

Wyoming Animal Damage Management Board

2006 Annual Report



Compiled for the ADMB by Hank Uhden



ANIMAL DAMAGE MANAGEMENT BOARD

2219 Carey Avenue, Cheyenne, WY 82002-0100
Phone: 307-777-6433 ☎ Fax: 307-777-6593 ☎ E-mail: admb@state.wy.us ☎ www.wyadmb.com

MEMORANDUM

TO: Governor Freudenthal
Joint Agriculture, Public Lands and Water Committee
Joint Appropriations Committee
Joint Travel, Recreation, Wildlife and Cultural Resources Committee

FROM: John Etchepare, ADMB Co-Chair
Terry Cleveland, ADMB Co-Chair

DATE: December 15, 2006

SUBJECT: 2006 Wyoming Animal Damage Management Board Annual Report

Please find enclosed the required annual progress report due on or before December 31 of each year regarding the Wyoming Animal Damage Management Board.

Feel free to contact us if you have any questions regarding this report.

cc: ADMB Members
Wyoming Board of Agriculture
Wyoming Game & Fish Commission

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REVISED 12/09/06

**WYOMING
ANIMAL DAMAGE
MANAGEMENT
BOARD**

Directory

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Domestic Sheep Producer Representative

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Kerry Powers
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Non-consumptive User of Wildlife Representative

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Ex-officio Nonvoting Members

United States Forest Service Representative

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2006 Overview

1. **Meetings:** The Wyoming Animal Damage Management Board (ADMB) met seven (7) times over the course of the calendar year [January 19-20, March 15, May 11, July 17-18, October 6, November 1, (conference call) December 11 (conference call)]. Agendas and meeting minutes are included in Section D of this report.
2. **Projects:** Evaluated and approved funding for 13 projects (6 new, 7 renewing multiple year). Project synopsis' are included in Section C of this report. Complete project reports are available upon request.
3. **Legislation:** The 2006 Legislature passed HB 0024. To meet the statutory requirements of this legislation, the Board drafted emergency rules for program implementation and distribution of funding provided. A copy of these rules are included in Section F of this report.

\$5.7 million was appropriated to the Board to assist funding predator management districts. \$300,000 was also appropriated to hire a program coordinator to oversee the program and assist the districts in meeting the requirements to obtain funding.

6 predator management districts have received funding

- Albany, Fremont, Goshen, Lincoln, Sheridan, Sweetwater

It is expected that 10 districts will be funded by the end of December, with an additional 7 applications to be considered at the January 10 – 11, 2007 meeting in Cheyenne, totaling 17 counties.

4. **Rabies Management:** Reviewed the state-wide wildlife rabies management plan with a modified budget. The Wyoming rabies website is maintained at www.wyorabies.org. The state-wide rabies surveillance program has been continued, with laboratory validation of rabies prevalence. One on the ground management program is in operation for Johnson County.
5. **Program Planning:** The Board annually reviews and modifies its strategic plan.
6. **Promotion & Funding:** As part of the promotion of the voluntary Wildlife Damage Management Stamp, the board continues to develop a stamp with artwork and distributed colored promotional posters to all Wyoming license selling agents. The 2007 stamp will feature a coyote on the hunt. A copy of the poster is included in Section F of this report.
7. **Public Relations:** The Board had their booth on display at the Wyoming State Fair & Rodeo in August, and the Wyoming Game & Fish Hunting and Fishing Heritage Exposition held in September. In addition, the Board is a co-sponsor with the Wyoming Foundation for North American Wild Sheep (FNAWS) with its educational ethical hunting laser booth.
8. **Information Dissemination:** The ADMB website at <http://www.wyadmb.com> is continued to be maintained and provides available information regarding the activities and programs for the ADMB.
11. **Statutory Requirements:** Completed and distributed the required annual report to the Governor's Office, the three (3) joint legislative committees (Agriculture, Public Lands and Water Resources; Travel, Recreation, Wildlife and Cultural Resources; Appropriations); Wyoming Game & Fish Commission, Wyoming Board of Agriculture, ADMB members and to other general public audiences.

In Progress:

1. The next regular meeting of the ADMB will be January 10-11, 2006 in Cheyenne.
2. Project applications will be accepted from April 15 to June 15, 2006.



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Predator Management Program Progress Report, September 22, 2006

Overview of Activities to Date:

1. Funding for the statewide predator management program was approved by the Wyoming Legislature on March 23, 2006.
2. Emergency rules regulating the distribution of funds to the Predator Management Districts were signed by the Governor and made effective on August 14, 2006, thereby allowing the release of funds to qualified districts. These emergency rules are currently in the formal rule-making process. Completion of this process is anticipated by the expiration date of the emergency rules.
3. A coordinator for the program, Chad Curry, was hired and began work at the department on August 21, 2006.
4. As of September 22, 2006, meetings have been held with the predator management boards of Sheridan, Campbell, Crook, Weston, Goshen, and Albany counties. These meetings have covered the requirements that must be met by the districts to qualify for the funding, and, to a degree, whether or not the district would participate. Thus far, these districts plan to pursue state funds.
5. Department personnel attended the State Predatory Animal Board meeting in Douglas, WY on September 11, 2006 to field questions from statewide members concerning the program. Packets containing information necessary for the application process were distributed at this meeting.
6. There are as many as ten districts that currently qualify to apply for funding. It is expected that most or all of those ten will apply for funding immediately, with an additional three districts participating after fees are increased in December. The department has received

application packets from Lincoln, Sweetwater, and Goshen Counties. These application packets are being reviewed and prepared for submission to the ADMB on October 6, 2006.

7. A meeting with the Carbon County predator management board is scheduled for September 27, 2006.
8. Johnson County representatives are in the process of scheduling a meeting for October, 2006.

Next year's report will provide results of the district meetings, the application review process, and a benefit summary of monies spent.

UPDATE - December 4, 2006:

- 1) To date, six predator districts have been approved for funding, totaling \$831,500.
- 2) Four additional districts will be reviewed on December 7, 2006.
- 3) Another four districts are in the process of compiling a budget and management plan.
- 4) Three districts are in the initial stages of preparing to participate in the program.

A listing of allocations to date is attached.

PREDATOR MANAGEMENT PROGRAM ALLOCATIONS

Initial Funding = \$5,700,000
Funds Currently Available = \$4,868,500

<u>County</u>	<u>Date Approved</u>	<u>Amount Allocated</u>
Albany	1-Nov-06	\$77,543
Big Horn		
Campbell		
Carbon		
Converse		
Crook		
Fremont	1-Nov-06	\$118,200
Goshen	6-Oct-06	\$71,926
Hot Springs		
Johnson		
Laramie		
Lincoln	6-Oct-06	\$213,867
Natrona		
Niobrara		
Park		
Platte		
Sheridan	1-Nov-06	\$116,920
Sublette		
Sweetwater	6-Oct-06	\$233,044
Teton		
Uinta		
Washakie		
Weston		

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WYOMING

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MEMORANDUM

TO: Wyoming Game & Fish Commission

FROM: Wyoming Animal Damage Management Board
Terry Cleveland, Co-Chair
John Etchepare, Co-Chair

DATE: August 11, 2006

SUBJECT: Request For Funds

In accordance with Wyoming Statute 11-6-307, the ADMB is requesting \$100,000.00 (one-hundred thousand dollars) from the Wyoming game and fish commission. Attached is a synopsis of the projects selected by the ADMB for funding.

11-6-307. Board to request funding from game and fish commission. The board shall annually request one hundred thousand dollars (\$100,00.00) from the Wyoming game and fish commission. These funds shall be expended for wildlife priorities. The game and fish commission may provide recommendations to the board regarding expenditure of these funds.

Standing Projects:

1. Whiskey Mountain Big Horn Sheep Project. Funding: \$18,000.00 (Carry Over Funds)

Synopsis: Management of coyotes on Whiskey Mountain to enhance Big Horn Sheep lamb survival under a timed and targeted program. Whiskey Mountain Bighorn Sheep have suffered a 40 - 60 % die-off in 1991, and has suffered from extremely low lamb survival since that time. Coyote management will be used as one management component to improve lamb survival and herd viability. Submitted by The Wyoming Chapter of the Foundation for North American Wild Sheep.

2. Cattle Depredation Statistical Survey. Funding: \$8,000.00

Synopsis. The ADMB entered into an agreement with the U.S.D.A. National Agricultural Statistics Service to conduct an annual survey on depredation on cattle. This survey is conducted during the month of January coinciding with established survey of producers. The survey requests information on all depredation and other causes. This survey has only been conducted previously once every five years. Submitted by the WY ADMB.

3. Badger Creek - Hanging Woman Fawn Predation Project. Funding: \$9,120.00

Synopsis: Coyote management to enhance antelope and deer fawn survival. Project include areas of management and control (no predator management) areas to provide comparative results. Management will include timed and targeted predator management in the project area. Project is being conducted in cooperation with the Game & Fish, who will conduct antelope and deer population census and classification. Submitted by: Sheridan County Predatory Animal Board.

4. Black Bear/Mountain Lion/Livestock Depredation Prevention. Funding 25% cost share, \$12,500.00 cap on expenditure.

Synopsis: Funding cost share on a 25:75 match up to a maximum of \$12,500 with the Wyoming Game & Fish Commission and Wildlife Services to alleviate black bear, grizzly bear, mountain lion depredation to livestock, bees and beehives in all counties of the state. Submitted by: Wyoming Game & Fish.

5. Coyote Specific Delivery Mechanism. Funding: 6,936.50

Synopsis: This phase of an on-going coyote management project will investigate the development of a self-activated delivery mechanism for oral baits specifically to coyotes, thereby reducing/eliminating the threat of bait exposure to non-target species. Project is jointly funded by the Texas Sheep and Goat Predator Management Board. Specific testing will be on free-ranging coyotes to test the effectiveness of the target specific delivery system. Submitted by the University of Wyoming.

6. Project Title: DNA analysis for control of predatory wolves. Funding: \$15,115.00

Synopsis: Analysis of DNA isolated from predator saliva, blood, feces and/or hair can be used to identify the species, sex, and/or individual genotype of the predator. Results of this project should allow development of predator sample collection protocols and enhance management strategies. Submitted by: National Wildlife Research Center.

7. Project Title: Fremont County sage grouse/mule deer project. Funding: \$10,000.00

Synopsis: Project has three components: 1) Identification of predators affecting sage grouse nesting sites through the use of motion cameras; 2) measure and document differences in nesting success between areas of predator management and non-managed areas; 3) To enhance a struggling mule deer population to desired population levels. Submitted by: Fremont County Predatory Animal Board.

New Projects:

1. Project Title: Regional Symposia on the use and utilization of Livestock Guarding Dogs. Funding: \$5,000.00

Synopsis: More than 20 years has lapsed since any major effort has been made to promote and educate the use, applicability, benefits and limitations of livestock guarding dogs (LGDs) in the inter-mountain area. The proposal is to initiate, plan, promote and produce a major regional symposium on LGDs, focusing on both historical information, and bringing new information on uses of LGDs to the livestock industry. Submitted by the Wyoming Wool Growers Association.

2. Project Title: Quantification of losses dues to predation on Wyoming sheep operations. Funding: \$42,800.00

Synopsis: Three sheep operations will participate in the following: pregnancy testing of ewes, including number of fetuses will be determined ultrasonically. These sheep will be followed through docking and weaning of lambs, losses to various causes, including predation will be determined. Use of ultrasound technology should provide more definitive assessment of actual loss on Wyoming sheep operations. Colorado State University will participate in the ultrasound procedures. Additional laboratory services will be utilized for blood sample work and necropsy. Submitted by the Wyoming Wool Growers Association.

3. Project Title: Bear Conflict Trap Request. Funding: \$4,000.00

Synopsis: Funding for the purchase of culvert/box traps to be used to manage bear conflicts in the Jackson/Pinedale region and utilized elsewhere statewide when needed. Newer traps are more efficient and safer for operator use. Submitted by the Wyoming Game & Fish.

4. Project Title: North Fork Human/Bear Conflict Resolution. Funding: \$15,000.00

Synopsis: Project seeks to minimize human/bear conflicts, maximize human safety issues, minimize livestock losses, minimize property damage, minimize human interactions with bears and minimize human caused bear mortalities. This is to be done by making methods for proper storage of attractants and garbage available to the North Fork residents, making materials for storage or deterrent of attractants available, and implementing a continuing education and outreach program. Submitted by the Wyoming Game & Fish.

5. Project Title: Upper Green River Food and Waste Storage Project. Funding: \$2,000.00

Synopsis: Funding to provide food and trash storage containers, or modifying existing containers to prevent habituation of grizzly and black bears at rural business locations. Submitted by the Wyoming Game & Fish.

6. Project Title: Absaroka Elk Ecology Project. Funding: \$59,528.50

Radio-telemetry study to determine status of migratory and resident elk and examine elk seasonal movements and habitat use, including elk habitat selection response to wolf pack distribution and movement. Submitted by the Wyoming Game & Fish.

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ADMB Meeting Casper, WY Game & Fish Regional Office

Agenda

Thursday, January 19, 2006

- 10:00 am - Call to Order – (Cleveland)
- Introductions of board, guests, & public
 - Additions/Corrections/Approval of Agenda
 - Approval of October 27 & 28, 2005 Minutes
- 10:10 am - Converse County Contract Agreement Amendment
- 10:20 am - Annual Report
- 10:30 am - Strategic Planning – Facilitated by: Mary Randolph, Executive Director, Wyoming Rural Development Council
- 12:00 pm - Lunch on your own
- 1:15 pm - Strategic Planning Continued.
- 4:00 pm - Recess (or Adjourn if session completed – See Updates below)

Friday, January 20, 2006

- 8:30 am - Reconvene if necessary - Strategic Planning Session
- 11:30 am - Updates:
- Legislation
 - Next meeting date & place
- 12:00 pm - Adjourn

All Times Are Tentative and subject to change. Please plan to arrive prior to the stated time

**ADMB Meeting
January 19, 2006
Wyoming Game & Fish Regional Office
Casper, Wyoming**

Board Members Present: Terry Cleveland, John Etchepare, Helen Jones, Rod Krischke, Gene Hardy, Jim Schellinger, Dave Roberts, Niels Hansen, Bob Innes

Board Members Absent: Jane Darnell, Dominic Dominici, Ben Lamb, Dan McCarron, Kerry Powers, Jim Collins

Board Administrators Present: Hank Uhden

Public and Guests: Mary Randolph

Call to Order: The meeting was called to order by Co-Chair Terry Cleveland at 10:10 a.m. Introduction of board members, guests, & public. J Schellinger moved and G Hardy seconded to approve the agenda as amended. Motion passed. Motion by R Krischke with second by H Jones to approve the October 27 & 28, 2005 minutes as amended. Motion carried.

Converse County Contract Amendment: Converse County amended their contract with Wildlife Services during the calendar year 2005. This amendment reflects an increase in the amount that would qualify under the ADMB 10% cost share program. The amount eligible at 10% is \$1,775.05. This is an increase from the original contract amount of \$930.00, which translates into an increase of 845.05. Motion by B Innes, second by G Hardy to amend the ADMB contract with Converse County to increase the amount eligible to \$1,775.05. Motion passed.

Lincoln County Contract: R Krischke brought forward a request from Lincoln County to participate in the ADMB 10% cost share program. Discussion was initiated, but due to the agenda schedule of business, this agenda item was motioned to be tabled by H Jones, seconded by B Innes until completion of the regular business, following the strategic planning session. Motion passed.

Annual Report: H Uhden provided a brief overview of the 2005 ADMB annual Report. The report was distributed to the Governor, and the respective legislative committees as required by statute. Additional copies were distributed to the Board of Agriculture, Wyoming Game & Fish Commission, and other interested parties.

Updates:

- **Legislation.** The ADMB was briefed on the upcoming legislative session and key bills that were of interest or affected the ADMB.
- **Next Meeting date & place.** The next regular meeting of the ADMB is scheduled for March 15, 2006, at the Wyoming Game & Fish Regional Office, in Casper Wyoming.

**ADMB Meeting
January 19, 2006
Wyoming Game & Fish Regional Office
Casper, Wyoming**

Strategic Planning: The ADMB recessed regular business to begin its strategic planning process. Strategic planning was facilitated by Mary Randolph, Executive Director of the Wyoming Rural Development Council.

Lincoln County Contract: The ADMB brought back into discussion the tabled request by Lincoln County for an agreement to be drafted for participation in the ADMB 10% cost share program. It was motioned by R Krischke, second by G Hardy to provide an agreement to Lincoln County for coverage of the 2005 calendar year contract. Motion failed. It was motioned by G Hardy, second by H Jones to offer an agreement to Lincoln County for the calendar year 2006. Motion details provided that the agreement provisions are to include that the 10% cost share shall only apply to costs incurred during the 2006 calendar year, and after it is verified that Lincoln County has paid their contract with Wildlife Services for the 2005 calendar year – and – that the Attorney General shall thoroughly review and concur on these provisions. Motion passed.

Board Comment: None

Public Comment: None

Adjourn: Being no further business, the meeting was adjourned at 5:05 p.m.



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ADMB Meeting Casper, WY Game & Fish Regional Office

Agenda

Wednesday, March 15, 2006

- 10:00 am - Call to Order – (Etchepare)
- Introductions of board, guests, & public
 - Additions/Corrections/Approval of Agenda
 - Approval of January 19, 2006 Minutes
- 10:10 am - Discussion of 2006 Budget Session Legislation
- HB0024 and future program direction
 - Rule Making Process
 - Proposed Rules
- 12:00 Noon - Lunch on your own
- 1:15 pm - Jim Gray – Bayer Corporation
- 1:45 pm - FNAWS Shooting Gallery
- 2:00 pm - Predator Symposium
- 2:30 pm - Strategic Planning Follow-up
- 2:45 pm - Updates:
- Next Meeting and Place
- 3:00 pm - Board Comment
- 3:15 pm - Public Comment
- 3:30 pm - Adjourn

All Times Are Tentative and subject to change. Please plan to arrive prior to the stated time.

ADMB Meeting
March 15, 2006
Wyoming Game and Fish Regional Office
Casper, WY

Board Members Present: John Etchepare, Terry Cleveland, Niels Hansen, Gene Hardy, Bob Innes, Jim Schellinger, Dan McCarron, Jim Collins, Rod Krischke, Tom Florich (for Jane Darnell)

Board Members Absent: Helen Jones, Dominic Dominici, Kerry Powers, Ben Lamb

Board Administrators Present: Hank Uhden, Roy Reichenbach, Diane Walker Tompkins

Public and Guests: Dennis Sun, Wyoming Livestock Roundup; Jim Gray, Bayer Crop Science, Bryce Reece, Wyoming Woolgrowers

Call to Order: Co-Chair, John Etchepare called the meeting to order at 10:25 am. Introduction of board, guests, and public. Two items were added to the agenda under “Updates”. They were Agriculture Statistics and anemometers. D McCarron moved and B Innes seconded to approve the minutes from the January 19, 2006 minutes as submitted. Motion passed.

Discussion of 2006 Budget Session Legislation:

HB0024 and future program direction: H Uhden provided an overview of this Bill and the amended language. He added that the two things that the Board will need to be look at for future program direction were; the 10% cost share and the 50% volunteer program (for promoting and selling the ADMB stamp, landowner coupon donations, etc.). The board will need to decide whether or not to continue with these programs at the July meeting.

Rule Making Process: Uhden explained to the board the process and timeframe for rule making. It is a 180 day process *after* the draft is completed. There is a 45 day comment period within the 180 days. Co-Chair Etchepare suggested the possibility of emergency rules.

Proposed Rules: Uhden passed out an outline of the proposed Rule. It will be the responsibility of the board to develop these rules.

Jim Gray – Bayer Crop Science Corporation: Mr. Gray gave a talk entitled “Pesticide Misuse, Live by the Label”. The Bayer Corporation is in the process of updating this brochure, and wished to seek how they can develop a working relationship with the ADMB on its publication and distribution. The Board determined that they would assist in distribution of this brochure.

FNAWS Shooting Gallery: N Hansen moved and J Schellinger seconded a motion to donate \$1,000 dollars for advertising on one of the FNAWS shooting gallery tent walls. Motion passed. The ADMB wall would be for the life of the tent, about 5 years.

Predator Symposium: The discussion was about the best time to have the next symposium and how much time would be needed to plan it. Recommendation is to consider the next symposium no earlier than 2 years (2008).

Strategic Planning Followup: Uhden said that Mary Randolph was still drafting the plan. However, the project application was completed and is available online.

Updates:

Anemometers: R Krischke explained that these low (100-150 ft), unmarked towers were springing up around the state. They are being used to test site suitability of the placement of wind turbines. The towers are not easily visible to pilots of low-flying aircraft. This is the kind of aircraft that are used by Game and Fish, Wildlife Services, ranchers who manage livestock with aircraft, power-line pilots, pesticide and predator pilots, to name a few. Krischke wanted the board to be aware the towers are out there and as of now there is no regulation to compel them to be marked.

Ag Stats: USDA – Agricultural Statistics Service completed the Cattle depredation statistical results. The latest publication was distributed to the ADMB for review and comment.

Next Meeting Time and Place: The next meeting will be May 11 and 12 in Casper.

Board Comment: None

Public Comment: None

Adjourn: D McCarron moved and G Hardy seconded to adjourn. Motion passed. Adjourn 3:30pm



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ADMB Meeting Casper, WY Game & Fish Regional Office

Agenda

Thursday, May 11, 2006

- 8:15 am - Call to Order – (Cleveland)
- Introductions of board, guests, & public
 - Additions/Corrections/Approval of Agenda
 - Approval of March 15, 2006 Minutes
- 8:20 am - Discussion of HEA 0049
- Areas of Concern, Attorney General Follow-Up
 - Drafting of Regulations
- 10:00 am - Break
- 12:00 Noon - Lunch on your own
- 1:15 pm - Continue drafting of regulations
- 3:00 pm - Break
- 4:00 pm - Public Comment
- 4:30 pm - Adjourn

All Times Are Tentative and subject to change. Please plan to arrive prior to the stated time.

Friday, May 12, 2006

- 8:15 am - Call to Order – (Etchepare)
 - Introductions of board, guests, & public
- 8:20 am - Continue drafting of regulations
- 10:00 am - Break
- 12:00 Noon - Lunch on your own
- 1:15 pm - Continue drafting of regulations
- 3:00 pm - Break
- 3:15 pm - Public Comment
- 3:30 pm - Board Comment
- 3:45 pm - Next Meeting and Place
- 4:00 pm - Adjourn

All Times Are Tentative and subject to change. Please plan to arrive prior to the stated time.



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ADMB Meeting Casper, WY Game & Fish Regional Office

Agenda

Monday, July 17, 2006

- 9:00 am - Call to Order – (Etchepare)
- Introductions of board, guests, & public
 - Additions/Corrections/Approval of Agenda
 - Approval of May 11 - 12, 2006 Minutes
- 9:20 am - 2007 Stamp
- Artwork
 - Price
- 9:45 am - Break
- 10:00 am - Cost Share Programs
- 10% Program
 - 50/50 Program
- 10:30 am - Ag Stats Cattle Survey
- 10:45 am - Discussion of Draft Funding Regulations
- Attorney General Opinions
 - Draft Regulation Review
- 12:00 Noon - Lunch on your own
- 1:15 pm - Discussion of Draft Funding Regulations
- 3:00 pm - Break
- 4:00 pm - Public Comment
- 4:30 pm - Adjourn

All Times Are Tentative and subject to change. Please plan to arrive prior to the stated time.

Tuesday, July 18, 2006

- 8:00 am - Call to Order – (Cleveland)
- Introductions of board, guests, & public
- 8:05 am - Budget Review
- Sources of Funding
 - Budget Procedures
 - Approval of FY08 Budgets
- 8:20 am - Project Updates (10 minutes each)
- Amber Travsky – Real West Natural Resource Consulting
 - Dr. Snow – Dept. of Health
 - Whiskey Mountain Big Horn Sheep
- 8:50 am - FY08 Projects – Renewals (10 minutes each)
- Fremont County Sage Grouse/Mule Deer Project – T. Frye
 - Hanging Woman – Badger Creek Project – C. Benton
 - Coyote Specific Delivery System – S. Horn
 - DNA Analysis for Predatory Wolves – J. Johnston
 - Grizzly Bear/Black Bear/Mnt. Lion/Livestock Depredation (G&F Priority #1)
– S. Talbott
- 9:40 am - Break
- 10:00 am - FY08 Projects – New (15 minutes each)
- Improving DRC – 1339 Avicide Baits – J. Johnston
 - Common Raven Ecology ... - J. Cummings
 - Effects of Chronic Wasting Disease in SE WY – T. Cornish
 - Regional Symposia on the use & utilization of LGD's – B. Reece
 - Quantification of Losses due to predation on WY Sheep Operations – B. Reece
- 11:15 pm - FY08 Game & Fish Projects – New (15 minutes each)
- Bear Conflict Management Trap Request – Z. Turnbull (G&F Priority #2)
 - North Fork Human/Bear Conflict Prevention – D. Courtney (G&F Priority #3)
 - Carcass Disposal Program – D. Courtney (G&F Priority #4)

All Times Are Tentative and subject to change. Please plan to arrive prior to the stated time.

Tuesday, July 18, 2006 – Continued

- 12:00 am - Lunch on your own
- 1:15 pm - FY08 Game & Fish Projects – New (15 minutes each)
- Upper Green River Food & Waste Storage Project – Z. Turnbull (G&F Priority #5)
 - Upper Green River & Fall River Food and Waste Storage Project – Z. Turnbull & W. Wangsgard (G&F Priority #6)
 - Absaroka Elk Ecology Project – D. McWhirter (G&F Priority #7)
 - Survival and recruitment of juvenile elk wintering on Soda Lake – S. Smith (G&F Priority #8)
 - Human/Large Carnivore Conflict Literature Review – M. Bruscano (G&F Priority #9)
- 2:30 pm - Break
- 2:45 pm - Determination of Project Grant Awards
- 3:45 pm - Public Comment
- 4:00 pm - Board Comment
- 4:15 pm - Next Meeting and Place
- 4:30 pm - Adjourn

All Times Are Tentative and subject to change. Please plan to arrive prior to the stated time.

**ADM Board Meeting
Wyoming Game and Fish
Casper, WY
July 17, 2006**

Board Members Present: Terry Cleveland, John Etchepare, Dan McCarron, Jim Collins, Rod Krischke, Bob Innes, Helen Jones, Niels Hansen, Jim Schillinger, Gene Hardy, Ben Lamb.

Board Members Absent: Jane Darnell. Dave Roberts, Dominic Dominici

Board Administrators Present: Hank Uhden, Roy Reichenbach, Diane Walker Tompkins

Public and Guests: Brett Moline, Farm Bureau; Ken Nelson, Attorney General Office; Bryce Reece, Wyoming Wool Growers Association; Chuck Harlan, Natrona PMD; Jim Magagna, Wyoming Stockgrowers Association; Ken Hamilton Wyoming Farm Bureau.

Call to Order: The meeting was called to order at 9:10 by Co chair, T Cleveland. N Hansen moved and D McCarron second a motion to approve the agenda with the following amendment. Move the stamp discussion to the end of the day before the public comment section. J Collins moved and H Jones second to approve the May 11-12, 2006 minutes with the following amendments. Under "Public and Guests" strike Dave Roberts name. Under "Board Members Absent" add Dan McCarron. On page 2 under "Motion" wording should read, "N Hansen made a motion for an *amendment* to the \$50,000 base funding figure...."

Non agenda addition: H Uhden advised the board of the following:

State Fair is August 12-19. Once again the ADMB will have two booth spaces. One for the shooting gallery and one for the booth. Erica Willoughby, the Technical services student intern, will assist in the set-up, take-down and management of both.

Hunting and Fishing Heritage Expo is September 8-10 in Casper. Hank will be contacting the board at a later date for help with this project.

Cost Share Programs: R Krischke noted that the 10% program was not an easy program for his agency to administer. H Uhden told the board that 4 counties are assessed at the maximum. They are Sweetwater, Campbell, Carbon, and Lincoln. He added that there are several counties that are trying to obtain the services of an accountant to share for the new funding. He noted there are presently 18 counties participating in the 10% cost share program. It was proposed to move the decision to eliminate the 10% cost share program until the next meeting. In the mean time, letters will be mailed to the county PABs advising them of the probable elimination and elicit their input.

H Uhden noted that counties who did not want to participate in the new funding program have the option of negotiating a funding program with the board.

N Hansen moved eliminate the 10% cost share program until the next meeting. In the mean time, letters will be mailed to the county PABs advising them of the probable elimination when the current MOU's expire and elicit their input. Second by J Schellinger. Motion passed.

The question was asked if the program was eliminated, what would happen to the funds. H Uhden said that would be up to the board.

The 50/50 program was explained by Uhden as an encouragement to the counties to assist the board on marketing and collecting the soft money portion of the budget. This consists of the .10 per head brand program, the landowner coupon donations, and the sale of the Wildlife Damage Management Stamp. R. Krischke moved to continue the 50/50 program. Second by N Hansen. Motion passed.

Ag Stats Cattle Survey: In the past, the board decided we needed to collect data on cattle depredation. USDA was approached to see how much it would cost to create a survey modeled on the sheep survey to provide this information. The board decided to fund \$4,000 for such a survey if a match could be found from the Wyoming Business Council because they were helping to fund the sheep survey. The business council agreed to the match. Every five years Wildlife Services funds the survey, which was last year. The board was not out any money last year. The question is if the Board want to fully fund the survey this year or to again seek a match. Motion by H Jones to continue to fund half the amount of the survey. However, if a match is not available to fund the survey in full. Second by N Hansen. Motion passed.

Discussion of Draft Funding Regulations:

Please see attached “Regulations Governing the Granting of Predator Management Program Funds” for additions and corrections to this document.

2007 Stamp: The stamp committee will meet about the art work and get back with Hank before the next meeting. The stamp will remain at the current price of \$10.00.

ADMB Meeting
Wyoming Game and Fish Regional Office
Casper, WY
July 18, 2006

Board Members Present: Terry Cleveland, John Etchepare, Bob Innes, Kerry Powers, Jim Collins, Dan McCarron, Ben Lamb, Gene Hardy, Jim Schillinger, Helen Jones, Niels Hansen.

Board Members Absent: Jane Darnell, Dominic Dominici, Dave Roberts

Board Administrators Present: Hank Uhden, Roy Reichenbach, Diane Walker Tompkins

Public and Guests: John Cummings, Wildlife Services, National Wildlife Research Center; John Johnston, Wildlife Services, National Wildlife Research Center; Todd Cornish, University of Wyoming; Dave Edmunds, University of Wyoming; Tracy Frye, Wildlife Services; Brett Moline, Wyoming Farm Bureau; Scott Talbot, Wyoming Game and Fish Department; Steve Horn, University of Wyoming; Bryce Reece, Wyoming Wool Growers Association; Mark Bruscano, Wyoming Game and Fish Department.

Call to Order: Co-Chair J Etchepare called the meeting to order at 9:05am. Introductions of board members, guests and the public followed.

Budget Review:

Sources of funding - \$100,000 annual request to Wyoming Game and Fish (for wildlife only)
150,000 General Funds (\$300,000 for the biennium)
\$250,000

Rabies Account - \$ 90,000 annually (\$180,000 for the biennium)

Rabies spending - \$ 5,000 to Wildlife Services
20,000 to the State Veterinarian
10,000 for administration of the Board
\$ 35,000/90,000

Motion by T Cleveland to accept these expenditures for the rabies portion of the budget. Second by D McCarron. Motion carried.

H Jones moved and D McCarron second to leave the current rabies appropriation request at the current level of \$180,000. Motion carried.

Project Updates: Motion by K Powers with second by B Lamb to amend the contract for the “Whiskey Mountain Big Horn Sheep” to extend the time of the contract to allow the project to be able to spend their \$18,000. Motion carried.

FY08 Projects; Renewals: B Innes moved to fund all the project renewals unless a board member objected to an of the projects. That project would be pulled, discussed, and voted on separately. After board discussion on this motion, Innes amended the motion to approve all renewal projects except those that any board member wished to pull for discussion. K Powers concurred with the amendment. The “Fremont County Sage Grouse/Mule Deer Project” and the “DNA Analysis for Control of Predatory Wolves” project were pulled for discussion. The amended motion passed.

After discussion of the “Fremont County” project, B Innes moved to approve and N Hansen seconded. Motion carried.

After discussion of the “DNA Analysis” project, T Cleveland moved and D McCarron seconded to approve the project. Motion passed.

FY08 Projects - ALL: After all new projects had been presented, discussion began. T Cleveland moved to review each individual project and then vote to move on or to deny. D McCarron seconded the motion. Motion carried.

Editorial Note: For brevity’ sake, please refer to the attached project sheet for the numbers used in this report.

#1 - set aside

#2 - set aside

#3 - set aside

#4 - Motion by D McCarron second by B Lamb to move all three components of this project forward; passed

#5 - set aside

#6 - set aside

#7 - move forward

- #8 - move forward
- #9 - move forward
- #10 - move forward
- #11 - move forward
- #12 - move forward
- #13 - move forward

Action on projects:

- #1 - J Schellinger moved to fund, second by N Hansen; motion failed.
- #2 - T Cleveland moved to fund, second by Schellinger. After discussion B Innes moved to amend the amount to \$7,000. Second by G Hardy. Amended motion failed. Motion to fund failed.
- #3 - T Cleveland moved to fund, second by B Lamb. Motion passed.
- #4 - Funded at the full amount
- #5 - B Lamb moved to fund, second by K Powers. Motion passed.
- #6 - N Hansen moved to fund, second by B Lamb. After discussion, H Jones moved to amend funding amount to \$4,000. Hansen agreed to amendment. Amended motion passed.
- #7 - funded at the full amount
- #8 - T Cleveland moved to fund, second by D McCarron. Motion failed
- #9 - funded at the full amount
- #10 - H Jones moved to fund, second by J Collins. Motion failed.
- #11 - B Lamb moved to fund, second by K Powers. After discussion, N Hansen moved to amend the funding to \$30,000. After discussion, Hansen withdrew the amended motion. Original motion to fund passed.
- #12 - was set aside because of lack of funding
- #13 - J Collins moved to fund, second by B Lamb. Motion failed.

Total funding amount requested \$368,530.50
Total funding accepted 314,859.00

Public Comment: None* See under Board Comment for discussion by B Reese.

Board Comment: N Hansen asked for a better way to go through future projects. Perhaps to prioritize the projects before they are voted on.

J Collins: Would like to bring a worksheet from another committee to show this board how another organization does their funding requests.

Both B Lamb and B Reese volunteered to help find funding for project #12. Reese said he would also look for funding for #2.

Next Meeting and Place: October 6, 2006, 10 -2pm, Casper Game and Fish Office.

Adjourn: Motion by G Hardy to adjourn, second by B Lamb. Meeting adjourned at 4:20pm.

New Project Applications for FY08

- | | | |
|-----|---|----------------------------|
| 1. | Improving DRC-1339 Avicide Bait for Pest Bird Control in Cattle Feed Lots | failed |
| 2. | Common Raven Ecology in Areas of Livestock and Wild Game Bird Depredation | failed |
| 3. | Effects of Chronic Wasting Disease on Activity, Landscape Use Patterns, and Livestock Interactions of Whitetailed Deer in SE WY | funded |
| 4. | Regional Symposia on the Use and Utilization of Livestock Guarding Dogs | funded |
| 5. | Quantification of Losses Due to Predation on Wyoming Sheep Operations | funded |
| 6. | Bear Conflict Management Trap Request | funded @
\$4,000 |
| 7. | North Fork Human/Bear Conflict Resolution | funded |
| 8. | Carcass Disposal Program | failed |
| 9. | Upper Green River Food and Waste Storage Project | funded |
| 10. | Upper green River and Upper Fall River Food and Waste Storage Project | failed |
| 11. | Absaroka Elk Ecology Project | funded |
| 12. | Survival and Recruitment of Juvenile Elk with Respect to Predation and Disease Near the Soda Lake Feedgrounds | removed/lack of
funding |
| 13. | Human/Large Carnivore Conflict Literature Review, Summary, and Compendium | failed |



ANIMAL DAMAGE MANAGEMENT BOARD

2219 Carey Avenue, Cheyenne, WY 82002-0100

Phone: 307-777-6433 ■ Fax: 307-777-6593 ■ E-mail: admb@state.wy.us ■ www.wyadmb.com

ADMB Meeting Casper, WY Game & Fish Regional Office

Agenda

Friday, October 6, 2006

- 10:00 am - Call to Order – (Etchepare)
 - Introductions of board, guests, & public
 - Additions/Corrections/Approval of Agenda
 - Approval of July 17 & 18, 2006 Minutes
- 10:15 am - Presentation by Mike Bodenчук, Utah State Director, USDA, Wildlife Services
- 11:20 am - Presentation of predator management district funding applications
- 12:00 am - Lunch on your own
- 1:00 pm - Conclude with applications
- 1:45 pm - Update from Amber Travsky
- 2:30 pm - Cost share programs
- 2:45 pm - Other updates:
 - Stamp
 - Next Meeting and Place
- 3:00 pm - Board Comment
- 3:15 pm - Public Comment
- 3:30 pm - Adjourn

All times are approximate - please plan to arrive before the stated time

ADMB Meeting
Wyoming Game and Fish
Casper, WY
October 6, 2006

Board Members Present: John Etchepare, Terry Cleveland, Kerry Powers, Gene Hardy, Rod Krischke, Ben Lamb, Bob Innes, Dave Roberts, Jim Schellinger, Jim Collins, Niels Hansen.

Board Members Absent: Dominic Dominici, Jane Darnell, Dan McCarron, Helen Jones

Board Administrators Present: Chad Curry, Hank Uhden, Diane Walker Tompkins

Public and Guests: Bryce Reece, Wyoming Wool Growers Association; Ron Kaufman, Goshen County Predator Board; Mike Bodenchuk, USDA-WS; Amber Travsky, Real West Consulting

Call to Order: The meeting was called to order at 9:12 by co-chair Terry Cleveland. After introductions, B Lamb moved to approve the agenda. Second by N Hansen. Agenda approved. G Hardy moved to approve the July 17 & 18 minutes with the amendment of changing the header for the July 17 & 18, 2006 (the first page of the minutes) to read July 17, 2006. Second by N Hansen. Amended minutes approved.

Presentation by Mike Bodenchuk, Utah State Director, USDA, Wildlife Services: Director Bodenchuk talked about the multiple reason for prey species avoiding predator. This information is based on his many years working with predator/prey scenarios both through direct observation and through other research. He said future research should look for reasons other than the obvious for changes in prey behavior.

Presentation of predator management district funding applications: Chad Curry presented funding applications from 4 different counties. Discussion arose about inventory of existing and fund purchased capital equipment. An area of concern was how vehicles would be titled.

Lincoln County - Amount requested was \$335,793. J Schellinger moved to remove the elk study in the amount of \$121,000 from the request. Second by N Hansen. Motion carried. N Hansen moved to accept the amended budget proposal with the flexibility to move capital equipment monies to salaries and wages. Second by K Powers. Motion carried. B Innes moved to approve the Lincoln County Predator Management District budget request for \$213,867. Second by K Powers. Motion carried.

Sweetwater County - Amount requested was \$276,934. B Innes moved remove the two research projects from this proposal, reducing the amount to \$233,044. Second by G Hardy. Motion carried. Innes wanted it noted that the line item under Non-Personnel Expenses for a grad student in the amount of \$50,000 was for two years. N Hansen moved to approve the amended budget for \$233,044. Second by J Schellinger. Motion to fund approved.

Goshen County - Amount requested \$71,926. Motions by J Schelling to approve the request. Second by J Collins. Motion carried.

Sheridan County - Amount requested \$124,170. Motion to approve by N Hansen. Second by G Hardy. Motion failed.

H Uhden passed out a letter drafted by Chad Curry to notify goat owners about the livestock predator fees. Motion by B Lamb to approve the letter as written. Second by J Schellinger. Motion carried.

Update from Amber Travsky: Travsky reviewed her data from the 4 years she monitored wildlife numbers. G Hardy moved and B Innes seconded a motion to ask Amber for a bid to continue her monitoring. Motion passed.

Cost Share Programs: Uhden review these programs with the board. G Hardy moved to retain the cost share and the 10% program. Second by B Innes. Motion failed. R Krischke moved to revamp the cost program with the 10% program going directly to the Predator Management Boards, not Wildlife Services. Second by ?. Motion passed. The board also stipulated that those PMB's receiving funding from the \$5.7 million pool of funds are not eligible to receive funds under the 10% program.

Other Updates:

Stamp - H Uhden stated that the stamp is currently at the printer. The proof should be coming out soon.

Next Meeting and Place - January 10 and 11 (if needed), 2007, Wyoming Department of Agriculture at 9 am.

Board Comment: ***The projects that were set aside in the funding portion of the meeting were discussed. N Hansen said that the board needed a policy on how to handle funding requests that were for projects in counties, other than the requesting county. Also, what happens if the requesting county is qualified and the project county is not. B Lamb volunteered to craft language to that end and share it with the other board members for their input. Further discussion was tabled until the next meeting when the policy has been drafted.

Public Comment: Mike Bodenchuck thanked the board for allowing him to come and present his findings.

Adjourn: Motion by B Lamb, second by J Schellinger to adjourn. Adjourn 3:45

ADMB Phone Conference

11/1/06

11am

Board Members Present: Terry Cleveland, Kerry Powers, Bob Innes, Niels Hansen, Jim Collins, Rod Krischke

Board Members Absent: John Etchepare, Ben Lamb, Gene Hardy, Dan McCarron, Jane Darnell, Jim Schellinger, Dominic Dominici, Dave Roberts, Helen Jones

Board Administrators Present: Hank Uhden, Chad Curry, Diane Walker Tompkins

Public and Guests: Roger Newkirk, Albany County PAB; Tracy Frye, Fremont County PAB; Harley Dockham, Fremont County PAB; Roger Strauser, Sheridan County PAB; Ralph Foster, Sheridan County PAB; Shannon Bruegger, Niobrara PAB

The phone conference was called to order by Co-chair, Terry Cleveland at 11:05. C Curry had provided the board with updates on three grant applications.

Sheridan County: B Innes moved to fund the Sheridan County Predatory Management Board in the amount of \$116,920. Second by K Powers. Motion carried.

Fremont County: N Hansen moved to fund Fremont County Predatory Management Board in the amount of \$118,200 contingent upon the Fremont County Commissioners appointing three sportsmen to the board per statutory requirement. Second by J Collins. Motion passed.

Albany County: K Powers moved to fund the Albany County Predator Management District in the amount of \$77,543. Second by B Innes. Motion carried.

K powers moved to adjourn. Second by Collins. Adjourn at 12:10.

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ANIMAL DAMAGE MGMT 03.17	BUDGETED		EXPENDED		PERCENT OPTIMUM		NOTES
	FY 07-08		YTD	ENCUMBERED	BALANCE	EXPENDED	
Fund 047							
<i>SUPPORTIVE SERVICES 200.00</i>							
Equipment Repairs & Minc	202.00	0	22		(22)		
Freight & Postage	204.00	3,000	2		2,998	0.07%	
Board Travel	227.00	10,600	1,932		8,668	18.22%	
Supplies & Products	230.00	4,424	0		4,424		
Real Property Rental	251.00	0	275		(275)		
Equipment Rental	252.00	0	1,030		(1,030)		
<i>200 SERIES TOTAL</i>		<i>\$18,024</i>	<i>\$3,261</i>	<i>\$0</i>	<i>\$14,763</i>	<i>18.09%</i>	
<i>DATA PROCESSING 400.00</i>							
Telecommunications - A&I	420.00	645	78		567	12.09%	
<i>400 SERIES TOTAL</i>		<i>\$645</i>	<i>\$78</i>	<i>\$0</i>	<i>\$567</i>	<i>12.09%</i>	
<i>GRANTS & AID PYMTS 600.00</i>							
Grants	626.00	753,600	72,950		680,650		
<i>600 SERIES TOTAL</i>		<i>\$753,600</i>	<i>\$72,950</i>	<i>\$0</i>	<i>\$680,650</i>	<i>9.68%</i>	
<i>CONTRACTUAL SRVS. 900.00</i>							
Professional/Consulting Fees	901.00	50,000	761	13,900	35,339	29.32%	
<i>900 SERIES TOTAL</i>		<i>\$50,000</i>	<i>\$761</i>	<i>\$13,900</i>	<i>35,339</i>	<i>29.32%</i>	
ANIMAL DAMAGE MGMT TOTAL	\$822,269	\$77,050	\$13,900	\$731,319	11.06%		

		YTD Revenue	
General Funds	300,000	0	0%
Other Funds			
Livestock Brand Fee-5353	1,000		0%
Wildlife Damage Stamp-2634	1,000	961	96%
Landowner Coupons-6204	20,000		0%
Predator Boards - 6301	300,269	57,390	19%
Game & Fish - 5040	200,000		0%
TOTAL	822,269	58,350	7%
	0		
Cash Balance	669,967.41		

DISCUSSION ITEMS

Predator Management 15.01	BUDGETED		EXPENDED		PERCENT OPTIMUM		NOTES
	FY 07-08	YTD	ENCUMBERED	BALANCE	EXPENDED	16.67%	
<i>PERSONAL SERVICES</i>	<i>100.00</i>	\$138,200	\$14,266	\$0	\$123,934	10.32%	
<i>SUPPORTIVE SERVICES</i>	<i>200.00</i>						
Equipment Repairs & Mtn	202.00	750	0		750	0.00%	
Utilities	203.00	840	70		770	8.33%	
Freight and Postage	204.00	2,500	0		2,500	0.00%	
Employee Development	207.00	2,500	20		2,480	0.80%	
Travel In State	221.00	20,000	1,056		18,944	5.28%	
Travel Out of State	222.00	7,500	957		6,543	12.77%	
Permanently Assigned Vehicles	223.00	19,744	0		19,744	0.00%	
Supplies	230.00	10,000	398		9,602	3.98%	
Office Furniture & Equipment	241.00	5,000	1,261		3,739	25.23%	
Data Processing Equipment	242.00	10,000	739	21	9,240	7.60%	
Transportation Equipment	243.00	23,800	0		23,800	0.00%	
Real Property Rental	251.00	18,000	0		18,000	0.00%	
Equipment Rental	252.00	750	0	2,248	(1,498)	299.74%	
Maintenance Contracts	292.00	0	91		(91)		
<i>200 SERIES TOTAL</i>		\$121,384	\$4,593	\$2,269	\$114,522	5.65%	
<i>DATA PROCESSING</i>	<i>400.00</i>						
Telecommunications A&I	420.00	6,000	0		6,000	0.00%	
<i>400 SERIES TOTAL</i>		\$6,000	\$0	\$0	\$6,000	0.00%	
<i>GRANTS & AID PYMTS</i>	<i>600.00</i>						
Grants	626.00	5,700,000	0		5,700,000	0.00%	
<i>600 SERIES TOTAL</i>		\$5,700,000	\$0	\$0	\$5,700,000	0.00%	
<i>CONTRACTUAL SRVS.</i>	<i>900.00</i>						
Professional/Consulting Fees	901.00	34,416	25		34,391	0.07%	
<i>900 SERIES TOTAL</i>		\$34,416	\$25	\$0	\$34,391	0.07%	
Predator Management 15.01 TOTAL		\$6,000,000	\$18,883	\$2,269	\$5,978,848	0.35%	

		YTD Transfers
General Funds	6,000,000	21,152 0%
TOTALS	\$6,000,000	\$21,152 0%

DISCUSSION ITEMS

ADMB - RABIES 03.13	BUDGETED EXPENDED			PERCENT OPTIMUM		NOTES
	FY 07-08	YTD	ENCUMBERED	BALANCE	EXPENDED	
<i>SUPPORTIVE SERVICES 200.00</i>						
Equipment Rep & Mtrc	202.00	0	20		(20)	
Freight & Postage	204.00	600	0	600	0.00%	
Supplies and Products	230.00	1,000	0	1,000	0.00%	
Data Processing Equipment	242.00	1,000	0	1,000	0.00%	
Technical Equipment	246.00	2,000	0	2,000	0.00%	
Equipment Rental	252.00	0	30		(30)	
<i>200 SERIES TOTAL</i>		\$4,600	\$51	\$0	\$4,549	1.10%
<i>Grants and Aid Payments 600.00</i>						
Grants	626.00	174,400	1,422	172,978	0.82%	
<i>0600 SERIES TOTAL</i>		\$174,400	\$1,422	\$0	\$172,978	0.82%
<i>CONTRACTUAL SERVICES 900.00</i>						
Professional/Consulting Fees	901.00	1,000	0	1,000	0.00%	
<i>0900 SERIES TOTAL</i>		\$1,000	\$0	\$0	\$1,000	0.00%
ADMB - RABIES 03.13		\$180,000	\$1,473	\$0	\$178,527	0.82%

		YTD Revenue	
General funds	180,000	1,473	1%
	0	0	
	\$180,000	\$1,473	1%

DISCUSSION ITEMS

TO: Hank Uhden ,Wyoming Department of Agriculture
 FROM: Kathy Frank, Asst Chief Fiscal Officer
 RE: Animal Damage Management Board (ADBM) ANNUAL REPORTING
 DATE: July 31, 2006
 cc: Ron Arnold, file

In accordance with W.S. 11-6-305 (a) and 23-3-105(b), I provide the following information on the wildlife damage management stamp and landowner coupon designations to the ADBM for fiscal year 2006.

Landowner coupons designated to ADMB		\$2,691
funds transferred to ADMB(all)		\$2,691
Wildlife damage management stamp		
sales deposited through 7/1/2005- 6/30/2006		\$3,449.50
(license agent reports through 5/31; net of commission)		
funds transmitted to ADMB	-0-	
Costs of program administration		
Management stamp:		
Stamp printing	\$ 879	
Personnel adm time	<u>259 (11hrs)</u>	
Total stamp costs	<u>\$1,138</u>	
total administrative costs for fy 2006		(\$1,138)
excess of collections over expenditures		\$2,311.50
deficit collections previous years		<u>(\$1,351.00)</u>
Amount due to be transferred to ADMB for fy 06	=	<u><u>\$ 960.50</u></u>

In accordance with statutory provisions and to insure federal aid compliance, the Department will transfer funds collected after administrative costs have been deducted. At this time, all prior year administrative costs (2000-2005) have been recovered and for fy 07 forward, only current year administrative costs will be charged against collections

If there are questions related to the above information please do not hesitate to contact me. Thank you.

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ANIMAL DAMAGE MANAGEMENT BOARD

2219 Carey Avenue, Cheyenne, WY 82002-0100

Phone: 307-777-6433 ☎ Fax: 307-777-6593 ☎ E-mail: admb@state.wy.us ☎ www.wyadmb.com

MEMORANDUM

EMERGENCY RULE PROMULGATION

TO: The Honorable Governor Freudenthal

FROM: John Etchepare
Co-Chair, Wyoming Animal Damage Management Board

(The agency contact person is Hank Uhden, whose telephone number is 777-6574 and whose e-mail address is huhden@state.wy.us)

SUBJECT: Emergency Rule Promulgation – Regulations Governing the Granting of Predator Management Program Funds.

DATE: August 7, 2006

PRIORITY: **HIGH** – These emergency rules should be filed as soon as possible. The Board wishes to begin granting funds at the earliest possible time.

The Wyoming Animal Damage Management Board is requesting to have Regulations Governing the Granting of Predator Management Program Funds, adopted as emergency rules for the following reasons:

1. HEA 0049 which became effective March 23 of this year appropriated funding for grants to predator management districts to enhance predator management efforts.
2. Many districts are in dire need of immediate financial assistance, and meet the statutory requirements which have been placed into these rules, and now qualify for the funding. The Board would like to process requests at the earliest possible time, pending completion of the formal rule making process.
3. Thirteen (13) districts, meet the minimum qualifications under these rules and would immediately qualify.

4. These rules were developed and approved following several public meetings of the ADMB.
5. The Wyoming Animal Damage Management Board has discussed this issue and has made the commitment to initiate this program with the utmost urgency to meet the needs of the districts. These rules are authorized by W.S. 11-6-304(d).

Recommendation:

Due to the reasons given the ADMB feels that it needs these proposed rules to be enacted as emergency rules in order to release the funding to the districts.

Action Needed:

_____ Approve _____ Disapprove

Signed: Governor Freudenthal

Date:

CERTIFICATION PAGE FOR EMERGENCY RULES
Note: Emergency Rules are in effect for no longer than 120 days

Adoption date: August 11, 2006

GENERAL INFORMATION:

1. Agency: Wyoming Animal Damage Management Board
Address: 2219 Carey Avenue
Agency Contact Person for these Rules: Hank Uhden
Work Telephone: 777-6574 or 7321
2. Are these new rules? ("new" - means the first set of regular rules to be promulgated by this agency after the Legislature adopted a new statutory provision or significantly amended an existing statute. Yes No
3. Chapter # of rules being created, amended or repealed: Chapter 1, Regulations Governing the Granting of Predator Management Program Funds.
4. Concise statement of emergency requiring promulgation of these rules without notice or opportunity for hearing: The Wyoming Animal Damage Management Board is proposing emergency rules to adopt Regulations Governing the Granting of Predator Management Program Funds. HEA 0049 which became effective March 23, 2006 appropriated funding for qualified predator management districts to enhance predator management efforts. These rules were developed at several public meetings of the Board. This action is being taken due to the many districts who are in dire need of immediate financial assistance, and now meet the requirements of HEA 0049 as placed into these rules to qualify for the funding. The Board would like to begin processing requests at the earliest time possible, pending completion of the formal rule making process.

NOTICE WITH LSO:

5. In accordance with W.S. 16-3-104(b)(ii) a copy of these rules were filed with the Legislative Service Office on: August 11, 2006

FILLING FINAL RULES WITH THE SECRETARY OF STATE:

6. Yes No A disk with an exact copy of the attached rules is attached or the electronic copy was sent via electronic mail to the Secretary of State on: August 11, 2006

CERTIFICATION BY AGENCY:

The undersigned certifies that the foregoing information is correct.

Date _____

Title: Co-Chairman

GOVERNOR'S CERTIFICATION

I have reviewed these rules and determined that they:

- (1) are within the scope of the statutory authority delegated to the adopting agency; and
- (2) appear to be within the scope of the legislative purpose of the statutory authority.
- (3) are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Date Approved

Governor

Statement of Principal Reasons

The Wyoming Animal Damage Management Board is proposing emergency rules to adopt Regulations Governing the Granting of Predator Management Program Funds. HEA 0049 which became effective March 23, 2006 appropriated funding for qualified predator management districts to enhance predator management efforts. These rules were developed at several public meetings of the Board. This action is being taken due to the many districts who are in dire need of immediate financial assistance, and now meet the requirements of HEA 0049 as placed into these rules to qualify for the funding. The Board would like to begin processing requests at the earliest time possible, pending completion of the formal rule making process.

The Board will continue the regular rule making process for its rules while these emergency rules are in place.

REGULATIONS GOVERNING THE GRANTING OF PREDATOR MANAGEMENT
PROGRAM FUNDS
EMERGENCY RULES

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**Wyoming Animal Damage Management Board
Emergency Rules**

**Regulations Governing the Granting of
Predator Management Program Funds**

Section 1. Authority. Pursuant to authority vested in the Wyoming Animal Damage Management Board (ADMB) in W.S. § 11-6-304(d) the following emergency regulations are hereby promulgated and adopted.

Section 2. Purpose of rules. These rules govern the distribution of funding appropriated by the Wyoming state legislature through the ADMB to the county Predator Management Districts (PMD) created by W.S. § 11-6-201.

Section 3. Definitions. For the purpose of this regulation, definitions shall be set forth in Title 11, Wyoming Statutes and the board also adopts the following definitions:

(a) “Animal Damage Management Board or ADMB” means the statutorily created board under W.S. § 11-6-303.

(b) “Annual Report” means the final documentation the district must provide at the end of the state fiscal year (June 30).

(c) “Assess” means to fix or determine the amount and to impose a tax or other charge on.

(d) “Audit” means the unbiased examination and evaluation of the records, financial accounts, and financial statements of the district to verify their accuracy. The audit shall be performed in compliance with the State of Wyoming - Department of Audit, W.S. § 9-1-507(a)(iii) and Dept. of Audit Chapter 6 rules for special districts.

(e) “Budget” means an itemized summary of estimated or intended income and expenditures for a given period. For the purposes of this rule, the budget shall be compiled for the state fiscal year of July 1 – June 30.

(f) “Capital Equipment” means tangible equipment purchased for long term use by the district. For the purposes of these rules, capital equipment is a single piece of equipment and necessary attachments with a cost of more than \$1,000.00 (one thousand dollars).

(g) “Collect” means to receive or compel payment of.

(h) “Commercial Feedlot” means any place, establishment or facility commonly known as a feedlot conducted, operated or managed for profit or nonprofit for livestock

producers, feeders or market agencies, consisting of pens and their appurtenances, in which livestock are received, held, fed, cared for or kept for sale or shipment in commerce.

(i) “District” means a predator management district created under W.S. § 11-6-201(a).

(j) “District Board” means the board of directors of a district created under W.S. § 11-6-202.

(k) “Encumbered Funds” means those funds which have been obligated for use by contract or invoice.

(l) “Financial Statement” means a compilation of a district’s financial status. Such records shall include a balance sheet (statement of financial position), an income statement (income and expenditure statement), a cash flow statement, and supplementary notes and recorded significant financial management decisions.

(m) “Grant Application” means the form and documents with which a request is made for funding. The form will be prescribed and distributed by the ADMB.

(n) “Management Plan” means a proposed or tentative course of action, including programs or policies stipulating the proposed service and expected benefits.

(o) “Predacious Bird” means any predatory avian species that is permitted to be taken under either Wyoming law or federal law.

(p) “Predatory Animal” means coyote, jackrabbit, porcupine, raccoon, red fox, skunk or stray cat; and gray wolf as allowed by law.

(q) “Standard Budget” means an annual or biennial request for funding from a district that provides for a base level of funding for general operational needs of the district.

Section 4. Applicability of rules. These rules shall only apply to districts that solicit or receive grant funding from the ADMB under the program as outlined in these rules.

(a) No state funds awarded to a district by the ADMB shall be used to satisfy debt existing prior to the effective date of these rules.

Section 5. Qualifications for funding. To qualify for funding under these rules, the district shall:

(a) Submit the following to the ADMB:

(i) Proof of compliance with W.S. § 11-6-202(a)(v).

- (ii) Completed grant application on a form prescribed by the ADMB
- (iii) Budget
- (iv) Management Plan
- (v) Financial Statement
- (vi) Proof of having assessed and collected all available funds as required by W.S. § 11-6-210(o)

(A) Each district, in accordance with W.S. § 11-6-210(f) shall determine which facilities meet the definition of a commercial feedlot.

(B) Each district shall establish a method by which assessment, billing and collection for goats may be conducted.

(vii) Report stating the accomplishments or actions relative to the prior year's management plan. The requirement shall only pertain to districts that have previously received state funds under these rules.

(b) In addition, the district shall assure that:

- (i) It is in compliance with applicable Wyoming statutes; and
- (ii) All agreements with the ADMB are current or satisfied.

Section 6. Funding Distribution. Funding shall be applied for and justified through the grant application process as follows:

- (a) An initial standard budget of \$50,000.00 shall be awarded by the ADMB to each qualified district whose application has been approved by the ADMB prior to May 1, 2007.
- (b) The application must be received by the ADMB prior to April 1, 2007.
- (c) Thereafter, the ADMB shall annually establish a standard budget amount that shall be provided to all qualified districts with an application submitted prior to April 1.
 - (i) Additional funds, including but not limited to operational expenses and capital purchases, may be applied for by the grant application and justified in the management plan and budget.

(d) A maximum of ten percent (10%) of the standard budget may be used to purchase capital equipment.

(i) Additional funds, including but not limited to operational expenses and capital purchases, may be applied for by the grant application and justified in the management plan and budget.

Section 7. Grant Applications. The grant application form shall be developed by the ADMB in accordance with the requirements of this regulation. The ADMB shall make a grant application form available to all districts.

(a) A district requesting grant funds shall submit a new grant application, budget and management plan no later than the date specified on the initial grant application and not later than April 1 of future years.

Section 8. Financial Records. The district shall provide a budget with the grant application. A standardized form will be provided by ADMB.

(a) The budget shall show all proposed income and expenses of the district.

(b) The budget shall be accompanied by the district's current financial statement.

(c) Audit Reports as required by W.S. § 9-1-507(a)(iii) and Chapter 6 rules for special districts shall be submitted to the state Department of Audit and a copy to the ADMB.

Section 9. Management Plan. The district shall include a management plan with the grant application. The management plan shall provide details of the proposed action and the expected results.

(a) The management plan shall address the following, as applicable for the district or funding requested:

i. Wildlife issues and goals

ii. Livestock issues and goals

iii. Pre- and post-work monitoring

iv. Partnerships and cooperative agreements required to accomplish the management plan.

- v. The criteria shall include but not be limited to the cost of full-time and part-time trappers and the cost of fixed wing aircraft and helicopters, for predator management for livestock and wildlife.
- vi. Human health and safety issues.

Section 10. Reporting. The district shall submit an annual report, due to the ADMB, 2219 Carey Avenue, Cheyenne, WY 82002 by no later than July 1st of each year. This report should be relative to the current fiscal year.

- (a) The annual report shall contain the following:
 - i. Actions taken.
 - ii. Identifiable and measurable results.
 - iii. Grant monies expended.
 - iv. Current financial statement.
 - v. Most recent audit report.
 - vi. Supplemental reports may be requested by the ADMB on any identified and targeted management or site specific projects, at the time funding is provided to the district to carry out such projects.

Section 11. Loss of eligibility. Any district that does not comply with all provisions of these rules shall not be eligible for additional grant funding until they have documented correction of all compliance deficiencies to the satisfaction of the ADMB. Districts that demonstrate correction of all deficiencies may submit a grant application for funding consideration for the next fiscal year.

Section 12. Authority to determine funding amounts. In all cases, the ADMB retains the authority to allocate funding to qualified districts in the amount determined by the ADMB to carry out the intent of W.S. § 11-6-201.

Section 13. Savings Clause. If any provision of this regulation is held to be illegal or unconstitutional, such a ruling shall not affect the other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and, to this end, the provisions of this regulation are severable.

Emergency rules are no longer effect 120 days after filing with the Secretary of State.

RECEIVED

JUN 26 2006

WYO. DEPT. OF
AGRICULTURE



Office of the Attorney General

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Attorney General
Patrick J. Crank

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Elizabeth C. Gagen

Deputy Attorney General
Michael L. Hubbard

June 23, 2006

John Etchepare, Co-Chairman
Animal Damage Management Board
2219 Carey Avenue
Cheyenne, WY 82002

Dear John:

Your letter of May 15, 2006, asks for clarification of the meaning of WYO. STAT. § 11-6-210(o), set forth as follows:

To be eligible to receive state funds, the district shall assess and collect all available fees on livestock in the district.

Specifically, the Animal Damage Management Board questions what discretion the statute authorizes in establishing the level of assessment—is the Board required to “assess and collect” the maximum or may it “assess and collect” at a level that meets its budgetary concerns?

The answer to the question involves determining what the legislature intended. When interpreting legislative intent, a court will assign to a word used in a statute its ordinary and plain meaning. See *Chevron U.S.A., Inc. v. State*, 918 P.2d 980, 984 (Wyo. 1996); *Basin Elec. Power Coop. v. State Bd. of Control*, 578 P.2d 557, 566 (Wyo. 1977). When a statute is sufficiently clear and unambiguous, the court gives effect to the plain and ordinary meaning of the words and does not resort to the rules of statutory construction; instead, the court’s inquiry revolves around the ordinary and obvious meaning of the words employed according to their arrangement and connection. *Campbell County Sch. Dist. v. Catchpole*, 6 P.3d 1275 (Wyo. 2000).

It is first necessary to determine the meanings of “assess and collect” as used in the statute. The ordinary and plain meaning of the verb “assess,” as defined by RANDOM HOUSE

John Etchepare
June 23, 2006
Page 2

WEBSTER'S UNABRIDGED DICTIONARY, (2001), is "to fix or determine the amount (. . . a tax . . .)" and "to impose a tax or other charge on." *Id.* at 125. Similarly, "collect" means "to receive or compel payment of." *Id.* at 403. Therefore, the statute requires the Board to both impose, and collect, the livestock fees in the district.

The ambiguity in the interpretation of the statute comes from the language "all available." § 11-6-210(o). The ordinary and plain meaning of "all" is "the whole of" and "the greatest possible." RANDOM HOUSE WEBSTER'S UNABRIDGED DICTIONARY, at 54. "Available" means "readily obtainable, accessible." *Id.* at 142. It is reasonable to interpret this as meaning the greatest possible of the readily attainable fees. This is the maximum amount allowable under the law.

Looking to the ordinary and plain meaning, as the Wyoming Supreme Court does, § 11-6-210(o) is reasonably interpreted as meaning that the Board must not only establish the livestock assessment to the maximum amount allowed under law, it also must assess and collect that amount. The statute sets this forth as a prerequisite for eligibility to receive state funds. Section 11-6-210(o) does not allow the Board discretion as to the assessment and collection of fees on livestock.

Thank you for the opportunity to address this question. If I can be of further assistance, please let me know.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kennard F. Nelson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kennard F. Nelson
Senior Assistant Attorney General

KFN:sg

DE ✓ JS H.V.



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JUL 03 2006

WYO. DEPT. OF AGRICULTURE

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Michael L. Hubbard

June 27, 2006

John Etchepare, Director
Wyoming Department of Agriculture
2219 Carey Avenue
Cheyenne, WY 82002

Re: Questions relating to the Animal Damage Management Board (ADMB) granting funds to local predator management district boards

Dear Director Etchepare:

You have requested this office answer several questions regarding interpretation of the Wyoming Animal Damage Management Program as affected by HEA 0049, which was adopted during the 2006 Legislative Session and which became effective March 23rd of this year. Your specific questions, as presented, are:

QUESTION 1: Can bonding be required of the board members who handle the financial accounts of the district through rule and regulation?

QUESTION 2: Will it take an emergency rule to get the full compliment of board members to be in place, prior to the development of the management plan? [W.S. 11-6-202(a)(v); W.S. 11-6-205(a)(iv)]

QUESTION 3: By existing statute [W.S. 11-6-203], the predator districts shall set their predator fee at their annual meeting to be held in the month of December. Referencing the new language in HEA 0049, W.S. 11-6-210(o), at what point does the district become eligible for state funding?

QUESTION 4: If the district would meet all the requirements to receive funding prior to the upcoming December 2006 meetings, are the districts ineligible because they do not assess the "all available fees" as the new language in HEA 0049, W.S. 11-6-210(o) states. The fee assessed at the present time was established under the old statute in December, 2005.

QUESTION 5: By what avenue do the fees on goats get collected? There is no branding requirement currently; and by definition, goats are not defined as a livestock species.

Your questions will be answered in the order presented. HEA 0049 amended several statutes and is currently in effect. Citations to those statutes will be as amended unless otherwise indicated. HEA 0049 also appropriated monies and provides at Section 2(ii):

Five million seven hundred thousand dollars (\$5,700,000.00) shall be distributed by the department of agriculture through the Wyoming animal damage management board to local predator management district boards who may apply for grants to supplement and enhance predator management efforts only after committing revenues from predator management fees and from other sources intended for that purpose. The application criteria for the predator management boards to receive supplemental funds through a competitive granting process shall be established by the Wyoming animal damage management board and promulgated by rule by the animal damage management board. The criteria shall include but not be limited to the cost of full-time and part-time trappers and the cost of fixed wing aircraft and helicopters, for predator management for livestock and wildlife. Prior to receiving any funds, each county predator management board shall submit a budget and a plan of work to the Wyoming animal damage management board. Upon receiving funds, each county predator management board shall submit a report to the Wyoming animal damage management board, identifying the actions taken, the accomplishments and the monies expended, by July 1 of each year.

QUESTION 1: Can bonding be required of the board members who handle the financial accounts of the district through rule and regulation?

ANSWER: No.

DISCUSSION: The statutes relating to predator management (WYO. STAT. §§ 11-6-101 through 11-6-313) make no provision for bonding. The provisions relating to accountability for the district predator management funds are found in WYO. STAT. §§ 11-6-207 and 11-6-208. The pertinent portions of WYO. STAT. § 11-6-207 provide:

- (b) All salaries, expenses or bounties shall be paid from the predator management district fund of the district by the secretary-treasurer.
- (c) All expenditures of the district shall be supported by properly approved vouchers and supporting documents in writing signed by the board president and any other director.

WYO. STAT. § 11-6-208 requires the district president, secretary-treasurer, and the county clerk to report all receipts and disbursements of district funds to the board of county commissioners. In addition, the districts are required to report their receipts, expenditures, and financial transactions to the state Auditor in accordance with WYO. STAT. § 9-1-507, and the Director of the Department of Audit is authorized to call upon the district or the county treasurer for further information. The legislature has provided for financial oversight

The ADMB may exercise only those powers granted it by statute. This was recently explained by the Wyoming Supreme Court:

It is axiomatic that an agency has and may properly exercise only those powers authorized by the legislature. An agency is wholly without power to modify, dilute or change in any way the statutory provisions from which it derives its authority. When an administrative agency takes an action that exceeds its authority or proceeds in a manner unauthorized by law, that action is null and void. (Internal citations omitted). *Wyo. Dept. of Revenue v. Guthrie*, 2005 WY PP 15, 115 P.3d 1086, 1093 (Wyo. 2005), quoting *Platte Dev. Co. v. State of Wyoming Env'tl. Quality Council*, 966 P.2d 972, 975 (Wyo. 1998).

The legislature has specifically required bonding of persons handling the funds of some districts which are similar to predator management districts. *See, e.g.* WYO. STAT. § 11-5-104(g) (County Weed and Pest Control Districts) and WYO. STAT. § 11-16-118(c) (Conservation Districts). The omission of words from a statute is considered to be an intentional act by the legislature, and a court will not read words into a statute where the legislature has chosen not to include them.

John Etchepare, Director

June 27, 2006

Page 4 of 7

Merrill v. Jansma, 2004 WY 26, 86 P.3d 270 (Wyo. 2004). The ADMB lacks authority to require bonding.

QUESTION 2: Will it take an emergency rule to get the full compliment of board members to be in place, prior to the development of the management plan? [W.S. 11-6-202(a)(v); W.S. 11-6-205(a)(iv)]

ANSWER: No.

DISCUSSION: The statutes referenced in your question are interpreted in accordance with the rules of statutory construction employed by the Wyoming Supreme Court. If the language of the statute is clear and unambiguous, the Court does not look at rules of statutory construction, nor attribute another meaning to the statute. Rather, it will give the statute effect according to its plain and obvious meaning. *Amoco Prod. Co. v. Hakala*, 644 P.2d 785 (Wyo. 1982). In *Allied-Signal, Inc. v. Wyo. State Bd. of Equalization*, 813 P.2d 214 (Wyo. 1991), the Court explained:

When the words used are clear and unambiguous, a court risks an impermissible substitution of its own views, or those of others, for the intent of the legislature if any effort is made to interpret or construe statutes on any basis other than the language invoked by the legislature. Our precedent demonstrates that this rule also is an absolute. If the language selected by the legislature is sufficiently definitive, that language establishes the rule of law.

Id. at 419.

Your question relates to the appointment of additional members to the board of directors of a local predator management district, as required by WYO. STAT. § 11-6-202(a)(v), which provides, in part:

If the board of directors determines state funds are necessary for an effective predator management program to assure the statutory requirements provided in W.S. 11-6-205 are fulfilled and state funds are appropriated and received for that purpose, then three (3) directors representing sportsmen and hunters from the district shall be appointed to the board of directors by the county commissioners serving the local district.

This provision applies only to those district boards which determine state funds are necessary for an effective predator management program. It clearly provides statutory authority for the appointment of additional board members, but only requires that the additional members be appointed if a district board determines grant funds are necessary. At such time as a district board of directors determines that it needs state funds, it should request the County Commissioners appoint the additional board members. No emergency rules or other action is required by the ADMB.

QUESTION 3: By existing statute [W.S. 11-6-203], the predator districts shall set their predator fee at their annual meeting to be held in the month of December. Referencing the new language in HEA 0049, W.S. 11-6-210(o), at what point does the district become eligible for state funding?

ANSWER: Districts which assessed and have collected all available predatory animal control fees allowed by WYO. STAT. § 11-6-210(a) prior to its amendment by HEA 0049 are now eligible for state funding. Districts which have not assessed all available fees will not be eligible for state funds until they have assessed and collected all available predatory animal control fees allowed by WYO. STAT. § 11-6-210(a).

DISCUSSION: WYO. STAT. § 11-6-203 requires each predator management district hold its annual meeting during the first two weeks of December. At that meeting, the district board is required to “[s]et the annual predatory animal control fee for the district as provided by W.S. 11-6-210(a).” WYO. STAT. § 11-6-203(a)(iv). To be eligible for grant funds appropriated by HEA 0049 Section 2(a)(ii), a district “shall assess and collect all available fees on livestock in the district.” WYO. STAT. § 11-6-210(o). The words used in the statute are clear and unambiguous. By definition, “available” is synonymous with “accessible” and “obtainable.” RANDOM HOUSE WEBSTER’S UNABRIDGED DICTIONARY, 142 (2001). “Collect” is defined as “to receive or compel payment of: *to collect a bill.*” (Italics in original). *Id.* at 403. The available fees for December 2005 to December 2006 are eighty cents (\$.80) per head on sheep and fifty cents (\$.50) per head on cattle and, for animals shipped into the state for confinement in a commercial feedlot, fifteen cents (\$.15) per head on sheep and five cents (\$.05) per head on cattle. WYO. STAT. §11-6-210 (prior to amendment by HEA 0049). The available fees in December 2006 will be one dollar (\$1.00) per head on sheep, goats, and cattle and twenty-five cents (\$.25) per head for sheep, goats, and cattle shipped into the state for confinement in a commercial feedlot. WYO. STAT. §11-6-210.

Those district boards which have assessed and collected the maximum fees allowed by WYO. STAT. § 11-6-210 prior to it being amended now meet the requirement of WYO. STAT. § 11-6-210(o). The remaining district boards will meet the requirement when they assess and have collected the maximum fees allowed by WYO. STAT. §11-6-210.

QUESTION 4: If the district would meet all the requirements to receive funding prior to the upcoming December 2006 meetings, are the districts ineligible because they do not assess the "all available fees" as the new language in HEA 0049, W.S. 11-6-210(o) states. The fee assessed at the present time was established under the old statute in December, 2005.

ANSWER: No, such districts are not ineligible.

DISCUSSION: Those district boards which have assessed and collected the maximum fees allowed by WYO. STAT. § 11-6-210 prior to it being amended meet the requirement of WYO. STAT. § 11-6-210(o) and are now eligible to receive funding. They will have to assess and collect the maximum fees under WYO. STAT. § 11-6-210 to maintain eligibility.

QUESTION 5: By what avenue do the fees on goats get collected? There is no branding requirement currently; and by definition, goats are not defined as a livestock species.

ANSWER: The fees on goats can be collected by any reasonable and appropriate plan of collection adopted by a district board.

DISCUSSION: WYO. STAT. § 11-6-210(a) provides, in part: "At the time of collecting brand inspection fees imposed under W.S. 11-20-401 and 11-20-402, the brand inspector shall collect predator management fees on all sheep, goats and cattle inspected within each predator management district." Prior to HEA 0049, which added goats to WYO. STAT. § 11-6-210(a), only sheep and cattle were subject to predator management fees. We understand that collection by brand inspectors when collecting brand inspection fees has been the exclusive method utilized for collecting those fees.

Although WYO. STAT. § 11-6-302(a)(vi) includes goats in defining livestock as it pertains to predator management, WYO. STAT. § 11-20-101(a)(iv), which applies to brands, does not include goats in its definition of livestock. There are no statutory provisions relating to goats being branded. Consequently, goats are not subject to either brand inspections or brand inspection fees.

WYO. STAT. § 11-6-210(a) is mandatory in requiring brand inspectors to collect predator management fees. However, there is no indication in that particular statute, the statutes relating to predatory animals (WYO. STAT. §§ 11-6-101 through 11-6-313), or the statutes relating to branding and ranging (WYO. STAT. §§ 11-19-101 through 11-19-506, 11-20-101 through 11-24-115 and 11-

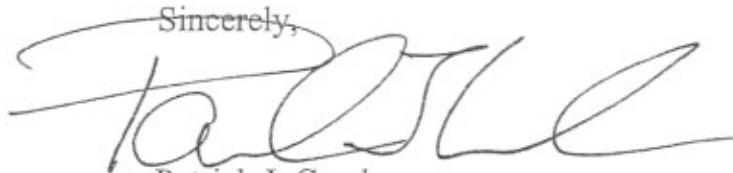
John Etchepare, Director
June 27, 2006
Page 7 of 7

30-101 through 11-30-115) that collection by brand inspectors at the time of brand inspections is the exclusive method of collecting predator management fees.

The district boards are required to set the annual predatory animal control fee (WYO. STAT. § 11-6-203(a)(v)) and to administer the funds received (WYO. STAT. § 11-6-205(a)(ii)). Collection of the fees assessed is a necessary step between the setting of fees and the administration of the funds. "Statutory designation of an administrative agency function encompasses a reasonable delegation of process determination required or adopted for performance." *Cody Gas Co. v. Pub. Serv. Comm'n of Wyo.*, 748 P.2d 1144, 1147 (Wyo. 1988). Administrative agencies have implied powers necessary to fulfillment of their statutory purposes. *BP Am. Prod. Co. v. Dep't of Revenue*, 130 P.3d 438 (Wyo. 2006). Given the absence of statutory guidance, each predator management district board is authorized to devise a reasonable and appropriate plan to collect assessed predator management fees on goats.

Please feel free to contact us with questions or concerns in regard to this opinion.

Sincerely,



Patrick J. Crank
Attorney General

Michael L. Hubbard

Michael L. Hubbard
Deputy Attorney General



Kennard F. Nelson
Senior Assistant Attorney General

PJC:MLH:KFN:sg



ANIMAL DAMAGE MANAGEMENT BOARD

2219 Carey Avenue, Cheyenne, WY 82002-0100
Phone: 307-777-6433 ■ Fax: 307-777-6593 ■ E-mail: admb@state.wy.us ■ www.wyadmb.com

Wyoming Predator Management Program

Under the guidance of W.S. § 11-6-201 through 11-6-210, and Chapter ??, state general funds have been allocated for distribution to the Predator Management Districts. In order to be eligible to receive state grant funding, the districts are required to provide the four primary documents as follows:

- Grant Application
- Budget
- Management Plan
- Year-end Report
- Most Recent Audit

In addition, to receive grant funds, a Memorandum of Understanding will be drafted for your signature. No grant funds will be disbursed without the MOU finalized.

For your use, this packet contains the grant application, budget & financial forms, an example management plan, example year-end report, enacting statutes and Chapter ?? Regulations Governing the Granting of Predator Management Program Funds.

The deadline to submit all documents to the Animal Damage Management Board (ADMB) occurs July 1st of each year.

Any questions regarding the completion and submission of these documents may be directed to:

Chad Curry
Predator Management Program Coordinator
Wyoming Dept. of Agriculture
2219 Carey Avenue
Cheyenne, WY 82002-0100

Grant Application Guidelines

- Complete the application in its entirety.
- If any information changes, please notify the program coordinator immediately. Failure to maintain accurate records will delay processing of your application, and the granting of funds.
- All requested information should be provided. Incomplete applications will not be processed.

Line-item Budget Guidelines

- The line-item budget should include all income and expenses associated with the proposed project.
- Total income should equal total expenses. If income exceeds expenses, please explain the rationale in detail in the budget narrative.
- Grant periods of eighteen months or less may be treated as one budget period, and require only one form.
- Each budget form should include the name, phone number, and e-mail address of the contact person responsible for and familiar with the budget.

Line-item Budget Definitions

- *Salaries and Wages* include full, part-time, and temporary employees.
- *Fringe Benefits* include FICA, pension, health insurance, workers' compensation, etc.
- *Contract Services/Professional Fees* includes outsourced services or workers.
- *Office Space* includes rent, utilities, furnishings, maintenance, and insurance.
- *Equipment/Supplies* include office supplies; postage; copier rental and supplies; telephone, fax and computer supplies; equipment repair and maintenance; etc.
- *Staff/Board Development* includes trainings, retreats, seminars and conference expenses designed for professional development of the staff and board.
- *Travel/Related Expenses* include air travel, out-of-town expenses, conference travel expenses and per diem, in-town parking and mileage expenses.
- *Indirect Costs* include business expenses not directly connected with the proposed management plan

P R E D A T O R M A N A G E M E N T P R O G R A M
G R A N T A P P L I C A T I O N

Phone: 307-777-6433 Fax: 307-777-6593 E-mail: admb@state.wy.us
2219 Carey Avenue, Cheyenne, WY 82002-0100

Under the guidance of W.S. § 11-6-201 through 11-6-210, and Chapter ??, state general funds have been allocated for distribution to the Predator Management Districts. In order to be eligible to receive state grant funding, the districts are required to provide the four primary documents as follows:

- Grant Application
- Budget
- Management Plan
- Year-end Report

In addition, to receive grant funds, a Memorandum of Understanding (MOU) will be drafted for your signature. No grant funds will be disbursed without the MOU finalized.

The deadline to submit all documents to the Animal Damage Management Board (ADMB) occurs July 1st of each year.

PLEASE COMPLETE ALL OF THE REQUESTED INFORMATION IN ALL OF THE SECTIONS APPLICABLE TO YOUR SPECIFIC PROPOSAL. (The ADMB reserves the right to reject any application that does not provide the requested information, or is otherwise not completed properly.)

Name of District:	
Primary Contact:	
Mailing Address:	
City, State, Zip	
Phone Number:	
Fax Number:	
E-Mail Address:	
Fiscal Contact:	
Mailing Address:	
City, State, Zip	
Phone Number:	
Fax Number:	
E-Mail Address:	

Signature: _____ Date: _____

BUDGET

Name of Predator Management District:

Fiscal year end date:

Total amount requested:

INCOME

	Anticipated	Committed	Total	Internal Use Only
Contributed Income				
Local Government			\$0	
State Government			\$0	
Federal Government			\$0	
Predator Mngt. Program Funds			\$0	
Other Association Funds			\$0	
Corporations			\$0	
Board/Individual Contributions			\$0	
Capital Equipment				
Other			\$0	
Earned Income				
Predator Assessment Fees			\$0	
Contract Services*			\$0	
Organization Income			\$0	
Other*			\$0	
Total Program Income	\$0	\$0	\$0	

PROJECT EXPENSES

	Predator Management Request	Other Funding	Total	Internal Use Only
Personnel Expenses				
Salaries and Wages			\$0	
Fringe Benefits			\$0	
Non-Personnel Expenses				
Contract Services/Professional Fees			\$0	
Aircraft Expense			\$0	
Office Space			\$0	
Equipment/Supplies			\$0	
Capital Equipment				
Staff/Board Development			\$0	
Travel/Related Expenses			\$0	
Indirect Costs*				
Other*			\$0	
Total Program Expenses	\$0	\$0	\$0	
Excess (Deficiency)*			\$0	

* please list or explain in narrative

Contact person:

Phone number:

E-mail:



WYOMING

ANIMAL DAMAGE MANAGEMENT BOARD

2219 Carey Avenue, Cheyenne, WY 82002-0100

Phone: 307-777-6433 ■ Fax: 307-777-6593 ■ E-mail: admb@state.wy.us ■ www.wyadmb.com

Dear Goat Producer:

This letter will serve as notice of changes in Wyoming statute which will affect goat operations in the state. Pursuant to W.S. § 11-6-210, each Predator Management District is now required to collect predator fees on goats. The statute reads, in part:

- (a) At the time of collecting brand inspection fees imposed under W.S. 11-20-401 and 11-20-402, the brand inspector shall collect predator management fees on all sheep, goats and cattle inspected within each predator management district. However, predator management fees shall not be collected on cattle, sheep and goats shipped into this state for immediate sale or slaughter. The amount of the fee for each predator management district shall be established by each predator management district board in consultation with the state predator management advisory board and shall not exceed one dollar (\$1.00) per head on sheep, goats and cattle.

At this time, brand inspection is not applied to goats. Please contact your local Predator Management District (PMD) for instruction on remittance of required fees. Contact information for the local PMD's can be obtained from the Wyoming Department of Agriculture at 307-777-6781. Thank you for your cooperation in this matter.

Sincerely,

Hank Uhden
Wyoming Animal Damage Management Board

cc: ADMB

WYOMING ANIMAL DAMAGE MANAGEMENT BOARD

POLICIES

Distribution of funding – Predator Management Districts (PMDs)	10-26-06
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Subject: Allocation of funds by the ADMB to a Predator Management District that will expend the funds in another Predator Management District.

General Operations:

1. Predator Management Districts (PMDs), through a signed Memorandum of Understanding with another participating PMD(s), may share the funding allocated to the program submitted to and approved by the Animal Damage Management Board through the grant application process.
2. PMD(s) may form joint powers board(s) in accordance with Wyoming Statute(s)16-1-101 ff.

Special Projects:

1. Special projects related to wildlife, livestock, human health & safety, or research and within the political boundary of the PMD, may be included with the respective PMD grant application. These special projects may be designed or underwritten by the PMD or another sponsoring entity. The ADMB will consider the value of the special project to attaining the goals of the overall program and fund these special projects accordingly.
2. Should the special project extend beyond the political boundary of the PMD submitting the project into another PMD, the project may be funded upon its value to attaining the goals of the overall program based on the following criteria:
 - All PMDs must agree to and support the implementation of the project.
 - A signed agreement or letter(s) attesting to support by all PMDs in which the project occurs shall be included with the grant application.
 - Participating PMDs, may not submit any project for funding that is entirely located within the political boundary of a PMD that is not eligible to receive funding from the ADMB. A PMD is deemed ineligible should they not meet the requirements of statute or ADMB Chapter 1 rules titled “Regulations Governing the Granting of Predator Management Program Funds”.
3. In no cases will the ADMB fund special projects that extend into or physically take place

WYOMING GAME AND FISH COMMISSION		Policy No.
Issue Date:	Authority: Ron Lovercheck, President	

September 1, 2006 DRAFT

**PREDATORY ANIMAL AND PREDACIOUS BIRD MANAGEMENT
RECOMMENDATIONS FOR THE BENEFIT OF WILDLIFE**

Introduction

The Wyoming Game and Fish Commission (Commission) recognizes the role of predator species in naturally functioning ecosystems. The Commission also acknowledges that management of predators may be necessary and appropriate when circumstances such as weather, loss of habitat, high predatory animal and predacious bird numbers, and other situations occur to cause adverse effects on specific wildlife prey populations.

The Commission, through the Wyoming Game and Fish Department (Department) will undertake predatory animal and predacious bird management actions when it is deemed such actions will be beneficial. The Commission is also committed to cooperating with other agencies involved with predator management efforts that benefit wildlife.

Purpose

The purpose of this policy is to clarify the Commission's direction to the Department for managing predatory animals as defined in W.S. 23-1-101 (trophy game animals. black bear, grizzly bear or mountain lion are not defined as predatory animals) and predacious birds as defined in W.S. 11-6-302, irrespective of the funding source used to carry out such management actions.

Guidelines

In order to provide direction to the Department, the Commission adopts the following guidelines for recommendations pertaining to predatory animal and predacious bird control projects designed to benefit wildlife.

1. Non-lethal means of predatory animal and predacious bird management, such as habitat improvement, reducing raptor or raven perch and nesting sites near sage grouse breeding and brood rearing areas or managing landfill and garbage storage practices to reduce human food subsidies for all predatory animals or predacious birds, are encouraged and supported by the Commission.
2. Lethal means of managing predatory animals and predacious birds shall ~~only~~ be considered and/or supported where predation is likely a significant factor causing an undesirable prey population decline or suppressing desired prey population recovery. Department personnel will determine the need for predatory animal or predacious bird control based on a thorough evaluation of the species specific and general evaluation

guidelines listed in this policy. Determination of need should also consider pertinent literature, monitoring data or relevant predator-prey studies.

A. Species Specific Evaluation Guidelines

Bighorn sheep – Lethal take of predatory animals shall ~~ould~~ be considered and/or supported as a management tool to increase recruitment and/or survival, after sudden disease related population reductions greater than 25%; before and concurrent with a new transplant; or if post-hunting season lamb:ewe ratios are less than 20:100. Control actions may also be considered when productivity and lamb survival data are not available, and the population is more than 15% below established objective level.

Control actions should focus on coyotes.

Deer – Lethal take of predatory animals shall ~~ould~~ be considered and/or supported as a management tool to increase recruitment and/or survival, if post-hunting season fawn:doc ratios are less than 65:100, or after sudden population losses (winter die-off) greater than 25%. Control actions may also be considered when productivity and fawn survival data are not available, and the population is more than 15% below objective level.

Control actions should focus on coyotes.

Pronghorn – Lethal take of predatory animals shall ~~ould~~ be considered and/or supported as a management tool to increase recruitment and/or survival, if pre-hunting season fawn:doc ratios are less than 65:100, or after sudden population losses (winter die-off) greater than 25%. Control actions may also be considered when productivity and fawn survival data are not available, and the population is greater than 15% below objective levels.

Control actions should focus on coyotes.

Moose and Elk – Based on all current research, predatory animals as defined by WS 23-1-101 (trophy game animals, black bear, grizzly bear or mountain lion are not defined as predatory animals) have no impact on moose or elk populations with the exception of the gray wolf. Future management of the gray wolf in relation to ungulate management objectives will depend on results of delisting efforts and final classification status in Wyoming.

Sage grouse – Lethal take of predatory animals and predacious birds shall ~~ould~~ be considered and/or supported as a management tool to increase recruitment and/or survival, if male lek attendance within the area of interest is declining.

Control actions should be focused on red fox, skunk, and raccoon. Control actions on predacious birds shall ~~ould~~ be considered after proper coordination with and authorization by the U.S. Fish and Wildlife Service (USFWS), in addition to coordination with U.S.D.A. Wildlife Services (Wildlife Services), as needed.

Upland game birds, waterfowl, other ground nesting birds and small mammals – Lethal take of predatory animals and predacious birds should be considered and/or

supported as a management tool to increase prey species recruitment and/or survival in areas where populations of predacious birds, skunks, raccoons, or red fox have been determined to be having a significant impact on prey species recruitment by Department personnel through literature review, monitoring, or specific studies.

Control actions should be focused on skunk, raccoon, or red fox populations. Control actions on predacious birds can be considered after proper coordination with and authorization by the USFWS, in addition to coordination with Wildlife Services as needed.

Wild Turkeys – Lethal take of predatory animals should be considered and/or supported as a management tool before and concurrent with transplants. Control actions should focus on red fox, skunk, raccoon and coyote populations. Predatory animals and predacious birds are not considered to be limiting factors on turkey population dynamics.

Threatened and endangered species - Lethal take of predatory animals and predacious birds shall be considered and/or supported as a management tool to increase recruitment and/or survival of any threatened or endangered species to enhance recovery efforts.

B. General Evaluation Guidelines:

Scale

- Desired big game population parameters including juvenile: female ratios, population levels, and population trends should be evaluated at a herd unit level. These parameters can be evaluated at the hunt area level or portion of a hunt area if known animal distribution and data collection efforts allow meaningful evaluation at the hunt area or smaller geographic area.
- Predatory animal and predacious bird management actions need to be focused on specific areas generally not to exceed 250-300 square miles in size so predatory animal and predacious bird removal is sufficient to benefit prey species.

Conditional Criteria

- Predatory animal and predacious bird control designed to increase prey recruitment and survival should only be considered if habitat conditions are sufficient to support an increase in prey population. If habitat conditions cannot support larger prey wildlife numbers any added recruitment needs to be removed annually through more liberal hunting seasons.
- Predatory animal management is not recommended if it is targeted to benefit a particular big game species on the herd unit level in any herd unit that is over the Commission approved population objective, or to benefit the species on the hunt area level in any hunt area that is over the desired population level for the hunt area.
- Predatory animal management is not recommended if it is targeted to benefit a particular big game species in those portions of individual hunt areas with chronic damage by the same big game species.

- Predatory animal management is not recommended if it is targeted to benefit a particular big game species in areas with human development where the Department has limited opportunity to control the big game population.
- Coyote control to benefit wildlife is not recommended in any area where red fox control has been initiated to benefit ground nesting birds or small mammals unless guidelines for lethal take of coyotes to benefit bighorn sheep, deer or pronghorn have been met.

Evaluation of Actions

- Predatory animal and predacious bird management actions should be evaluated. Results in treatment areas need to be compared to results in similar untreated areas for control purposes to isolate predatory animal and predacious bird management effects from other natural factors that may influence wildlife productivity and population trends.
- Studies designed to scientifically assess predator-prey relationships or effectiveness of predatory animal or predacious bird control efforts should be encouraged.

Consistency in Approach

In addition to carrying out its own management actions involving predatory animals and predacious birds utilizing the guidelines referenced above, the Commission's participation is also mandated in W.S. 11-6-304(b)(viii), involving the Animal Damage Management Board's (Board) deliberations on management of wildlife damage by predatory animals and predacious birds and predatory animal and predacious bird impacts on other wildlife. In this instance, the Board, in its deliberations, to carry out statutory responsibilities, must consider any recommendations received from the Commission.

When requested, the Commission directs the Department to provide input and requested wildlife data that is reasonably available on all predatory animal management proposals designed to benefit wildlife prior to submission to the local Predator Management District Boards for consideration. The input provided should be consistent with the aforementioned guidelines.

Adopted: January 7, 2004
Amended: January 19, 2006

**WYOMING ANIMAL DAMAGE MANAGEMENT BOARD (WyADMB)
STRATEGIC ACTION PLAN
2004-2009**

MISSION STATEMENT:

The Governor appointed Animal Damage Management Board (ADMB) mission is to coordinate and implement an integrated animal damage management program, based on best available science, for the benefit of human and natural resources throughout Wyoming.

GOALS:

1. To implement a Wyoming Animal Damage Management Policy.
2. To implement a coordinated, accountable, animal damage management program.
3. Obtain and distribute funds for the implementation of animal damage management programs.
4. Develop a public education and involvement plan.
5. Obtain credible information to enhance the Wyoming Animal Damage Management Program.
6. Develop a legislative strategy to address 2009 expiration date for the Animal Damage Management Program.

ACRONYMS USED IN STRATEGIC PLAN

ADMB – Animal Damage Management Board

ADM – Animal Damage Management

G&F – Wyoming Game and Fish Department or Commission

MOU – Memorandum of Understanding

PAB – Predator Animal Boards

WDA – Wyoming Department of Agriculture

WS – Wildlife Service

**GOAL 1: To implement a Wyoming animal damage management policy.
 STATUTORY AUTHORITY: W.S. 11-6-304**

**OBJECTIVE 1.1
 W.S. 11-6-304(a)**

By and through an executed memorandum of understanding with the Wyoming Game and Fish Commission and the Wyoming Department of Agriculture, manage crop, livestock and wildlife damage done by depredate animals; predatory animals, rabid wildlife; predacious birds; and protect human health and safety.

STRATEGY 1.1.1: (W.S. 11-6-304(b)(i): Entertain requests for assistance to allow mitigation of animal damage.			
<i>ACTION</i>	<i>RESPONSIBILITY</i>	<i>DATE TO COMPLETE</i>	<i>DATE COMPLETED</i>
1. Review and update MOUs as needed. 2. Review and amend project proposal guidelines and protocol on an annual basis. 3. Review and amend policy guidelines and application protocols.	1. WDA, G&F, ADMB 2. ADMB 3. ADMB	1. As needed 2. ADMB 3. Annually	
STRATEGY 1.1.2: (W.S. 11-6-304(b)(ii): Specify programs designed to prevent damage by predatory animals, rabid wildlife, predacious birds and depredate animals to livestock, agricultural crops, wildlife, property and human health and safety.			
<i>ACTION</i>	<i>RESPONSIBILITY</i>	<i>DATE TO COMPLETE</i>	<i>DATE COMPLETED</i>
1. Complete an Annual Report to be presented to: <ul style="list-style-type: none"> ➤ Governor ➤ Agriculture, Appropriations, Travel, Recreation and Wildlife legislative committees ➤ Formal presentation to Wyoming Game and Fish Commission 2. Rabies Management Plan <ul style="list-style-type: none"> ➤ Review the Rabies Management Plan (REFERENCE RABIES MANAGEMENT) 	1. WDA 1. ADMB co-chairman 2. ADMB	1. 12/31 each year (2004-2009) 1. Annually 2004-2009 2. Annually 2004-2009	

<p>PLAN FOR ACTION ITEMS)</p> <p>3. Cost Share Program with Predator Animal Boards</p> <ul style="list-style-type: none"> ➤ ADMB will offer a financial benefit to PABs by Wildlife Services negotiating an annual contract with the county <p>4. Review program effectiveness</p>	<p>3. Wildlife Services and Predator Animal Boards</p> <p>4. ADMB</p>	<p>2. Annually 2004-2009</p> <p>4. March 2006</p>
<p>STRATEGY 1.1.3: (W.S. 11-6-304(b)(vi): Cooperate with Federal, State and County governments, educational institutions and private persons or organizations to effectuate agricultural and wildlife damage and rabid wildlife prevention policies.</p>		
<p><i>ACTION</i></p>		
<p>1. Review as needed and implement the MOUs.</p> <p>2. Coordinate programs in accordance with statutes.</p>	<p>1. ADMB</p> <p>2. ADMB</p>	<p><i>DATE TO COMPLETE</i></p> <p>1. Annually 2004-2009</p> <p>2. Annually 2004-2009</p> <p><i>DATE COMPLETED</i></p>

GOAL 2: Implement a coordinated, accountable animal damage management program.
STATUTORY AUTHORITY: W.S. 11-6-304; 11-6-308; 11-6-309 and 11-6-312

OBJECTIVE 2.1
W.S. 11-6-304(b)(iii)

Provide various degrees of predatory animal, predacious bird and depredating animal damage management services to individual agricultural livestock and crop producers, landowners, lessors or administrators, and to urban, residential and industrial property owners. Damage management services shall also be provided and conducted for the benefit of wildlife populations and human health and safety.

STRATEGY 2.1.1: (W.S. 11-6-304(b)(i): Entertain requests for assistance to allow mitigation of animal damage.			
STRATEGY 2.1.2: (W.S. 11-6-304(b)(iv): Specify methods for the prevention and management of damage and for the selective control of predatory animals, rabid wildlife, predacious birds and depredating animals.			
ACTION	RESPONSIBILITY	DATE TO COMPLETE	DATE COMPLETED
1. Support legislative Predator Management Bill.	1. ADMB	1. 2/16/06	
2. Accept project proposals with measurable outcomes.	2. ADMB	2. Annually 2004-2009	
3. Maintain and enhance relationships between PABs and ADMB.	3. ADMB	3. On-going	
STRATEGY 2.1.3: (W.S. 11-6-304(b)(viii): Consider recommendations received from the Wyoming Game and Fish Commission and the Wyoming Department of Agriculture for projects funded by respective agencies.			
ACTION			
1. Project proposals.	1. ADMB	1. Annually 2004-2009	
➤ Requests submitted annually			
➤ Wildlife projects will be reviewed by G&F and approved by the Commission.			

STRATEGY 2.1.4: (W.S. 11-6-304(e): The ADMB may elect to provide various degrees of predator damage management services to any other person pursuant to a separately negotiated cooperative agreement.			
<i>ACTION</i>	<i>RESPONSIBILITY</i>	<i>DATE TO COMPLETE</i>	<i>DATE COMPLETED</i>
1. ADMB will receive requests for assistance. Request will be submitted on form provided by ADMB. ADMB will work with the requester to develop a management plan that addresses the issue. ADMB will require an annual report from successful applicants.	1. ADMB	1. April – June annually, 2004-2009	
STRATEGY 2.1.5: (W.S. 11-6-312): The ADMB may enter into cooperative agreements with other governmental agencies, counties, associations, corporations or individuals for carrying out the purposes of W.S. 11-6-301 – 11-6-313.			
<i>ACTION</i>	<i>RESPONSIBILITY</i>	<i>DATE TO COMPLETE</i>	<i>DATE COMPLETED</i>
1. ADMB will receive requests for assistance. Request will be submitted on form provided by ADMB. ADMB will work with the requester to develop a management plan that addresses the issue. ADMB will require an annual report from successful applicants.	1. ADMB	1. April – June annually, 2004-2009	

GOAL 3: Obtain and distribute funds for the implementation of animal damage management programs. STATUTORY AUTHORITY: W.S. 11-6-304; 11-6-305; 11-6-306; AND 11-6-307

OBJECTIVE 3.1: W.S. 11-6-304(b)(v)

Maintain responsibility and appropriate funds for the purpose of providing damage prevention and management to agricultural livestock and crops, wildlife, property and human health and safety caused by predatory animals, rabid wildlife, predacious birds and depredating animals.

STRATEGY 3.1.1: (W.S. 11-6-304(b)(vii): Develop memorandums of understanding between the Wyoming Department of Agriculture, the Wyoming Game and Fish Commission and the United States Department of Agriculture/Animal and Plant Health Inspection Service/Wildlife Services (USDA/APHIS/WS) to accommodate funding sources and administrative guidelines for the program.	ACTION	RESPONSIBILITY	DATE TO COMPLETE	DATE COMPLETED
	<ol style="list-style-type: none"> 1. Review and amend MOUs as needed. 2. Explore options for grants and/or pass through funds. 3. Complete projects and assure that they are measurable and accountable. 	<ol style="list-style-type: none"> 1. ADMB 2. ADMB 3. ADMB 	<ol style="list-style-type: none"> 1. As needed 2. On-going 3. On-going and as projects are submitted and being implemented 	
STRATEGY 3.1.2: (W.S. 11-6-307): The Board will request one hundred thousand dollars (\$100,000) from the Wyoming Game and Fish Commission to be expended for wildlife priorities.	ACTION	RESPONSIBILITY	DATE TO COMPLETE	DATE COMPLETED
<ol style="list-style-type: none"> 1. ADMB will maintain a relationship with the Wyoming Game and Fish Commission. 2. ADMB will submit a letter of request for funding to the Wyoming Game and Fish Commission. 3. ADMB will assure Game and Fish federal aid criteria are maintained. 	<ol style="list-style-type: none"> 1. ADMB 2. ADMB 3. ADMB 	<ol style="list-style-type: none"> 2. By 9/1 of year before funding is to be expended. 		

STRATEGY 3.1.4: (W.S. 11-6-305: The Board will receive money from various sources to be expended for wildlife priorities. (Volunteer Funding).)			
ACTION	RESPONSIBILITY	DATE TO COMPLETE	DATE COMPLETED
<p>1. STAMP Program</p> <ul style="list-style-type: none"> ➤ Through marketing assure that stamp is referred to as “Wildlife Animal Damage Management Stamp” <p>2. LANDOWNER COUPON Program</p> <ul style="list-style-type: none"> ➤ Board will continue to work with landowners to gain support of program. (REFERENCE MARKETING STRATEGY 4.1.1.) <p>3. VOLUNTARY BRAND INSPECTION Program</p> <ul style="list-style-type: none"> ➤ Board will continue to work to secure funding and generate revenue. (REFERENCE MARKETING STRATEGY 4.1.1.) <p>4. GRANTS</p> <ul style="list-style-type: none"> ➤ Search for grants that are applicable to program and apply. <p>5. DONATIONS FROM OUTSIDE SOURCES</p>	<p>1. ADMB</p> <p>2. ADMB</p> <p>3. ADMB</p> <p>4. WDA</p> <p>5. ADMB</p>	<p>1. April – June annually, 2004-2009</p> <p>2. Annually 2004-2009</p> <p>3. Annually 2004-2009</p> <p>4. On-going and as available</p> <p>5. On-going and as contributions are made</p>	

**GOAL 4: Develop a public education and involvement plan.
 STATUTORY AUTHORITY: W.S. 11-6-301 – 11-6-313**

**OBJECTIVE 4.1
 W.S. 11-6-301 – 11-6-313**

Establish broad based, comprehensive plan directed towards various individuals and interest and industry groups.

STRATEGY 4.1.1: (W.S. 11-6-301 – 11-6-313): Determine needs and expectations of various audiences.		
<i>ACTION</i>	<i>RESPONSIBILITY</i>	<i>DATE TO COMPLETE</i>
<p>1. Develop a marketing strategy for the ADM program. Strategy should include who to contact; method of contact; when to contact; and who will contact.</p> <p>2. Timely updating of the ADMB web site</p> <p>3. Promote successes of ADMB through news articles.</p> <p>4. Continue to market the ADMB program and educate the public through:</p> <ul style="list-style-type: none"> ➤ Facilitating symposiums to share information about current issues ➤ Sharing ADMB booth at State Fair, Game and Fish Expo and other opportunities. <p>5. Hire a WDA intern to assist with marketing efforts and other duties associated with ADM program.</p>	<p>1. ADMB</p> <p>2. WDA staff</p> <p>3. WDA intern</p> <p>4. WDA staff and ADMB board</p> <p>5. WDA</p>	<p>1. 2006</p> <p>2. update as information changes</p> <p>3. and 4. On-going and as opportunities arise. State Fair and Expo are annual events. 2005-2009</p> <p>4. Annually 2004-2009</p>

**GOAL 5: Obtain credible information to enhance the Wyoming Animal Damage Management program.
 STATUTORY AUTHORITY: W.S. 11-6-301 – 11-6-313**

**OBJECTIVE 5.1
 W.S. 11-6-301 – 11-6-313
 Establish baselines and reduce losses.**

STRATEGY 5.1.1: (W.S. 11-6-301 – 11-6-313): Focus on applied research rather than basic (theoretical) research.			
<i>ACTION</i>	<i>RESPONSIBILITY</i>	<i>DATE TO COMPLETE</i>	<i>DATE COMPLETED</i>
1. Survey sources for specific research to stay abreast of new knowledge. 2. Apply limited dollars from available funds for applied research projects. 3. Critique project proposals to ensure credible information.	1. ADMB 2. ADMB 3. ADMB	1. April – June annually, 2004-2009 2. and 3. Annually and as proposals are accepted.	

PROJECT PROPOSAL APPLICATION

Phone: 307-777-6433 **Fax:** 307-777-6593 **E-mail:** admb@state.wy.us
www.wyadmb.com

The Wyoming Animal Damage Management Board (ADMB) has established the following criteria for ADMB Project Proposal Applications as a method to establish integrated animal damage management priorities in the State of Wyoming. Although all criteria may not be applicable to each project application, project proposal applicants are encouraged to carefully consider each of the criteria. An essential part of the ADMB's project proposal selection process is based on these criteria. **You will be required to submit an annual report, including benefits derived from the project.**

1. Total costs for projects should be realistic.
2. Results of projects should be measurable and achievable.
3. The cooperator listing should reflect contact and / or agreement with the project between varying entities.
4. What is the percentage in relation to total funding of matching funds (outside dollars) or in-kind services being provided?
5. Defined geographic area.
6. Benefits derived versus expenditures.
7. Research value.
8. The variety of methods employed.
9. Ability and confidence that project will be done.
10. Provide an itemized budget.

PLEASE COMPLETE ALL OF THE REQUESTED INFORMATION IN ALL OF THE SECTIONS APPLICABLE TO YOUR SPECIFIC PROJECT PROPOSAL. (The ADMB reserves the right to reject any project proposal application that does not provide the requested information, or is otherwise not completed properly.)

Section 1 Project Summary

Project Title: _____
Brief Description of Project: _____
Submitted By / Affiliation: _____
Mailing Address: _____
City: _____ **Wyoming.** **Zip:** _____ **Phone:** _____
Fax: _____ **E-mail:** _____
Signature: _____ **Date:** _____

Annual Funds Requested:	Proposed Subsequent Funding:	Duration of Project:
\$	\$	

**** Mail Completed Application To: ****

ADMB
2219 Carey Avenue
Cheyenne, WY 82002-0100

For ADMB Use Only

Date Received: _____
Dates of Review: _____ / _____
Approved: Yes No

Section 2 Project Description

A. Type Of Proposed Project: (check all that apply)

- 1. Research
- 2. Education
- 3. Field Management

Please list all targeted and, if applicable, multiple species (i.e. coyotes and mountain lions):

- 4. Offending Animals Only
- 5. Population Management
- 6. Other:

*Predatory Animals: coyote, jackrabbit, porcupine, raccoon, red fox, skunk, wolf, stray cat.

*Predacious Birds: English sparrow, starling

*Depredating Animals: black bear, grizzly bear, mountain lion, badger, beaver, bobcat, marten, mink, muskrat, weasel

B. Project Proposal Will Benefit: (check all that apply)

- 1. Livestock Species:
- 2. Crops Type:
- 3. Wildlife Species:
- 4. Human Health / Safety Type:
- 5. Other: (describe)

C. Geographic Size Of Proposed Project:

- 1. Total Area of Proposed Project in Acres: _____
- 2. Private Land in Acres: _____
- 3. Public Land in Acres: _____

D. Method(s) Of Management To Be Implemented: (check all that apply)

- 1. Lethal
- 2. Non-Lethal
- 3. Integrated management employing the following methods: (examples: guard dogs, aerial hunting, M-44s, etc.) Please list all specific planned methods for management.

Section 3 **Wildlife** (Attach additional sheets as needed.)

- A. Has loss of habitat or other environmental factors been a major influence on current problems? Please describe.
- B. If big game animals and / or other wildlife are proposed to receive benefit from the project, define the correct herd units or hunt area(s) [for each specie(s)] in which the project is to occur.
- C. Does adequate habitat exist to support an increase in the numbers of wildlife proposed? List source(s) of information (e.g. BLM, G&F, FS, FWS, private landowner.)
- D. Based on data provided by the Wyoming Game & Fish Department, what is the current post-season population **estimate** of the herd(s) in question?
- E. What is the current post-season population objective established by the Wyoming Game & Fish Commission of the herd(s) in question?
- F. Provide a detailed description of the benefit to the public.
- G. Please provide current baseline population data, if this information is relevant to your application. Include such information as: predator numbers, doe / fawn ratios, buck / doe ratios, 5 years of the herd population trend. Please list sources of information.

Section 4 **Livestock / Crops** (Attach additional sheets as needed.)

- A. What are the livestock losses or crop damage in the proposed project area? List source(s) of information. (e.g. NASS, landowner, etc.)
- B. What is the calculated dollar value and head count loss on an annual basis?
- C. To date, what methods have been employed to alleviate losses?
- D. Please provide baseline data, for the proposed project area: percentage of losses, total number and value of livestock affected, trends in predation over the last 5 years, predator population numbers. List source(s) of information.

Section 5 **Health / Safety** (Attach additional sheets as needed.)

- A. What is the extent of the health / safety issue and who is affected?

Section 6. Narrative & Map (Attach additional sheets as needed.)

A. Please attach a **detailed** narrative and map of the proposed project. Narrative should include such things as: description of project area, time frame, specific and measurable goals and planned methods/procedures for evaluation. The map, preferably one of 1:100,000 scale topographic, should show the project area identified.

Section 7. Other Concerns (Attach additional sheets as needed.)

A. Please provide any additional information necessary to address concerns or issues regarding the proposed project which were not covered previously.

Section 8. Financial Statement / Budget Sheet

In this section, please provide the following financial information pertaining to the proposed project. **Please attach any other substantiating, financial materials you deem necessary to validate your proposal.**

A. Annual funds requested from the ADMB: \$ _____

B. Proposed Subsequent Funding:
FY20 _____ \$ _____ FY20 _____ \$ _____

C. What other services are requested from the ADMB?

D. Please list the co-sponsors / contributors to the project and kind & amount of contribution.

	Co-Sponsors / Contributors	Kind / Amount of Contribution
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____

Total Estimated Project Contributions \$ _____

E. Have all the co-sponsors / contributors been offered the opportunity to review your proposal application and provide their input?

Yes No

(It is recommended that you ask the co-sponsor / contributor to provide their written comments on the viability or specifics and their relationship to the project. Please submit copies with this application.)

F. Please provide a budget for the proposed project, listing all income and expenses.

Income (List Sources)

	Proposed	Actual
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
Total	_____	_____

Expenses (List Sources)

	Proposed	Actual
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
Total	_____	_____

**Animal Damage Management Program State-Wide Policies
as established by the Animal Damage Management Board**

**General Policies as adopted May 3, 2000, Amended May 17, 2001, Amended July 19, 2002,
Amended January 7, 2004:**

The following policy statements for the Animal Damage Management Program provide guidance for how program objectives will be achieved. It is intended that policy will be added, deleted or modified as conditions require.

1. Protect target and non-target animal populations by exercising needed control using environmentally responsible management techniques and methods.
2. Protect sheep, goats, cattle, hogs, poultry, and other domestic livestock by preventing or reducing mammal and/or bird predation.
3. Protect standing and stored agricultural crops, by preventing or reducing mammal and/or bird depredations.
4. Protect newly introduced or seriously depressed wildlife by preventing or reducing mammal and/or bird depredations.
5. Protect human health and safety by resolving wildlife-caused threats and nuisance situations by preventing the spread of animal-borne diseases.
6. Protect urban, residential, and industrial property by disseminating information on methods of preventing or reducing mammal and/or bird damage or when cooperating funds are available, by conducting urban programs.
7. Assure all animal damage management programs are conducted in an environmentally sound manner.
8. Support “best management practices” in animal damage management by providing assistance to ongoing wildlife research efforts.
9. When feasible, resolve problems caused by individual animals or local populations of wildlife, as contrasted to population control over vast areas
10. Provide assistance to reduce conflicts between predators and livestock by encouraging the use of appropriate livestock husbandry techniques.
11. Management methods shall be used in the most selective and humane manner possible.
12. The ADMB and its cooperators will comply with applicable Federal, State, and local laws and regulations.

13. Wildlife damage management on public lands will be conducted in accordance with memoranda of understanding between the WS program and the land managing agencies.
14. The ADMB will encourage research and consideration of use of non-lethal, non-capture control methods (such as scare devices, aversive agents and fencing) and intensive husbandry techniques and practices.
15. The ADMB may cooperate in research activities when it is compatible with ADMB program needs and priorities.
16. The ADMB will encourage universities, State governments, manufacturers of damage control tools, groups adversely affected by wildlife and others to support animal damage control research.
17. The ADMB will encourage an interchange of information among Federal and State agencies and pest control operators to assist others to maintain and improve professional competency.
18. Only those animal damage control activities that are biologically sound, economically feasible, and environmentally acceptable will be encouraged. All new methods will be thoroughly tested for effectiveness and impacts prior to their use or recommended use by the ADMB.
19. The ADMB will not fund projects using bounties as a management method.
20. Lethal techniques to control wildlife-caused conflicts will be used or recommended so long as there is no long-term significant impact on national or regional population levels.
21. Effective liaison will be maintained with all parties interested in the Animal Damage Management Program.
22. Individuals and/or agencies receiving economic or other benefits from the program, or agencies primarily concerned with such assistance should contribute funds and/or manpower support for the conduct of such activities.
23. Extension and educational assistance will be provided to resolve conflicts involving domestic and feral animals, commensal rodents, and bird/aircraft problems (except in cases of human health emergencies).
24. Direct competition in the same geographic area with other Federal or State agencies, commercial operators or individuals will be avoided where they can provide adequate control assistance and protect the environment.
25. The ADMB may provide assistance to private animal damage control efforts on an extension basis or may serve in an advisory capacity to make such efforts more selective and effective.
26. The final determination as to ADMB participation in a requested control project will rest with the Board. In making this final determination, the ADMB will rely on the land and resource

managing agencies, public health organizations, industry and agriculture, State wildlife agency, other cooperating agencies and organizations, the public, and elected representatives to help determine when and where there is a demonstrated need for control within their areas of jurisdiction or concern. If the ADMB determines that there is a need for wildlife damage control action, the degree and type of assistance will depend on the availability of funds and manpower in relation to total program needs.



2007 WILDLIFE DAMAGE MANAGEMENT STAMP

“Collectors Edition”

Fourth in the series

**Available January 1, 2007
at this Wyoming Game & Fish license vendor**

ENROLLED ACT NO. 49, HOUSE OF REPRESENTATIVES

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AN ACT relating to agriculture and animals; modifying predator management districts and district boards; adding directors; modifying predator management fees; amending definitions; providing for service fees; providing an appropriation; providing for an additional position; providing for reports; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 11-6-107, 11-6-201, 11-6-202, 11-6-203(a)(intro), (i), (ii) and (b), 11-6-204, 11-6-205, 11-6-206, 11-6-207(a), (b) and (d), 11-6-208, 11-6-209, 11-6-210(a), (d), (f), (g)(intro) and (iii) and by creating new subsections (n) and (o), 11-6-302(a)(viii), (xi) and by creating a new paragraph (xii), 11-6-303(a)(vii) and (e), 11-6-304(d), 11-6-308(a)(intro), 11-6-309 and 11-6-311 are amended to read:

11-6-107. Disposition of proceeds.

All predator furs, skins and specimens taken by hunters or trappers whose salaries are paid in full by cooperating agencies, shall be sold and the proceeds returned to the respective ~~predatory animal~~ predator management district of the county in which the furs, skins or specimens originated. All receipts from sales of materials and services related to predatory animal and rodent control received by the department shall be paid into the state general fund.

11-6-201. Creation and designation of districts; state predator management advisory board.

(a) Each county is created and designated as a ~~predatory animal~~ predator management district. Each

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district shall be known as the "~~Predatory Animal~~ Predator Management District of County, Wyoming," and it may hold property and be a party to suits and contracts.

(b) There is created a state ~~predatory animal~~ predator management advisory board composed of one (1) representative of each ~~predatory animal~~ predator management district. The state ~~predatory animal~~ predator management advisory board representative shall be appointed by the individual ~~predatory animal~~ predator management district boards of directors and so designated in writing.

11-6-202. Administration of districts by district boards; number and qualifications of members; term; filling of vacancies.

(a) The affairs of each district shall be administered by a board of directors, each of whom shall be a bona fide resident of Wyoming. Directors for the positions identified in paragraphs (i) and (ii) of this subsection shall be elected at an annual meeting of district livestock owners. Directors for the positions identified in paragraphs (iv) and (v) of this subsection shall be appointed as described. The composition of the board shall be as follows:

(i) Three (3) directors shall be sheep or goat owners having paid ~~taxes or predatory animal control~~ predator management fees on sheep or goats in the district in the year preceding election. At each subsequent annual district meeting one (1) director shall be elected for a three (3) year term. All sheep or goat owners whether an individual, corporation or partnership, having paid ~~taxes or predatory animal control~~ predator management fees on sheep or goats in the district regardless of the domicile

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of the sheep or goats, are entitled to one (1) vote at the meeting;

(ii) Three (3) directors shall be cattle owners having paid ~~taxes or predatory animal control~~ predator management fees on cattle in the district in the year preceding election. At each subsequent annual district meeting one (1) director shall be elected for a three (3) year term. All cattle owners whether an individual, corporation or partnership, having paid ~~taxes or predatory animal control~~ predator management fees on cattle in the district regardless of the domicile of the cattle, are entitled to one (1) vote at the meeting;

(iii) If a qualified applicant for a director position identified in paragraph (i) or (ii) of this subsection cannot be found or if no qualified applicant seeks election to the board of directors, then the director position may be filled by an otherwise qualified elector, provided no more than four (4) directors may represent any one (1) species of livestock;

~~(iii)(iv) If the board of county commissioners determines that additional funds are necessary for an adequate predator control program, and county funds are appropriated for that purpose,~~ the board of county commissioners ~~may~~ shall appoint one (1) director to serve for an initial term of two (2) years and thereafter for three (3) year terms from electors in the county not engaged in raising sheep, goats or cattle. No appointed member may serve for a consecutive period of more than six (6) years;i-

(v) If the board of directors determines state funds are necessary for an effective predator management program to assure the statutory requirements provided in

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W.S. 11-6-205 are fulfilled and state funds are appropriated and received for that purpose, then three (3) directors representing sportsmen and hunters from the district shall be appointed to the board of directors by the county commissioners serving the local district. Sportsmen and hunter representatives shall be bona fide residents of the district not engaged in raising sheep, goats or cattle and shall hold or have held either a valid Wyoming fishing or hunting license or a Wyoming wildlife damage management stamp within the preceding twelve (12) month period. County commissioners, to the greatest extent practical, shall select sportsmen and hunter representatives to ensure representation from as broad a geographic distribution of the district as possible. The county commissioners shall determine who of the three (3) sportsmen and hunter directors appointed to a board under this paragraph shall serve an initial term of one (1) year, who shall serve an initial term of (2) years and who shall serve a term of three (3) years. Thereafter, each term shall be for three (3) years.

(b) No director shall continue to hold office after disqualification under any of the provisions of this section. All vacancies on the district board may be filled for unexpired terms by the other directors in office except the public member's and the sportsmen and hunter member's unexpired term shall be filled by board of county commissioners appointment. All members shall hold their offices until their successors are elected and qualified.

11-6-203. Manner of calling annual meeting of predator management districts; when held; election of chairman and secretary.

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(a) The annual meeting of each ~~predatory animal~~ predator management district shall be ~~in~~ held within the first two (2) weeks of December and each board shall:

(i) On or before December 1, obtain an accurate list of all persons ~~assessed for taxes or~~ who have paid ~~predatory animal control~~ predator management fees on sheep, goats or cattle in the district;

(ii) Publish a notice stating the time and place of any meeting of the district and that directors of the board representing livestock interests as provided in W.S. 11-6-202(a)(i) and (ii) shall be elected at the meeting. Notice shall be published once in a newspaper of general circulation in the district ten (10) days prior to the date of the meeting;

(b) When assembled in accordance with the provisions of ~~the notice~~ subsection (a) of this section, the sheep, goat and cattle owners shall elect a chairman and secretary who shall act as judges of the election of directors representing livestock interests of the board.

11-6-204. District boards; election and appointment of officers; meetings; quorum; oath; appropriation requests.

At the annual meeting of the district board, following election of directors pursuant to W.S. 11-6-202(a)(i), (ii) and (iv) and upon appointment of directors pursuant to W.S. 11-6-202(a)(v), if applicable, the directors of ~~predatory animal districts elected at meetings provided by W.S. 11-6-203~~ shall immediately after the adjournment of the meeting organize by choosing from their number a president and vice-president and shall appoint a secretary-treasurer. Subsequent meetings may be called by the president upon

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reasonable notice. A majority of the board constitutes a quorum for the transaction of business at any board meeting. The members of the board shall receive no compensation for serving as members. Each director shall take an oath for the faithful performance of his duties. If the board determines to request an appropriation of funds from the board of county commissioners, it shall, at least thirty (30) days prior to the time for annual levy of general taxes, notify the board of county commissioners of the amount the district board considers necessary for district operations during the following year.

11-6-205. District boards; duties generally.

(a) Each ~~predatory animal~~ predator management district board shall:

(i) Exercise general supervision over the control of predatory animals and predacious birds that prey upon and destroy livestock, other domestic animals and ~~wild game~~ wildlife;

(ii) Devise and put in operation those methods that best manage or control damage caused by predatory animals or predacious birds;

(iii) Administer funds received from ~~predatory animal control~~ predator management fees and from other sources to carry out the ~~predatory animal control~~ predator management program; ~~-~~

(iv) Coordinate with affected individuals and entities to develop a comprehensive predator management program for each respective predator management district which addresses livestock, wildlife and public health concerns.

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11-6-206. District boards; powers generally.

Each ~~predatory animal~~ predator management district board may adopt rules and regulations necessary for carrying out the purpose and provisions of this article. Each board may appoint employees and assistants as necessary and fix their compensation. Each board may enter into cooperative agreements with boards of county commissioners, other ~~predatory animal control~~ predator management districts, federal or state agencies or other organizations or associations for the purpose of controlling predatory animals and predacious birds. Each board is authorized to pay bounties for predatory animals and predacious birds.

11-6-207. District boards; record of proceedings and expenditures; monthly warrants issued by county for monies collected.

(a) The secretary-treasurer of each ~~predatory animal~~ predator management district shall keep a complete and accurate record of the proceedings of the board.

(b) All salaries, expenses or bounties shall be paid from the ~~predatory animal~~ predator management district fund of the district by the secretary-treasurer. ~~and recorded in a cash book.~~

(d) The county treasurer shall issue monthly warrants to the ~~predatory animal~~ predator management district for all monies collected in the county for the ~~predatory animal~~ predator management district.

11-6-208. District boards; annual report.

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On or before January 1 of each year, the president and secretary-treasurer of each district board and each county treasurer shall make an annual report to their board of county commissioners showing all receipts and disbursement of district funds made by direction of the board during the preceding calendar year. A report of the receipts, expenditures and financial transactions of the district shall be made as provided by W.S. 9-1-507. The director of the state department of audit may call upon any district board or upon any county treasurer for further information relating to any ~~predatory animal~~ predator management district.

11-6-209. Annual meetings of predator management boards.

Annual meetings for the election of members of boards of directors of ~~predatory animal~~ predator management districts shall be called by the president of each board. The meetings shall be called by a notice published in the manner provided by W.S. 11-6-203.

11-6-210. Creation of predator management district fund; predator management fees; donations; appropriation by county commissioners.

(a) At the time of collecting brand inspection fees imposed under W.S. 11-20-401 and 11-20-402, the brand inspector shall collect ~~predatory animal control~~ predator management fees on all sheep, goats and cattle inspected within each ~~predatory animal~~ predator management district. However, predator ~~control~~ management fees shall not be collected on cattle, ~~and~~ and sheep and goats shipped into this state for immediate sale or slaughter. The amount of the fee for each ~~predatory animal~~ predator management district shall be established by each ~~predatory animal~~ predator

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management district board in consultation with the state ~~predatory animal~~ predator management advisory board and shall not exceed ~~eighty cents (\$.80)~~ one dollar (\$1.00) per head on sheep, goats and ~~fifty cents (\$.50)~~ per head on cattle. The directors elected pursuant to W.S. 11-6-202(a)(i) and (ii) from each predatory animal predator management district board shall annually determine the ~~predatory animal control~~ predator management fee to be charged and collected in the district ~~based upon a recommendation of the majority of~~ taking into consideration comments solicited from the producers present at the district's annual meeting as provided for in W.S. 11-6-203, who have paid predator management fees within the district during the preceding twelve (12) months and shall inform the livestock board of the fee prior to January 1 each year. The fee shall not be collected on the same livestock more than once in any twelve (12) month period. The livestock board may retain not to exceed ~~three percent (3%)~~ five percent (5%) of the revenues collected for the actual cost of administering the program collecting the predator management fee. Remaining revenues collected by the livestock board under this section shall be remitted to the state treasurer for deposit in an account. The state treasurer, on a quarterly basis, shall distribute the revenues to the county treasurer of the county from which the shipment originated unless, at the time of payment of the fees, the livestock owner designates the fees to be distributed in total to another county in this state in which the livestock are fed or pastured. The county treasurer shall deposit revenues distributed under this subsection into a special continuing fund, to be known as the "~~Predatory Animal Predator Management~~ District Fund of County" and to be administered by the ~~predatory animal predator management~~ board of that district.

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(d) The district board may receive donations and appropriations of money from any source, and such donations and appropriations shall be placed in the district fund by the county treasurer upon request of the district board. Nothing in W.S. 11-6-201 through 11-6-210 shall be construed to prohibit boards of county commissioners from appropriating funds for the purpose of controlling predatory animals and predacious birds, and such appropriation by boards of county commissioners is authorized.

(f) Notwithstanding subsection (a) of this section, the amount of the annual ~~predatory animal control~~ predator management fee for sheep, goats and cattle shipped into this state for confinement in a commercial feedlot shall not exceed ~~fifteen cents (\$0.15)~~ twenty-five cents (\$0.25) per head on sheep, goats and ~~five cents (\$0.05) per head on~~ cattle. For purposes of this subsection, "commercial feedlot" means any place, establishment or facility commonly known as a feedlot conducted, operated or managed for profit or nonprofit for livestock producers, feeders or market agencies, consisting of pens and their appurtenances, in which livestock are received, held, fed, cared for or kept for sale or shipment in commerce. A pasture, field or other enclosure, fenced or unfenced, shall not be considered a commercial feedlot for purposes of this subsection. The ~~predatory animal~~ predator management district board shall have the authority to determine if a facility qualifies as a commercial feedlot as defined in this subsection.

(g) After January 1, 1992 each ~~predatory animal~~ predator management district board shall annually allocate five percent (5%) of all predator management fee collections to be used for refunds, in whole or in part. If a refund is requested the board shall pay the refund

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within one hundred eighty (180) days of application. Refunds under this subsection shall be subject to the following:

(iii) All monies not paid in refunds shall annually revert to the district ~~predatory animal control~~ predator management account on ~~December 31~~ July 1 of the following year.

(n) If a livestock producer requests predator management services from the district board representing the county in which the producer is pasturing or housing livestock, and no predator management fees have been collected from the producer within the previous twelve (12) months, or if the fees have been refunded, the board may charge a service fee to recover reasonable and actual costs of the predator management services provided.

(o) To be eligible to receive state funds, the district shall assess and collect all available fees on livestock in the district.

11-6-302. Definitions.

(a) As used in this article:

(viii) "Predacious bird" means ~~English sparrow and starling~~ any predatory avian species that is permitted to be taken under either Wyoming law or federal law;

(xi) "Wildlife" means all wild mammals, birds, fish, amphibians, reptiles, crustaceans and mollusks, and wild bison designated by the Wyoming game and fish commission and the Wyoming livestock board within this state; ~~;~~

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(xii) "Take" means as defined by W.S. 23-1-102(a)(vii).

11-6-303. Animal damage management board (ADMB) created; composition; appointment; terms; vacancies; compensation.

(a) There is created the animal damage management board for the purposes of mitigating damage caused to livestock, wildlife and crops by predatory animals, predacious birds and depredating animals or for the protection of human health and safety. The board may mitigate damage caused by depredating animals by and through a memorandum of understanding with the Wyoming game and fish commission. The board shall be composed of twelve (12) members appointed by the governor as follows:

(vii) The president of the state ~~predatory animal~~predator management advisory board created under W.S. 11-6-201;

(e) Except for the directors of the departments of agriculture and game and fish, the state director for the United States department of agriculture, animal and plant health inspection service, wildlife services (USDA/APHIS/WS), and the president of the state ~~predatory animal~~predator management advisory board created under W.S. 11-6-201, the remaining members of the board shall hold office for staggered terms of four (4) years. For the remaining members of the initial board, four (4) members shall be appointed for a term of four (4) years, four (4) members shall be appointed for a term of two (2) years. Each appointed member shall be limited to serving on the board for eight (8) consecutive years, however, a member may be reappointed after a four (4) year absence. Each member shall hold office until his successor is appointed

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and has been qualified. As terms of current ADMB members expire, the governor shall appoint each new member or reappointed member to a four (4) year term.

11-6-304. ADMB responsibilities; animal damage management policy; rules; methods to manage predatory animals, predacious birds, depredating animals and rabid wildlife; manner of calling meetings; frequency.

(d) The ADMB may adopt rules and regulations necessary for carrying out the purpose and provisions of this article. The ADMB may appoint employees and assistants as necessary and fix their compensation. The ADMB may enter into cooperative agreements with boards of county commissioners, ~~predatory animal control~~ predator management districts, federal or state agencies or other commissions, organizations or associations for the purpose of managing predatory animals, rabid wildlife, predacious birds and depredating animals. ~~Predatory animal control~~ Predator management district boards which choose not to enter into a cooperative agreement with the ADMB shall not be precluded from continuing with, or entering into, a cooperative agreement or memorandum of understanding with the United States department of agriculture, animal and plant health inspection service, wildlife services (USDA/APHIS/WS), other entities of government, organizations or associations. This act is not intended and shall not replace, rescind, modify nor cancel cooperative agreements or cooperative service agreements between the USDA/APHIS/WS and the county ~~predatory animal~~ predator management districts created under W.S. 11-6-201 through 11-6-210.

11-6-308. District boards; relation to ADMB; duties generally.

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(a) Each ~~predatory animal~~ predator management district board shall:

11-6-309. Predator management district participation with the ADMB.

If the ~~predatory animal~~ predator management district has elected to participate in providing funding or upon approval of the ADMB, other in-kind resources, to the animal damage management account, the district may solicit funds or receive services from the ADMB under separate negotiated agreement.

11-6-311. Exemptions.

The state ~~predatory animal~~ predator management advisory board or the ADMB may exempt persons from payment of the imposed fees when the respective board determines that livestock as defined in this act are permanently confined within pens or corrals within incorporated city limits where animal damage control activity by state or federal agencies is prohibited or severely restricted.

Section 2.

(a) There is appropriated from the general fund to the department of agriculture six million dollars (\$6,000,000.00) to fund the predator management program as follows:

(i) Three hundred thousand dollars (\$300,000.00) of the general fund appropriation shall be appropriated to the department of agriculture for the biennium beginning July 1, 2006 to administer the predator management program. There is authorized one (1) additional full-time position

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for the department of agriculture for the purposes of administering the predator management program;

(ii) Five million seven hundred thousand dollars (\$5,700,000.00) shall be distributed by the department of agriculture through the Wyoming animal damage management board to local predator management district boards who may apply for grants to supplement and enhance predator management efforts only after committing revenues from predator management fees and from other sources intended for that purpose. The application criteria for the predator management boards to receive supplemental funds through a competitive granting process shall be established by the Wyoming animal damage management board and promulgated by rule by the animal damage management board. The criteria shall include but not be limited to the cost of full-time and part-time trappers and the cost of fixed wing aircraft and helicopters, for predator management for livestock and wildlife. Prior to receiving any funds, each county predator management board shall submit a budget and a plan of work to the Wyoming animal damage management board. Upon receiving funds, each county predator management board shall submit a report to the Wyoming animal damage management board, identifying the actions taken, the accomplishments and the monies expended, by July 1 of each year;

(iii) The Wyoming department of agriculture shall submit to the joint agriculture, public lands and water resources interim committee by October 1, 2006, a report identifying the actions taken, the accomplishments and the monies expended by each county predator management board and the Wyoming animal damage management board pursuant to this act and shall submit the report by October 1 annually thereafter;

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(iv) A request of three million dollars (\$3,000,000.00) shall be included in the department of agriculture's 2009-2010 biennium standard budget request for purposes of continuing funding of this program.

Section 3. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk

CHAPTER 6 - PREDATORY ANIMALS

ARTICLE 1 - CONTROL GENERALLY

11-6-101. Permission to eradicate upon refusal of entry by property owner.

Whenever predatory animals become a menace to livestock owned or controlled by any resident of Wyoming and the owner or lessee of any real estate in the vicinity where the livestock is ranged or pastured refuses permission to the owner of the livestock, his agents or employees, to enter upon the real estate for the purpose of destroying such predatory animals, entry may be obtained as provided by W.S. 11-6-102 and 11-6-103.

11-6-102. Application to county commissioners; hearing; determination; limitation on use of firearms.

The owner of the livestock may file a written application with the board of county commissioners of the county where the real estate is located, applying for permission to eradicate predatory animals. If, after giving the owner or lessee an opportunity of a hearing, the county commissioners may grant such permission, but the person receiving the permission shall not use firearms in destroying such animals without first obtaining permission from the owner or lessee of the real estate.

11-6-103. Liability for damage to property.

The permission granted shall permit the petitioner to enter upon the real estate but shall not relieve the petitioner from any damages which he inflicts upon any property of the owner or lessee of the real estate.

11-6-104. Centralized and coordinated rodent and predator control plan authorized; release of information restricted.

(a) The department may establish and implement a cooperative and coordinated plan for rodent and predator control. It may cooperate with federal agencies in the control of rodents, predatory animals and predacious birds, as defined in W.S. 23-1-101, which are destructive to livestock, game and poultry, or are detrimental to feed and foodstuffs, crops and forage production and human health. The department may promulgate necessary rules and regulations to carry out the purposes of this section.

(b) Any information regarding the number or nature of rodents or predators legally taken within the state pursuant to this section shall only be released in its aggregate form. The identity of any person legally taking a rodent or predator within this state is solely for the use of the responsible agency or appropriate law enforcement agency, shall not be released without the individual's written consent and is not a public record for purposes of W.S. 16-4-201 through 16-4-205.

11-6-105. Issuance of aerial hunting permits authorized.

The department may issue permits for the aerial hunting of rodents and predators to any person for the protection of livestock, domesticated animals or human life, upon a showing that the person or their designated pilot, along with the aircraft to be utilized in the aerial hunting, have been licensed and

qualified in accordance with the requirements of the Wyoming aeronautics commission. The department shall furnish to the game and fish department a list of the names and addresses of the persons to whom they have issued aerial permits. The department may predicate the issuance or retention of such permits upon the recipients' full and prompt disclosure of information as the department may request for submission to the authorities designated in accordance with section 13 of the Fish and Wildlife Act of 1956 or its successor. The department shall collect a fee from each person who has any aircraft permitted under this section on or before April 1 of each year in the amount authorized by W.S. 11-1-104.

11-6-106. Receiving and expending monies for supplies.

The department may receive money for rodent and predator control from the federal government, state appropriations, counties, agencies, boards, associations, commissions, individuals and any other cooperators and may expend such monies to purchase supplies, materials, services, and to employ or contract personnel for rodent and predator control. The department may make such supplies, materials, services and personnel available to cooperators at approximate cost.

11-6-107. Disposition of proceeds.

All predator furs, skins and specimens taken by hunters or trappers whose salaries are paid in full by cooperating agencies, shall be sold and the proceeds returned to the respective predator management district of the county in which the furs, skins or specimens originated. All receipts from sales of materials and services related to predatory animal and rodent control received by the department shall be paid into the state general fund.

11-6-108. Cooperative agreements generally.

The department may enter into cooperative agreements with other governmental agencies, counties, associations, corporations or individuals for carrying out the purposes of W.S. 11-6-104 through 11-6-107.

ARTICLE 2 - DISTRICTS AND DISTRICT BOARDS

11-6-201. Creation and designation of districts; state predator management advisory board.

(a) Each county is created and designated as a predator management district. Each district shall be known as the "Predator Management District of County, Wyoming," and it may hold property and be a party to suits and contracts.

(b) There is created a state predator management advisory board composed of one (1) representative of each predator management district. The state predator management advisory board representative shall be appointed by the individual predator management district boards of directors and so designated in writing.

11-6-202. Administration of districts by district boards; number and qualifications of members; term; filling of vacancies.

(a) The affairs of each district shall be administered by a board of

directors, each of whom shall be a bona fide resident of Wyoming. Directors for the positions identified in paragraphs (i) and (ii) of this subsection shall be elected at an annual meeting of district livestock owners. Directors for the positions identified in paragraphs (iv) and (v) of this subsection shall be appointed as described. The composition of the board shall be as follows:

(i) Three (3) directors shall be sheep or goat owners having paid predator management fees on sheep or goats in the district in the year preceding election. At each subsequent annual district meeting one (1) director shall be elected for a three (3) year term. All sheep or goat owners whether an individual, corporation or partnership, having paid predator management fees on sheep or goats in the district regardless of the domicile of the sheep or goats, are entitled to one (1) vote at the meeting;

(ii) Three (3) directors shall be cattle owners having paid predator management fees on cattle in the district in the year preceding election. At each subsequent annual district meeting one (1) director shall be elected for a three (3) year term. All cattle owners whether an individual, corporation or partnership, having paid predator management fees on cattle in the district regardless of the domicile of the cattle, are entitled to one (1) vote at the meeting;

(iii) If a qualified applicant for a director position identified in paragraph (i) or (ii) of this subsection cannot be found or if no qualified applicant seeks election to the board of directors, then the director position may be filled by an otherwise qualified elector, provided no more than four (4) directors may represent any one (1) species of livestock;

(iv) the board of county commissioners shall appoint one (1) director to serve for an initial term of two (2) years and thereafter for three (3) year terms from electors in the county not engaged in raising sheep, goats or cattle. No appointed member may serve for a consecutive period of more than six (6) years;

(v) If the board of directors determines state funds are necessary for an effective predator management program to assure the statutory requirements provided in W.S. 11-6-205 are fulfilled and state funds are appropriated and received for that purpose, then three (3) directors representing sportsmen and hunters from the district shall be appointed to the board of directors by the county commissioners serving the local district. Sportsmen and hunter representatives shall be bona fide residents of the district not engaged in raising sheep, goats or cattle and shall hold or have held either a valid Wyoming fishing or hunting license or a Wyoming wildlife damage management stamp within the preceding twelve (12) month period. County commissioners, to the greatest extent practical, shall select sportsmen and hunter representatives to ensure representation from as broad a geographic distribution of the district as possible. The county commissioners shall determine who of the three (3) sportsmen and hunter directors appointed to a board under this paragraph shall serve an initial term of one (1) year, who shall serve an initial term of (2) years and who shall serve a term of three (3) years. Thereafter, each term shall be for three (3) years.

(b) No director shall continue to hold office after disqualification under any of the provisions of this section. All vacancies on the district board may

be filled for unexpired terms by the other directors in office except the public member's and the sportsmen and hunter member's unexpired term shall be filled by board of county commissioners appointment. All members shall hold their offices until their successors are elected and qualified.

11-6-203. Manner of calling annual meeting of predator management districts; when held; election of chairman and secretary.

(a) The annual meeting of each predator management district shall be held within the first two (2) weeks of December and each board shall:

(i) On or before December 1, obtain an accurate list of all persons who have paid predator management fees on sheep, goats or cattle in the district;

(ii) Publish a notice stating the time and place of any meeting of the district and that directors of the board representing livestock interests as provided in W.S. 11-6-202(a)(i) and (ii) shall be elected at the meeting. Notice shall be published once in a newspaper of general circulation in the district ten (10) days prior to the date of the meeting;

(iii) Set the date of the meeting so as not to conflict with the date of similar meetings held in adjoining districts in order that sheep and cattle owners operating in more than one (1) district may attend and vote in other districts where they are engaged in such business;

(iv) Set the annual predatory animal control fee for the district as provided by W.S. 11-6-210(a).

(b) When assembled in accordance with the provisions of subsection (a) of this section, the sheep, goat and cattle owners shall elect a chairman and secretary who shall act as judges of the election of directors representing livestock interests of the board.

11-6-204. District boards; election and appointment of officers; meetings; quorum; oath; appropriation requests.

At the annual meeting of the district board, following election of directors pursuant to W.S. 11-6-202(a)(i), (ii) and (iv) and upon appointment of directors pursuant to W.S. 11-6-202(a)(v), if applicable, the directors shall organize by choosing from their number a president and vice-president and shall appoint a secretary-treasurer. Subsequent meetings may be called by the president upon reasonable notice. A majority of the board constitutes a quorum for the transaction of business at any board meeting. The members of the board shall receive no compensation for serving as members. Each director shall take an oath for the faithful performance of his duties. If the board determines to request an appropriation of funds from the board of county commissioners, it shall, at least thirty (30) days prior to the time for annual levy of general taxes, notify the board of county commissioners of the amount the district board considers necessary for district operations during the following year.

11-6-205. District boards; duties generally.

(a) Each predator management district board shall:

(i) Exercise general supervision over the control of predatory animals

and predacious birds that prey upon and destroy livestock, other domestic animals and wildlife;

(ii) Devise and put in operation those methods that best manage or control damage caused by predatory animals or predacious birds;

(iii) Administer funds received from predator management fees and from other sources to carry out the predator management program;

(iv) Coordinate with affected individuals and entities to develop a comprehensive predator management program for each respective predator management district which addresses livestock, wildlife and public health concerns.

11-6-206. District boards; powers generally.

Each predator management district board may adopt rules and regulations necessary for carrying out the purpose and provisions of this article. Each board may appoint employees and assistants as necessary and fix their compensation. Each board may enter into cooperative agreements with boards of county commissioners, other predator management districts, federal or state agencies or other organizations or associations for the purpose of controlling predatory animals and predacious birds. Each board is authorized to pay bounties for predatory animals and predacious birds.

11-6-207. District boards; record of proceedings and expenditures; monthly warrants issued by county for monies collected.

(a) The secretary-treasurer of each predator management district shall keep a complete and accurate record of the proceedings of the board.

(b) All salaries, expenses or bounties shall be paid from the predator management district fund of the district by the secretary-treasurer.

(c) All expenditures of the district shall be supported by properly approved vouchers and supporting documents in writing signed by the board president and any other director.

(d) The county treasurer shall issue monthly warrants to the predator management district for all monies collected in the county for the predator management district.

11-6-208. District boards; annual report.

On or before January 1 of each year, the president and secretary-treasurer of each district board and each county treasurer shall make an annual report to their board of county commissioners showing all receipts and disbursement of district funds made by direction of the board during the preceding calendar year. A report of the receipts, expenditures and financial transactions of the district shall be made as provided by W.S. 9-1-507. The director of the state department of audit may call upon any district board or upon any county treasurer for further information relating to any predator management district.

11-6-209. Annual meetings of predator management boards.

Annual meetings for the election of members of boards of directors of predator management districts shall be called by the president of each board. The meetings shall be called by a notice published in the manner provided by W.S. 11-6-203.

11-6-210. Creation of predator management district fund; predator management fees; donations; appropriation by county commissioners.

(a) At the time of collecting brand inspection fees imposed under W.S. 11-20-401 and 11-20-402, the brand inspector shall collect predator management fees on all sheep, goats and cattle inspected within each predator management district. However, predator management fees shall not be collected on cattle, sheep and goats shipped into this state for immediate sale or slaughter. The amount of the fee for each predator management district shall be established by each predator management district board in consultation with the state predator management advisory board and shall not exceed one dollar (\$1.00) per head on sheep, goats and cattle. The directors elected pursuant to W.S. 11-6-202(a)(i) and (ii) from each predator management district board shall annually determine the predator management fee to be charged and collected in the district taking into consideration comments solicited from the producers present at the district's annual meeting as provided for in W.S. 11-6-203, who have paid predator management fees within the district during the preceding twelve (12) months and shall inform the livestock board of the fee prior to January 1 each year. The fee shall not be collected on the same livestock more than once in any twelve (12) month period. The livestock board may retain not to exceed five percent (5%) of the revenues collected for the actual cost of collecting the predator management fee. Remaining revenues collected by the livestock board under this section shall be remitted to the state treasurer for deposit in an account. The state treasurer, on a quarterly basis, shall distribute the revenues to the county treasurer of the county from which the shipment originated unless, at the time of payment of the fees, the livestock owner designates the fees to be distributed in total to another county in this state in which the livestock are fed or pastured. The county treasurer shall deposit revenues distributed under this subsection into a special continuing fund, to be known as the "Predator Management District Fund of ... County" and to be administered by the predator management board of that district.

(b) Repealed by Laws 1990, ch. 87, 3.

(c) Repealed by Laws 1990, ch. 87, 3.

(d) The district board may receive donations and appropriations of money from any source, and such donations and appropriations shall be placed in the district fund by the county treasurer upon request of the district board. Nothing in W.S. 11-6-201 through 11-6-210 shall be construed to prohibit boards of county commissioners from appropriating funds for the purpose of controlling predatory animals and predacious birds, and such appropriation by boards of county commissioners is authorized.

(e) Repealed by Laws 1990, ch. 87, 3.

(f) Notwithstanding subsection (a) of this section, the amount of the annual predator management fee for sheep, goats and cattle shipped into this state for confinement in a commercial feedlot shall not exceed twenty-five cents (\$0.25) per head on sheep, goats and cattle. For purposes of this subsection,

"commercial feedlot" means any place, establishment or facility commonly known as a feedlot conducted, operated or managed for profit or nonprofit for livestock producers, feeders or market agencies, consisting of pens and their appurtenances, in which livestock are received, held, fed, cared for or kept for sale or shipment in commerce. A pasture, field or other enclosure, fenced or unfenced, shall not be considered a commercial feedlot for purposes of this subsection. The predator management district board shall have the authority to determine if a facility qualifies as a commercial feedlot as defined in this subsection.

(g) After January 1, 1992 each predator management district board shall annually allocate five percent (5%) of all predator management fee collections to be used for refunds, in whole or in part. If a refund is requested the board shall pay the refund within one hundred eighty (180) days of application. Refunds under this subsection shall be subject to the following:

(i) To be valid, the application for refund shall be received no later than sixty (60) days after the end of the calendar year in which the fee was paid;

(ii) No person receiving a refund shall receive any predatory animal control services funded in whole or in part by the predatory animal control fees until that person has paid one hundred fifty percent (150%) of all refunds received during the year in which the services were sought and the three (3) preceding calendar years; and

(iii) All monies not paid in refunds shall annually revert to the district predator management account on July 1 of the following year.

(h) Notwithstanding subsection (a) of this section, no predatory animal control fee shall be collected on livestock shipped or trailed within this state if change of ownership does not occur.

(j) Any person failing to pay the predator animal control fee imposed by subsection (a) or (f) of this section shall be punished as provided by W.S. 11-1-103.

(k) In addition to the other fees imposed by this section, any person paying the predator control fee may pay an additional ten cents (\$.10) per head to fund the predator management activities of the Wyoming animal damage management board created by W.S. 11-6-303. Any fees collected pursuant to this subsection shall be deposited in the animal damage management account created by W.S. 11-6-306.

(m) After July 1, 2002 and before December 1, 2002, a predatory animal district board may hold a special meeting during which an adjustment of the predatory animal control fee set under subsection (a) of this section may be made for the balance of calendar year 2002. The special meeting shall be held pursuant to the procedures found in W.S. 11-6-203(a)(ii) and (iii) except that the notice shall state the time and place and that a fee increase shall be considered. The board shall immediately notify in writing the livestock board of any fee adjustment made under this subsection. The fee adjustment shall take effect thirty (30) days after the date of mailing of the notice to the livestock board and shall remain in effect through December 31, 2002.

(n) If a livestock producer requests predator management services from the district board representing the county in which the producer is pasturing or housing livestock, and no predator management fees have been collected from the producer within the previous twelve (12) months, or if the fees have been refunded, the board may charge a service fee to recover reasonable and actual costs of the predator management services provided.

(o) To be eligible to receive state funds, the district shall assess and collect all available fees on livestock in the district.

ARTICLE 3 - WYOMING ANIMAL DAMAGE MANAGEMENT PROGRAM

11-6-301. Short title.

This article may be cited as the "Wyoming animal damage management program".

11-6-302. Definitions.

(a) As used in this article:

(i) "Board" means the Wyoming animal damage management board (ADMB);

(ii) "Crop" or "agricultural crop" when not otherwise defined by statute means corn, oats, wheat, barley, flax, sorghums and other grains, potatoes, vegetables, forage legumes, hay, and any other product of cultivation, trees, bees, honey and hives;

(iii) "Damage" means any injury to or loss of livestock, agricultural crops or wildlife inflicted by predatory animals, predacious birds or depredating animals;

(iv) "Depredating animal" means any trophy game animal or furbearing animal that causes damage;

(v) "Furbearing animal" means badger, beaver, bobcat, marten, mink, muskrat or weasel;

(vi) "Livestock" means horses, mules, cattle, swine, sheep, goats, poultry, guard animals or any other animal maintained under domestication. Bison are considered livestock unless otherwise designated by the Wyoming livestock board and the Wyoming game and fish commission;

(vii) "Person" means as defined by W.S. 8-1-102(a)(vi);

(viii) "Predacious bird" means any predatory avian species that is permitted to be taken under either Wyoming law or federal law;

(ix) "Predatory animal" means:

(A) Coyote, jackrabbit, porcupine, raccoon, red fox, skunk or stray cat; and

(B) Until the date gray wolves are removed from the list of experimental nonessential population, endangered species or threatened species in Wyoming as provided by W.S. 23-1-108, "predatory animal" includes wolves.

After that date, "predatory animal" shall include any gray wolf not within an area of the state in which the gray wolf is:

(I) Designated as a trophy game animal under subdivision (x)(B)(I) of this subsection; or

(II) Classified as a trophy game animal by the game and fish commission pursuant to W.S. 23-1-304(b)(i)(A).

(x) "Trophy game animal" means:

(A) Black bear, grizzly bear or mountain lion; and

(B) From and after the date gray wolves are removed from the list of experimental nonessential population, endangered species or threatened species in Wyoming as provided by W.S. 23-1-108:

(I) "Trophy game animal" shall include any gray wolf within those tracts of land within the boundaries of Wyoming designated as Yellowstone National Park, Grand Teton National Park, the John D. Rockefeller, Jr. Memorial Parkway, and those federally designated wilderness areas contiguous to these national parks and this parkway as defined by the United States congress as of January 1, 2003; and

(II) "Trophy game animal" shall include any gray wolf within any area of the state where gray wolves are classified as trophy game animals by the game and fish commission pursuant to W.S. 23-1-304(b)(i)(A).

(xi) "Wildlife" means all wild mammals, birds, fish, amphibians, reptiles, crustaceans and mollusks, and wild bison designated by the Wyoming game and fish commission and the Wyoming livestock board within this state;

(xii) "Take" means as defined by W.S. 23-1-102(a)(vii).

11-6-303. Animal damage management board (ADMB) created; composition; appointment; terms; vacancies; compensation.

(a) There is created the animal damage management board for the purposes of mitigating damage caused to livestock, wildlife and crops by predatory animals, predacious birds and depredating animals or for the protection of human health and safety. The board may mitigate damage caused by depredating animals by and through a memorandum of understanding with the Wyoming game and fish commission. The board shall be composed of twelve (12) members appointed by the governor as follows:

(i) The director of the Wyoming department of agriculture;

(ii) The director of the Wyoming game and fish department;

(iii) One (1) domestic sheep producer;

(iv) One (1) cattle producer;

(v) The state director for the United States department of agriculture, animal and plant health inspection service, wildlife services (USDA/APHIS/WS);

(vi) Two (2) members representing the interests of sportsmen, outfitters and hunters, not more than one (1) of these members shall be appointed to represent the interests of outfitters;

(vii) The president of the state predator management advisory board created under W.S. 11-6-201;

(viii) One (1) member from an urban area;

(ix) One (1) member from the Wyoming game and fish commission;

(x) One (1) member of the Wyoming board of agriculture; and

(xi) One (1) member representing the interests of nonconsumptive users of the state's wildlife resource.

(b) A representative from the United States forest service (USFS), the United States fish and wildlife service (USFWS) and United States bureau of land management (BLM) shall serve as exofficio nonvoting members of the board.

(c) The directors of the departments of agriculture and game and fish shall serve as co-chairs of the ADMB and shall give general direction to the ADMB and the ADMB administrative officer.

(d) The director of the department of agriculture or his designee shall serve as the ADMB's administrative officer and carry out the ADMB's administrative functions.

(e) Except for the directors of the departments of agriculture and game and fish, the state director for the United States department of agriculture, animal and plant health inspection service, wildlife services (USDA/APHIS/WS), and the president of the state predator management advisory board created under W.S. 11-6-201, the remaining members of the board shall hold office for staggered terms of four (4) years. For the remaining members of the initial board, four (4) members shall be appointed for a term of four (4) years, four (4) members shall be appointed for a term of two (2) years. Each appointed member shall be limited to serving on the board for eight (8) consecutive years, however, a member may be reappointed after a four (4) year absence. Each member shall hold office until his successor is appointed and has been qualified. As terms of current ADMB members expire, the governor shall appoint each new member or reappointed member to a four (4) year term.

(f) When a vacancy occurs in the membership for any reason, a replacement shall be appointed for the unexpired term.

(g) Attendance of six (6) members at a duly called meeting shall constitute a quorum for the transaction of official business. The ADMB shall convene at the times and places prescribed by the chair.

(h) Members of the board who are not government employees shall receive no compensation or benefits for their services, but may receive per diem and expenses incurred in the performance of the member's official duties at the established state rate, to be paid from the animal damage management account.

(j) Members may decline to receive per diem and expenses for their service.

(k) State government officer and employee members who do not receive salary, per diem, or expenses from their agency for their service may receive per diem and expenses incurred in the performance of their official duties from the ADMB at the established state rate, to be paid from the animal damage management account.

(m) State government official and employee members may decline to receive per diem and expenses for their service.

11-6-304. ADMB responsibilities; animal damage management policy; rules; methods to manage predatory animals, predacious birds, depredating animals and rabid wildlife; manner of calling meetings; frequency.

(a) The ADMB is responsible for the formulation of the damage prevention management policy of the state, and by and through an executed memorandum of understanding (MOU) with the Wyoming game and fish commission is responsible for management of rabid wildlife, crop, livestock and wildlife damage done by depredating animals and wildlife damage by predatory animals and predacious birds. The ADMB in conjunction with its responsibility may, consistent with the Wyoming Administrative Procedure Act adopt rules to implement policies administered by the ADMB. After consultation with the livestock board and the department of health, the ADMB shall promulgate rules pertaining to rabies prevention in wildlife including surveillance, public education, vaccination protocol, post-exposure procedures and quarantines. The ADMB may enter into the agreements with law enforcing agencies to carry out the quarantine provisions. Nothing in this article shall preempt the Wyoming game and fish commission authority to manage wildlife or determine damage pursuant to any provision in title 23.

(b) In its deliberations the ADMB shall:

(i) Entertain requests for assistance in order to allow mitigation of predator damage;

(ii) Specify programs designed to prevent damage by predatory animals, rabid wildlife, predacious birds and depredating animals to livestock, agricultural crops, wildlife, property, human health and safety;

(iii) Provide various degrees of predatory animal, predacious bird and depredating animal damage management services to individual agricultural livestock and crop producers, landowners, lessors or administrators, and to urban, residential and industrial property owners. Damage management services shall also be provided and conducted for the benefit of wildlife populations and human health and safety;

(iv) Specify methods for the prevention and management of damage and for the selective control of predatory animals, rabid wildlife, predacious birds and depredating animals;

(v) Maintain responsibility and appropriate funds for the purpose of providing damage prevention and management to agricultural livestock and crops, wildlife, property and human health and safety caused by predatory animals, rabid wildlife, predacious birds and depredating animals;

(vi) Cooperate with federal, state and county governments, educational institutions and private persons or organizations to effectuate agricultural and wildlife damage and rabid wildlife prevention policies;

(vii) Develop memorandums of understanding between the Wyoming department of agriculture and the Wyoming game and fish commission and the United States department of agriculture, animal and plant health inspection service, wildlife services (USDA/APHIS/WS) to accommodate funding sources and administrative guidelines for the program;

(viii) Consider any recommendations received from the Wyoming game and fish commission and the Wyoming department of agriculture.

(c) The ADMB shall conduct meetings in accordance with its established policy, but shall meet at least once each year in the month of January.

(d) The ADMB may adopt rules and regulations necessary for carrying out the purpose and provisions of this article. The ADMB may appoint employees and assistants as necessary and fix their compensation. The ADMB may enter into cooperative agreements with boards of county commissioners, predator management districts, federal or state agencies or other commissions, organizations or associations for the purpose of managing predatory animals, rabid wildlife, predacious birds and depredating animals. Predator management district boards which choose not to enter into a cooperative agreement with the ADMB shall not be precluded from continuing with, or entering into, a cooperative agreement or memorandum of understanding with the United States department of agriculture, animal and plant health inspection service, wildlife services (USDA/APHIS/WS), other entities of government, organizations or associations. This act is not intended and shall not replace, rescind, modify nor cancel cooperative agreements or cooperative service agreements between the USDA/APHIS/WS and the county predator management districts created under W.S. 11-6-201 through 11-6-210.

(e) The ADMB may elect to provide various degrees of predator damage management services to any other person pursuant to a separately negotiated cooperative agreement.

11-6-305. Wyoming animal damage management board funding; sources; methods of collection.

(a) Effective January 1, 2000, there is created a "wildlife damage management" stamp. The stamp, issued at licensed selling agents as designated by the Wyoming game and fish commission may be purchased voluntarily. Proceeds from the sale of the stamp, excluding fifty cents (\$.50) which the agent shall retain for each stamp sold, shall be deposited by the state treasurer into the animal damage management account created by W.S. 11-6-306. The Wyoming game and fish commission shall retain the fees related to those administrative costs which are required to design and print stamps, and collect, account for and disburse these funds to the ADMB. The Wyoming game and fish commission shall annually provide to the ADMB a complete and detailed accounting of all administrative costs and fees.

(b) The purchase price for the stamp shall be determined annually by the ADMB in whole dollar increments and established at such a level to meet

financial obligations as budgeted.

(c) The ADMB may receive money for predatory animal, predacious bird and depredating animal management from the federal government, state appropriations, counties, agencies, boards, associations, commissions, individuals and any other cooperators, and may expend monies to purchase supplies, materials, services, and to employ or contract personnel for predatory animal, predacious bird and depredating animal damage management. The ADMB may make supplies, materials, services and personnel available to cooperators at approximate cost.

11-6-306. Animal damage management account.

(a) There is created the animal damage management account.

(b) Money received under W.S. 11-6-305 shall be deposited by the state treasurer in the animal damage management account to be appropriated for the purposes provided in this article.

(c) Any supplemental contributions received by the department from livestock owners for predatory animal, predacious bird or depredating animal damage management programs or the prevention and management of rabid wildlife shall be deposited into the animal damage management account.

(d) The animal damage management account shall be administered for the ADMB by the Wyoming department of agriculture.

11-6-307. Board to request funding from game and fish commission.

The board shall annually request one hundred thousand dollars (\$100,000.00) from the Wyoming game and fish commission. These funds shall be expended for wildlife priorities. The game and fish commission may provide recommendations to the board regarding expenditure of these funds.

11-6-308. District boards; relation to ADMB; duties generally.

(a) Each predator management district board shall:

(i) Exercise general supervision in determining local priorities for the management of predatory animals and predacious birds that prey upon and destroy livestock, other domestic animals, wildlife and crops;

(ii) Devise and put in operation those methods that best manage predatory animals and predacious birds;

(iii) Administer funds received to carry out the animal damage management program;

(iv) Maintain existing financial and physical resources;

(v) Provide input to the ADMB.

11-6-309. Predator management district participation with the ADMB.

If the predator management district has elected to participate in providing

funding or upon approval of the ADMB, other in-kind resources, to the animal damage management account, the district may solicit funds or receive services from the ADMB under separate negotiated agreement.

11-6-310. Applicability of chapter.

This article, unless contrary to federal law, shall apply to all federal, state and private lands.

11-6-311. Exemptions.

The state predator management advisory board or the ADMB may exempt persons from payment of the imposed fees when the respective board determines that livestock as defined in this act are permanently confined within pens or corrals within incorporated city limits where animal damage control activity by state or federal agencies is prohibited or severely restricted.

11-6-312. Cooperative agreements generally.

The ADMB may enter into cooperative agreements with other governmental agencies, counties, associations, corporations or individuals for carrying out the purposes of this article.

11-6-313. Expiration date.

This article is repealed effective January 1, 2009.

Summary of Basic Data from USDA APHIS Wildlife Services*
Wolf Depredation Management Program
 Wyoming FY 1998-2006

Description	FY1998	FY1999	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
	10/08	10/05	10/19	10/05	10/01	3-Oct	5-Oct	2-Oct	1-Oct
Date of First Depredation	10/08	10/05	10/19	10/05	10/01	3-Oct	5-Oct	2-Oct	1-Oct
Total Complaints Received	7	16	37	40	65	89	185	273	148
Complaints Received involving Livestock	7	16	29 +2 guard dogs	38	61	87	164	144 +5 pet/1 rabbits +1 guard dog	146 +1 guard dog +1 pet
Total Complaints Verified	4	4	23	22	32	49	80	129	101
# of Complaints Involving Livestock that were Verified	4	4	16 +2 guard dogs	22	29	48 1 guard animal	79 3 guard animals	77 +1 guard dog +1 pet	87 +1 guard dog +1 pet
% of Total Complaints that were Verified	57%	25%	62%	55%	49%	55%	43%	36%	69%
# of Domestic Animals not Verified Killed or Injured by Wolves	9 calves	9 calves 2 horses 7 sheep 27 lambs 2 pets	5 calves 30 sheep 35 lambs	1 cow 15 calves 46 sheep 82 lambs	7 cattle 20 calves 2 dogs 2 horses	2 cattle 19 calves 3 sheep 53 lambs 1 horse	12 cattle 105 calves 12 sheep 46 lambs 3 horses 1 foal	10 cattle 28 calves 21 sheep 2 pet 2 rabbits 3 horses 5 foals	18 cattle 88 calves 1 sheep 27 lambs 3 horses
# of Domestic Animals verified Killed or Injured by Wolves	3 calves 3 sheep	1 calf 1 horse 2 sheep 2 lambs	8 dogs 1 cow 5 calves 10 sheep 15 lambs	2 cows 12 calves 13 sheep 55 lambs	6 cows 23 calves 4 dogs	8cattle 34 calves 5 sheep 8 lambs 10 goats	20 cattle 52 calves 3 horses 15 sheep 1 goat	18 cattle 47 calves 7 horses 30 sheep 6 lambs 1 guard dog	13 cattle 111 calves 19 sheep 20 lambs 1 horse 1mule 1 guard dog 1 pet
Total Complaints Reported or Probable	3	12	8	18	33	40	105	142	46
Control Methods	aircraft	aircraft M-44	traps	aircraft traps	aircraft traps	aircraft, traps, shooting	aircraft, traps, shooting	firearms traps aerial	firearms traps aerial
Wolves Killed/Relocated or in Captivity	aircraft	2 killed	2 killed 2 released	2 killed 3 released	6 killed 10 released	15 killed 6 released	19 killed 1 released	32 killed 10 released	55 killed 5 released** 18 dispersed
MIS data Updated 11/21/06									

*Released usually is with a radio collar