer to Interstate 20. Besides the two positive flocks, three additional flocks tested negative and two flock owners refused to test.

Chronic Wasting Disease (CWD):

A new CWD positive breeding herd was disclosed in February 2020 in Kimble County. This herd depopulation was completed in July 2020. Including the two index positive deer, an additional eight more positive deer were disclosed (approximate herd prevalence 12%). Since July 2015 and prior to this discovery, five positive captive breeder herds have been disclosed and four of those are in Medina County. One herd in Lavaca and three herds in Medina County were depopulated leaving one large herd in Medina County that is managed on a herd plan. A new zone was established in Val Verde County in December 2019 as a result of a positive free-ranging White-tailed Deer (WTD). A second positive WTD was also disclosed in February 2020 in the same area.

Vesicular Stomatitis (VSV):

The first VSV case in Texas was confirmed on horses on two Starr County premises on April 23, 2020. The National Veterinary Services Laboratories (NVSL) reported the serotype as the New Jersey strain. On April 30, 2020 a horse in El Paso County was confirmed with VSV with the Indiana strain. Since these initial confirmations, VSV was confirmed in Hudspeth, Kerr, McMullen, and Zapata counties in both cattle and horses. Testing has continued since May 8, 2020, and there have been no additional cases identified. VSV-affected states during the 2020 outbreak include Arizona, Arkansas, Kansas, Missouri, Nebraska, New Mexico, Oklahoma, and Texas.

Anthrax:

On August 2, 2020, the TAHC confirmed Anthrax on a Briscoe County premises. This was the first case of anthrax in Texas this year. On September 4, 2020, an Armstrong County bull that was blood culture positive for anthrax per TVMDL was reported. This animal is the first confirmed case from an Armstrong County premises, which is located approximately 13 mi from the previously confirmed premises in Briscoe County. There have now been 6 culture-confirmed cattle from Briscoe County in August and one from Armstrong in September. The TAHC Communications department continues to provide vaccination information and updates to the local counties.

Rabbit Hemorrhagic Disease Virus (RHDV):

RHDV is a fatal, viral disease that affects both domestic and wild rabbits, including hares, jackrabbits, and cottontails. The disease is highly contagious and spreads readily across the landscape. The best preventive measures are very strict biosecurity.

On March 24, 2020, the National Veterinary Services Laboratory, Foreign Animal Disease Diagnostic Laboratory notified New Mexico of the first Rabbit Hemorrhagic Disease Virus Type 2 (RHDV2) case in a domestic rabbit. Wild rabbit die offs were reported to state officials in the southern part of the state, and in early April, RHDV2 was confirmed in desert cottontails, and black-tailed jackrabbits. This was the first time RHDV2 was confirmed in wild rabbit species in the US. Eventual wildlife spread led to diagnosis of RHDV2 in Arizona and Texas, Colorado, Nevada and California. Mexico reported domestic and wildlife cases caused by RHDV2 in several Mexican states as well. The first Texas case was on April 9, 2020 in a domestic rabbit on a premise in Hockley County. The first wild rabbit positive was April 15, 2020 in Lubbock County. Since then additional domestic cases have been confirmed in El Paso, Hamilton, Lampasas, Lubbock, and Midland counties (see Figure 5). RHDV2 in wild rabbits have been confirmed in Brewster, Culberson, El Paso, Gaines, Hale, Hockley, Hudspeth, Jeff Davis, Pecos, Randall, Terrell, and Ward counties.

Rabbits are not considered livestock in Texas and the TAHC has no direct regulatory authority. The TAHC participates in supporting and coordinating testing and surveillance along with Texas Parks and Wildlife Department because the disease is considered a foreign animal disease to the US.

With biosecurity as the foremost message, the TAHC proactively and reactively educates veterinarians with relevant information through emails/texts/phone calls. Communication to the public chiefly occurs through the TAHC website (https://www.tahc.texas.gov/animal_health/rabbits/) and also by responding to emails and phone calls.

The TAHC does regulate veterinary biologics and Dr. Parker empowers veterinarians to support their rabbit-owning clients. From responses coming in from veterinarians who received our approval letter, Texas has received a robust total of 8700 doses of Filavac and 2500 doses of Eravac. The TAHC does not have details on how many have been administered but are aware that approx. 3000 doses of Filavac are on reserve for booster doses a year from now for a commercial rabbit antibody company (2500 rabbit inventory).

SARS-CoV-2:

The SARS-CoV-2 virus was first recognized as a coronavirus responsible for a cluster of pneumonia cases of unknown origin in Wuhan, China in December 2019. Humans show no immunity to the virus and as a result, the virus is now a worldwide epidemic. The large family of coronaviruses are widely recognized as viruses in both humans and animals including livestock. Since the initial introduction from an animal source to humans, other animal susceptibilities continue to be examined and to date, transmission from humans to animals (mainly pets) appears to only occur in rare occasions. As of September 18, 2020, Texas has confirmed positives in 6 cats and 4 dogs. Note, 9 of the 10 are associated with a Texas A&M University research project. Since April 1, 2020 and in a One Health collaboration with DSHS, TAHC has conducted 57 assessments in the following 21 counties: (Bastrop 1; Bee 1; Bexar 2; Brazoria 1; Brazos 13; Brooks 1; Dallas 10; El Paso 1; Fort Bend 2; Gillespie 1; Harris 6; Hays 1; Hidalgo 1; Jim Wells 1; Kendall 1; Mason 1; Montgomery 1; Somervell 1; Tarrant 2; Taylor 2; Travis 4; Unknown 2). Based on data provided by CDC One Health, worldwide there has been 78 animals from 12 countries that tested positive. Of the 78, the US consists of 48 (58%) including 22 cats, 19 dogs, 4 tigers, and 3 lions. In addition to companion animals, the mink farm industry continues to identify new positive farms with 5 farms/75 worldwide from the US.

Program Records:

Numbers of Certificate of Veterinary Inspections by type comparison by year to see if Covid-19 impacted animal movements:

2019	Incoming	Outgoing	TX to TX
Total Electronic	16386	16929	13314
Total Paper	19568	17876	15996
2020	Incoming	Outgoing	TX to TX
Total Electronic	14222	15017	9741
Total Paper	14895	12370	10311

Item 9 – Presentation of USDA Updates

Dr. Mike Pruitt presented an update of USDA-VS activities:

The United States Department of Agriculture (USDA) personnel are in mandatory teleworking mode in response to COVID-19, due to the office being located in a federal courthouse, which remains closed to date. There is no estimate on when staff will return to on-site work. Staff do rotate through the main office to address essential tasks. Dr. Pruitt also provided an update on position hiring and staffing levels which include: eight full time veterinary medical officers, sixteen animal health technicians, and one term animal health technician. There are also four temporary veterinary medical officers located in south Texas to assist with port work and there is a possibility of adding an additional emergency management position. Staff continue to conduct programmatic work despite their remote status, and have even been assigned to assist in coordination issues related to wild fires in Oregon and California. Dr. Pruitt praised TAHC Authorized Personnel staff in their ingenuity in adapting the accreditation program to a remote format.

Item 10 – Audit Sub-committee Report

Commissioner Leathers provided an overview of the audit sub-committee meeting which reviewed the FY 2019 Stephenville Region Office Internal Audit Report. The results of the audit disclosed that, generally, the Region Office has controls in place to ensure the reliability and integrity of information, compliance with rules, policies, procedures, laws, and regulations, safeguarding of assets, economical and efficient use of resources, and accomplishment of established objectives and goals for operations. Any recommendations for improvement have been addressed accordingly by region management.

An opportunity for public comment was offered and instructions for unmuting lines and for the speaker to identify themselves was detailed. There was no public comment concerning the audit subcommittee report.

A motion to APPROVE the actions of the Audit-subcommittee was made by Commissioner Langdon and seconded by Commissioner Vickers. The motion carried.

Item 11 – FY 2020 Internal Audit Update and Proposed Fiscal Year 2021 Internal Audit Plan

Mr. Monday Rufus presented the following:

In accordance with the approved Internal Audit Plan for Fiscal Year 2020, Mr. Rufus notified the agency of intent to follow up on prior internal audit recommendations related to Personnel Processes, the Laredo Region Office, and Information Systems Security. Further, through a risk assessment, Mr. Rufus identified eight areas of interest for audit under the proposed Fiscal Year 2021 plan. The 2021 Plan includes a review of the Sulphur Springs Region Office, Program Records Management, and the Rockdale Region Office. As required by statute, the Audit Plan must be approved by the commissioners.

An opportunity for public comment was offered and instructions for unmuting lines and for the speaker to identify themselves was detailed. There was no public comment concerning the 2020 Internal Audit Update and the proposed Fiscal Year 2021 Audit Plan.

A motion to APPROVE 2020 Internal Audit Update and the proposed Fiscal Year 2021 Audit Plan was made by Commissioner Jordan and seconded by Commissioner Oates. The motion carried.

Item 12 – Fiscal Year 2022-2023 Legislative Appropriations Request

Mr. Steven Luna outlined the Legislative Appropriations Request, while Ms. Myra Sines detailed the exceptional items requested.

An opportunity for public comment was offered and instructions for unmuting lines and for the speaker to identify themselves was detailed. There was no public comment concerning the 2022-2023 Legislative Appropriations Request.

A motion to APPROVE 2022-2023 Legislative Appropriations Request was made by Commissioner Johnson and seconded by Commissioner Vickers. The motion carried.

Item 13 – Budget Status Report

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

- **FY 2019: Encumbered Funds:** – Four (4) purchase contracts still in various stages of completion, with \$230,603.12 remaining.
- **FY 2020: Methods of Financing (Revenue):** Funds available to the TAHC by fiscal year end were \$17.3M. This includes 5% Budget reduction in the amount of \$687,185. The TAHC does have Unexpended Balance (UB) Authority to move unobligated funds or uncommitted funds from FY 2020 to FY 2021. Currently \$172,412 has been UB'ed from FY 2020 to FY 2021 using UB Authority, and \$703,771 in Unobligated funds or uncommitted funds, which are in the process of being UB'ed to FY 2021.
 - **Objects of Expense (Expenditures):** Expenditures - \$15.75M. Includes expenditures and encumbrances (contractual obligations).
 - **Fee Revenue:** Fee Revenue is used solely on Field vehicle expenses such as Fuel, Maintenance & Repairs, Parts, Insurance, and Leases. During FY 2020, the TAHC received \$610,618 in fee revenue, with \$74,495 UB'ed forward to FY 2021.
 - **FS Budgetary:** *The TAHC Financial Services (FS) currently has no requests for authority for budgetary transfers for the FY 2020 budget.*
 - **FY 2021: Methods of Financing (Revenue):** Total Funds projected for FY 2021 are \$16.15M. Funds projected available to the TAHC are \$15.47M. Available funds are the amount available after the 5% budget reduction in the amount of \$687,185. Not included in this \$15.47M is the \$703,771 in FY 2020 Unobligated/Uncommitted funds, which are in the process of being UB'ed.
- **Objects of Expense (Expenditures):** Projected Expenditures - \$15.47M.
 - **Federal Funds:** Federal Funds are currently projected to total a realized \$3.0M, with \$2.22M in spendable, with \$782K applied as benefit offsets. In the event of additional or new agreements, they will be added to this amount as the agreements are finalized. The exact amount of Unexpended Balance Federal Funds unknown at this time.
 - **Fee Revenue:** Fee Revenue is used solely on Field vehicle expenses such as Fuel, Maintenance & Repairs, Parts, Insurance, and Leases. YTD received \$33,060 with \$74,495 UB'ed from FY 2020 to FY 2021.

An opportunity for public comment was offered and instructions for unmuting lines and for the speaker to identify themselves was detailed. There was no public comment concerning the budget status report.

A motion to APPROVE the Budget Status Report was made by Commissioner Staggs and seconded by Commissioner Vickers. The motion carried.

Item 14 – Agency Fiscal Year 2021 Budget

Mr. Steven Luna presented the agency's Fiscal Year (FY) 2021 budget.

An opportunity for public comment was offered and instructions for unmuting lines and for the speaker to identify themselves was detailed. There was no public comment concerning the FY 2021 Budget. The FY 2021 Budget was approved.

A motion to APPROVE the Agency FY 2021 Budget was made by Commissioner Vickers and seconded by Commissioner Leathers. The motion carried.

Item 15 – Consideration of and Possible Action on Agency Contracts and Purchases

Ms. Marita Washington presented contracts and purchases for the consideration of the Commissioners for FY 2021, which included contracts, purchases, and leases.

An opportunity for public comment was offered and instructions for unmuting lines and for the speaker to identify themselves was detailed. There was no public comment concerning the contracts, purchases and leases presented.

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

Item 16 – Presentation of Compliance Activities

Mr. Bob Young presented an overview of the Compliance Summary:

Mr. Young outlined the Region Compliance Summary, which provides summarized alleged regulatory violations received by the Legal & Compliance Department between September 1, 2019 and August 31, 2020 (FY 2020). The report will continue to evolve as additional information is documented and trend analysis is conducted. Starting in FY 2021, field compliance forms will capture the inspection and sector type to improve data analytics and the agency's ability to identify the most effective compliance and enforcement activities and strategies.

Item 17 – Consideration of and Possible Action on Regulation ADOPTION Regarding

Ms. Mary Luedeker provided the background and overview of the regulation proposal.

(a) Chapter 40, Chronic Wasting Disease

On December 18, 2019, the commission received confirmation that a free ranging 5.5-year-old female white-tailed deer killed in Val Verde County tested positive for CWD. The Executive Director issued an order declaring a high-risk containment zone for portions of Val Verde County on December 20, 2019. This proposed rulemaking would replace the Executive Order and establish a Containment Zone (CZ) 4 in §40.6(b)(1)(D) and Surveillance Zone (SZ) 4 in §40.6(b)(2)(D) for Val Verde County.

40.6(b)(1)(D) Containment Zone 4. That portion of the state lying within the boundaries of a line beginning in Val Verde County at the International Bridge and proceeding northeast along Spur 239 to U.S. 90; thence north along U.S. 90 to the intersection of U.S. 277/377, thence north along U.S. 277/377 to the U.S. 277/377 bridge at Lake Amistad (29.496183°, -100.913355°), thence west along the southern shoreline of Lake

Amistad to International Boundary at Lake Amistad dam, thence south along the Rio Grande River to the International Bridge on Spur 239.

40.6(b)(2)(D) Surveillance Zone 4. That portion of the state lying within a line beginning in Val Verde County at the confluence of Sycamore Creek and the Rio Grande River (29.242341°, -100.793906°); thence northeast along Sycamore Creek to U.S. 277; thence northwest on U.S. 277 to Loop 79; thence north along Loop 79 to the Union Pacific Railroad; thence east along the Union Pacific Railroad to Liberty Drive (north entrance to Laughlin Air Force Base); thence north along Liberty Drive to U.S. 90; thence west along U.S. 90 to Loop 79; thence north along Loop 79 to the American Electric Power (AEP) Ft. Lancaster-to-Hamilton Road 138kV transmission line (29.415542°, -100.847993°); thence north along the AEP Ft. Lancaster-to-Hamilton Road 138kV transmission line to a point where the AEP Ft. Lancaster-to-Hamilton Road 138kV transmission line turns northwest (29.528552°, -100.871618°); thence northwest along the AEP Ft. Lancaster-to-Hamilton Road 138kV transmission line to the AEP Ft. Lancaster-to-Hamilton Road maintenance road (29.569259°, -100.984758°); thence along the AEP Ft. Lancaster-to-Hamilton Road maintenance road to Spur 406; thence northwest along Spur 406 to U.S. 90; thence south along U.S. 90 to Box Canyon Drive; thence west along Box Canyon Drive to Bluebonnet Drive; thence southwest along Bluebonnet Drive to Lake Drive; thence south along Lake Drive to Lake Amistad (29.513298°, -101.172454°), thence southeast along the International Boundary to the International Boundary at the Lake Amistad dam; thence southeast along the Rio Grande River to the confluence of Sycamore Creek (29.242341°, -100.793906°).

On January 28, 2020, the commission received confirmation that a 4.5-year-old male white-tailed deer and a 3.5-year-old female white-tailed deer killed in Medina County tested positive for CWD. The proposed amendment takes the location of these mortalities into consideration and establishes Containment Zone 3 boundaries in §40.6(b)(1)(C) for Medina and Uvalde counties. The proposed change to §40.6(b)(2)(C) extends the surveillance zone boundaries from F.M. 187 to the Sabinal River in Uvalde County.

40.6(b)(1)(C) Containment Zone 3. That portion of the state lying within Bandera, Medina and Uvalde counties and depicted in the following figure and more specifically described by the following latitude-longitude coordinate pairs:

Boundaries consist of properties under the same ownership or management for facilities operating under a herd plan due to a positive result in a CWD susceptible species in Medina and Uvalde counties.

40.6(b)(2)(C) Surveillance Zone 3. That portion of the state within the boundaries of a line beginning at U.S. 90 in Hondo in Medina County; thence west along U.S. 90 to the Sabinal River F.M. 187 in Uvalde County; thence north along F.M. 187 to F.M. 470 in Bandera County; thence east along F.M. 470 to Tarpley in Bandera County; thence south along F.M. 462 to U.S. 90 in Hondo.

On February 26, 2020, the commission received confirmation that a 5.5-year-old female white-tailed deer held in a deer breeding facility in Kimble County tested positive for CWD. The proposed amendment would establish Surveillance Zone 5 in Kimble County in §40.6(b)(2)(E). This proposal does not create a CZ in Kimble County because the detection was in a breeder deer facility, which is required by law to be designed and built to both prevent the free movement of deer and contact with free-ranging deer. Second, the facility where CWD was discovered is operating under a commission herd plan, which restricts deer movement and requires CWD testing at an equal or higher level to what is required in a CZ.

40.6(b)(2)(E) Surveillance Zone 5. That portion of the state lying within the boundaries of a line beginning on U.S. 83 at the Kerr/Kimble County line; thence north along U.S. 83 to I.H. 10; thence northwest along on I.H. 10 to F.M. 2169; thence east along F.M. 2169 to County Road (C.R.) 410; thence east along C.R. 410 to C.R.

412; thence south along C.R. 412 to C.R. 470; thence east along C.R. 470 to C.R. 420; thence south along C.R. 420 to F.M. 479; thence east along F.M. 479 to C.R. 433; thence south along C.R. 433 to U.S. 290; thence west along U.S. 290 to I.H. 10; thence southeast along I.H. 10 to the Kerr/Kimble County line; thence west along the Kerr/Kimble County line to U.S. 83.

An opportunity for public comment was offered and instructions for unmuting lines and for the speaker to identify themselves was detailed. There was no public comment concerning the Rule Adoption.

A motion to ADOPT the amendments to Chapter 40, Chronic Wasting Disease was made by Commissioner Leathers and seconded by Commissioner Langdon. The motion passed.

Item 18 – Closed Executive Session to Receive Legal Advice, Discuss Pending or Contemplated Litigation, and Settlement Offers as Permitted by Section 551.071 of the Texas Government Code.

Item 19 – Reconvene to Consider Any Action Needed Following Closed Executive Session

The Commissioners reconvened after the Closed Executive Session, but no action was required.

Item 21 – Public Comment

Instructions for unmuting lines and for the speaker to identify themselves was detailed. No public comments were made.

Item 22 – Awards and Recognition

Dr. Schwartz introduced Julia Shelburne, the agency's new Government-Industry Relations/Rules and Policies Specialist, as well as recognized Inspector Dawna Michalke for 30 years of exemplary service to the agency. Chairman Locke recognized Dr. Andy Schwartz for 30 years of dedicated service to the agency.

Item 23 – Set Date for 408th Commission Meeting

The date for the 408th Commission Meeting was not set at the time of the meeting, but is tentatively scheduled for December of 2020. Notice will be posted on the agency's website when the next Commission meeting date has been set.

Item 24 – Adjournment

The meeting adjourned at 12:50PM.