

Mexican Wolf Depredation Compensation

There are currently two methods by which livestock producers can be compensated for depredation of livestock by Mexican wolves: The Agricultural Act of 2014 (2014 Farm Bill), which is administered by the U.S. Department of Agriculture Farm Services Administration (FSA), and the Mexican Wolf/Livestock Council.

2014 Farm Bill Livestock Indemnity Program (LIP)

The 2014 Farm Bill authorized the Livestock Indemnity Program (LIP) to provide benefits to livestock producers for livestock deaths in excess of normal mortality caused by adverse weather and attacks by animals reintroduced into the wild by the federal government or protected by federal law, including wolves and avian predators.

Process:

Livestock owners should record all pertinent information of livestock death losses due to Mexican wolves. Document the number and kind of livestock that have died, supplemented if possible by such items as, but not limited to:

- Photographs or video records to document the loss, dated if possible;
- Purchase records, veterinarian records, production records, bank or other loan documents;
- Written contracts, records assembled for tax purposes, private insurance documents, and other similar reliable documents.

Applicants must provide adequate proof that the eligible livestock deaths occurred as a direct result of an eligible attack by a Mexican wolf in the calendar year for which benefits are being requested. The quantity and kind of livestock that died as a direct result of the eligible event may be documented by:

- Purchase records;
- Veterinarian records;
- Bank or other loan documents;
- Rendering truck receipts or certificates;
- Federal Emergency Management Agency records;
- National Guard records;
- Written contracts;
- Production records;
- Records assembled for tax purposes
- Property tax records;
- Private insurance documents;
- Similar documents.

If adequate verifiable proof of death records documentation is not available, FSA will accept reliable records in conjunction with verifiable beginning and ending inventory records as proof of death. Reliable records may include, but are not limited to:

- Picture(s) with a date;
- Brand inspection records;
- Dairy herd improvement records; and
- Similar reliable documents

FSA will accept certifications of livestock deaths by third parties on form CCC-854 along with verifiable beginning and ending inventory documentation if the following conditions are met:

- The livestock owner or livestock contract grower, as applicable, certifies in writing that there is no other documentation of death available;
- The third party provides their telephone number, address and a written statement containing:
 - Specific details about their knowledge of the livestock deaths;
 - Their affiliation with the livestock owner;
 - The accuracy of the deaths claimed by the livestock owner

FSA will use data furnished by the applicant to determine eligibility for program benefits. Furnishing the data is voluntary; however, without all required data, program benefits will not be approved or provided.

To be eligible to receive LIP benefits for livestock losses because of eligible attacks by Mexican wolves, the livestock producer must certify that he or she has not, and will not, receive benefits for more than 95 percent of the value of livestock lost because of attacks by wolves in a calendar year, from all Federal, State, and privately established programs combined, that compensate livestock producers for wolf depredation.

FSA will subtract payments received earlier in the year on verifiable livestock losses from the payment for certification of livestock deaths by third parties based on beginning and ending inventory (regardless of whether the money is from FSA or the Mexican Wolf /Livestock Council).

FSA Service Centers can be found on their website at: <http://offices.sc.egov.usda.gov/>

Payments through FSA in 2015 are as follows:

Weight Range of Beef	2015 Payment Rate – 95% of the Fair Market Value	LIP Payment from FSA	Additional Payment by other agency
Adult Bull	\$2,489.98	\$1,965.78	\$ 524.20
Adult Cow	\$1,915.37	\$1,512.14	\$ 403.23
Non-adult / Less than 400 pounds	\$ 907.54	\$ 716.48	\$ 191.06
Non-adult/400 to 799 pound	\$1,515.48	\$1,136.61	\$ 378.87
Non-adult/ 800 pounds or more	\$1,742.19	\$1,375.41	\$ 366.89

The following table provides the final dates to file a notice of loss and application for payments:

Date of Livestock Death	Final Date to File Notice of Loss	Final Date to Submit an Application for Payment
Calendar Year 2015 and all subsequent years	30 Days after death is apparent	Jan. 30 after the calendar year in which the loss occurred.

Payment Limitations and Adjusted Gross Income (AGI)

For 2012 and subsequent program years, no person or legal entity, excluding a joint venture or general partnership, may receive directly or indirectly, more than \$125,000 total in payments under the Livestock Forage Disaster Program, the Emergency Assistance for Livestock, Honeybees and Farm-Raised Fish Program and LIP combined.

In applying the limitation on average adjusted gross income (AGI), an individual or entity is ineligible for payment under LIP if the average AGI of the individual or entity exceeds \$900,000.

Mexican Wolf/Livestock Council

The U.S. Fish and Wildlife Service (Service) in cooperation with the National Fish and Wildlife Foundation, established the Mexican Wolf /Livestock Interdiction Trust Fund (Trust Fund) on September 23, 2009. The objective of the Trust Fund is to generate long-term funding for prolonged financial support to livestock operators within the framework of cooperative conservation and recovery of Mexican wolf populations in the Southwest. The 11-member Mexican Wolf/Livestock Council (Council) has the authority to identify, recommend, and approve conservation activities, identify recipients, and approve the amount of the direct disbursement of Trust Funds to qualified recipients.

The Council developed these Depredation Compensation Guidelines to compensate livestock producers for wolf depredations. Most of the funding that the Council administers for depredation compensation funding comes from Federal grants to the states of New Mexico and Arizona through the Livestock Demonstration Project. Thus, the funding is administered separately for each state. While funding for depredation compensation in Arizona is solvent through at least calendar year 2016, current funding for depredation compensation in New Mexico has been exhausted for 2015. New Mexico received additional grant funding in October 2015, but it may not be available until spring of 2016, and it is not projected to fully compensate for all depredations in New Mexico in 2016. Depredation compensation will be paid until funds are exhausted in 2016 in accordance with the order of requests for compensation that are submitted. Producers in New Mexico are encouraged to consider these limitations under the Council when applying to FSA or the Council for depredation compensation.

Process:

If livestock owners suspect they have incurred a livestock death or injury due to wolves:

- We recommend that you protect the evidence. Agency experts suggest covering the remains when possible and keeping the site undisturbed by other animals/people to preserve evidence in the area.
- Contact a local USDA APHIS-Wildlife Services (Wildlife Service) field representative, Tribal investigator, or the Interagency Field Team, who will coordinate an investigation, including meeting the livestock owner at an appropriate time and place. The Investigator will provide a completed Depredation Report Form to the owner/manager of the animal. The Depredation Report Form should provide a reasonable and complete record of evidence based on the Wildlife Services' "Criteria for Classification of Reported Depredation Incidents."
 - NM Wildlife Services: Matt Ellis 575-527-6980
 - AZ Wildlife Services: Sterling Simpson: 928-245-0485
 - Interagency Field Team in Alpine, AZ: 888-459-9653 or 928.339.4329
 - White Mountain Apache Tribe: Sara Eno: 928.338.4385 or
Sisto Hernandez: 928.338.1404 or shernadez@wmat.us
 - San Carlos Apache Tribe: 928.475.2343 or
Dewey Wesley: 928.200.0565

If the Investigator verifies in the Depredation Report Form that wolves were the cause, or probable cause, of the depredation (death or injury), the livestock owner can seek compensation from the Coexistence Council by submitting the following information:

- (1) A completed copy of the Depredation Report Form that was prepared by Wildlife Services, a Tribal investigator, or a member of the IFT that determines that the death or injury was confirmed and/or probable wolf depredation.
 - (2) The requested claim for depredation compensation
 - (3) Complete contact information for the livestock owner including phone number, mailing address, Tax Identification Number, and best time to contact in case we have questions.
- Please submit the information above within 6 months of receiving your Depredation Report Form from the Investigator.

Send the Information to:

Mexican Wolf/Livestock Council

2105 Osuna Road NE
 Albuquerque, NM 87113
 Phone (505)761-4748

The Depredation Report Form and claim request will be submitted to the National Fish and Wildlife Foundation for payment from the Trust Fund directly to the livestock producer.

Payment will be as follows (these values may be updated based on market value):

<u>Domestic Cattle</u>		<u>Domestic Sheep</u>	
Bull	\$5,000	Ram	\$750
Cow	\$2,500	Ewe	\$225
Yearling	\$1,460	lamb	\$225
Calf	\$1,060		

- Claims for compensation that differ from the market values provided above will be considered on a case-by-case basis by the Council. The claim should be accompanied by a rationale and documentation for the different value.
- Probable depredations of cattle and sheep will be compensated at a rate of 50% of confirmed depredations.
- Injured cattle and sheep may also be compensated at the discretion of the Council.
- If livestock other than cattle or sheep are depredated by wolves, compensation will be determined at the discretion of the Council, based on the timing of the depredation event and class of livestock that was depredated. The request for compensation must be accompanied by the same information that is required for cattle and sheep depredations and sent to the Mexican Wolf/Livestock Council at the above address.

- If pets are depredated by wolves, compensation will be determined at the discretion of the Council and based on the claim and estimated value of the animal. The request for compensation must be accompanied by the same information that is required for cattle and sheep depredations and sent to the Mexican Wolf/Livestock Council at the above address.

Other available programs:

- Mexican Wolf/Livestock Council. The Council also provides Payments for Presence of Mexican wolves in the area of livestock operations in recognition of the economic consequences to livestock producers beyond immediate depredation losses. Livestock producers will need to fill out an application form that is provided on the Council's website (<http://www.coexistencecouncil.org/>) and submit the completed application form to the Council for review and processing. The Council will review all applications received for the year, apply the formula, and direct disbursement of funds from the Trust Fund to the livestock producer. Livestock producers who graze livestock within the occupied range of the Mexican wolf and who are affected by Mexican wolves are eligible to apply for funding. Applications to the Council are due by June 1 of each year. The Pay for Presence funds will be disbursed based on information from the previous calendar year.
- Defenders of Wildlife Compensation Program. Compensation payments for cattle mortalities ended September 11, 2010. Funds for proactive (i.e., preventative) projects are still available to livestock producers. Contact Craig Miller at 520-623-9653 x101.
- Mexican Wolf Fund. Private funds/grants are available for proactive projects. This program funds proactive measures, but does not compensate for livestock losses related to Mexican wolf. Contact Patrick Valentino <http://mexicanwolfconservationfund.org>