

## Glenda Wiles

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**From:** Jim Ellingson <aranch@jimellingson.com>  
**Sent:** Sunday, November 2, 2014 10:23 AM  
**To:** Al Pernichele; Brian Rouse; Dan Huls; Howard Lyons; Jay Meyer; Jim Canton; Jim Ellingson; Joann Hosko; Katrina Mendrey; Philip Tummarello  
**Cc:** Allen Bjergo; g robert johnson ; Glenda Wiles; Theresa@willingservants.org; Nancy Ballance; Zach Miller  
**Subject:** RTF/R minutes for October 6, 2014

### Ravalli County Right to Farm and Ranch Board

Minutes of meeting held October 6, 2014 in the Hamilton House meeting room in Victor, MT.

#### Call To Order

The Ravalli County Right to Farm and Ranch meeting was called to order by chairman Jay Meyer at 7:06 p.m..

#### Members attending:

Jay Meyer (chair)

Brian Rouse

Howard Lyons (term expired)

Al Pernichele

Dan Huls

Phil Tummarello

Katrina Mendrey (ex-officio)

Jim Ellingson

Also present: Nancy Ballance, Dan Kerslake, Zack Miller, Theresa Manzella, Allen Bjergo, Dwain Rennaker, Loyd Rennaker, and Colleen Meyer.

Amendments to Agenda: The order of the agenda was modified because Zack and Katrina needed to leave early.

Public Comment: none

Items Not on Agenda: none

#### New Business:

1. Katrina gave a report on the restrictions, potential problems, and proper use of Aminopyralid.
  - a. Common brand names in this country are Milestone and Forefront.
  - b. Restrictions include:
    - i. Only for use on pasture lands
    - ii. Hay cut from treated pasturelands, within 18 months of application, cannot leave the farm
    - iii. Hay cut from treated pasturelands 18 months to 36 months after application, cannot leave the farm for 18 months after being cut.
    - iv. Animals are not to leave the farm for three days following the time they were pastured on the treated pasturelands or consumed hay from treated lands.

- v. The herbicide remains active in the manure and urine of animals that consume the treated pasturelands/hay
- vi. The herbicide remains active if the treated plants are composted
- c. Katrina discussed the prospects of utilizing a warning letter/label that would accompany treated hay
  - i. This is approved in some states
  - ii. Not approved in Montana
- d. Dan interjected that this is a great chemical that doesn't stunt the grasses and can be sprayed right to the water's edge
- e. Phil asked if there was a possibility of incorporating a marker in with the chemical, which caused an open discussion regarding the pros and cons and potential problems that might go along with that idea
- f. Al suggested that we ask a Montana Department of Agriculture representative to come and talk with us regarding this product. Al said that he will call them.
- g. Nancy Ballance said that she will contact Lee Randall in regards to this.
- 2. Zack Miller gave us an update on the Western Montana Ag Research Station
  - a. They have recently received approximately \$250,000 in research funds
  - b. They will be starting
    - i. Alfalfa research plots
    - ii. Vineyards
    - iii. About one acre of other berry crops that can be brewed
  - c. Nancy added
    - i. She thinks the station will be a target for elimination
    - ii. She suggested that Zack put together a top-notch presentation regarding the station's usefulness to Montana agriculture

Approval of Minutes: **The minutes of our last meeting were approved.**

Old Business:

- 1. Land Transfer training
  - a. Dan Huls is spearheading this program. No report.
- 2. Education Program/Ag in the Schools
  - a. Jay reported that the plan is to contact the school superintendents first and then the teachers.
- 3. Open positions on this board
  - a. Theresa Manzella interviewed with the board of county commissioners earlier today
  - b. Howard forgot about his interview and will need to reschedule
- 4. We had a short discussion regarding possible legislative initiatives that we may be interested in promoting during the upcoming legislative session and determined that there was nothing.
- 5. Theresa gave us an update on Animal Welfare/Rights/Ag Gag issues
  - a. Idaho's Ag Gag Law (senate bill #1337) that was signed into law February 2014 will be facing a court challenge.
  - b. Theresa thinks that MCA 81-30-103 should have the last sentence stricken
    - i. **[ 81-30-103. Unlawful acts. (1) A person who does not have the effective consent of the owner may not acquire or otherwise exercise control over an animal facility, an animal from an animal facility, or other property from an animal facility with the intent to deprive the owner of the facility, animal, or property or to damage the enterprise conducted at the animal facility.**
      - (2) A person who does not have the effective consent of the owner and who intends to damage the enterprise conducted at an animal facility may not:
        - (a) damage or destroy an animal facility or an animal or property in or on the premises of an animal facility;
        - (b) enter an animal facility that is at the time closed to the public with the intent to commit an act prohibited by this

chapter;

(c) remain concealed in an animal facility with the intent to commit an act prohibited by this chapter;

(d) enter an animal facility and commit or attempt to commit an act prohibited by this chapter;

(e) enter an animal facility to take pictures by photograph, video camera, or other means with the intent to commit criminal defamation; or

(f) enter or remain on the premises of an animal facility if the person:

(i) had notice that the entry was forbidden; or

(ii) received notice to depart but failed to do so.

(3) The provisions of this chapter do not apply to lawful activities of a:

(a) government agency or its employees who are carrying out their duties under law or to lawful activities of a financial institution or other secured party; and

(b) humane animal treatment shelter or its employees whose primary purpose is the bona fide control or humane care of animals or the enforcement of 45-8-211.

ii. Phil thinks that it ought to include safeguards against advancing technologies (drones, etcetera)

iii. Al is concerned that striking that sentence may create blowback (What are the ag people trying to hide?)

iv. Nancy suggested that the wording include all ag operations rather than just those with animals.

6. Brian gave an update on National Forest grazing

a. He went on a tour of an allotment

i. Present were several Friends of the Bitterroot members, 12 forest service employees, and 4 state employees

ii. There was a lot of elk damage to the water sources. This is okay if it is done by elk, but not if it is done by cattle.

iii. During the seven hour tour, they did not see any of the cattle that were on the allotment.

b. Dwain talked about his allotment

i. It went from 320 animal unit months down to 120 making it no longer worth the effort.

ii. The drift fences have all been destroyed.

iii. There are too many elk in his allotment but, off of the allotment, toward the east, there is two feet of grass that is going unused.

iv. He suggests that larger cattle herd are allowed

1. Accompanied by herders on horses

2. Should have access to larger, less restricted locations/allotments

v. 250 elk now winter on his ranch and no longer in the high country, due to the wolves.

vi. Cattle no longer want to stay in the upper portions of his allotment due to the wolves.

vii. Dwain also complained that packers used to be able to turn their mounts and pack animals loose to forage for themselves. Now they must be confined and consume packed-in feed. This has led to more costs, localized damage, and the spread of noxious weeds.

c. Brian suggested that Montana institute a "non-Use Tax" on ag ground that is not sprayed or grazed with livestock to control the weeds.

i. Dwain said the Ravalli is an extremely weedy county. He is now seeing a lot of curly doc moving in.

ii. Nancy said that she thinks a non-use tax could probably not be passed in Montana due to the current makeup of the state department of Fish, Wildlife, and Parks.

7. Jay gave a Montana State Water Plan meeting report

a. Only five people attended (Jay, Rob, and three college students)

b. The meeting ended up just calling for more studies

c. Dan offered that ag is not currently considered a point source for water contamination, however, when it is considered a point source, we will have trouble. It will become an upcoming grazing issue.

**The meeting was adjourned at 9:13 p.m.**

Our next meeting will be Monday, November 3<sup>rd</sup> at 7 p.m. in the Hamilton House Restaurant in Victor.