Animal Welfare Institute

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October 20, 2023

Re: National Wildlife Health Center Environmental Impact Statement Public Comments
Submitted electronically by email to Jordan D. Sizemore, REM, NEPA Project Manager, United States Geological Survey, Email: jsizemore@usgs.gov

Dear United States Geological Survey Staff:

The Animal Welfare Institute (AWI) appreciates the opportunity to submit comments on the National Wildlife Health Center's (NWHC) Environmental Impact Statement for the proposed new NWHC facility. Because the NWHC uses animal experimentation to further its mission, AWI wishes to ensure the renovation will focus on the best interests of the animals involved. The USGS-proposed action notes challenges such as "crowded laboratories" and "aging infrastructure," both of which raise animal welfare concerns.[1] AWI is supportive of any measures that would improve animal care and comfort and rectify existing deficiencies,[2] including updates to NWHC's facilities, *as long as* the updates focus on animal-centered improvements rather than expanding in-house animal experiments. As noted below, such efforts are critical not only to the welfare of the animals, but also to the integrity of the resulting research.

We appreciate USGS's statement that "AAALAC standards are part of the design requirements to ensure the new facility meets these standards"[3] and hope that animal welfare continues to be a focus of the renovation planning moving forward. However, USGS should recognize that AAALAC accreditation standards should be seen as a minimum starting point, not as a sufficient goal. **We urge USGS to consider meeting higher standards than those promulgated by AAALAC.** As a government institution with a goal focused on protecting animals in the wild, NWHC should serve as a "poster child" for animal welfare protections in their laboratories by striving to go above and beyond basic welfare requirements. **AWI strongly encourages USGS to involve animal behavior and welfare specialists early-on in the facility design process, either as consultants or on a scientific advisory committee, to create a truly animal-centric facility that will protect both the welfare of the animals and the integrity of the research in which they are used.[4]**

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[1] See USGS Proposed Action: https://nwhceis.com/proposed-action/
[2] See PEER: https://peer.org/usgs-inches-toward-accreditation-of-wildlife-disease-lab/
[3] Email from USGS Director David Applegate to PEER: https://peer.org/wp-content/uploads/2022/09/09-14-2022-Email-Applegate-PEER.pdf
[4] Sørensen, D., Cloutier, S., Gaskill, B. (Eds.). 2021. Animal-centric Care and Management - Enhancing Refinement in Biomedical Research. CRC Press, Boca Raton, FL.

In addition, while we appreciate NWHC's call for a mock site visit from AAALAC,[5] AAALAC accreditation is not a panacea and should not be taken as evidence that the facility meets those standards: AAALAC-accredited facilities have a documented history of not upholding proper animal welfare standards; Envigo and Inotiv are recent examples.[6] We hope that USGS remains committed to going *beyond* AAALAC accreditation[7] to ensure that NWHC's research meets "contemporary standards and practices."[8] **To this effect, we call on NWHC to also voluntarily request an APHIS inspection of the new facility and, more importantly, to join the APHIS inspection regime long term**. While AAALAC conducts *announced* site visits once every three years without the force of law, APHIS can use regular *unannounced* inspections that may discover problems AAALAC has missed.[9] Due to the exception in the Animal Welfare Act, the NWHC is not subject to *required* APHIS oversight, which we believe to be a significant loophole in the animal protection regulatory scheme. However, by *requesting* APHIS inspections, and committing to remedy any issues discovered, NWHC can show a commitment to go further than the minimum standards set by AAALAC and show a good faith desire to be open and transparent in efforts to improve animal welfare as part of this construction project. Doing so is also critical to NWHC's ability to protect the integrity of the research being conducted with those animals.

It is particularly important that NWHC emphasize stringent scientific standards and welfare requirements given the zoonotic nature of some of the diseases studied at NWHC, such as SARS-CoV-2.[10] Along with deficiencies in care of the animals, the 2017 PEER Complaint notes "inadequate training of individuals working with research animals."[11] Inadequate training may result in mistakes, and in the context of zoonotic diseases, mistakes can be life-threatening for animals, handlers, and the general population.[12]

An upgraded physical facility, by itself, will not address all of the issues at NWHC that were raised in the 2017 PEER complaint, including inadequate training of staff and non-compliance with "accepted

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[5] See USGS Memo to Leon Carl: https://peer.org/wp-content/uploads/2022/09/9_14_22_USGS_memo_NWHC_AAALAC.pdf

[6] See Animal Welfare Institute (2019) Incredible: USDA Secretly Curtails Oversight of AAALAC-Accredited Laboratories. Retrieved from https://awionline.org/awi-quarterly/fall-2019/incredible-usda-secretly-curtails-oversight-aaalac-accredited-laboratories and Animal Welfare Institute (2012) Animal Abuse Abundant in Spite of AAALAC Accreditation. Retrieved from https://awionline.org/awi-quarterly/2012-spring/animal-abuse-abundant-spite-aaalac-accreditation

[7] See USGS Memo to Leon Carl: https://peer.org/wp-content/uploads/2022/09/9_14_22_USGS_memo_NWHC_AAALAC.pdf

[8] USGS Proposed Action: https://nwhceis.com/proposed-action/

[9] See Animal Welfare Institute (2022) Envigo/Inotiv. Retrieved from: https://awionline.org/content/envigoinotiv

[10] Hall, J. S. (2020) Experimental challenge of a North American bat species, big brown bat (*Eptesicus fuscus*), with SARS-CoV-2. *Transboundary and Emerging Diseases*. 68(6), 3443-3452. https://doi.org/10.1111/tbed.13949

[11] See Complaint Summary: Loss of Scientific Integrity: https://peer.org/wp-content/uploads/attachments/1_12_17_Complaint_animal%20welfare.pdf

[12] For example, see Keju, W. (2019) Brucellosis confirmed in 65 people from Lanzhou veterinary institute. *China Daily*. Retrieved from https://web.archive.org/web/20200324150030/https://global.chinadaily.com.cn/a/201912/06/WS5deb4fe7a310cf3e3557c92a.html and ABC News (2016) Researcher infected with Zika Virus during laboratory accident in Pittsburgh. Retrieved from https://abcnews.go.com/Health/researcher-infected-zika-virus-laboratory-accident-pittsburgh/story?id=39736836

scientific standards."[13] New facility space should be viewed as merely one step in a multi-step process, including voluntary inspections.

We have one final recommendation: The statement that "the existing NWHC must remain operational during construction of the new facility,"[14] raises concerns about the potential impact of the construction on any living animals present at the center. While we understand that, due to the health-centered nature of NWHC's research, work cannot stop entirely, **we would urge NWHC to avoid conducting live animal experiments during construction and take steps to avoid undue stress on the animals during that time.** "The use of heavy construction equipment often results in loud noise and vibration. If close enough in proximity, the animals can detect this noise and vibration, which often promotes decreased breeding efficiency, abortion, cannibalism, and aggression. These effects, in turn, can lead to problems with establishing breeding schemes, the loss of data, and project delays."[15] If such activities cannot cease, they should be constrained to the minimum number of animals necessary, and appropriate steps should be taken to minimize any animal discomfort from nearby construction, especially noise and smells, taking into account the particular sensitivity of many animal species to these sorts of stimuli. Such measures might include "installing equipment to monitor vibration and noise" or using sound dampening measures or anti-vibration pads.[16]

As noted above, attention to the welfare of the animals during this process is critical not only to the well-being of the animals, but also to the validity and integrity of the research that results from their use.

We would be happy to assist in an advisory capacity if that would be helpful in your efforts.

Thank you for your consideration.

Sincerely,

Joanna Makowska, PhD
Director & Senior Scientist, Applied Animal Behavior
Animals in Laboratories Program

Lisa Hoover, JD, MA, MLS
Senior Policy Analyst
Animals in Laboratories Program

[13] See Complaint Summary: Loss of Scientific Integrity: https://peer.org/wp-content/uploads/attachments/1_12_17_Complaint_animal%20welfare.pdf
[14] USGS Proposed Action: https://nwhceis.com/proposed-action/
[15] See Rogers, K. & Glowacz, S. (2020) Construction effects on laboratory animals: Communication is key. *Lab Animal*. 49, 271. https://www.nature.com/articles/s41684-020-0640-z
[16] Ibid