



Mendocino County Farm Bureau

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Affiliated with the California Farm Bureau Federation and the American Farm Bureau Federation

July 13, 2020

Via Email: bos@mendocinocounty.org

Mendocino County Board of Supervisors
501 Low Gap Road, Room 1010
Ukiah, CA 95482

RE: Agenda Item 5H: Discussion and Possible Action to Adopt Resolution Approving and Authorizing the Execution of a Cooperative Agreement and a Work and Financial Plan with the United States Department of Agriculture, Animal and Plant Health Inspection Services, Wildlife Services, for the Mendocino County Integrated Wildlife Damage Management Program

Dear Chair Haschak and Supervisors,

The Mendocino County Farm Bureau (MCFB) is a non-governmental, non-profit, voluntary membership, advocacy group whose purpose is to protect and promote agricultural interests throughout the county and to find solutions to the problems facing agricultural businesses and the rural community. MCFB would like to submit comments in support of the approval of agenda item 5H for the 5 year service agreement with the USDA APHIS Wildlife Services (USDA APHIS WS) to implement the integrated wildlife damage management (IWDM) program for Mendocino County as well as the approval of the related 2020/21 work and financial plan for the IWDM program.

MCFB supported the action taken by the Board on December 17, 2020 which approved the following actions. 1) To certify the final EIR and related findings per CEQA requirements for the Integrated Wildlife Damage Management program. 2) To adopt an Integrated Wildlife Damage Management program including the authorization for the agricultural commissioner to bring back a cooperative service agreement with Wildlife Services at a later date.

Agenda item 5H for the July 14, 2020 agenda is the related action item connected to the approval of the IWDM EIR on December 17, 2019. MCFB supports the approval of agenda item 5H for the 5 year service agreement with the USDA APHIS Wildlife Services (USDA APHIS WS) to implement the integrated wildlife damage management (IWDM) program for Mendocino County as well as the approval of the related 2020/21 work and financial plan for the IWDM program.

Cooperative Services Agreement Comments

Article 3 (c): Cooperate with the California Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, county, city governments and other entities to ensure compliance with Federal, State and local laws and regulations.

Often USDA APHIS WS are called in to partner with other agencies such as the California Department of Fish and Wildlife to assist with depredation permits, public health issues, to identify the species in question and appropriately track the offending animal.

The partnership with other agencies and governments is integrated with the agreement. This is important for the county to understand as the USDA APHIS WS staff are willing to continue this process.

Article 5 (b): The performance of IWDM actions by USDA-APHIS-WS under this agreement is contingent upon a determination by USDA-APHIS-WS that such actions are in compliance with the National Environmental Policy Act, Endangered Species Act, and any other applicable environmental statutes. USDA-APHIS-WS will not make a final decision to conduct requested IWDM actions until it has made the determination of such compliance.

This article section reiterates the compliance with environmental statutes by USDA APHIS WS staff while implementing the IWDM program. The final EIR CEQA document for Mendocino County would be included in this list of compliance documents.

Article 5 (c): To provide qualified personnel and other resources necessary to implement the approved IWDM activities delineated in this agreement and the Financial Plan referenced in Article 3.b. of this Agreement.

- 1. Conduct all control activities with trained USDA-APHIS-WS employees and volunteers.*
- 2. Provide technical assistance which includes demonstrations on the proper use of management devices (i.e., propane exploders, exclusionary devices, cage traps, etc.) and information on animal husbandry, habitat management, and animal behavior modification that could reduce damage. Official USDA pamphlets may be used to convey this information to the public.*
- 3. Provide predator/nuisance wildlife identification and removal when livestock, crop property, natural resource damage; or wildlife displaying aggressive behavior causing factual injury to county residents is verified.*
- 4. Provide field assistance when the problem cannot effectively be resolved through technical assistance, when resource owner implemented nonlethal actions have failed, or concurrently when technical assistance is delivered. Field assistance would mostly be provided for situations that require the use of methods and techniques that are challenging or unsuitable for the public to implement on their own. Resource owners that are provided operational assistance are also encouraged to use additional management strategies and sound husbandry practices, when and where appropriate, that could potentially further reduce damage. Field activities may include but are not limited to the monitoring, trapping, dispersal, and removal of wildlife causing damage to property, livestock, crops, and natural resources.*
- 5. Procure and maintain a vehicle, tools, supplies, and other specialized equipment as deemed necessary by the State Director to accomplish the objectives identified in this agreement. All expenditures will be processed through USDA-APHIS Financial Management Modernization Initiative (FMMI) system.*
- 6. WS-CA will provide bi-annual reports to the Agricultural Commissioner, including information on technical assistance, non-lethal recommendations made, and lethal and non-lethal control actions made in the County.*
- 7. WS-CA will conduct two public outreach meetings in Mendocino County annually at the request of the County. Wildlife Specialists and the WS-CA North District Supervisor will provide instruction on ways to resolve wildlife damage on their own. The goal of this outreach is to help residents take ownership of damage on their property and reduce the need for County assistance.*

You may have heard several references to the IWDM program administered by USDA APHIS WS staff as solely focusing on assistance methods through lethal control. This is not the case as indicated in the points listed above. The USDA APHIS WS program includes both technical assistance and direct control assistance that may use non-lethal methods, lethal methods or combinations of the two methods. Table 3-6 on page 3-53 of the Draft EIR lists the summary of technical assistance actions taken between 2007-2017. Table 3-7 on page 3-54 through 3-55 of the Draft EIR lists the Mendocino County take records of species (killed, captured, dispersed, freed. Also includes data on feral/free ranging cats and dogs) between 1997-2017. The Board of Supervisors is encouraged to review these tables to look at the numbers of technical assistance methods that have been provided in comparison to the take numbers.

It is also important to understand that when direct control assistance is warranted, there has been non-factual information promoted related to the practices that are used in the IWDM program for Mendocino County. Slide 10 of the USDA APHIS WS presentation for this agenda item references the lethal methods used. There have also been comments made related to the use of conibear traps in the Mendocino County IWDM program. Conibear traps are used in the control of

species such as beaver. In the draft EIR, Table 3-7 lists all the take numbers for species in Mendocino County from 1997-2017. There is no take listed for beavers and therefore conibear traps have not had a need to be utilized. In addition, any lethal methods used by USDA APHIS WS comply with state and federal regulations, American Veterinary Medical Association (AVMA) standards and various USDA APHIS WS directives.

Points 6 and 7 above are also important to highlight as these informational reporting out outreach options can: 1) provide bi-annual updates to the county through the Agricultural Commissioner regarding the various assistance that has been provided by USDA APHIS WS for the IWDM program and 2) to provide an option to the county to request public outreach meetings for USDA APHIS WS staff to discuss ways of resolving wildlife interaction issues. The county can have additional information brought back to the Board and can request the opportunity for public outreach. MCFB encourages the consideration of these options.

ARTICLE 13 - This Agreement shall become effective on July 1, 2020 and shall continue through June 30, 2025. This agreement may be amended at any time by mutual agreement of the parties in writing. It may be terminated by either party upon 90 days written notice to the other party. Further, in the event the Cooperator does not for any reason reimburse expended funds, USDA-APHIS-WS is relieved of the obligation to continue any operations under this agreement.

MCFB supports the five-year term for the agreement to allow for consistent application of the IWDM program in the county.

Mendocino County Financial Plan Comments

As a reminder, the cost share agreement with the USDA APHIS WS allows for approximately 1/3 of the cost of the program to be covered by USDA APHIS WS and approximately 2/3 of the cost covered by the county. In addition, the County Agricultural Commissioner in the past has been able to utilize unclaimed gas tax reimbursement funds to assist in offsetting expenses to various programs including the IWDM program.

Prior to the litigation related to the county IWDM program, Mendocino County was applying a fee schedule through the Department of Agriculture for services provided by USDA APHIS WS staff for IWDM implementation. These fees were reasonable for individual service calls or longer-term agreements (by month or annually) for larger ranches. The county can continue to work with the Agricultural Department to streamline the process for collecting fees for the services provided by USDA APHIS WS staff in implementing the IWDM. Several other counties administer a fee for WS programs and there may be a template to replicate.

Comments related to concerns of taxpayer dollars being used for a county administered IWDM program seem specific to counties with service agreements with USDA APHIS WS. County programs without service agreements with USDA APHIS WS may expense a higher amount of taxpayer dollars for a more limited IWDM program. An adjoining county that employs 1.5 staff to implement a county operated lethal/non-lethal IWDM program (limited only to predator/livestock related responses, no urban or public health responses) expenses close to \$200,000 to cover the cost of salary and benefits. Additional equipment, training and liability insurance costs are not included in this figure.

Response to General Themes in Correspondence Related to the USDA APHIS WS Program

Marin County Program

Since the Marin County livestock protection program is often cited as an alternative for a USDA APHIS WS administered IWDM program, MCFB felt it was worth reiterating the following information.

- On P.3-3 of the draft EIR, the project location and description states that, “Mendocino County is generally located along the California’s west coast and contains 2,246,000 acres, or 3,510 square miles, and is the 15th

largest county in California in terms of land area. About one-fifth of the land in Mendocino County is in public ownership, controlled by a variety of federal, state and local government agencies. The rest of the land in the County (almost 80%) is in private ownership; about three-fourths of all privately held land is committed to long-term agricultural or timber uses.”

By contrast, Marin County has a land area of only 520 square miles¹ and is the 4th smallest county in California. This is roughly 15% of the land area of Mendocino County.

- The Marin program focuses on livestock protection and negates the other components of an IWDM program such as public health, property damage or urban wildlife issues.

In the 2018 Marin County Crop Report² it is stated, “Over the past year, we estimate 17 ranchers will have participated in the Livestock Protection cost-share program to help build and repair fences, purchase and support protection animals, and use scare devices to protect animals from predators. Protected animals include sheep, poultry, goats, cattle, buffalo, and alpaca. The total funds expected to be expended to support our ranching community from July 2018 to June 2019 is \$35,000.”

In 2017³ (last full year of data), the APHIS WS-CA IWDM program assisted 380 individuals in Mendocino County with 207 consultations on 20 species of wildlife.

County Resident Driven vs. Non- Resident Driven

As referenced in comment letters submitted to the Board, there had been a recent petition related to ending the counties cooperative service agreement with USDA APHIS WS. As of mid-day, on July 13th, there were approximately 1446 individuals that signed onto the petition. Those that signed the petition were from other states as far away as Hawaii and Michigan, other countries such as Poland, Finland and Croatia and others were from California. It could not be determined how many of the California signatories were from Mendocino County.

As the Board of Supervisors reviews the comments for agenda item 5H, MCFB asks that consideration be prioritized for comments received by those who would be directly impacted by a decision related to the future implementation of the reinstatement of the service agreement with USDA APHIS WS and the related IWDM program in the county.

To reiterate, MCFB encourages the approval of agenda item 5H for the 5 year service agreement with the USDA APHIS Wildlife Services (USDA APHIS WS) to implement the integrated wildlife damage management (IWDM) program for Mendocino County as well as the approval of the related 2020/21 work and financial plan for the IWDM program. If there are any questions, please feel free to contact us.

Sincerely,



George Hollister
President, MCFB

¹ <https://www.census.gov/quickfacts/marincountycalifornia>

² <https://www.marincounty.org/-/media/files/departments/ag/crop-reports/2018.pdf?la=en>

³ 01/01/2017-12/31/2017 TA/Outreach by species summary provided by APHIS WS-CA