

Board of Wildlife Commissioners

Elk Damage and Incentive Committee

Lovelock Community Center

June 26, 2009

MINUTES

Committee Members in attendance were:

Grant Wallace – Chairman, Board of Wildlife Commissioner

Pete Mori – Commissioner

Tom Cavin – Commissioner

Mark Atkinson – Staff to Committee

Others in attendance:

Ken Mayer – NDOW

Larry Gilbertson – NDOW

Kevin Lansford – NDOW

Kim Jolly – NDOW

Maryanna Enochson – NDOW

Trudy Davis – NDOW

Rich Haskins – NDOW

Rex Flowers – Washoe CABMW

Ken Wellington – Elko CABMW

Mike McBeath– Ranch Manager

Mark Jensen – USDA

Jack Spencer – USDA

David McNinch– Self

Agenda Item #1 & #2 – Call to Order /Introductions– Chairman Wallace

Chairman Wallace brought the meeting to order at 8:01am. The Chairman stated that this was his first meeting and would depend on Pete Mori to maintain continuity since he has been on the Committee before the most recent assignments.

Agenda Item #3 – Review of the Elk Damage and Incentive Program: NDOW - Information

Mark Atkinson indicated NDOW was prepared to provide the history and background of both programs for the new members of the committee.

Larry Gilbertson described the history of both programs and outlined the program and procedure NDOW follows to implement them.

Commissioner Mori asked why landowners were not given the option of either receiving a damage payment or an incentive elk tag since most landowners would probably want tags and it might not impact the damage fund as much. He also stated that since the incentive tags were taken out of the quota, it has been an issue with some sportsmen.

Larry Gilbertson explained that add-on tags or tags not accounted for in the normal quota process was a major issue with sportsmen and so the decision was made to deduct incentive tags from the quota. He also explained the Elk Species Management Planning process that led to many discussions followed by the decision to implement two different programs to handle elk issues with landowners. It was agreed at the time that since elk were going to be relatively new in many areas that the goal would be to use a “Depredation-Compensation” program to pay for damages and to eventually exclude offending elk from agricultural private lands. The Incentive Tag program was developed to buy tolerance with private landowners of native rangeland habitat. It is a cooperative program where the Department works with private landowners to identify opportunities to enhance private land for elk, to assess elk use of that private land and ultimately, to provide elk tags to landowners who provide a significant contribution to the resident elk herd.

Agenda Item #4 – Review of Proposed Changes to Nevada Administrative Code pertaining to Elk Incentive Tags and Elk Damage Payments: NDOW- Information

Larry Gilbertson went on to explain the history of the development of the Nevada Administrative Codes (NAC’s) pertinent to these two programs and the work the committee did over the past year to amend those NAC’s that would provide concessions to both the landowners and the sportsmen and streamline the process.

Commissioner Mori asked if the elk might be doing most of their feeding in fields at night and therefore getting all of their forage from private land.

Larry Gilbertson described the study that was conducted in Utah in similar situations where elk that were using alfalfa fields were actually shot leaving the fields and then the rumen content was analyzed to determine what percent of their daily intake was from the fields.

Chairman Wallace asked if the access provision has been the reason for some ranchers not participating in the incentive tag program.

Larry Gilbertson knew of only one ranch located in the North Pequops in Elko County who has not applied so far because they want to eliminate vehicle access from their private lands.

Commissioner Mori agreed that access could be an issue with some landowners and that some landowners might also have concerns about the provision that would allow the elk numbers used to justify the incentive tags on private lands to not count against the population objective. He indicated he was pleased with the coordination that NDOW did have with landowners to identify access through private lands that would have the least impact to the ranch.

Larry Gilbertson went on to outline the rest of the proposed changes in the NAC's.

Chairman Wallace asked if the changes have been presented to the Commission yet.

Commissioner Mori indicated not yet but the Commission must approve all changes and it is the next step.

Director Mayer confirmed that the next step would be for this committee to forward this item on to the Commission.

Chairman Wallace felt the NAC's had been thoroughly hashed out and just wanted to make sure that other committee members agreed and that they could then make sure they make it to the Commission level.

Commissioner Mori indicated that he was comfortable with the changes and agreed that it can go to the Commission.

Mark Atkinson indicated it wasn't made an action item because there were new members on the committee and wanted to bring everyone up-to-date.

Chairman Wallace asked if we needed another meeting and discussion led to Director Mayer's question concerning what would be a critical timeline to get these NAC changes implemented.

Larry Gilbertson suggested they needed to be finalized by December so that NDOW had time to implement the changes into their forms for 2010. He outlined the three Department forms that would be combined to make a single form that would require only 1 landowner signature per year and simplify the process.

Director Mayer asked the Deputy Attorney General Bryan Stockton (who had just arrived for the Commission meeting) if this committee could recommend that the Commission put this item on their agenda. He indicated that it would be ok as long as a workshop preceded the Commission action.

Chairman Wallace indicated he would like to see it done before any more changes were made to the committee that might cause further delays. He felt a lot of work already went into the process and it needed to be forwarded to the Commission.

Director Mayer identified the work the Department still needed to accomplish in order to implement the changes including preparing the changes as a final draft and making the changes to the Department forms used to implement the program all before January.

Commissioner Mori said we should get it done and that it will improve the program.

Mark Atkinson indicated he would follow up to make sure it was ready.

Commissioner Mori asked two more questions relative to the NAC's regarding compensation for elk use of public lands and provisions for cow tags.

Larry Gilbertson indicated the incentive tag program was identified for bulls and tags were deducted from the bull quota because it was assumed that bull tags were worth the most.

Commissioner Mori pointed out that incentive tags are good for either sex.

Larry Gilbertson agreed and indicated a decision was made to make them either sex so the tag holders had maximum flexibility in their hunt and only rarely cows have been taken when the hunter ran short of time.

Commissioner Mori suggested that landowners might be interested in cow tags also since they want to keep elk at objective levels although he wasn't sure how much a cow elk tag might be worth. He thought cow tags might be easier to justify to sportsmen but didn't want to lose the bull incentive tag option.

Larry Gilbertson indicated it has been brought up before but hasn't gone anywhere yet. As for the value of cow tags, when the Department tried to sell nonresident cow tags for \$1200, not very many were sold but some Indian Reservations apparently are able to sell tags for \$300 and more, possibly up to \$500.

Director Mayer suggested landowners might even want to give them to family members but the bull tags would be the most important. We should certainly "kick around the idea." During further discussion Chairman Wallace and Commissioner Mori agreed that family members would likely receive some of the tags and asked if we should look into it. Director Mayer indicated in the affirmative.

Agenda Item #5 – Public Comment

Chairman Wallace opened up the public comment period.

Mike McBeath identified himself as the business manager for the Cave Valley Ranch and a sportsman and indicated he thought the NAC changes were great. He did ask specifically about the wording in the NAC's relative to "private or public" native haymeadows. After further discussion concerning the definition of haymeadows to allow for them to be either considered as native habitat or agricultural fields, it was agreed that the NAC's should include the word "private" along with "native haymeadows" where applicable.

Mike McBeath also led a discussion around the depredation-compensation NAC's relative to grazing damages to public lands and wondered why the incentive tag program only included private lands. He also brought up a concern by some smaller ranches who have small "base properties" that are used to graze public lands but don't have "private native rangeland" that allows them into the incentive tag program. He asked if NDOW had paid damages for AUM's on public land. He also discussed monitoring of elk numbers relative to parcels located on the mountain and native haymeadows that need to be counted at night by spotlight.

Commissioner Mori asked him if he felt the formula for incentive tags adequately addresses impacts to his ranch operations.

Mike McBeath thinks the formula is fair and the calculations work but they are still evaluating their use in haymeadows in the bottom of Cave Valley at night to see if the numbers are adequate. He indicated he will work with the local biologist to make final determinations. He also discussed some difficulties he had with assessment of heavy use of a spring on his allotment where elk tracks were mistaken for cattle tracks.

Larry Gilbertson explained the AUM loss provision is where federal agencies' monitoring of elk use could result in a decrease of AUM's for the operator. This has not occurred yet in Nevada. He also pointed out differences between the two programs. The Damage-Comp program is designed for private agricultural lands and private improvements on public land. The Incentive Tag program is a cooperative program with landowners to enhance elk habitat and gain acceptance on private rangelands and the local biologist can break up a ranch into parcels and look at each one differently relative to elk numbers and the amount of time those elk spend on that parcel. He also indicated some sportsmen have concerns about both programs. Finally, the Elk Species Management Planning process identified that land use objective on public lands would not be compromised by elk. NDOW works with federal agencies, landowners and support groups to implement projects that benefit multiple uses of the land like chaining and seedings to increase forage in areas that won't impact deer or sage grouse.

David McNinch stated he felt the programs had done a lot to build tolerance.

Chairman Wallace closed the public comment period.

Agenda Item #6 – Assignments

Chairman Wallace asked Mark Atkinson to get the necessary work done to put these draft NAC's on the Commission agenda for August.

Commissioner Mori indicated NDOW was doing a good job trying to control elk numbers and maintain population objectives but thought it was interesting that 7 of 70 elk incentive tags went to areas with less than 1,000 elk and that a lot of the tags were in areas with a large amount of public land so there may be changes or more tags coming in other areas in the future. He understands that sportsmen want more elk but reminded all that more elk can also mean more problems. He indicated the programs have done a lot to address those problems and we need to just make sure we all keep working together.

Agenda Item #7 – Adjourn

There being no further discussion Chairman Wallace adjourned the meeting at 9:48 a.m.

Respectfully Submitted
Larry Gilbertson
June 10, 2010