

RECORDING OF PROCEEDINGS

Wyoming Board of Agriculture
April 11 and 12, 2011
Department of Agriculture
Cheyenne, Wyoming

Present: Shaun Sims, President
John Hansen, Vice President
Jim Hodder
John Moore
Alison Lass
Bryan Brost
Jim Price, Jr.
Patrick Zimmerer
Dalin Winters
Jason Fearneyhough, Director
Frank, Galey, UW Dean of the College of Ag and Natural Resources

Absent: Bridget Williams

Called to order by Vice President Shaun Sims
Introductions were made.

Election of President

Jim Price, Jr. made a motion to elect Shaun Sims as the President. The motion was seconded by Patrick Zimmerer. All voted in favor. Motion carried. Jim Price made a motion to cast a unanimous ballot. The motion was seconded by Jim Hodder. All voted in favor. Motion carried.

Approval of Minutes

John Hansen made a motion to approve the February 15 and 16, 2011 minutes. The motion was seconded by Patrick Zimmerer. All voted in favor. Motion carried.

Rangeland Health Overview

Leanne Stevenson handed out the background information, the RFP, the funding review committee criteria, and copies of the six proposals for the members to review overnight so they are prepared to vote on the applications tomorrow.

WY NPDES Program

Hank Uhden gave an overview of the Wyoming NPDES process. DEQ is the agency doing the permitting. The national permit is for pesticide application on a reservation. There are two types of permits through DEQ. They are major and minor permits. A minor permit can be downloaded via the internet and the major permit has more extensive requirements and cannot be acquired through the internet.

Hank explained the changes made regarding inspections of scales. The season inspections changed to a calendar year inspection. The Federal Law change but they never notified states. When the new rule was discovered, the states sent letters of concern because the new rule would affect several scale

owners dramatically. Packers and Stockyards have authority over stockyard and sales. The seasonal scale requirement changed from approximate to every regarding the six-month scale. PMS has since then revised the rules to all 6-month review so as to not affect as many scale owners. This would not require inspection every 6-month by calendar year.

Weights and Measures Lab

Hank talked to the board about the new laboratory to be built in Cheyenne. The new lab will be build to allow for full accreditation which means it will exceed or be equal to federal standards. The construction should be complete in February, 2012.

ADMB Funding

Bryce Reece gave the board some information about the history of predator control in this state. The control is private funding (individual ranchers), predatory districts, the ADMB and US Fish & Wildlife Service (USFWS). USFWS spends approximately 2.1 million per year in Wyoming. An additional \$245,000 was allocated through congress to help USWS take care of the problems that came with dealing with the wolves. When congress eliminated all earmarks, that essentially reduced the Wyoming USFWS budget by the \$245,000. Several programs were funded with earmarks and the loss of those is now is quite devastating to predator control.

The importance of the USFWS program is tremendous in Wyoming. He thinks the program is more value than the money itself. He said they are going to ask for additional funding in the next biennium to help the local district have better control over the additional needs, with the cuts to USFWS.

Short-term funding is for USFWS is to find \$100,000 of the \$250,000 but Bryce is hopeful there are some boards that have funds that can help cover more of the costs.

Eagle depredation in Wyoming by the golden eagle, which is protected by the Eagle Protection Act, is having an effect on livestock. There is a provision in the act that allows for taking of the eagle if there is predation to livestock. None have been taken to date. The take and kill permit is issued by Fish and Wildlife. FWS asked USFWS to issue the take permits, but they choose not to take that on. A Governor may declare a depredation area and the Secretary of the Interior shall issue the permit. Wyoming Wool Growers Association (WWGA) has asked our Governor to exercise that provision of the act. The Governor has decided not to pursue that option this year. Bryce said WWGA is back at the table to discuss the issue again with USFWS. When they talk about the taking of eagles, that does not mean kill them; they could go to falconers or to Indian tribes.

ADMB Funding

Kent Drake gave some background on the predatory districts and the ADMB funding for those districts.

Cindy G-W visited with the board regarding some of the programs the WBC/Agribusiness Division.

Todd Ballard took a few moments to visit with the board about the surveys they do.

April 12, 2011

Wild Horses

Jason said he attended the Wild Horse and Burro meeting in Arizona last month. He said they have gathers every so often and Wyoming has a consent decree that BLM has agreed to up to this point. They have worked with us very hard and the adoption program is not as successful today because of the downturn of the horse market. The wild herds reproduce is at 20% per year and there are over 75,000 horses, nationwide.

Ken Salazar announced at the meeting they are going to basically stop doing business that way. They are going to reduce the number of gathers by 25% and start using birth control and keep the horses on the range. Jason is nervous about the application of the drug to the horses on the Wyoming range. The BLM is scheduled to adopt out 4,400 in the next year and Salazar thinks they can do it. BLM said there will be no gathers this summer which is in violation of the consent decree. The State and Rock Springs Grazing District is concerned with no gathers. Several groups sent letters to Washington, but there has been no response to date. An additional 6,500 horses will be left on the range this summer.

Willie Nelson and Cheryl Crow are involved in the wild horses and are going to air a documentary at a film festival in Montana this summer showing the poor treatment of the horses. During gathers last summer there was a loss of 3 horses and that will probably be the focus of the documentary. Granted it is cheaper to keep the horses on the range than in holding facilities, but the destruction of the range is not been taken into account. Another concern is that if there is resource damage and can be proven, they will do something, but the resource is already damaged.

The Consent Decree will expire in 2013. Rock Springs Grazing District is filing suit and if they win, it will take the financial resources all to that area and hurt surrounding areas.

Jason would like to find a way to get in touch with the celebrities that are buying up the scenic areas of the west and help educate them on the other side of the story. When the count is done, BLM is supposed to reduce the herd down to the low end of the AMLs, but they only count within the Herd Management Area (HMA). There are always additional horses outside of the HMA.

Board Policies

Muff reviewed the changes requested at the February, 2011 board meeting. Jim Price made a motion to accept the Board Policies as presented. The motion was seconded by John Hansen. All voted in favor. Motion to adopt the changes passed.

Jim Price made a motion to adopt the changes to the strategic plan for 2011. The motion was seconded by Dalin Winters. All voted in favor. Motion carried.

Specialty Crops

Ted Craig was on hand to talk about the Specialty Crop Program status. He said it looks like \$205,000 is the amount for this year and it looks like the program will miss the cuts for next year. He said the Farmer's Markets are up from last year and demand for this type of agriculture has increased substantially. Ted feels we should take a more advanced approach to using Wyoming meats and vegetables to put in our schools and make them available to our people. 35% is the amount projected

to increase for groceries this year. Penn State did a study that you can increase production by 30% in a hoop house as per a normal field.

Media

Derek Grant said he is going to help the BOA get their story out there more. He said the members are as credible as any other representative of agriculture. He said he is willing to help the board use any of the media outlets he has to help them promote agriculture. He suggested a follow-up press release after a meeting. He can raise awareness of the BOA on website, twitter, facebook, etc. He said we can do more pictures as well as interviews of members. He receives several requests for interviews and would like to have some of them do those interviews. He told them if they are approached by media, get deadline info, topic, focus, etc. and call them back after they have a chance to gather the necessary information. He said he is willing to coach the members on being ready for the interview. He's also willing to set up some media training at a future meeting. Dr. Galey said that was a great suggestion. He talked some about the media climate and the reduction of dollars to be able to get messages out there. Some suggested ideas or topics from the members are : put a face on the BOA – make them more accessible to the producers in the state; increase their comfort level with the media; education to the public of the purpose of the BOA; getting to know the members; press releases on the opinion of the BOA on various issues. Derek will be contacting each member to get some background and get a press release out with their contact information. He hopes to get this done prior to the next meeting. He would also like to use the information to update the WDA website. Shaun would like to see the BOA have its own letterhead. Derek is going to be trying to put some type of logo together by next meeting and asked for suggestions from members. Shaun and John said they, too would be coming up with a sample. Jim Hodder suggested doing some spotlight articles on various aspects of agriculture in the state.

Natural Resources & Policy Division

Leanne introduced the Cheyenne staff. She handed out the rules and the application for the Rangeland Health Grants and discussed the background of the program. She answered any questions from the members. State Lands have not signed off on the proposals that involve state lands because of the short turn around. They are waiting for some minor changes to be made to the MOU, but it should be signed soon so the money can be used on the approved projects.

Leanne talked about the packet she handed out yesterday which included the criteria sheet and the process they used for making the recommendations to Jason and the spreadsheet of the applications showing the amount requested and finally recommended.

Jim Cochran spoke to the board about the project proposed by the Laramie County Conservation District.

Randy Williams explained the two applications for Teton County Conservation District.

Dallen from Teton County CD gave an overview of the application on the Snake River and Hoback River that has been recommended for funding.

Tim Morrison talked about the Little Snake River CD application. Tim explained that he will get the documents signed by the permittees.

Shaun reiterated to each presenter that the BOA would be deliberating in the afternoon and would be letting each of them know the final decision.

Jim Price feels it is our responsibility to help the applicants make the changes necessary to get them approved. Leanne said the committee felt they needed to stay within the guidelines. The found it difficult to score them based on the criteria sheet.

Dalin made a motion to approve the grant applications for Teton – Gros Ventre, Hoback Snake River and Laramie County. John Hansen seconded the motion. All voted in favor. Motion carried.

Discussion continued on the other three applications that were not recommended for funding.

Jim Hodder made a motion to deny the Teton County Leeks application. The motion was seconded by Jim Price. All voted in favor of the denial. Motion carried.

Regarding the UW Big Horn Extension, Dalin felt it was a good application, but just incomplete. Shaun asked for ideas from the members. Jason talked in favor of that possibility and asked the board to allow Ms. Frank to talk.

Bobbie said she feels the Leek one that was denied by the BOA was a good decision because it was outside of the parameters of the project needs.

She said the Big Horn Basin application signed by permittees and she recommended funding it with the caveat they meet the missing requirements.

She suggested having the agencies sign off on a single page that they are participating in the project rather than the need to sign off on everything the project group methodology, etc. Jason feels those agencies need to approve the methodology to be used in the project. Bobbie thinks the applications were more specific to the goals and methodology used rather than more general approach. She also suggested providing the Little Snake River CD with the AG's opinion on divulging information on private property. She feels both Big Horn and Little Snake River need to be looked at again by the Board for approval.

Frank Galey suggested communicating to Tim Morrison on the possibility of not being able to apply for smaller projects at a later date. Leanne said all applicants were given the opportunity to correct deficiencies prior to the committee meeting. Leanne said that if Tim had known more about the RFP, he would have broken his application down into three projects. Leanne is willing to help LSR CD with the application.

Jim Price made a motion to approve the Big Horn application if they can correct deficiencies by the 15th of May. The motion was seconded by John Hansen. All voted in favor. Motion carried.

Leanne said she understands Tim is prepared to break the original project down into three projects for his proposal for Little Snake River. Leanne suggested he modify the landowner map to meet the project needs and all signatures of permittees per project goals. **Dalin made a motion to conditionally approval of this project to be reassessed by them in the amount of \$20,000 and allow them until May 15th, 2011 to make the modifications necessary to meet the deficiencies and application parameters. The motion was seconded by Jim Hodder. All voted in favor. Motion carried.**

Bobbie expressed some concern regarding the scoring on the criteria scoring sheet and talked of the need for the LSR project to be separated into three areas.

Ag and Natural Resource Mediation Program

Lucy Pauley gave a brief background to the Ag and Natural Resource Mediation Program. Last year they had 18 cases and this year should be close to that number. They mediate FSA disputes, neighbor to neighbor disputes and ag family disputes. The Forest Service permittee mediation is probably their biggest number of mediations.

Another component of the program is education and training new mediators, which includes webinars.

They have done a program and manual for estate planning. They have also distributed about 500 copies of the manual and are continuing to update the manual and will follow up this fall noting the additions to the program.

Michelle MacDonald reviewed her responsibilities on the policy portion of her job. She asked if the members would be interested in receiving a report every month. They said they would be interested. She said they would also still be receiving comments the division makes. She reminded the board they could go to the web page to see the comments the division has made including some that are archived.

Chris Wichmann said they review all federal documents and he handed out a listing of the focus areas he is responsible for. He said all EIS's are on hold due to air quality. Once air quality is figured out, the projects will continue. Seekskadee will be commented on as soon as it is reviewed by Jason. There is no set time for the finalization of Seekskadee, although there are rumors out there of it ending soon. He said they are in agreement of BLM continuing to manage the lands and not USFWS. Chris said he also covers wind projects including transmission lines. All permit renewals is another issue they deal with.

Jessica explained the areas which she covers. Several projects she is working on are long-term.

Justin explained he works with the Game and Fish, USFWS, NRCS Conservation Districts, etc. He does represent the WDA on CCAAs to represent ranch lands on those CCAAs. He said the fliers on CCAAs are sent to BOA. He also is working on the multi-state initiative to increase black-tailed populations and black footed ferrets. The WDA comments include the transfer of funding to where wildlife is their primary focus. He said the USFWS needs to stick to the initial numbers.

Bobbie explained the summary of Conservation District State Funding in-depth.

The members heard discussion of the amendment/extension process of the Water Quality funding. The WACD board approved the document in July 2008, but the Board of Agriculture had never received and reviewed the document. Bobbie believes the interpretation of the document is that 15% or less can be moved only one time, but does not limit the amendment process to just one time. Justin thinks the document means the amount (15%) of amendments can only be one. Bobbie and Justin brought it before the BOA because they cannot find in the minutes where the BOA has ever had an opportunity to review the policy and they each would like the BOA to clarify the interpretation of the amendment process of the 15% as to the number of times they can do this internal adjustment. Bobbie said when WACD reviewed and approved the document, they did not intend the formal amendments be limited to one, which is the process WDA has been doing. They both would like the BOA to clarify the intent.

Patrick moved that the BOA intent mirror the WACD board for 1 c. The BOA intent specifically to 1 c be a one-time only adjustment of 15% or more of the total project amount that can be moved from one objective to another, but does not limit the number of amendments to the project total. The motion was seconded by Jim Price. All voted in favor. Motion carried.

BLM Update

Marty Griffith said funding for the Wild Lands may not be there. The Board wanted to know if Wild Land designation is implemented, what the impacts to oil and gas development, recreation opportunities, and grazing would be. Sherry Roché said it will not have any impact on grazing because those renewals will be exempt from review on wild lands if there are no changes to the resource. If there are infrastructure impacts, there will be a review at that time. The designation of Wild Lands will be through public input. If there are no wilderness characteristics, they will not be added to wild lands. If there are, they will look at compatible use. She said there can be changes made to those Wild Land designations. Those are the three criteria for looking at the lands for Wild Lands designation are; 5,000 acres or larger or contiguous to wilderness study, no infrastructure, and solitude. BLM would then review their process for Wild Lands management. Compatible use seems to be the key to the continuance of current usage of BLM lands if they are designated Wild Lands.

When asked by Jim Price as to whether BLM will be in violation of the consent decree in there are not wild horse gathers this summer, Jennie said it would be up to the courts. She said it's up to Congress to set the budget. Marty said they are preparing to do gathers in anticipation of maybe getting funding after all. There are 44,000 horses in holding facilities at a very large cost. Jeannine Lesieutre said they are looking at eco-sanctuaries and private facilities for holding. Adoptions are the quickest and easiest ways to take care of the horses presently in holding facilities. The research of using fertility control will take about 5 years. They are looking at additional types of chemicals to be used as well as some gelding applications. Anything that BLM holds has been gelded.

Marty said that on the 29th of April there will be a sale of wild horses at Tom Hersig's place.

VP Elections

Jim Price nominated John Hansen. The nomination was seconded by Jim Hodder. Dalin nominate Jim Price. The nomination was seconded by Bryan Brost. Jim Price withdrew his name. Bryan Brost moved all nominations cease. It was seconded by Alison Lass. All voted for John Hansen as Vice President. Motion carried.

Liaison Positions

Shaun would like to see one as the primary and a secondary appointment in order to ensure attendance at all liaison appointed meetings. See attached for the changes for 2011.

G&F Commission/BOA ad hoc meeting

Shaun and John presented the draft proposal for incentives to producers for allowing the public on their property for hunting and fishing. They will add a description of where the monies are coming from to fund this program. Shaun is hopeful of sending out a joint press release following the joint G&F/BOA meeting in September. Shaun and John asked the members to review and make clarification or changes as soon as possible. It is thought the license is for any big game which Shaun thinks will bring in \$5,000 to \$7,000. **Jim Hodder made a motion to accept the draft as presented. The motion was seconded by DalinWinters. All voted in favor. Motion carried.**

Public comment

There was none

Adjourned. There being no additional business, the meeting was adjourned.

Respectfully submitted,

Shaun Sims, President

Date

Attachments:

- Attendee list
- Liaison Positions for 2011
- Rangeland Health Applications
- Water Quality Grant Criteria for amendments and Extensions