

## ISSUES SUBMITTAL FORM

Date: 08/08/2025

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| <b>ISSUE:</b> | <b>Should CPW pay livestock owners' labor expenses incurred while carrying out a written treatment plan for livestock and working animals injured by gray wolves that was prepared by a licensed veterinarian?</b> |
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**DISCUSSION (FACTS AND FIGURES, EXPLANATION OF ISSUE):**

Colorado voters approved Ballot Initiative 114 in the November 2020 state election. The measure is now codified § 33-2-105.8, CRS, as amended by HB 21-1243. The law directs the Commission to restore the gray wolf (*Canis lupus*) to the state and, among other things, oversee the distribution of state funds that are made available to "[p]ay fair compensation to owners of livestock for any losses of livestock caused by gray wolves...." § 33-2-105.8(2)(e), CRS.

In May 2023, the Commission adopted regulations concerning payment of compensation for livestock damage caused by wolves, including a rule making livestock producers eligible to receive reimbursement for expenses paid to licensed veterinarians for the treatment of livestock and related medical supplies. Livestock producers were eligible to be reimbursed for such expenses only if they were paid to a licensed veterinarian.

During the May, 2025 Commission meeting, a producer brought a claim for veterinarian expenses incurred because of confirmed gray wolf damage that included a request for reimbursement for his own time spent implementing the directions for care provided by a veterinarian. He argued that it would have been wasteful and burdensome for him to bring his injured animal to the veterinarian rather than to care for it himself at the direction of a veterinarian, and that his decision to take the less burdensome and more cost-effective route should not be punished through the denial of his claim. However, the applicable regulation currently specifies that "Only expenses from licensed veterinarians are eligible for reimbursement." 2 CCR 406-17:17171(D). As this situation illustrates, this incentivizes producers to bring their injured animal to a veterinarian, or to call a veterinarian to their ranch, where doing so would be more costly than caring for the animal themselves at the direction of a veterinarian. An amendment allowing reimbursement for labor incurred for the purpose of implementing the instructions of a licensed veterinarian would address this issue.

The issue of labor undertaken to care for animals wounded by gray wolves at the direction of a veterinarian was not considered by the Commission at the time the current rule was adopted, thus, the omission appears to be an oversight for which a corrective amendment is proper. Importantly, this amendment will benefit both producers, by allowing them to receive reimbursement, and the Division by incentivizing producers to choose the most cost-effective means to care for wounded animals. However, reimbursement for producer labor should be limited to this one issue. Extending the concept to allow for reimbursement of labor undertaken to address other aspects of wolf depredation or wolf-livestock conflict minimization would not improve or further the purpose of any of the gray wolf compensation regulations. Additionally, since there is no reliable way to verify the labor hours expended by a producer, the concept should be used sparingly and with fiscal safeguards.

**STATE LAW REQUIRES CPW TO SOLICIT INPUT FROM STAKEHOLDERS THAT MAY BE AFFECTED POSITIVELY OR NEGATIVELY BY THE PROPOSED RULES. THE FOLLOWING STAKEHOLDERS HAVE BEEN ADVISED OF AND INVITED TO PROVIDE INPUT ON THE REGULATORY CHANGES PROPOSED IN THIS ISSUE PAPER:**

**\*IT IS ASSUMED THAT ALL NECESSARY INTERNAL PARTIES HAVE BEEN NOTIFIED\*.**

**Colorado Department of Agriculture - State Veterinarian**

**Livestock Owners**

**ALTERNATIVES: (POSSIBLE OUTCOMES or POSSIBLE REGULATIONS):****1. \*Preferred Alternative\*: Update Regulations 17162.A.3 and 17171.D**

#17162.A.3: In addition to damages associated with injury or death, livestock producers are eligible to receive reimbursement for expenses paid to a licensed veterinarian for the treatment of livestock, livestock guard animals and livestock herding animals injured by gray wolves, including professional fees and medical supplies, and hourly labor expenses and medical supply expenses incurred while carrying out a written treatment plan prepared by a licensed veterinarian. ~~compensation for veterinarian expenses and medical supplies. Only expenses from licensed veterinarians are eligible for reimbursement.~~ Such expenses are limited to \$15,000 or the fair market value of the animal, whichever is lower.

#17171.D: In addition to damages associated with injury or death, livestock producers are eligible to receive reimbursement for expenses paid to a licensed veterinarian for the treatment of livestock, livestock guard animals and livestock herding animals injured by gray wolves, including professional fees and medical supplies, and hourly labor expenses and medical supply expenses incurred while carrying out a written treatment plan prepared by a licensed veterinarian. Claims for hourly labor expenses and medical supply expenses incurred while carrying out a written treatment plan prepared by a licensed veterinarian shall be accompanied by veterinarian directions, documented hours spent complying with the directions, and receipts for medical supplies. Hourly labor expenses are limited to \$20 an hour. Claims for veterinarian expenses shall be accompanied by invoices and/or evidence of payment. Reimbursement authorized by this rule shall not exceed \$15,000 or the fair market value of the animal, whichever is lower. ~~compensation for veterinarian expenses and medical supplies. Claims for veterinarian expenses and medical supplies shall be accompanied by invoices and/or evidence of payment. Only expenses from licensed veterinarians are eligible for reimbursement. Such expenses are limited to \$15,000 or the fair market value of the animal, whichever is lower.~~

**2. Status quo**

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| Issue Raised by:                                                           | Parks and Wildlife Commission |  |
| Author of the issue paper<br>(if different than person raising the issue): | Ray Aberle                    |  |
| CC:                                                                        |                               |  |
| APPROVED FOR FURTHER CONSIDERATION BY:                                     | Fletcher Jacobs               |  |
| REQUIRES NEW SPACE IN THE BROCHURE?                                        | NO                            |  |
| ARE ADEQUATE STAFF AND FUNDING RESOURCES AVAILABLE TO IMPLEMENT?           | YES                           |  |
| REGION, BRANCH, OR SECTION LEADING IMPLEMENTATION                          | Outdoor Recreation and Lands  |  |
| RECOMMENDED FOR CONSENT AGENDA?                                            | NO                            |  |
| COMPLIES WITH THE BIG GAME SEASON STRUCTURE                                | NA                            |  |