

## **R657. Natural Resources, Wildlife Resources.**

### **R657-24. Compensation for Mountain Lion, Bear, Wolf or Eagle Damage.**

#### **R657-24-1. Purpose and Authority.**

Under authority of Section 23-24-1, this rule provides the procedures, standards, requirements and limits for obtaining compensation for damages to livestock by mountain lion, black bear, wolf or an eagle.

#### **R657-24-2. Definitions.**

- (1) Terms used in this rule are defined in Sections 23-13-2 and 23-24-1(1).
- (2) In addition:
  - (a) "Black bear" means *Ursus americanus*.
  - (b) "Fair market value" means the average commercial livestock prices from July 1 through June 30, as determined by the Utah Livestock and Auction Reporting Service.
  - (c) "Injury" means an act by a mountain lion or bear that results in the death of livestock within 30 days of the act or a permanent injury to livestock.
  - (d) "Livestock" means cattle, sheep, goats, or turkeys.
  - (e) "Mountain lion" means *Felis concolor*.
  - (f) "Eagle" means *Haliaeetus leucocephalus* (bald eagle) and *Aquila chrysaetos* (golden eagle).
  - (g) "Wolf" means *Canis lupus*

#### **R657-24-3. Notification of Damage -- Payment of Damage Claims.**

(1) When livestock are damaged by a mountain lion, bear, wolf or an eagle, the owner may receive compensation in accordance with Section 23-24-1(2).

(2)(a) Notification must be ~~[made in writing]~~given to ~~[one of the regional division offices]~~the Division within ~~[four working]~~4 days of ~~[-discovering]~~ the damage. ~~[-A Proof of Loss form must then be submitted within 30 days after the original notification.]~~

(b) Notification may be made orally to expedite field investigations, but it must be followed ~~[in writing]~~with a draft (unsigned) Livestock Damage Proof of Loss form within ~~[four working days after the damage is discovered. -A]~~14 days of the conclusion of the field investigation.

(c) Final signed copies of the Livestock Damage Proof of Loss form must ~~[then be submitted within 30 days after the original written notification. -----]~~ be submitted to the mammals program coordinator by June 1 except for damage that occurs between May 15 and June 30 for which the final signed copy of the Livestock Damage Proof of Loss form must be received by June 30.

(3)(a) Claims for damage payments received from July 1 through June 30 are assessed and accepted or denied based on information reported on the ~~[livestock damage]~~Livestock Damage Proof of Loss form.

(b) Claims accepted for damage payments are held until all damage claims for the July 1 through June 30 period have been collected.

(c) If the total amount of the damage claims exceed the appropriated funds for this purpose, damage payments will be prorated for all eligible claims.

(d) Payments for eagle damage claims shall not be made until all accepted mountain lion~~[-and]~~, bear and wolf claims for a fiscal year have first been paid.

(e) Payments for wolf damage claims will only be made for damage that occurs in areas of the state where wolves are removed from the protection of the Endangered Species Act.

(4)(a) Damage payments will be paid only for confirmed losses and only to livestock producers who have paid the required head tax in accordance with Section 23-24-1(2).

(b) Verification of the payment of head tax will be acquired from the Utah Department of Agriculture.

(5)(a) The division or [~~animal damage control~~]USDA-APHIS Wildlife Services specialists will document on approved [~~livestock damage~~]Livestock Damage Proof of Loss forms the type and magnitude of livestock losses experienced by livestock producers.

(b) Where agreement with the type or magnitude of losses is not achieved by [~~animal damage control~~]a USDA-APHIS Wildlife Services specialists, a division representative shall follow up with an additional field investigation to assess damage claims.

**KEY:** wildlife, damage, livestock

**Date of Enactment or Last Substantive Amendment:** March 6, 2006

**Notice of Continuation:** October 7, 2005

**Authorizing, and Implemented or Interpreted Law:** 23-24-1; 4-23-7

Proposal