



Livestock Loss Reduction & Mitigation Board

February 11, 2008

Scott Hart Auditorium, Helena MT 59601

Meeting Minutes

Livestock Loss Reduction & Mitigation Board Members Present:

Elaine Allestad – Chairperson
Hilliard McDonald
Whitney Wankel
Larry Trexler
Janelle Holden
Brad Radtke

Staff:

George Edwards – Livestock Loss Mitigation Coordinator
Christian Mackay – DOL – Executive Officer
George Harris – DOL – Centralized Services Administrator
Steve Merritt – DOL – Public Information Officer
Patti Thompson – Milk Control Bureau
Clyde Peterson – AG - Attorney

Guests:

Carolyn Sime – FWP
Chris Smith - FWP
John Steuber – USDA, WS
Suzanne Stone – Defenders of Wildlife
Dan Carney – Blackfeet Fish & Wildlife
Gayle Skunkcap Jr. – Blackfeet Fish & Wildlife
Jay Bodner – Montana Stockgrowers Association
Nelson Wert – Wolf Advisory Council
Bruce Malcolm – House Representative
Dave McEwen – Montana Woolgrowers Association

Call to Order and Board Communications:

Chairperson Elaine Allestad called the meeting to order at 10:08 a.m.
Each board member and board staff introduced themselves.

- Elaine Allestad was a county commissioner for almost twenty years, a member of the governor's wolf council and is a livestock owner in the Big Timber area.
- Larry Trexler raises registered angus cattle in the Hamilton area and has wolves in his area. Mr. Trexler has been involved with several local boards

including the wheat board and right to farm board as well as the 4-H program.

- Brad Radtke is a rancher in the Drummond Area, graduated from MSU Bozeman, worked as a project engineer in Utah, leased his ranch from his parents as a custom grazing operation. Last year he had wolves on his property but has not had any confirmed wolf losses.
- Janelle Holden directs Keystone Conservation which works with landowners on wolf and grizzly bear issues. Ms. Holden grew up on the Rocky Mountain Front on her families ranch. She also worked with the governor's wolf council.
- Hilliard McDonald raises sheep with his son in the Judith Gap area. He has not had trouble with wolves yet but has experienced losses due to coyotes and bears.
- Whitney Wankel is from a farm and ranch in eastern Montana. Currently she is a junior at MSU Bozeman. Ms. Wankel has been involved with various cattle organizations in the state.
- George Edwards is the board's staff person. He was a state brand inspector and has worked with various state boards before becoming the Livestock Loss Mitigation Coordinator.

General Board Information

- Chairperson Allestad asked the audience members to introduce themselves and encouraged public comment.
- Information on state ID cards, travel and reimbursement forms were explained to board members.
- Board members asked about the wolf management plan. When the current wolf management plan becomes available, it will be sent to board members.

Basic History of Wolf Management

Carolyn Sime, FWP Statewide Wolf Coordinator, gave a power point presentation outlining the history of wolves in Montana.

- Wolves entered Montana naturally near Glacier Park in the mid 1980's. Wolves in the northern portion of the state were classified as endangered.
- Wolves were reintroduced into the Yellowstone area in the 1990's. Wolves in the southern portion of the state were classified as experimental.
- By 2002 wolves status was recovered according to the recovery plan.
- Montana and Idaho wolf management plans were approved by the U.S. Wildlife Service in 2004.
- Wolf Advisory Council recommended to FWP to handle wolves similar to other wildlife and to be proactive in overall management.
- Five FWP staff dedicated to wolf management.

- Postcards are distributed for citizens to report wolf sightings. This form is also available on the FWP website. Reported wolf numbers are minimum counts. Monitoring occurs throughout the year.
- As of December 31, 2007 there are 39 breeding pairs and 73 packs. Only about half of the packs include a breeding pair.
- About half of the wolves are in the endangered area and half in the experimental area.

John Steuber, USDA APHIS Wildlife Service, continued with an additional power point presentation outlining the federal role in wolf management in Montana.

- Since 2004 Wildlife Services has worked under the authority of Montana Fish, Wildlife & Parks.
- Wildlife Services has a memorandum of understanding with Fish, Wildlife & Parks detailing responsibilities. Wildlife Services carries out directives from Fish, Wildlife & Parks.
- Upon a request for an investigation, the first thing the livestock owner is advised to do is protect the scene. Other scavengers or even other livestock can destroy the scene.
- An attempt is made to arrive at the scene within 24 hours.
- A form is completed by Wildlife Service staff with livestock information and if known, what kind of animal caused the depredation.
- Livestock owners are given a copy of the form and are told they have an option to send the form in for compensation. For nearly twenty years, livestock owners could send the form to Defenders of Wildlife.
- Fish, Wildlife & Parks directs the control actions taken by Wildlife Service.
- About 50% of calls from livestock owners claiming wolf depredation are confirmed by Wildlife Services. Other factors include animals died from disease, scavengers or were killed by another predator such as bears or coyotes.
- Last year Wildlife Services removed 73 wolves due to livestock depredation.
- In 2006 there were 314 wolf related incidents resulting in 87 depredation events. Incidents occurred at a rate of 32% with a single loss, 21% had two losses and 47% had three or more losses.
- 162 livestock producers were affected by wolf related losses.
- Wildlife Service does the damage control work.

Administrative Rule Proposals

Board members reviewed administrative rule proposals as a starting point for the Livestock Loss Reduction & Mitigation program. In lieu of adoption of the rules via a rules hearing, the following areas were voted on by the board to begin a payment process.

- **Forms**

Brad Radtke made a motion to allow staff to draw up a form and mail or email the application form to board members for review and approval. Whitney Wankel seconded the motion. Vote: Allestad, Trexler, Holden, Radtke, Wankel in favor, McDonald opposed. Motion carried. Discussion: McDonald not opposed to form but concerned about funding.

Janelle Holden made a motion to approve the USDA Wildlife Services investigation form. Hilliard McDonald seconded the motion. Vote: All in favor none opposed. Motion carried.

A line will be included on the application requesting if an insurance claim has been paid for and animal.

- **Payment**

A discussion on the timeliness of payments occurred. Multipliers will address this topic at their next meeting. Chairperson Allestad said that the Wolf Advisory Council was firm in their stance that full market value be paid. Hilliard McDonald made a motion to pay fair market value for confirmed and probable losses. Whitney Wankel seconded the motion. Vote: All in favor none opposed. Motion carried. Discussion: Motion amendment: Hilliard McDonald amended motion to include a start date pending funding availability in the letter from Defenders of Wildlife and to have board staff report to the board on how funds are being spent. Brad Radtke seconded the motion. Vote: All in favor none opposed.

- **Appeals**

An appeals process is within the proposed rules. Upon discussion of this rule, livestock owners are allowed to present their case before the board for an appealed claim.

Larry Trexler made a motion to approve rules with amendments and areas stricken as discussed by the board. Janelle Holden seconded the motion. Vote: motion carried. Discussion: The rule proposals as amended will begin the next process of being publicly noticed and comments will be received. Board members will address the comments at a future meeting.

George Harris, DOL Centralized Services Administrator, asked to address the board. Mr. Harris thanked the board for serving on this board and thanked Defenders of Wildlife for their donation to the program. The 30,000 dollars is a biennial appropriation. There is enough funds for the board to meet more than twice in their initial year. The board's main focus is payment of losses, generating money and laws pertinent to that sort of thing. Also would like to thank the Board of Livestock and noted the Board of Livestock is concerned that the livestock producers are taken care of and that is where the legislature came in with the boards help The LLRMB has statutory authority and are in charge. This is a

historic day. We do daily financial reports if you want to know where money is spent, we'll tell you. We want you to be able to contact your staff person for information. Mr. Harris would also like to thank Chris Smith who worked very hard during the session and Carolyn Sime for being generous with her time. On behalf of the Department of Livestock welcome aboard. We are not wolf management, that is Fish, Wildlife and Parks. We are to pay the losses that this board decides, we are the livestock crowd, we don't do fish biology. Elaine Allestad asked Mr. Harris if the board needed to confirm George Edwards as their staff person. Mr. Harris said the statute this board does not have to hire someone and George is a Department of Livestock employee. As a Department of Livestock employee, he serves the LLRMB board. Allestad then asked about hiring an adjuster. Harris said you may need an adjuster and a secretary in the future. We can take the interest from the trust fund and use it for administrative purposes. As the chief financial officer for DOL, he will make sure your needs are taken care of including additional employees.

Funding Ideas

Chris Smith, FWP Chief of Staff, prepared a funding model to help everyone understand the relationships between state special revenue funds, federal special revenue funds and the trust fund. This model displayed where funds would be placed and how funds could be used.

Interest from the trust fund can be used for claims and operating expenses. This trust fund can receive funding from the state, federal or private individuals and groups.

Mr. Smith is going to Washington DC and will be meeting with staff from our states senators and congressman to seek funding for this program.

Discussion Points

- Mitigation Ideas: This item was tabled and not discussed during this meeting.
- Meetings with Idaho and Wyoming: This item was tabled and not discussed during this meeting.

Future Meeting Dates

No future meeting dates are set at this time. Staff will inform the board chairperson of program activities to determine when the board will need to meet again.

Public Comment

- Suzanne Stone, Defenders of Wildlife, spoke about how they have been paying claims for losses and mitigation in Montana. During the past few years Defenders of Wildlife did not pay claims on wolf-hybrid losses. The donation made to the LLRMP is not to pay for claims due to wolf-hybrid

losses. If they had paid a claim related to a wolf-hybrid, it would have been in the neighborhood of \$30,000 dollars. Ms. Stone will notify board staff of the date when they will cease to pay claims and will be seeking a date change on the Defenders of Wildlife donation letter.

- John Steuber, USDA Wildlife Services, said that there have been cases where the depredation appears to be caused by a wolf and it may take DNA analysis to confirm wolf-hybrid issues. This can take many months to complete.
- Carolyn Sime, FWP, would like to see a clear process for livestock producers to submit claims.
- Nelson Wirt discussed the wolf advisory council whose work developed the structure of the legislation. It is important to maintain the trust of the people throughout the process and to have all people treated equally. Losses would be paid fully and fairly with safeguards against fraud. Please read the wolf plan and wished the board the best.
- Representative Malcolm who sponsored the legislation stated that the original House Bill was amended 37 times during the session. He was very pleased with the board and said this will be a great board as all members actively participated.
- Gayle Skunkcap Jr. stated that the Blackfeet code applies to all lands within the reservation.

Adjournment

Larry Trexler made a motion to adjourn. Whitney Wankel seconded the motion. The board adjourned at 5:35 p.m.

DATED this 12 day of November, 2008

Elaine K. Allestad

Elaine K. Allestad, Chair

Montana Livestock Loss Reduction and Mitigation Board