Chris Taggart

From: bjhoy@localnet.com
Sent: Monday, September 9, 2019 1:24 PM
To: Ravalli County Commissioners Office
Cc: bjhoy@localnet.com
Subject: Inconsistent statements by MDFWP personnel
Attachments: July and August 2019 Emails between J.Hoy and MDFWP.pdf

Dear Ravalli County Board of Health,

As you know, last March, the researchers at the University of South Dakota published their study, paid for by the SD Fish and Game Department. It was published in Nature and reported that the insecticide, Imidacloprid, caused the birth defects our first two studies done here in RC reported in addition to causing mortality to both the fawns and the adult does. The SD biologists/researchers called the birth defects we reported birth defects as they are, but the MDFWP has often told people that the congenital conditions we reported in our studies are just "normal variations."

I wanted to know what MDFWP was saying since the SD study regarding this discrepancy, so I called Karen Speeg at the MDFWP Helena Office and asked her to have one of the biologists answer a simple yes or no question. Karen didn?t write it down quite like I said it, so what she forwarded wasn?t a yes or no question. Attached is the PDF of the email exchange I had with Karen and the Helena biologists to whom she sent my question. Actually one biologist replied, but the emails were also sent to two others. The person, John Vore, that emailed me concerning the question never answered the question. He was also the biologist for Ravalli County about 15 or so years ago. At that time, I invited him to our house to look at cleaned skulls of animals with underbite, photos of animals, including birds, wild mammals and domestic mammals, with underbite and dried genital skin from male ruminants with reproductive malformations. He told me later at a meeting that we both attended at Lee Metcalf National Wildlife Refuge, that he considered everything I showed him to be a "normal variation." How ironic is it that he was the one chosen to answer my question.

Later, I sent the actual yes or no question to the three biologists so it could be answered with a yes or no, but none of them answered the question at all. The attached PDF is the emails that I sent and that John Vore sent to me. What is most important is what he told me regarding what the research biologists document and what a research biologist told Joan Melcher for an article Joan wrote in 2017. Joan was told the same about the Bitterroot elk study as I was told by all the elk, bighorn sheep, antelope, mountain goat and mule deer researchers I contacted. They all said that looking for and documenting birth defects was not part of the protocol of their study.
Obviously, someone is not being truthful. Are the research biologists actually looking for and documenting the birth defects like John states they are supposed to do? Or are they not looking for the birth defects and documenting them as Kelly Proffitt and other research biologists have stated?

In order to see an underbite, you have to lift the lips of the grazing animal while the mouth is closed and check to see whether the lower incisors contact the dental pad. To see if a male ruminant has no scrotum, half a scrotum, horizontal ectopic testes or misaligned bursa (hemiscrota), the hind leg has to be lifted and the genitalia at least looked at. I also asked biologists and others who worked at check stations. They said they just open the mouth and remove a tooth for aging. They said they never hold the mouth closed and check to determine if the lower incisors contact the dental pad.

Also, I know of citizens of RC who showed the RC biologist and Missoula County biologist deer with birth defects. The biologists never reported those animals (birth defects) to the people in Helena. At least, the Helena personnel consistently states that no biologists have reported birth defects to them, which I know is not true.

I have attached the PDF of the emails so you can see the inconsistent statements by MDFWP personnel for yourselves. Also, I would like for the Ravalli County Board of Health to answer the simple yes or no question below with a yes or a

no. I have asked wildlife biologists who don't work for MDFWP and they just immediately answered with a no, of course not. No mumbo jumbo double talk like John Vore sent to me.

The question is:

Is it biologically possible for a congenital condition to be considered a birth defect by biologists in SD and a normal variation by biologists in Montana?

Please send me the yes or no answer from the BOH, and please don't make me have to ask a whole lot of times, like the MDFWP did.

Sincerely,
Judy Hoy

EMAILS BETWEEN THE MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS PEOPLE IN THEIR HELENA, MT OFFICE AND JUDY HOY

I called Karen Speeg at the MDFWP Helena Office and asked her to have one of the biologists answer a simple yes or no question. Karen didn't write it down quite like I said it, so what she forwarded wasn't a yes or no question. This is the email exchange I had with Karen and the Helena biologists, actually one biologist, but the emails were also sent to two others. The one that emailed me concerning the question never answered the question. He was also the biologist for Ravalli County about 15 or so years ago and I invited him to our house to look at cleaned skulls with underbite, photos of animals with underbite and dried genital skin from male deer with reproductive malformations. He told me later at a meeting that we both attended at our local Wildlife Refuge, that he considered everything I showed him to be a normal variation. How ironic is it that he was the one chosen to answer my question. I finally got the yes or no question sent to the three biologists so it could be answered with a yes or no, but none of the three people that Karen sent the original request to answered the question with a yes or no.

From: Speeg, Karen **Sent:** Monday, July 15, 2019 4:39 PM **To:** Gude, Justin <Jgude@mt.gov>; Kujala, Quentin <qkujala@mt.gov>; Vore, John <jvore@mt.gov> **Subject:** Judy Hoy

Hello,

Ms. Hoy called today and wanted a biologist to answer the question, "Why does South Dakota consider deer to have birth defects while Montana claims it is a normal variation." (paraphrasing) This is in regard to their reproductive malformation and underdeveloped facial bones.

See her webpage: https://judyhoy.com/. An article about the SD study was sent to you recently, but it is under "pdf's to download".

Who might be able to email her a response? Here is her email: bjhoy@localnet.com.

Thank you,
Karen Speeg
Administrative Support Supervisor
Wildlife Division
Montana Fish, Wildlife & Parks

P.O. Box 200701
Helena, MT 59620-0701
Ph: (406) 444-2612
fwp.mt.gov

From: "Vore, John" <jvore@mt.gov>
Subject: RE: Judy Hoy
Date: July 18, 2019 at 8:46:41 AM MDT
To: "bjhoy@localnet.com" <bjhoy@localnet.com>
Cc: "Speeg, Karen" <KSpeeg@mt.gov>, "Gude, Justin" <Jgude@mt.gov>, "Kujala, Quentin" <qkujala@mt.gov>

Hi Judy,

Regarding your question about reproductive malformations and underdeveloped facial bones in deer and elk, our staff have not seen the malformations, and certainly not at the prevalence you report in your 2011 paper which was recently cited in the South Dakota study of 67% of deer with genital abnormalities and 70% with underbite. Each year in southwest Montana, including the Bitterroot Valley, FWP staff physically handle many hundreds, perhaps thousands, of white-tailed and mule deer and elk at hunter check stations, and specifically look in the mouth to age the vast majority of these animals by inspecting their teeth. Even though staff is asked to note any abnormalities like underbite, I am not aware of any reports of such. Moreover, in recent years we have live-captured hundreds of adult and calf elk and mule deer around the state. All these animals are given a full inspection and health evaluation where we have the opportunity to observe reproductive abnormalities.

Specifically in the southern Bitterroot Valley, between 2011 and 2014 FWP staff captured 120 adult cow elk, 226 neonatal calves and 60 6-month old calves with no reports of abnormalities.

John Vore
Game Management Bureau Chief
Montana Fish, Wildlife & Parks

P.O. Box 200701
Helena, MT 59620-0701
Ph: (406) 444-3940
Montana FWP | Montana Outdoors Magazine
From: bjhoy@localnet.com
Subject: RE: Judy Hoy

This is an excerpt from an article about the birth defects on wild game animals by Joan Melcher, Missoula, MT. She apparently contacted Kelly Proffitt, who did the three year elk cow and calf elk study in the Bitterroot Valley. They eventually captured 286 elk calves. This is what Kelly said about looking for birth defects on the study animals. I guess the right hand doesn't know what the left hand is doing in the MDFWP.
The link to the results of the study as reported in the Montana Outdoors magazine is https://www.cfc.umt.edu/Files/BitterrootElk.pdf

MORE EVIDENCE LINKING PESTICIDES AND MALFORMATIONS
Additional studies suggest that common pesticides may be endocrine disruptors, bad news that nonetheless warms the heart of one citizen scientist.

JOAN MELCHER
UPDATED:
JUN 14, 2017
ORIGINAL:
APR 24, 2011

Precipitous drops in elk numbers in the West Fork of the Bitterroot Valley (more than 50 percent since 2005) has drawn the attention of the FWP, which recently started a three-year study of 44 cow elk fitted with radio collars.

The study, supported by several sportsmen's groups, will monitor the health of the elk, possible diseases, their movement patterns, pregnancy and body condition, and attacks by black bears, mountain lions and wolves. It won't, however, consider underbite. Kelly Proffitt, FWP biologist and project leader, said she couldn't comment on Hoy's suggestion to consider hormone- or thyroid-related causes. "It's not been an objective that we've defined at this point."

Date: July 19, 2019 at 3:44:45 PM MDT
To: "Vore, John" <jvore@mt.gov>
Cc: "Speeg, Karen" <KSpeeg@mt.gov>, "Gude, Justin" <Jgude@mt.gov>, "Kujala, Quentin" <qkujala@mt.gov>

Dear John, Justin, Karen and Quentin,

I am certain that I sent the data attached below to our local MDFWP biologists. I have worked with wildlife biologists who examine hunter-killed ruminants since 2006. They simply report to me the species and whether it has a normal bite, underbite or overbite. I do the math to determine percent prevalence. I know that they are very careful in their observations and I trust them to be able to tell when an animal has normal bite, underbite or overbite. As you can see by the table attached of prevalence on their reports, the underbite and overbite has decreased significantly on elk recently and somewhat on both deer species. Overbite decreased on pronghorn antelope, but underbite may be increasing. The sample group for recent antelope was not large enough to tell, but overall, the antelope appear to still be seriously affected by underbite as they were from the beginning of the birth defects in the late 1990s. This may be because they are more highly exposed to the environmental toxins that are causing this condition where they live in Eastern Montana.

Actually, a teenager is excellent at determining the condition of the bite on a ruminant. A few years ago, I worked with a high school girl on her science project which was to determine the prevalence of underbite and overbite on domestic goats. She found that 56% of the goats she examined in Western Montana,

compromising several breeds, all ages and both sexes had an underbite. She found none with an overbite. She then asked other states what the prevalence for underbite was on goats in their states and Tennessee was the only state that had a higher prevalence than Western Montana at 61%. She received several awards for her science project.

I hope to receive a yes or no answer to the question that I asked. I sent you my version yesterday, July 18. It needs only a yes or no answer, so it shouldn't take you all very long to send me an answer. If you say no to my question, you might want to tell me why you do not consider an underbite where none of the lower incisors contact the dental pad a birth defect. All local veterinarians and medical doctors I asked, considered an underbite to be a serious birth defect. A serious overbite is so obvious and strange looking on a ruminant that there seems to be no question about overbite.

Thank you again for your help on this.
Judy

Dear Karen,

I still have not received an answer to the yes and no question I sent to you and the others on July 18.

[THIS IS THE QUESTION I SENT TO THEM: "Is it biologically possible for a congenital condition to be considered a birth defect by biologists in SD and a normal variation by biologists in Montana?"]

Maybe if I ask the question in a different way someone will give me a simple answer. Please forward this email to someone who will answer my question/s. It is very important for saving Montana's wildlife to be on the same page regarding the congenital conditions that are causing population declines.

Does MDFWP consider an underbite on a wild ruminant of any species a birth defect? Yes or No

Does MDFWP consider an overbite on a wild ruminant of any species a birth defect? Yes or No

Does MDFWP consider no scrotum on a male wild ruminant of any species a birth defect? Yes or No

[NONE OF THE ABOVE QUESTIONS WERE EVER ANSWERED WITH A YES OR NO OR ACTUALLY ANSWERED AT ALL.]

If any of the answers to the above questions are No, please explain why the answer is No. Biology books, veterinary books and websites on the Internet state that these are all birth defects. MDFWP personnel have stated that they are normal variations many, many times. However, the biologists at the State University of SD said those are all birth defects. Thus, it is very confusing to have the same conditions called birth defects by independent biologists and veterinarians and research biologists in other states, and normal variations by MDFWP.

The other thing that is confusing is that adult hunter-killed animals examined by independent biologists had a fairly high prevalence of underbite, especially mule deer and pronghorn antelope, but John Vore stated in his recent email that **"Each year in southwest Montana, including the Bitterroot Valley, FWP staff physically handle many hundreds, perhaps thousands, of white-tailed and mule deer and elk at hunter check stations, and specifically look in the mouth to age the vast majority of these animals by inspecting their teeth. Even though staff is asked to note any abnormalities like underbite, I am not aware of any reports of such."**

I was told by local MDFWP biologists that the people at the check stations do not note underbite or overbite. When I checked with the lead researcher on elk, moose, mule deer, mountain goat or bighorn sheep studies, they always told me that examining the animal for underbite or overbite was not one of the protocols of the study they were doing, so they didn't look for that or record the condition of the bites.

John also said, "Specifically in the southern Bitterroot Valley, between 2011 and 2014 FWP staff captured 120 adult cow elk, 226 neonatal calves and 60 6-month old calves with no reports of abnormalities." The data on hunter-killed mostly male elk from 2012 to 2015 provided to me by independent biologists showed 30% of 47 elk examined had an underbite. If the 286 elk calves between 2011 and 2014 had a 30% prevalence similar to the adults, at least 86 of the calves examined would have had an underbite. Please explain to me how the adults have an underbite, but the calves do not. The adult elk examined by independent biologists in the years just prior to the 2011-2014 period (2006-2011) mentioned by John had a higher prevalence (37%) than in the 2011-14 period. I don't see how all those captured cows and calves had no underbite, when hunter-killed animals did. Moreover, the highest prevalence of underbite for any year was around 70% on fawns born that year and not on the entire WTD population. Many of the fawns die either soon after they are born with the birth defects or they die before they are a year old, leaving mainly surviving fawns with less severe or no birth defects to grow up. Thus, the prevalence of underbite on fawns is much higher than underbite on adult animals. Also, in the time period between 1996 and 2001 when we were collecting data for the first study on the WTD genital malformations, the male reproductive malformations were much higher in prevalence than after 2001. In 2001, the farmers sprayed far less Chlorothalonil and the use of Imidacloprid and Roundup had not

increased to the astronomical levels that were used in 2006 and after, so all the birth defects on the deer fawns went down in 2002 through 2006. They began going up again significantly in 2007.

Please explain to me why there is such a difference in observations between the MDFWP wildlife biologists and independent wildlife biologists.

Thank you for your help on these important issues. It is very difficult to intelligently discuss or report congenital conditions if such conditions are called different things.

All the best,
Judy

[THE FOLLOWING IS WHAT JOHN VORE WROTE TO ME AFTER MY SECOND EMAIL TO KAREN. MY RESPONSE TO EACH OF HIS STATEMENTS IS IN BOLD TYPE AFTER WHAT HE SAID TO ME.]

Quoting "Vore, John" <jvore@mt.gov>:

>Hi Judy,

>You have posed the question to us, "Is it biologically possible for a
> congenital condition to be considered a birth defect by biologists in
>SD and a normal variation by biologists in Montana?"

[Dear John,

Yes, I have posed that question. It needs only a yes or no answer. South Dakota considered the congenital conditions they found on their Imidacloprid exposed WTD fawns in their study to be birth defects. Several MDFWP personnel have stated that the same conditions are normal variations, and that includes you. However, both veterinarians who worked at the Wildlife Lab after Aune and Anderson left told me in writing that no scrotum formed on a male mammal is a serious birth defect. The current veterinarian told me the same on the phone.

Today, I talked to a SD Game and Fish biologist and he considered the conditions (underbite, overbite and reproductive malformations) which were reported in the SD WTD study paid for by the SD Game and Fish Department and published in Nature to be birth defects as the study stated.

I still haven't received an answer from you or anyone with the MDFWP to the yes and no question I posed. If a SD biologist can answer that question, why can't MDFWP biologists? It is not that hard to write a yes or a no in an email.

We reported those same birth defects in our studies, as you know. The studies were both authored by Bob Hoy, Judy Hoy and two other different biologists for each study. A professor emeritus, Theodore Kerstetter, retired from Humboldt University with a PhD, wrote the first study concerning the sex ratio and the male reproductive malformations. The reproductive malformations were first reported by a MDFWP biologist, Bob Hoy, not me and it was not "my" study. It was a joint effort. In just the months from January 1996 through July 1996, Bob Hoy observed 7 male yearlings with no scrotum at all formed on the external skin, one with only one bursa formed, the left bursa, one with both normal length bilateral bursa and one with bursa misaligned 90 degrees and tipped far back so the right testis was partially ectopic. All of the genitalia on that male was far forward on the belly, close to the umbilicus. That was 10 male yearlings, born in 1995, that were reported to John Firebaugh by Bob Hoy. Only one had a normal genitalia. One of 10 yearlings is a prevalence of 90%. Those male deer were not reported by me. Bob Hoy was working for MDFWP and is a biologist. Fortunately, after 1995 and between 1996 and 2001, the prevalence went down somewhat and was 67% for the total of those three types of reproductive malformations as reported in our 2002 study.

Regarding not seeing the birth defects, I know that Mike Thompson saw overbite on a mule deer. He actually told a man who showed him a mule deer with an overbite to show it to Judy Hoy because "she is the expert on overbite and underbite." I sent you the data given to me by a biologist who tracked hunter-killed animals of four species. Some of the prevalence that were found on the mostly male animals were quite high, especially mule deer and pronghorn antelope. That was not my data or observations, that was from an independent biologist who actually looked at the bite of the animals. People who are taking a tooth out of the game animal does not see an underbite. They open the mouth and remove a tooth. I talked to the SD biologist about that and he agreed that they don't look to see if the animals have an underbite. Without closing the mouth and lifting the lips to see where the lower incisors contact, no one can tell if the animal has an underbite by opening the mouth and removing a tooth. Overbites are much easier to tell because of the odd appearance when the animal has a very short lower jaw. If the overbite is slight, it just looks like a normal variation.]

> We need to be very clear that Montana Fish, Wildlife & Parks has
> never said that birth defects do not occur. Birth defects do occur.
> What I have said is that neither myself nor staff that I have talked

> with have seen the malformations you describe.

[I could have sworn that you talked to Bob Hoy when you were the biologist for Ravalli County.]

>You and I have visited at your house and I have looked at examples of what you >are calling 'malformations', and I cannot agree with your determination.

[Not surprising, you never did, no matter how bad the underbite was or how bad the reproductive malformation was. I am not the one that first called the malformations malformations, Bob did, John Firebaugh did, Dr. Bart O'Gara did and multiple veterinarians, including a wildlife veterinarian, Dr. Mark Johnson, did. Because I am a wildlife rehabber and was trying to save wildlife, I invited you and Dave to look at the specimens and bring the problems to your attention - for all the good it did. I have been watching newborns die and their mothers and fathers die and little children be born with the same birth defects as the other animals for more than 20 years, so I might as well have saved myself the trouble.]

>One in particular was normal lower incisor tooth eruption in a young >domestic cow.

[I am not certain which calf you are referring to. I saw lots of calves with underbite, but none with an overbite. A calf can have normal incisor tooth eruption and still have a significant underbite, so I am not sure to what you are referring.]

>If malformations were prevalent in the Bitterroot population, and especially at >the prevalence you infer, either I or other staff would notice.

[I already stated that Bob Hoy originally reported 9 of 10 male deer he picked up in the first 6 months of 1996 had birth defects and he reported that to John Firebaugh, who agreed that those were serious birth defects. You do not apparently consider them to be staff. Other biologists who work for MDFWP were afraid to say anything because they thought they would be fired and John Firebaugh and others indicated that to me. A number of independent veterinarians and biologists and the entire Ravalli County Study Group stated in writing that the animals they inspected had the birth defects they noted in writing. Dr. William Layton told us in person that all of the birth defects on all animals we said had birth defects had the birth defects that Bob and I said they had, including one that was examined by the MDFWP Laboratory personnel. The Lab personnel said the animal did not have a birth defect. Dr. Layton said it did. Dr. Layton is a veterinarian.]

>I myself having personally looked into the mouths of thousands of deer and elk
>at check stations in the Bitterroot Valley in order to age them and extract a tooth.

[I already addressed what a SD Game and Fish biologist told me today concerning removing teeth from hunter killed animals and being able to observe an underbite while doing that. I have been told the same by multiple MDFWP biologists who work at check stations. They never look to see if the animal has an underbite and if they saw underbite or overbite would not report it for fear of being fired. All veterinarian websites on underbite and overbite on domestic animals state that those are serious birth defects on a grazing animal and any domestic animal born with an underbite or overbite should be culled. I am in no way suggesting that any big game animal should be culled because of an underbite or overbite. The condition is epigenetic not genetic.]

> John Vore
> Game Management Bureau Chief
> Montana Fish, Wildlife & Parks<fwp.mt.gov>
>
> P.O. Box 200701
> Helena, MT 59620-0701
> Ph: (406) 444-3940
> Montana FWP<http://fwp.mt.gov/> I Montana Outdoors
> Magazine<http://fwp.mt.gov/mtoutdoors/>

Dear John,

Thank you for your reply again, now can you please, please send me a yes or no answer to my simple question, so I don't have to keep bugging the secretary?

Best wishes,
Judy

I HAVEN'T HEARD FROM HIM AGAIN AND PROBABLY WON'T. THEY ADAMANTLY REFUSE TO ANSWER THE QUESTION OR QUESTIONS THAT I POSED IN MY EMAILS TO THEM WHICH ARE REPEATED BELOW.

ORIGINAL QUESTION: "Is it biologically possible for a congenital condition to be considered a birth defect by biologists in SD and a normal variation by biologists in Montana?

WHEN NO ONE WOULD ANSWER THAT QUESTION, I ASKED THE FOLLOWING THREE QUESTIONS. NO ONE WOULD ANSWER THESE QUESTIONS EITHER.

Does MDFWP consider an underbite on a wild ruminant of any species a birth defect? Yes or No

Does MDFWP consider an overbite on a wild ruminant of any species a birth defect? Yes or No

Does MDFWP consider no scrotum on a male wild ruminant of any species a birth defect? Yes or No

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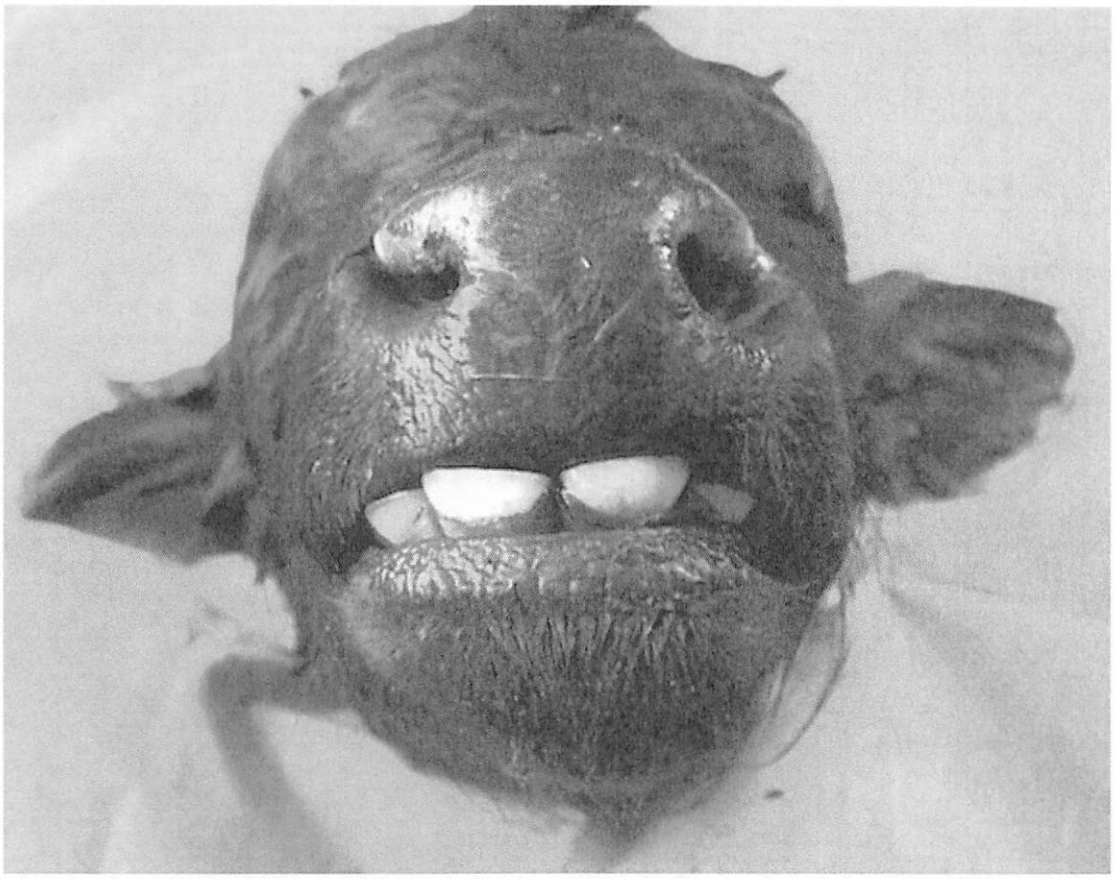
BELOW ARE SEVERAL PHOTOS THAT ARE SIMILAR TO THE PHOTOS I SHOWED TO JOHN VORE 15 TO 18 YEARS AGO. MANY OF THE ONES I SHOWED HIM WERE TAKEN PRIOR TO MY HAVING A DIGITAL CAMERA OR A COMPUTER. ONE OF THE PHOTOS I SHOWED HIM I SCANNED AND USED ON THE COVER OF MY CHANGING FACES BOOK. YOU CAN SEE THAT ELK CALF ON MY WEBSITE (www.judyhoy.com).

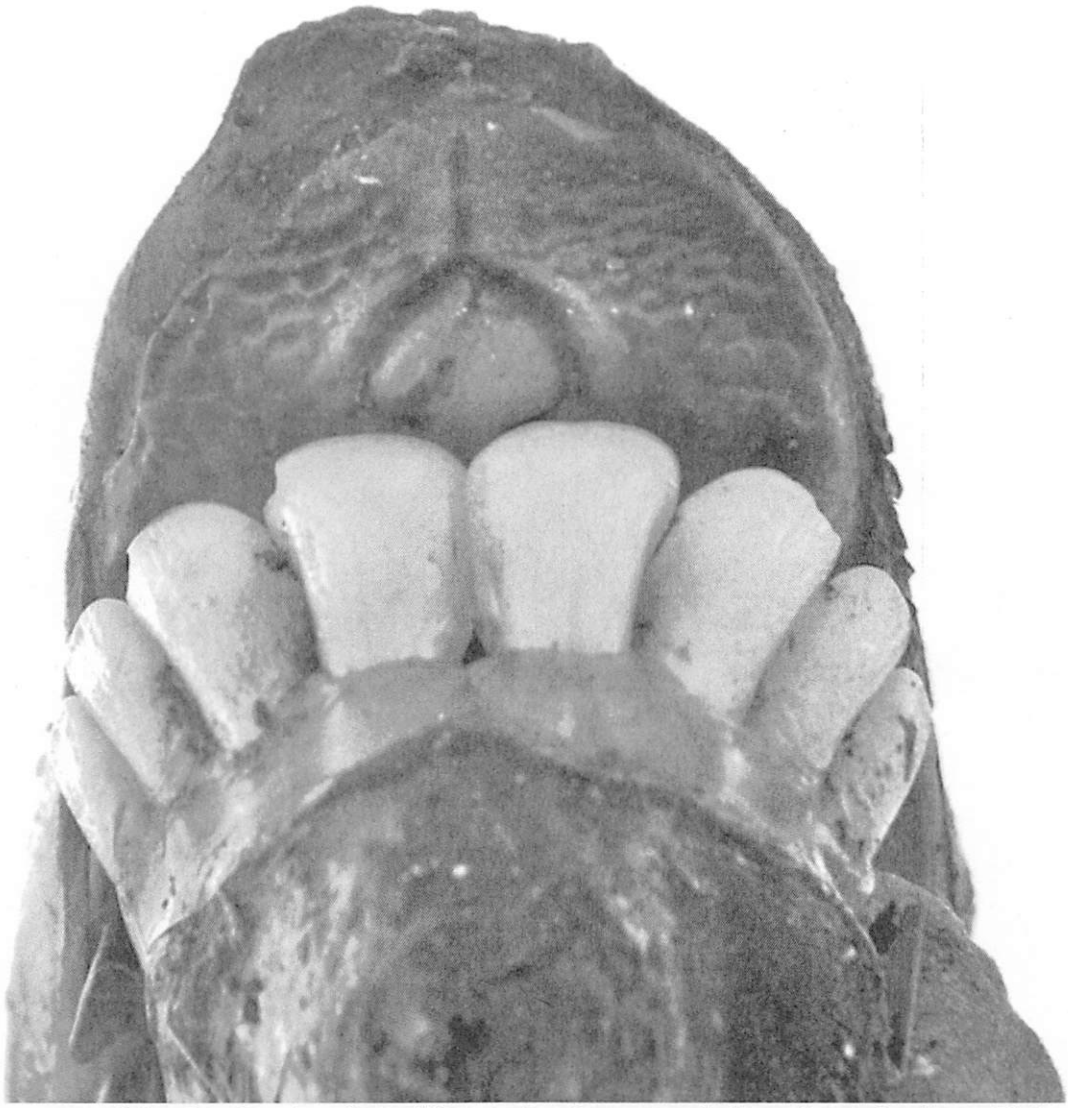
These fetuses were sent to the MDFWP Wildlife Lab. The lab personnel, two MDFWP biologists stated that the fetus on the left did not have a birth defect. Its male sibling has a normal face. A 5 year old child could tell that the fetus on the left was malformed, but the Wildlife Lab personnel stated in their 1997 Ravalli County White-tailed Deer Survey report that it was normal.



This is the photo of one of the beef calves that I showed to John Vore. I don't know if this is the one he was talking about. I showed him photos of at least two different calves and the cleaned skull of another calf. All had severe underbite. As can be seen, the lower incisors have normal tooth eruption. That has nothing to do with the underdeveloped premaxillary bone and dental pad the lower incisors are supposed to contact. Note the extremely rounded, upturned muzzle characteristic of calves, both beef and bison, that have an underdeveloped premaxillary bone.

This is a fledgling Red-breasted Nuthatch with crossed, malformed bills.

White-tailed deer fawn with underdeveloped premaxillary bone and dental pad, resulting in a severe underbite.



Severe overbite (underdeveloped lower jaw) on an adult male mule deer. This deer skull was shown to two of the MDFWP biologists who worked in Ravalli and Missoula Counties. Apparently, they never reported it to the biologists in the Helena Office, or to John Vore. The Helena Office is the main headquarters for MDFWP. I did not show this one to Vore.

This is a domestic goat kid with a severe underbite.

[THESE PHOTOS ARE SIMILAR TO THOSE I SHOWED TO JOHN AT THE MEETING WE BOTH ATTENDED OR IN THE CASE OF THE WTD FETUSES, THE ELK CALF ON MY BOOK COVER, AND THE CALF, ARE THE SAME PHOTOS HE WAS SHOWN.]