

**IDAHO DEPARTMENT OF AGRICULTURE
2270 Old Penitentiary Road
PO Box 7249
Boise, ID 83707**

**02.01.08 Rules Governing Grizzly Bear and Wolf Depredation
Minutes of May 27, 2025 Meeting
Meeting was live streamed via Teams**

IN PERSON ATTENDEES PRESENT: Lloyd Knight, Idaho State Department of Agriculture
Jon Rachel, Idaho Department of Fish and Game
Joshua Uriarte, Office of Species Conservation
Jared Hedelius, US Wildlife Services
Dexton Lake, Idaho Farm Bureau
Patxi Larrocea-Phillips, Idaho Wool Growers Association
Bailey Anderson, Idaho State Department of Agriculture
Clayton Moore, Idaho State Department of Agriculture
Jason Meyers, Idaho State Department of Agriculture

VIRTUAL ATTENDEES PRESENT: Austin Terrell, Office of Species Conservation
Cameron Mulrony, Idaho Cattle Association
Luke Davis
James Dawson, Boise State Public Radio
Cody Phelps
Pat Kelly-Fischer
Margaret Major, Division of Financial Management
Elizabeth Criner, Veritas Advisors

The meeting was called to order by Lloyd Knight at 10:01am. Lloyd introduced this meeting as the second rulemaking meeting for 02.01.08, Rules Governing Grizzly Bear and Wolf Depredation. Lloyd directed all meeting participants to the Townhall website for up-to-date meeting information, and to the ISDA website for additional handouts, documents, and information on this year's rulemaking.

REVIEW OF CURRENT RULE AND PROPOSED CHANGES

The rule was presented on screen for everyone. The participants collectively reviewed the rule section by section and the recommended edits from the last meeting. The following comments were made regarding the previous edits or were new recommended edits:

010.01 – Lloyd reviewed the previous recommendation of changing “predator” to “wolf or grizzly bear”

010.01 – Patxi Larrocea-Phillips submitted the following definition for “depredation” from 7 U.S. Code § 8355: The term “depredation” means actual death, injury, or destruction of livestock that is caused by a federally protected species.

010.03 – Lloyd reviewed the change of “validated” to “confirmed” to align with legislation that was passed this year.

010.05 – Jared Hedelius reviewed his submitted version of a definition for “possible”. As submitted on email: Having insufficient evidence to classify an incident as either a confirmed or probable depredation. The cause of death of an animal may be unclear. The investigator may not have much of an animal carcass remaining for inspection due to feeding, scavenging, or decomposition. It is possible the absent or lost areas of the carcass could have contained bite marks, hemorrhaging, or other evidence of predation. The investigator must find sign (tracks, scat, eye witness, etc.) of the reported predator in the area of the dead animal. If this sign is not found within the area then it would be classified as an unknown.

010.05 – Dexton Lake submitted the following alternative definition for “possible” via email: A finding that depredation may have occurred, but the evidence available during the field examination is insufficient to support a probable or confirmed determination. The investigation may be hindered by the condition of the carcass, time elapsed, scavenging, or lack of distinguishing evidence but other non-physical determinants would indicate grizzly bear or wolf presence.

Additional conversation occurred on both “possible” definitions. Both will be posted online for viewing and will be reviewed at the third meeting.

010 – Dexton Lake reviewed other recommended edits for the definitions section. All were syntax edits to assist in complying with the Governor’s Zero-Based Rulemaking executive order. These edits included 010.02, 010.03, 010.04, 010.06, 010.08.

010.07 – Lloyd reviewed the previously recommended edit to add “The Idaho Depredating Wildlife Appeals Board is considered a State Authorized Investigator”. Luke Davis spoke against making this addition to the definition. Luke stated that “authorized investigator” can be considered that the appeals board is available to go out on location and collect evidence through a physical field examination.

101.01.b – Lloyd reviewed the previously recommended edit and how Luke Davis’s rebuttal on the edit in 010.07 works best with this recommended edit in 101.01.b. Luke also spoke on 22-5501, Idaho Code regarding the appeals board and his reasoning for making the recommendation to not edit 010.07.

Additional conversation occurred regarding the overlapping layers of statute between multiple state agencies and federal law regarding investigations, approved investigators, and predator management.

101.01.c - 101.01.c.iii – Lloyd reviewed the previously recommended edits in these lines. Additional conversation occurred and Cameron Mulroney recommended just doing a blanket 70% of market value for injured livestock and if the animal is euthanized, the producer would be eligible for an additional 30%. Luke Davis agreed with this, but recommended leaving the portion stating producers can get reimbursed for veterinary care. The final recommended edit from this conversation was to change 101.01.c.i to be the blanket 70% reimbursement for injured livestock, and to change 101.01.c.iii to allow for an additional 70% of market rate for veterinary care to a licensed veterinarian.

101.01.c.i – Josh Uriarte recommended changing the 70% to 75% to match the federal program.

101.01.c.iv – Dexton recommended a change from the word “validated” to “confirmed”. Additional conversation occurred regarding if this meant “probable” and “possible” findings that resulted in an injured animal would be eligible for the injury payment. An additional recommendation for adding all three finding types to the line would clear up any confusion.

101.01.d and 101.01.e – Patxi pointed out that these lines are in statute and do not need to be repeated in rule unless there is a specific reason. Lloyd stated that these lines were in here as kind of a one stop shop for people to see the overall program.

150 – Lloyd reviewed the previously recommended edit of changing “will” to “assist to”. Dexton recommended removing “from grizzly bears and wolves” since the definition of “depredation” already covers that.

ADDITIONAL PUBLIC COMMENT

Lloyd asked if there was additional public comment. No other comments were submitted.

ADDITIONAL REVIEW AND NEXT STEPS

Lloyd stated that the next meeting would be on July 17, 2025 @ 10am. Lloyd asked that people submit recommendations and comments.

ADJOURNMENT

The meeting adjourned at 10:46am.