



February 22, 2018

The Honorable Andy Josephson and
The Honorable Geran Tarr
House Resource Committee Co-Chairs
Alaska State House of Representatives

RE: Alaska Wild Sheep Foundation (AK WSF) Position on HB315

Dear Reps. Tarr and Josephson,

AK WSF appreciates the opportunity to comment on HB315 and we sincerely hope that our comments are taken in the collaborative spirit in which they were intended. Although we have not formed our final position we believe that with minor modifications that we could support HB315 and are dedicated to contributing to that end in any way that we can.

AK WSF is a leading conservation organization in Alaska with a primary focus on wild *Caprinae* species including Dall sheep, Rocky Mountain goats, and muskoxen. Over the past two years, our organization has been engaged in discussions with the domestic sheep and goat industry in Alaska in an attempt to prevent the transmission of a harmful foreign pathogen called *Mycoplasma ovipneumoniae* (M.ovi) from domestic sheep and goats to their wild counterparts. During these discussions it became readily apparent that confidentiality of personal and business sensitive information was a major issue with domestic producers and therefore a potential hurdle to the development of a workable mitigation strategy.

We fully recognize the importance of maintaining a level of confidentiality for the agricultural records to encourage more voluntary participation in testing and mitigation of potential threats to animals and agricultural products in Alaska. We do however strongly believe that testing information without specific links to an individual agricultural producer must remain available to the public. We concur that once a threat is identified private information should be selectively released especially when it supports the development of a mitigation plan or strategy. We also think it is important that the bill contain at least a working definition of the operant term “threat” to help ensure that the bill is universally understood by all.

Personal information should be protected to the greatest extent possible.

AK WSF supports statutory privacy protections that ensure the identities of individuals or specific farms, facilities, herds, flocks or other veterinary records with owners or producers personal information remains confidential. We do not believe that this same protection extends to individual animals however. We also suggest that wording be added to specifically protect the personal information of owners and producers that becomes available to the State under reportable disease regulations.

General testing results, reportable disease information, and import data collected and maintained by the State of Alaska whether voluntary or mandatory should always be available to the public.

The proposed legislation must differentiate between the confidentiality of personal and private information and disease testing and importation records. AK WSF strongly believes that state maintained crop and animal testing, reportable disease and importation records should be readily available to the public but disassociated with personal information. We ask that the legislature explicitly provide for public access to this information when collected and maintained by state agencies.

The knowledge of specific pathogens, viral agents, diseases or genetic variants that are present in the state should not be withheld from the public and are critical in developing the broad support necessary to implement effective mitigation strategies. Many of the pathogens and diseases most concerning to wildlife conservationists and livestock breeders are bi-directional in that they can be transmitted from wild to domestic animals and vice versa. Knowing what pathogens or diseases are present in specific populations and their proximity to other potential host populations is vital to any risk mitigation plan. For example knowing which domestic sheep and goats are infected with *M. ovi* and their proximity to their wild counterparts is vital information.

Private information should be selectively released in the case of an identified threat.

Senate Bill 164 provides for release of confidential, personal information if a threat is identified to animals/crops or the public. The language of the bill in the case of an identified threat uses the word “may” as opposed to “shall” and this seems appropriate to limit the potential inadvertent release of personal or business information.

Clearly the most appropriate time for the release of such information is in conjunction with the development of a mitigation strategy following identification of any domestic livestock or crop pathogen or disease that threatens public health, domestic animal health, or public resources including wildlife within the State of Alaska. Early development of these plans by DEC, DNR, ASF&G including the handling of associated sensitive information is key and might be considered for this bill.

The bill should contain at least a working definition of “threat.”

We believe that a defining a threat as, “a disease, pathogen, organism, or varietal that has been proven to pose a threat to animals or agricultural products,” or similar should be spelled out in the law and amplified as required in supporting regulations. The will help provide clarity and insure a consistent interpretation of the law and subsequent regulations.

Summary

Incorporating appropriate privacy protections are essential to building trust and continuing the collaboration between wildlife advocates, domestic owners and producers and the State. We know firsthand that strong privacy protections are necessary to further our efforts to protect wild *Caprinae* from the transmission of foreign pathogens from domestic sheep and goats.

The ability to review disease testing and importation records for domestic livestock is also necessary to address the risks posed by foreign pathogens to wild animals. When a threat is identified private information should be selectively released when it supports the development of a mitigation plan or strategy or is part of an established mitigation strategy. It is also important that we develop a common understanding of what constitutes a “threat” as part of this bill to help ensure that the bill is universally understood by all.

Minor language revisions within HB 315 will ensure that we strike a healthy balance between personal privacy and public interest.

Sincerely,



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