



## Livestock Loss Reduction & Mitigation Board

April 9, 2010  
State Capitol, Room 152  
Helena MT

### Meeting Minutes

#### **Livestock Loss Reduction & Mitigation Board Members Present:**

Elaine Allestad – Chairperson  
Larry Trexler  
Whitney Wankel  
Brad Radtke  
Michael Leahy

#### **Staff:**

George Edwards – Livestock Loss Mitigation Coordinator  
Christian Mackay – DOL- Executive Officer  
George Harris – DOL – Centralized Services Administrator

#### **Guests:**

Kraig Glazier – USDA, WS  
Michael Marlow – USDA, WS  
Leonard McArthur – USDA, FSA  
Carolyn Sime – FWP  
Quentin Kujala - FWP  
Jennifer Madjic – Senator Tester’s Field Director  
Bill Lombardi – Senator Tester’s State Director  
Maren Olsen – Congressman Rehberg’s Field Representative  
Jim Brown- Montana Woolgrowers Association  
Jack Ward, DVM  
Charles Kleffner – Montana United  
Clay Dethlefsen –Western Predator Control Association  
Peter Brown – UM Graduate Student  
Ed Bangs, USF&WS

#### **Call to Order and Administrative Items:**

Chairperson Elaine Allestad called the meeting to order.

#### **Introductions:**

- Each board member and board staff introduced themselves.
- Chairperson Allestad asked the audience members to introduce themselves and encouraged public comment.

## **Board Minutes:**

Board members reviewed the January 5, 2010 minutes. **Motion:** Larry Trexler made a motion to approve the minutes. Whitney Wankel seconded the motion. **Discussion:** Whitney Wankel pointed out a spelling error on page 2 of the minutes. **Vote:** All in favor none opposed. Motion carried.

## **Budget Status:**

- **George Harris – DOL Centralized Services Administrator**

George Harris handed out a budget status sheet. Mr. Harris explained that the budget sheet reflects 76% of the fiscal year has occurred. The board is within 1% of the budget at 75% expended. Mr. Harris noted that board operations are at 26% expended which helps to offset a required 7% vacancy savings. Vacancy savings amounted to \$4,219 and low operations expenditures are keeping the budget in line. The 2009 legislature granted spending authority for federal funds received by the board.

Mr. Harris explained an agreement made between Defenders of Wildlife and the Department of Livestock made in 2009 to allow some of their donated funds to be used for the 2009 budget year. The agreement stated that \$4,750 would be used towards prevention efforts when federal funding becomes available. Mr. Harris reminded the board that this needs to be done.

The state has an executive planning process (EPP). This is the process where state agencies present budget requests to the governor's budget office. The board will need to submit their requests through the Department of Livestock. Budget requests for this board are a Department of Livestock responsibility. Requests are given to Mr. Harris who will then take them to the chairperson for the Board of Livestock. Budget requests are placed in a priority order by Christian Mackay and the Board of Livestock chairperson and then submitted to the governor's budget office. Mr. Harris has been instructed to take 4% out of personal services for the 2012/2013 budget cycle when preparing the budget. This would be an additional reduction of \$2,598. He explained that agencies can discuss the reductions with the budget office.

## **Reports:**

- **George Edwards – DOL Livestock Loss Mitigation Coordinator**

The total number of animals on loss claims for 2009 is 369. Of these, 368 have been paid and one claim is pending a board ruling for the value. Loss claim application forms have been changed to include ten steps a livestock owner can

take in the claims process. Mr. Edwards would like to place the ten possible steps on the board's website.

Within the past week the board office was notified of a possible federal tax deduction that some livestock owners may qualify for while wolves were listed as an endangered species.

At the board's direction, Mr. Edwards presented a statement from the board at the legislature's Environmental Quality Council's January meeting. The statement was in regards to HJR15 and stated the board is looking at some of the same funding sources identified in HJR15. The EQC met again in March and Mr. Edwards read a statement from their website. During the January EQC meeting the subject of wolf tag revenues was briefly discussed with the possibility of placing a portion of the revenues in the board's program. Mr. Edwards will keep the board informed of future EQC meetings.

Elaine Allestad and George Edwards participated in a joint meeting with the Board of Livestock and the Fish, Wildlife and Parks Commission in January. The meeting established a beginning dialogue and Mrs. Allestad received positive feedback from the commission. Board members directed Mr. Edwards to send a request to hold a joint meeting with FWP Commissioners.

Mr. Edwards developed a Facebook page with basic information on loss claims. Board members were asked comment on the content of the Facebook page and about posting links to newspaper articles. Larry Trexler stated this would have an educational value. Elaine Allestad suggested a disclaimer be used if a link is provided. Brad Radtke would like to see links added if an article mentions the board and should include both viewpoints on wolves. Mike Leahy would like the page to remain on a narrow scope but if expanded, to include articles on loss prevention. Whitney Wankel stated the page should stay on a narrow scope for now but further discussion should be held on this topic.

**Motion:** Whitney Wankel made a motion to allow for the total cost and county as content for the Facebook page. Links to articles will not be shown unless the board is mentioned and the board will need to develop a policy. Brad Radtke seconded the motion. **Discussion:** Place the Facebook page on the board's next agenda. **Vote:** All in favor, none opposed. Motion carried.

- **Carolyn Sime – FWP Gray Wolf Coordinator**

Ms. Sime stated FWP is working with USDA WS on efficiencies for depredation responses. It has been almost a year since delisting of wolves. Although there is current litigation on delisting, no word on a court hearing is available. FWP will be setting preliminary quotas for wolves during their May meeting. A final quota is

expected to be set during their July meeting. The annual report is now available. Wolf populations increased slightly and the minimum count stands at 525. 2009 had the highest livestock and wolf deaths to date. Whitney Wankel asked Ms. Sime how the new protocol with USDA WS is working out. Ms. Sime stated there were a few bumps out of the chute. Continued discussions are ongoing with USDA WS. Kraig Glazier added that everything will be worked out. Larry Trexler asked about a tapeworm carried by wolves. Ms. Sime said history is that it's out there but it really has not been an issue with FWP. Whitney Wankel asked about neosporosis and if FWP put out fact sheets on that. Ms. Sime said there are protocols to screen for diseases. The last comprehensive test results are in either the 2007 or 2008 annual report. Board members requested Ms. Sime to pull disease data for the board's information.

### **Old Business:**

- **Environmental Quality Council (EQC)**

George Edwards provided a statement at the January EQC meeting to let them know the board is looking at many of the same funding sources identified in HJR15. After the public comment portion of the EQC meeting, one of their members brought up the possibility of placing a portion of wolf tag revenues into LLRMB's program. At this time it is uncertain if the EQC interim committee will be drafting legislation via their committee. Mr. Edwards said a revenue source like this is a potential source for future matching funds with the federal government and thanked state Senator John Esp for the board's current funding. Without the current state funds the board would not have had matching funds in order to obtain the federal funding. Board members directed George Edwards to attend the May EQC meeting. Mr. Edwards stated the EQC is not the interim committee that oversees the Department of Livestock. Larry Trexler asked to have the May EQC meeting agenda sent to the board as soon as it is available. Mike Leahy asked what the EQC's perspective or interest is towards our program. Mr. Edwards said he was not sure if the EQC would be the correct venue and it would depend on what topics are on the EQC agenda. Elaine Allestad said the EQC talks about wolves, tourism and funding and this is a possible inroad to funding. Mrs. Allestad added she is unsure if EQC has an interest beyond tourism.

- **Fundraising Committee**

Mike Leahy spoke about the subcommittee meeting in January. The committee assigned tasks and Mr. Leahy expressed the need to consolidate findings to bring back to the board with recommendations. A time frame for the committee recommendations was set at 45 days by the board.

Board members asked questions about legislative needs related to fundraising. George Edwards said one of the ideas was for the board to receive wolf hides from USDA WS control actions to auction off at events. Mr. Edwards did not know if current laws would allow this. Elaine Allestad said FWP used to hold auctions but she didn't know where those funds went. She asked Carolyn Sime for clarification. Ms. Sime was unsure and expressed concerns over workload associated by FWP.

**Motion:** Brad Radtke made a motion to send a letter to FWP requesting the use of wolf hides, status of current hides are located and information and processes for auctions. Whitney Wankel seconded the motion.

**Discussion:** Mike Leahy asked if he could abstain from the vote. **Vote:** Elaine Allestad, Whitney Wankel, Larry Trexler and Brad Radtke in favor, Mike Leahy abstained. Motion carried.

Brad Radtke has met with the Blackfoot Challenge about this board co-sponsoring a luncheon during the next legislative session. George Edwards will work with Christian Mackay to obtain an answer.

**Motion:** Mike Leahy made a motion to have George Edwards plan a legislative reception and to recruit sponsors for the event. Whitney Wankel seconded the motion. **Discussion:** Brad Radtke said Rocky Mountain Elk Foundation may be a potential sponsor. A date, time and place will be needed for an event. Mike Leahy said Defenders of Wildlife may be able to be a co-sponsor. **Vote:** All in favor. Motion carried.

Specialty license plates were discussed by the committee. George Edwards suggested the board could develop a logo and use it on a specialty license plate. Mike Leahy said Defenders of Wildlife may be able to contribute at least \$1,000 of the \$4,000 needed for a plate. Carolyn Sime may be able to get some FWP funding but she did not know the dollar amount. Carolyn will recommend to FWP to move forward with a contribution.

**Motion:** Whitney Wankel made a motion to develop a logo/license plate contest with a cash award of at least \$250. Mike Leahy seconded the motion. **Discussion:** Brad Radtke said additional donations should be sought to increase the contest payout. George Harris said this would be an appropriate expenditure within your budget. **Vote:** All in favor. Motion carried.

- **Future Legislation**

George Edwards asked the board if there was any legislation they would want to propose via the Department of Livestock such as staggered board member terms. George Harris said proposed legislation is part of the EPP

process. This board would submit requests to the department and the department would include this in their EPP request.

**Motion:** Larry Trexler made a motion to write a letter to the department regarding term limits. Whitney Wankel seconded the motion. **Discussion:** None. **Vote:** All in favor. Motion carried.

Elaine Allestad would like to see a repeat of legislation similar to Senator John Esp's appropriation in 2009. George Harris said the \$150,000 biennial appropriation was part of HB2 and if the board wanted this included, it would be part of the EPP process.

**Motion:** Brad Radtke made a motion request \$300,000 be placed in the EPP request. Whitney Wankel seconded the motion. **Discussion:** Mike Leahy said it would be nice to have some funding for mitigation. **Vote:** All in favor. Motion carried.

- **Federal Funding**

George Edwards submitted a five million dollar appropriation request with each of Montana's senators and congressman. Representative Rehberg's office thanked everyone who submitted a request but he will not be carrying any requests this year. Senator Baucus's office received the board's request but the status of it moving forward is unknown. Jennifer Madjic from Senator Tester's office spoke to the board about the appropriation request. It is currently in a review process and she will update the board as the request progresses.

Mike Leahy suggested the board look into federal programs that could assist with projects. Whitney Wankel has asked Brandon Willis with the USDA to look into federal programs. Elaine said this was an area discussed by the Wolf Advisory Council a few years ago. Brad Radtke has also checked into programs and participation depends on if wolves are listed or delisted as an endangered species. George Edwards will draft a letter to the states senators and representative asking for additions to future legislation.

Ed Bangs spoke to the board about the current federal grant. States this first year are granted broad discretion on the fund. All states would be asked questions as rules are being developed.

#### **New Business:**

- **Media/Website**

Steve Merritt, Department of Livestock public information officer was unable to attend the meeting. Christian Mackay mentioned a meeting with Elaine Allestad, Steve Merritt, George Harris and George Edwards to go

over media issues. From this meeting the board now has a direct website link [www.llrmb.mt.gov](http://www.llrmb.mt.gov) so individuals do not have to navigate through many pages to get to the board's website. Mr. Mackay cautioned the board about press releases that may border on management issues. He said the board's Facebook page is a good promotional effort on a grass roots level. Board members asked for the department's website guidelines for the official state page. Mr. Merritt is the person the board must go through before anything is placed on the board's website. Whitney Wankel asked Mr. Mackay to have the department do a quarterly press release as a copulation of information placed on Facebook. Mrs. Allestad suggested a possible joint press release with FWP. Carolyn Sime said the board could use FWP's wolf weekly but there is a danger of blurring issues.

Public comment: Clay Dethlefsen addressed the board about their message. Mr. Dethlefsen has been attending meetings in a tri-state area. His main points were how does the board want to be seen and the board's need to develop its own objectivity. There is an underlying distrust of government programs in the general population. It is not that information is inaccurate but rather that it is incomplete. Mr. Dethlefsen submitted that the board wants their own image as being complete and not rolled into what is already out there.

Christian Mackay suggested the board develop an outreach strategy. Mike Leahy said Mr. Dethlefsen comments are valid; this follows the board's earlier discussion on the Facebook page. Mr. Edwards read the board's current mission statement.

- **USDA Farm Service Agency**  
Leonard McArthur spoke about a new program LDAP-20. It came out on March 4<sup>th</sup> and allows some producers may be eligible for reimbursement under ELAP. There is a very short signup period and Mr. McArthur handed out a notice. Signup will end around the end of April. Producers eligibility is the stock are owned and not leased. Producers are encouraged to purchase insurance on crops such as hay and annually planted crops to be eligible for Farm Service programs. Pets and guard dogs are not covered under the program. Risk management insurance needs to have been purchased prior to a loss occurring to be eligible under this program. If the producer only has grazing land and no hay or annual crops, they may be eligible.
- **USDA Wildlife Service OSS:**  
Michael Marlow, Resource Management Specialist role within USDA is to develop help for USDA WS in broadening the knowledge and use of non lethal wildlife management methods. His initial focus is on livestock protection dogs (LPD). George Edwards requested help in determining LDP values. Mr. Marlow stated USDA WS could not do a direct survey of

LPD owners but he did partner with the American Sheep Industry on a survey. The survey established some baseline criteria. This included initial purchase price and first year costs. Mr. Marlow will be supplying an overview of values within the month. Further research is going to be done on landscapes like Montana. One of the areas in need of research he identified was if LPD's attract wolves into an area finding which breeds are effective. He cautioned that using more aggressive breeds can create new problems for livestock owners. Mr. Marlow gave an example of a LPD attacking a person in Colorado. The LPD owner was convicted of having a vicious dog. The goal is to establish educational materials for the public.

- **Loss Claims:**

George Edwards processed claims for two guard dogs after the board's January meeting. The board authorized a payment of \$700 each with an additional review pending the survey results Mr. Marlow is compiling. Values were for a maremma pup but both dogs were trained. Mr. Marlow said the survey captured the price of a puppy, average first year expenditures and average monthly costs. The high cost of a maremma puppy was \$800 with a national average of \$407. First year expenditures were as high as \$2,500 with an average of \$610. Mr. Marlow will need to review a final compilation to help the board with values. Board members will look at survey results before making a ruling.

Board members directed George Edwards to write a letter to the owners explaining the board's situation.

Board members were presented a veterinary bill for a guard dog that was injured. The owner was sent a letter stating the claim would be reviewed by the board. Board members spoke about veterinary bills as being something the board would consider when funding is available but at this time only death loss claims can be paid.

A third claim was presented to the board on a herding dog that was killed in 2009. Brad Radtke asked if any other information was available. George Edwards handed out an email and price sheet from Marvin Dunster who is a LPD breeder. Mike Leahy asked about prior claim for a herding dog and based upon the prior claim, he suggested paying for a replacement puppy. The prior herding dog claim was paid \$500 for a puppy value. Mr. Marlow was asked if the LPD survey took into account people who raise their own livestock dogs. He said this is an area being looked at. Prior dog claims paid by the board were based on the value of a puppy.

**Motion:** Whitney Wankel made a motion to table the claim until the board has results from the ASI survey become available. Mike Leahy seconded the motion. **Discussion:** Board members expressed they would hold a



conference call when the survey results become available. **Vote:** All in favor, none opposed. Motion carried.

- **Loss Prevention:**

George Edwards asked the board for guidance on where to put his efforts. He said he does not have knowledge on the effectiveness of projects. Mike Leahy said there is not much hard data. Defenders of Wildlife has done some projects and there is a lot of antidotal evidence. Brad Radtke spoke about the Blackfoot Challenge having experience with bears. Peter Brown contracted with the Blackfoot Challenge as a range rider in 2009. Mr. Brown was asked to speak about his findings. He stated there is not good scientific evidence on effectiveness. Working as a range rider his biggest tool was to detect carcasses in an effort to reduce losses. Mr. Brown's observations were mostly wolf tracks and scat so he was unable to determine the effectiveness. Mr. Leahy asked if Mr. Brown knew the costs. Mr. Radtke said the board should try to obtain costs from different programs that have been tried. Mr. Leahy said he will try to get costs from Defenders of Wildlife and Madison Valley Ranchland projects. Larry Trexler stated the board's current position of paying death loss claims for right now until the board can get some data and funding. Mr. Edwards said livestock producer calls often refer to a desire for producer initiated projects.

Public Comment: Clay Dethlefsen spoke to the board about the board's desire to have a positive image. The general population may be seeing a negative. He recommended that the board look outside their charter such as pets and hunting dogs. Not including them could be perceived as an exclusion. Livestock depredations go beyond confirmed kills. Elaine Allestad responded that the board has narrowed down subjects to what the board can do but this does not mean the board won't go further in the future. Mr. Dethlefsen said it is important for the board to make the public understand this.

- **Livestock Values:**

George Edwards spoke about ewe and lamb values being slightly higher in the current USDA market reports than what the board has authorized him to pay. Elaine Allestad said for rams a producer may have a record of prior sales to go by.

**Motion:** Whitney Wankel made a motion to revert to the market report for values on ewes and lambs. Brad Radtke seconded the motion.

**Discussion:** None. **Vote:** All in favor, none opposed. Motion carried.

- **2010 Meeting Dates**

Board members chose October 18, 2010 for the next board meeting. George Edwards asked for the committees to set dates. The prevention committee will be meeting on June 4<sup>th</sup> in Helena. The funding committee will be meeting via conference call, date to be determined.

- **2010 Administrative Rules Committee**

George Edwards presented draft administrative rules proposals to the board. Many of these are rules used by many state agencies. Board specific proposals included definitions, claims, insurance etc. At this time the board did not enter into the rules process. Board members asked Mr. Edwards to find out what the next step would be in an appeals process beyond the board. Mr. Edwards asked if the board would consider starting the rules process for the drafts reviewed by the board. Mike Leahy expressed he would like to have comprehensive rules before starting. Board members stated they would like to allow the rules committee work on rule additions.

During a discussion on rules for a claims process, board members directed Mr. Edwards to use market reports near the date of deprecation for values. This will be more accurate than using the date the claim is received by the board office.

Rules committee members will meet in person once all committee members can establish a date.

### **Public Comment**

- Clay Dethlefsen, Western Predator Control Association found a document from Montana United near the sign in sheet. He asked that it be included in the record. Mr. Dethlefsen expressed a concern about the need to include all losses including weight loss, lower pregnancy rates and disease impacts. He stated a need to ensure people understand FWP's response protocol and the protocol needs to be consistent throughout the state. After sitting through the board's meeting he said he has a favorable opinion of the board and will share his opinion with others.
- Jim Brown, Montana Woolgrowers stated four points:
  1. Appreciated the meeting being broadcast but at times it was hard to hear. He suggested members to move mic's closer.
  2. Commended the work of the board and specifically George Edwards for securing funding from the Department of Interior.
  3. Woolgrowers are willing to work with the board in the legislature if needed to help get state funds to match the federal funds.
  4. Woolgrowers will help the board with input on developing administrative rules.

**Adjournment 4:25 pm**

**Motion:** Whitney Wankel made a motion to adjourn. Larry Trexler seconded the motion. **Vote:** All in favor, none opposed. Motion carried.

DATED this 4 day of June, 2010

Elaine K. Allestad  
Elaine K. Allestad, Chair  
Montana Livestock Loss Reduction and Mitigation Board