



**SIERRA COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. 110-239**

**RESOLUTION REQUESTING REVISION TO USDA WILDLIFE SERVICES EVIDENTIARY
STANDARDS TO CONSIDER ALL REASONABLE EVIDENCE IN CONDUCTING
MEXICO WOLF DEPREDAATION INVESTIGATIONS**

WHEREAS, the Sierra County Commission met upon notice of a duly noticed regular County Commission Meeting on April 16, 2024, at 10:00 A.M. in the Sierra County Administration Building, 1712 N. Date Street, Truth or Consequences, NM 87901; and,

WHEREAS, pursuant to NMSA 1978 Section 4-38-1 (1884) the powers of a county as a body politic and corporate shall be exercised by a board of county commissioners; and,

WHEREAS, Section 4-37-1 et seq. NMSA 1978 provides that counties may adopt those resolutions and ordinances, not inconsistent with statutory or constitutional limitations placed on counties, to discharge those powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the county and its inhabitants; and,

WHEREAS, as reflected by its participation as a founding member of the County Livestock Loss Authority, this Board demonstrated its commitment to continuing to explore ways in which to ensure that livestock producers are fully compensated for all additional costs associated with the management of livestock as a result of the implementation of the Mexican Wolf Recovery Program; and,

WHEREAS, the United States Department of Agriculture Wildlife Services (USDA WS) applies inconsistent standards throughout the United States to confirm wolf depredations, ranging from requiring "reasonable physical evidence that the animal was actually attacked and/or killed by a wolf" in Montana to requiring "clear evidence" that wolves are responsible for the depredation or injury, such as a carcass and associated hemorrhaging in Wisconsin; and,

WHEREAS, despite this Board's and the CLLA's extensive efforts and success in securing supplemental funding to ensure that producers are fully compensated for both direct and indirect losses resulting from the implementation of the Wolf Recovery program, the USDA WS has adopted evidentiary standards for New Mexico producers that not only deviate from those adopted

for other Western states, but that may also dramatically impacted livestock producers ability to secure compensation for depredations resulting from the Mexican wolves; and,

WHEREAS, pursuant to these new evidentiary standards, the USDA WS now requires physical evidence that leaves little doubt that large livestock was killed by Mexican wolves, and permits confirmation of a wolf depredation only upon observing and documenting subcutaneous hemorrhaging and tissue damage indicating that livestock was attacked and bitten while it was alive for New Mexico producers; and,

WHEREAS, the USDA WS new evidentiary standards for New Mexico makes plain that bite marks or punctures of appropriate tooth spacing for Mexican wolves, feeding patterns on the carcass align with established wolf patterns, wolf tracks that correlate to the time of death, wolf scat, blood stains, and damaged vegetation at the scene are no longer sufficient in isolation or in conjunction with other such evidence to confirm a Mexican wolf depredation in New Mexico; and,

WHEREAS, unlike the Idaho and Montana standards that permit for consideration of all relevant evidence, these new evidentiary standards that were adopted by the USDA WS without notice and an opportunity to be heard fail to account for the regional differences in ranching in New Mexico, running cows on vast, unlevel expanses, that the vast majority of carcasses are rarely found within a period of time as would permit for inspection of subcutaneous hemorrhaging, and that many wolf kills occur when calves are just hours old and no evidence is left of the depredation; and

WHEREAS, the revised standards frustrate the efforts of both this Board, and that of the CLLA, to reduce wolf/livestock conflicts by presenting a new obstacle to making full and complete compensation to producers who have been impacted by the reintroduction of the Mexican Wolf; and,

WHEREAS, this Board supports revisions to the USDA WS evidentiary standards to examine all available evidence before rendering a determination as to whether a depredation resulted from a Mexican Wolf.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sierra County that it requests that the USDA WS revise the evidentiary standards to require investigators consider all available physical evidence to determine whether the damage was more likely than not caused by a Mexican wolf.

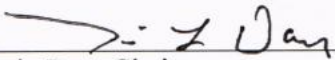
NOW, THEREFORE, BE IT FURTHER RESOLVED by the Board of County Commissioners of Sierra County that it requests that the USDA WS further revise the evidentiary standards to remove the requirement that there be evidence of subcutaneous hemorrhaging and tissue damage indicating that livestock was attacked and bitten while it was alive as a condition of confirming a depredation.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Board of County Commissioners of the County of Sierra that a copy of this resolution be directed to the Director of the APHIS Wildlife Services, Western Region, Jon Grant, the New Mexico Director of USDA-APHIS, and Wendy Anderson, USDA Regional Director, and that it calls on Mr. Grant to engage the County,

the CLLA, and all other stakeholders in further discussions about adopting evidentiary standards that differentiate standards for the purposes of making compensation and those for the purposes of wolf management.

APPROVED, ADOPTED, AND PASSED on this 16th day of April, 2024.

**BOARD OF COUNTY COMMISSIONERS
OF SIERRA COUNTY**



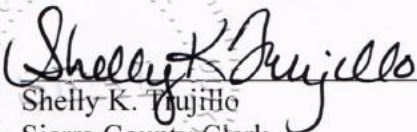
Travis Day, Chair



James Paxon, Vice-Chair

Hank Hopkins, Commissioner

Attest:



Shelly K. Fujillo
Sierra County Clerk

