

MINUTES OF PUBLIC MEETING
Arizona Livestock Loss Board
Arizona Game and Fish Department
5000 W. Carefree Highway
Phoenix, AZ 85086

PRESENT: (Board Members)

Tuesday, February 27, 2018

Stephen Clark

(Staff)

Ty E. Gray

Jim deVos

Ken Van de Graaff, Chairman

Kevin Kinsall

Jim O'Haco (via telephone)

Kent Komadina

Dr. George Ruyle (via telephone)

Deborah Carter

Jeff Grant for Mark Killian (via telephone) Jim Odenkirk (via telephone)

1. Welcome

Chairman Van de Graaff welcomed everyone to the meeting.

2. Call to Order

Chairman Van de Graaff called the meeting to order at **1:31 p.m.** This meeting followed an agenda dated February 26, 2018.

3. Roll Call

Mr. Kinsall led the roll call and noted attendance of the Board members. Board members present were: Stephen Clark from Glendale, representing Wildlife Conservation & Knowledge of Livestock; Ty Gray from Phoenix, Director of Arizona Game and Fish Department; and Ken Van de Graaff from Gilbert, representing Livestock Industry. Board members present via telephone were: Dr. George Ruyle from Tucson, representing Faculty Member at University; Jeff Grant for Mark Killian from Phoenix, Director of Arizona Department of Agriculture; and Jim F. O'Haco from Winslow, representing Livestock Industry; Not present for this meeting were: James Unmacht from New River, representing Wildlife Conservation & Knowledge of Livestock; Sarahmarge Crigler from Springerville, representing

Livestock Industry; and Clay Parsons from Marana, representing Livestock Auction Market Owner.

4. Review and approve minutes of December 19, 2017 meeting

The members individually reviewed the drafted minutes.

MOTION: APPROVE THE MINUTES OF THE DECEMBER 19, 2017 MEETING AS WRITTEN. Ty Gray moved and Stephen Clark seconded.

VOTE: Unanimous

5. Call to the Public

Chairman Van de Graaff invited any public attendees who wanted to be heard to present their Blue Speaker Cards. There were none.

6. Depredation Claims

Kevin Kinsall reviewed claim AZLLB18.021 with the Board and noted that the kill was a “probable” wolf kill. The claimant was Pat Browning from the Hopi 3 Canyon Ranches dated July 3, 2017. Using the compensation formula, the value of the calf is \$1,537.06.

MOTION: To approve claim AZLLB18.021 for the value of \$1,537.06 was moved by Steve Clark and Ty Gray seconded.

VOTE: Unanimous

Kevin Kinsall reviewed claim AZLLB18.022 with the Board and noted that the kill was a “confirmed” wolf kill. The claimant was Pat Browning from the Hopi 3 Canyon Ranches dated August 14, 2017. Using the compensation formula, the value of the calf is \$1,395.94.

Kevin Kinsall reviewed claim AZLLB18.023 with the Board and noted that the kill was a “confirmed” wolf kill. The claimant was Pat Browning from the Hopi 3 Canyon Ranches dated September 21, 2017. Using the compensation formula, the value of the calf is \$1,357.02.

Kevin Kinsall reviewed claim AZLLB18.024 with the Board and noted that the kill was a “confirmed” wolf kill. The claimant was Pat Browning from the Hopi 3 Canyon Ranches dated September 28, 2017. Using the compensation formula, the value of the calf is \$1,360.08.

MOTION: To approve all three claims (AZLLB18.022 for the value of \$1,395.94, AZLLB18.023 for the value of \$1,357.02 and AZLLB18.024 for the value of \$1,360.08) was moved by Jim O’Haco and Ty Gray seconded.

VOTE: Unanimous

7. Update on Governor’s Appointments to Board

The Board has not been notified of any replacements for Board members terms that are expiring.

8. Discussion on Possible Reimbursement for Additional Stock

The discussion involved the death of a high-value dog that was killed by wolves. Director Killian opined that the Board should consider compensation for dogs as well as cattle. While Mark Killian was not in attendance at the meeting, he felt a formula for dogs was needed.

Kevin Kinsall read to the Board legislative charge 17-491 that stated the Livestock Loss Board was created to address depredation of wolves on livestock operations. The powers/duties of the Board are to provide compensation for wolf depredation on livestock and the opportunity to do research to prevent depredation on livestock.

Dr. George Ruyle stated that he fully supports Mark Killian’s suggestion but he thought the definition of livestock had been decided by counsel at an earlier meeting and that it did not include dogs.

Assistant Attorney General Jim Odenkirk replied that he would have to defer his opinion on dogs to Executive Session.

Jim O'Haco suggested the Board send a letter of support to the Mexican Wolf Coexistence Council. Jim deVos stated that the Coexistence Council does have a history for paying damages for dogs so there is precedent.

Chairman Van de Graff called the meeting in to Executive Session.

The Board reconvened at **2:00 p.m.**

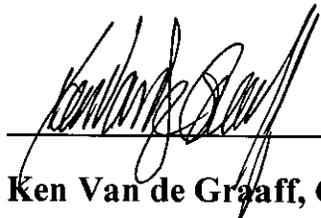
Chairman Van de Graaff directed AAG Jim Odenkirk to review and report back to the Board regarding the ability to include dogs in the definition of livestock for rule.

MOTION: MEETING TO ADJOURN. Jim O'Haco moved and Ty Gray seconded.

VOTE: Unanimous

Chairman Van de Graaff adjourned the meeting at **2:01 p.m.**

I attest that these minutes were reviewed and approved by the members of the Livestock Loss Board on 11 / 15, 2018.



Ken Van de Graaff, Chairman

**MINUTES OF EXECUTIVE
SESSION**

Arizona Livestock Loss Board
Arizona Game and Fish Department
5000 W. Carefree Highway
Phoenix, AZ 85086

PRESENT: (Board Members)

Tuesday, February 27, 2018

Stephen Clark

Ty E. Gray

Ken Van de Graaff, Chairman

Jim O'Haco (via telephone)

Dr. George Ruyle (via telephone)

Jeff Grant for Mark Killian (via telephone)

(Staff)

Jim deVos

Kevin Kinsall

Kent Komadina

Deborah Carter

Jim Odenkirk (via telephone)

Executive Session began at **1:48 p.m.**

Chairman Van de Graaff asked Jim Odenkirk if the charter has the option to include dogs. He mentioned that there are limited resources in reserve dollars for bovine and equine claims but not canine and wanted to know how to substantiate.

AAG Jim Odenkirk said that his initial impression was that the term "livestock" was not defined in statute. He would need to look at other ways to determine the common meaning and see how "livestock" was defined in other statutes, particularly for the Department of Agriculture. If livestock doesn't include dogs there would be no authority to compensate for the loss of a dog.

George Ruyle replied that was what he suspected and Jeff Grant asked if rule can be made to include dogs.

AAG Odenkirk said the question is what did the Legislature intend? He will have to check comments to see what was intended though warned some may object that the definition is beyond our purview.

Chairman Van de Graaff asked if the Board should draft a letter. Jim Odenkirk said that they could promulgate rule then the Governor's council will review the scope of the definition.

The Board agreed that they should request Jim Odenkirk's opinion on including dogs as livestock for rule as his legal advice may influence rule. There should be no time limit on this and other Board members should think on this as well.

Steve Clark mentioned that the Livestock Indemnity Program has no mention of dogs but that one page references dogs. This could be groundbreaking if they do it.

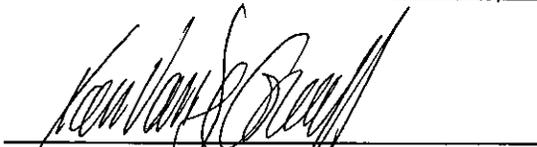
Chairman Van de Graaff reminded the Board that they have limited resources and may hurt themselves.

Kevin Kinsall said that if pets are depredated by wolves, compensation will be determined by direction of council based on the claim.

Jim O'Haco was asked by Ken Van de Graaff what he pays for his dogs; Jim replied \$850 for a puppy that could have a \$5,000 value as a dog.

Executive Session concluded at **2:00 p.m.**

I attest that these minutes were reviewed and approved by the members of the Livestock Loss Board on 11/15, 2018.



Ken Van de Graaff, Chairman
