



STATE OF NEVADA

#6

DEPARTMENT OF WILDLIFE

Game Division

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MEMORANDUM**March 1, 2016**

To: Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife, and Interested Publics

From: Brian Wakeling, Administrator, Game Division

Title: **Humboldt County Elk Sub-plan (First Reading) – For Possible Action**

Description: The Commission will be presented with the DRAFT Humboldt County Elk Sub-plan for review and possible action. Subsequent to this presentation, the DRAFT Humboldt County Elk Sub-plan will be brought before the Humboldt County Commission for their approval and the Nevada Board of Wildlife Commissioners for final adoption. The Commission may forward questions or needed clarifications to the local sub-plan committee for their feedback prior to final approval.

Presenter: Elk Sub-plan Committee Chair Eddie Booth and Game Biologist Ed Partee

Agenda No: 6

Summary:

On May 14, 2015, the Nevada Board of Wildlife Commissioners established the Humboldt County Elk Sub-plan Committee to draft the Humboldt County Elk Sub-plan. That Committee comprised the following individuals:

Eddie Booth
Lyle Avey
Kevin Gallio
Mark Evadz
Tom Cassinelli
Boyd Hatch

Humboldt County Elk Sub-plan DRAFT

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Ron Cerri
Mike Speary
Brad Schultz
William Mack
Hank Dufferena
Terry Boyle
Fred Anderson, and
Brian Day

This Committee has met on about a monthly basis, and has met 9 times since the Committee was formed. These meetings were held in Winnemucca, and attendance has reached as many as 65. The Committee has made tremendous efforts at outreach and has considered several hundred pieces of correspondence in drafting this sub-plan. Most of the meetings were attended by Commission Chair Drew and Commissioner Mori, and the Commission has received regular briefings on the Committee's progress at each Commission meeting. An initial draft plan was shared with the Humboldt County Commissioners on January 4, 2016, and the Humboldt County Commissioners heard some challenges to the elk planning effort on February 1, 2016. The Humboldt County Commission will act on the draft plan before the May meeting of the Nevada Board of Wildlife Commissioners.

The DRAFT Humboldt County Elk Sup-plan currently directs the Department to manage Unit 031 with pioneering to 100 elk, Unit 032 with pioneering to 100 elk, Unit 033 with pioneer to 400 elk, Unit 034 with no established population of elk, Unit 035 with no established population of elk, and Unit 051 with 100–200 elk.

Recommendation:

The Department recommends that the Commission **VOTE TO APPROVE THE DRAFT HUMBOLDT COUNTY ELK SUB-PLAN AS PRESENTED, REQUEST THE REVIEW OF THE HUMBOLDT COUNTY COMMISSION, AND PRESENT THE FINAL PLAN AT THE MAY MEETING OF THE NEVADA BOARD OF WILDLIFE COMMISSIONERS FOR FINAL ADOPTION.**

HUMBOLDT COUNTY ELK MANAGEMENT SUB-PLAN

Final Draft (2/24/16)

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INTRODUCTION

Low densities of elk have been reported in many portions of Humboldt County with the bulk of the sightings occurring recently in unit 051. Based on observations that started as early as 1990 to 2014, it appears a small group of elk established a home range within the Santa Rosa Range. This small herd has continued to increase throughout the last two decades. In January of 2013, two cow elk were collared to track movement and use areas. Since the start of that project, to date, one collar has been recovered with data of known use areas. The second collar is due to fall off in August of 2015. In January 2014, the first elk survey flight was conducted. During this survey, a total of 21 elk were observed. All 21 animals were bulls with no cows being located. Prior to this survey, animals have been observed from the air on several occasions, incidentally during other specie surveys. Another follow-up survey was conducted in March 2015 to try to determine the number of elk existing in the Santa Rosa Range. During this flight no elk were observed. Conditions were very open with very little snow allowing elk to be in a wide variety of areas to vast to cover over the two day period.

In 1997, the Board of Wildlife Commissioners adopted the Nevada Elk Species Management Plan (NESMP). This plan was prepared in response to Assembly Concurrent Resolution No. 46. One of the goals of the plan was *to allow elk populations to expand their distribution consistent with Wildlife Commission Policy 26*. A strategy outlined to accomplish this goal stated “When it is evident that pioneering elk have established a core population, prepare a subplan in order to implement actions that would benefit the new population.” The Elk Species Plan further stated that the preparation of subplans would be coordinated with land management agencies and affected interests.

In February of 2015, the Nevada Department of Wildlife (NDOW) informed the Board of Wildlife Commissioners that they felt a core population of elk existed in the Santa Rosa Range. During the March meeting 2015, the State Board of Wildlife Commissioners supported the establishment of a Steering Committee by appointing chairman Eddie Booth. In addition, the wildlife commission directed NDOW to solicit individuals from the list provided in the sub-plan guidelines. In April, of 2015 the Nevada Department of Wildlife assembled the Steering Committee, representing various public interests, for the purpose of developing a plan for elk management in Humboldt County.

At the May 2015 Commission Meeting, the Steering Committee was established by the commission. The commission then gave direction to have a technical review team (TRT) established by the existing steering committee in accordance to the Elk Sub-Plan Process. The TRT was directed to review available resource information, identify low, moderate and high potential elk habitats consistent with the NESMP, and to prepare a recommended approach to identify target elk populations for incorporation into the Humboldt County Elk Sub-Plan. The TRT included representatives from NDOW, the United States Forest Service (USFS), the Bureau of Land Management (BLM), Humboldt County, and the Natural Resource Conservation Service (NRCS).

BACKGROUND

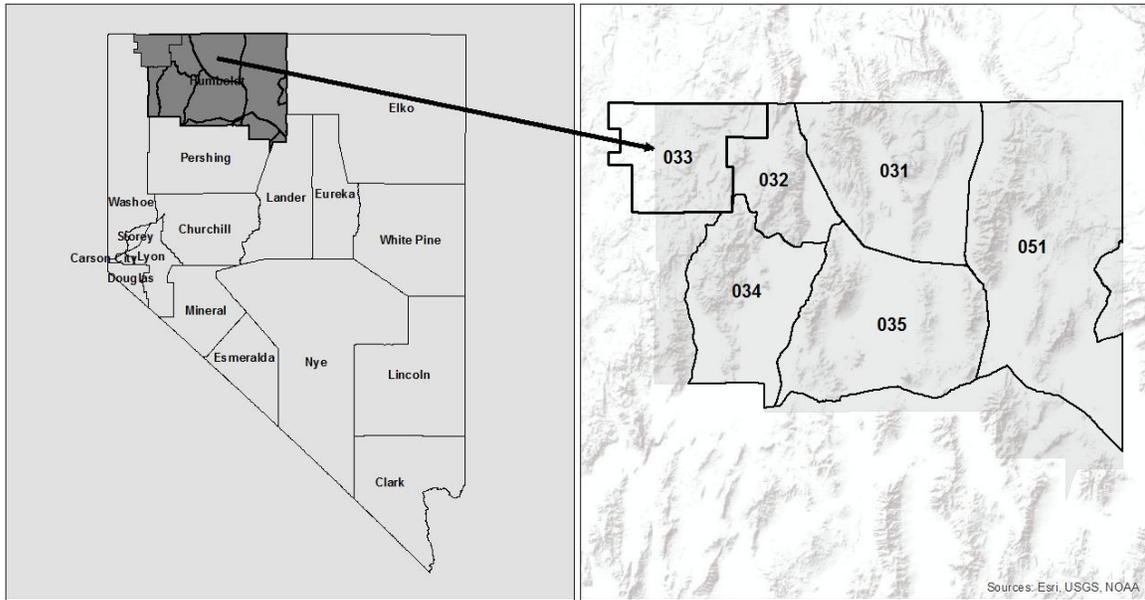
Humboldt County is the fourth largest county in Nevada, and encompasses about 9,658 square miles. Humboldt County is the oldest county in Nevada which was created in 1856 and one of the original nine counties created in 1861. Elevations range from less than 3,900 feet above sea level in the Black Rock Desert to over 9,700 feet in the Santa Rosa Range. Annual average precipitation for Humboldt County is 8 inches with average snow fall being 22 inches.

In Humboldt County, 82 percent of the land is managed by Federal Agencies with the Bureau of Land Management (BLM) having 71 percent or 4,377,080 acres of the responsibility. The United States Forest Service (USFS) has responsibility for 5 percent or 279,425 acres of land. Within the north western part of the county, the United States Fish and Wildlife Service (USFWS) manages the Sheldon National Wildlife Refuge which accounts for 6 percent or 386,481 acres of land in Humboldt County. Lastly, both Summit Lake Indian Reservation and the Fort McDermitt Indian Reservation accounts for the remaining federal land which is only a small portion within Humboldt County. The Reservations encompasses less than 0.5 percent or 22,198 acres. Private lands contribute to the rest of the county with the main city being Winnemucca (Table 1).

Table 1. Land Status in Humboldt County.

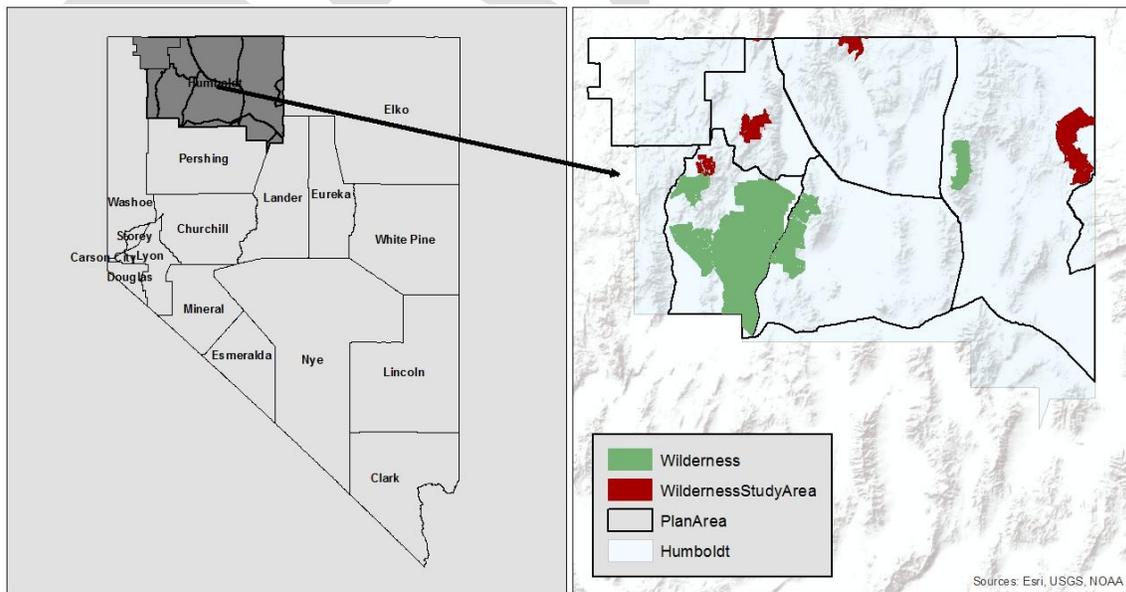
Ownership/Management	Acres	Percent
Bureau of Land Management	4,377,080	71
U.S. Forest Service	279,425	5
Private	1,112,338	18
USFWS	386,481	6
BIA	22,198	<.5
Totals	6,177,522	100

The state has been divided into Management Areas (MA) or hunt units to aid in the management of both small and big game populations. Humboldt County is divided into six management areas which include units 031,032,033,034,035, and 051(map 1). Although parts of unit 033 fall both in Washoe and Humboldt County, for this planning purpose, unit 033 in its entirety has all been included in the Humboldt County Plan.



Map 1. Humboldt County Elk Sub-Plan Area and the Associated Sub-Planning Area

Humboldt County plan area currently has 7 Wilderness Areas and 7 Wilderness Study Areas (WSA). The Wilderness Areas fall in four of the six units within the planning area. Wilderness Areas are within the Santa Rosa Range, Jackson Mountains, Black Rock Range, and Pine Forest Range (new). The Sheldon National Wildlife Refuge is the only refuge within the planning area. Currently, there is 526,462 acres of wilderness within the planning area. WSA are located within four of the six units. Units 031,032 and 051 all have WSA's in them with a total of 99,931 acres (map 2).



Map 2. Wilderness and Wilderness study Areas

There are 108 sheep and cattle grazing allotments within Humboldt County managed by BLM. These allotments vary in size from 1 acre to 374,175 acres with a total of 5,057,659 acres in Humboldt County. The Forest Service has a total of 12 grazing allotments that range from 5,800 acres to 56,400 acres with a total of 298,000 acres in the Santa Rosa Range. All of the allotments within Humboldt County are managed either by the Winnemucca District of BLM or the USFS Santa Rosa Ranger District.

Several units within the planning area have Feral Horse and or Burro use in them. There are a total of 9 Herd Management Areas (HMA’s) within Humboldt County. Of those nine HMA’s, seven of them are designated as Horse while one is Burro and the other is both Burro and Horse (Table2). Total acreage encompassed by the HMA’s is 1,021,066 acres in Humboldt County.

Table 2. Shows the Appropriate Management Level for the 9 HMAs:

HMA	AML Horse	AML Burro
Black Rock East	56-93	0
Black Rock West	56-93	0
Calico Mountains	200-333	0
Jackson Mountains	130-217	0
Kamma Mountains	46-77	0
Little Owyhee	194-298	0
McGee Mountain	0	25-41
Snowstorm Mountains	90-140	0
Warm Springs Canyon	105-175	14-24

PLAN GOAL

The Steering Committee adopted the following goal for the development of the Humboldt County Elk Sub-Plan: *Establish and manage healthy, sustainable elk herds in Humboldt County in all suitable areas not presently covered by a sub-plan and to manage this resource in a manner that minimizes conflicts and maximize cooperation with existing uses including livestock, developed private lands and other wildlife.*

SCOPE OF THE PLAN

This plan is designed to be a “subplan” of the Nevada Elk Species Management Plan in accordance with the Assembly Concurrent Resolution Number 46. The purpose of this subplan is to define management goals, objectives, strategies and constraints for the management of elk within Humboldt County. This plan will guide NDOW in the management of elk while minimizing conflicts with existing users, including livestock, and other wildlife, as well as adjacent private land resources.

The US Forest Service, US Fish and Wildlife Service and BLM are responsible for management of the federal public lands within the subplan area. The Forest Service and BLM manage lands on a basis of multiple use and sustained yield. These agencies are committed to promoting healthy, sustainable rangeland ecosystems, contributing to a sustainable livestock industry, and providing habitat for viable wildlife populations.

The BLM manages the public land resources under their administration through the Resource Management planning process. This plan area includes public lands guided by the BLM's Area Resource Management Plan (RMP) which was signed on May 21 2015. The Forest Service manages the public lands under their administration through the Land and Resource Management Planning process. This plan area includes public lands managed by the Forest Service's Humboldt National Forest Land and Resource Management Plan approved in 1986. Both the BLM's Resource Management Plan and the Forest's Humboldt National Forest Land and Resource Management Plan establish practices to manage and protect public land resources. They also establish monitoring to evaluate the status of resources and the effectiveness of management over time.

The management of naturally expanding elk populations by the NDOW in accordance with goals, objectives and strategies outlines in this subplan is viewed by the Forest Service and BLM to be consistent with existing Management and Forest Plans. The Forest Service and BLM are committed to working with NDOW to enhance and expand habitat through development of various projects such as vegetative treatments, water developments and fencing. The Forest Service, NDOW and BLM will develop these projects consistent with existing forest and land use plans, Standards and Guidelines for rangeland health, the National Environmental Policy Act (NEPA), and other applicable federal, state and local laws. NDOW will coordinate with the USFWS on land management in accordance with the Sheldon NWR Comprehensive Conservation Plan. During development of elk habitat enhancement projects, opportunities will be provided for public involvement including opportunities for review, comment, protest and appeal as appropriate.

HUMBOLDT COUNTY PLAN PROCESS

The Steering Committee recommended that Humboldt County be split into six separate planning units (map 1). The rationale for this separation was to evaluate areas that were likely to support independent elk populations. A description of each planning unit is presented in the planning unit specifics sections. Once the six planning units were established, the Technical Review Team (TRT) established a process to determine biological carrying capacities for each unit. The steering committee then discussed the issues in each planning unit, listened to public comment and then voted on elk population objectives and other management strategies to be included in the Humboldt County Elk Sub-Plan. The plan was then presented to the Humboldt County Commission who decided that no comments were necessary at this time and asked if it could be brought back to them after the first Wildlife Commission Meeting. The following section provides more detail on the methods used by the TRT to determine the potential carrying capacity. This is followed by a section that outlines in more detail the process used by

the Steering Committee in determining the final recommendations in this plan. The Steering Committee would like the plan to be revisited in 5 to 10 years once finalized. At that time numbers may be adjusted up or down depending on the following triggers.

- Property Damage (loss in crops)
- Repetitive allotment fence damage
- Public Safety
- Hedging on Aspens/Mahogany
- Reduced regeneration of aspen and willow stands
- Devastating wildland fires
- The ability or effectiveness to manage herds once 75% of the population objective is reached

POTENTIAL ELK CARRYING CAPACITY ASSESSMENT

The existing White Pine County Elk Management Plan, Lincoln County Elk Management Plan, Central Nevada Elk Plan, Western Elko County Elk Management Plan, and the Elk Species Management Plan (ESMP) were referenced for guidance in assessing habitat potential and for consistency in mapping. The ESMP recommends that potential elk range be identified as LOW (0.5 to 1.5 elk/square mile), MODERATE (1.5 to 2.5 elk/square mile), and HIGH (2.5 to 4.0 elk/square mile). Each planning unit may need to be adjusted if utilization rates are too high or low to support the estimated numbers.

Methods Used for determining elk carrying capacity

A Geographic Information System (GIS) was the primary tool used to assess land status, sub-area boundaries, and vegetation overlays. The following process was used to determine the preliminary square miles of elk habitat and corresponding elk carrying capacity for each sub-planning area:

- GIS was used to overlay the elk plan area in Humboldt County. The McDermitt and Summit Lake Indian Reservations were removed from the planning area since NDOW has no management responsibilities within this area. All of the urban areas, water, barren ground, playas and agricultural areas were removed from consideration as potential elk habitat. The remaining areas were then separated into the six sub-planning areas.
- Land status (i.e. private, BLM, USFWS, and USFS) was then over-layed on each of the six planning areas and the number of square miles of each land ownership type was determined.
- The Southwest Regional Gap Analysis Project (SWReGAP) vegetation classification system was used to analyze vegetation cover types throughout the planning areas. The number of square miles of each cover type for each land ownership was then calculated (The Southwest Regional Gap Analysis Project (SWReGAP) is an update

- of the Gap Analysis Program's mapping and assessment of biodiversity for the five-state region encompassing Arizona, Colorado, Nevada, New Mexico, and Utah).
- Polygons were then drawn around those areas with good densities and configurations of appropriate habitat/vegetation types that support elk (see maps in appendix).
 - Actual data was utilized from collars that were deployed in the Santa Rosa Range in 2013 to compare with use land form data from SWREGAP and environmental setting from Utah State University (see charts in appendix).
 - The technical team, using studies and professional knowledge, then determined if a vegetation cover type should be classified as high, moderate or low quality elk habitat. The number of square miles of low, moderate and high habitat classifications was determined for each land ownership.
 - All private acreage within each of the sub-planning units was taken out for the purpose of calculating potential elk habitat and numbers.
 - The Statewide Elk Species Management Plan provides guidelines in order to evaluate potential elk habitat. The statewide plan identifies low quality habitat as being able to support between .5 to 1.5 elk per square mile, moderate habitat able to support between 1.5 to 2.5 elk per square mile and high habitat as being able to support between 2.5 to 4.0 elk per square mile. (Elk densities found in similar type habitats to Nevada in the surrounding states were used to formulate the Elk Species Management Guidelines). Using these figures, the number of elk that the public land within each sub-area was able to support was calculated. These numbers are reflected in the tables within the section for each of the sub-planning areas.
 - All of the areas that were classified as low quality habitat were eliminated for the purpose of calculating potential elk numbers.
 - In order to account for livestock use, no habitat within a half mile of water was used in calculating potential elk numbers.
 - In order to account for existing feral horse use, all horse management areas were eliminated from the calculations of potential elk numbers.

In Humboldt County, much of the habitat has been classified by using GIS and the SWReGAP method. Inter-Mountain Basins Montane Sagebrush Step, Rocky Mountain Aspen Forest and Woodland, Inter-Mountain Basins Curl-leaf Mountain Mahogany Woodland and Shrubland, and Great Basin Pinyon-Juniper Woodland have all been classified as important habitats for elk in Humboldt County. Inter-Mountain Basins Semi-Desert Grassland has shown to be somewhat important to elk in the Santa Rosa Range during the winter and spring months. These areas would include the south facing warmer slopes that may have an early green up stage. Mid-elevational meadows and seep areas along riparian areas are also classified as important use areas. Tables of all habitat classifications are listed in the Appendix.

The potential elk numbers calculated by using this process are displayed within each of the planning unit sections.

PROCESS USED BY STEERING COMMITTEE

The Steering Committee conducted 8 meetings during the period of June 2015 through February 2016. During these meetings, the Steering Committee solicited public comment, asked questions of the agency staffs and discussed the issues amongst themselves. A member of the committee would make a motion, a second member would second the motion and then a vote of the entire committee would occur. If a tie occurred, the chairman would vote. **The final recommendations of the Steering Committee are presented in the planning unit specifics sections.** During the meetings it was decided to have a Coordination Oversight Team (COT). Members of this COT will be decided by the steering committee then will notify the State Wildlife Commission. If a vacancy occurs on the COT, the replacement for the team will be appointed by the County Commissioners with replacement recommendations from respective group's agencies or organizations. This team's responsibility will be to meet at least once a year and to coordinate amongst various agencies and affected interests and to provide oversight of management activities. The COT will be made up of one general sportsman's representative, one Rocky Mountain Elk Foundation representative, one County Advisory Board to manage Wildlife representative, one farming representative, one ranching representative on BLM permit, one ranching representative on USFS permit, one Humboldt County Commissioner, one BLM, one USFWS, one USFS and one NDOW representative. Each member appointed to the COT will reside within Humboldt County unless by exception that will be validated by the county commission. During the first meeting of every year a chairperson will be elected with no one individual sitting as chairperson for two consecutive years. The COT will be responsible for:

1. Requesting, reviewing, and commenting on reports concerning the various aspects of elk management
2. Reviewing private lands elk conflicts and affirming timely and fair resolution
3. Forming subcommittee to investigate complaints within the planning area
4. All meetings of the COT will be open to the public and public notification will be provided accordingly
5. Hearing and responding to public comments
6. Document current and potential resource/multiple-use issue
7. Transmitting an annual summary report to the Board of Wildlife Commissioners
8. Notifying the Nevada State Board of Wildlife Commissioners if the subcommittee needs to reconvene prior to the scheduled revision time frame
9. Given funding, establish a baseline utilization monitoring system by hiring a 3rd party consultant at the discretion of the COT

THE USE OF OUT-OF STATE ELK FOR TRANSPLANTS IN HUMBOLDT COUNTY

The Steering Committee voted that the Humboldt County Elk Sub-Plan prohibit the transplanting of elk. This plan would then be utilized for pioneering elk only.

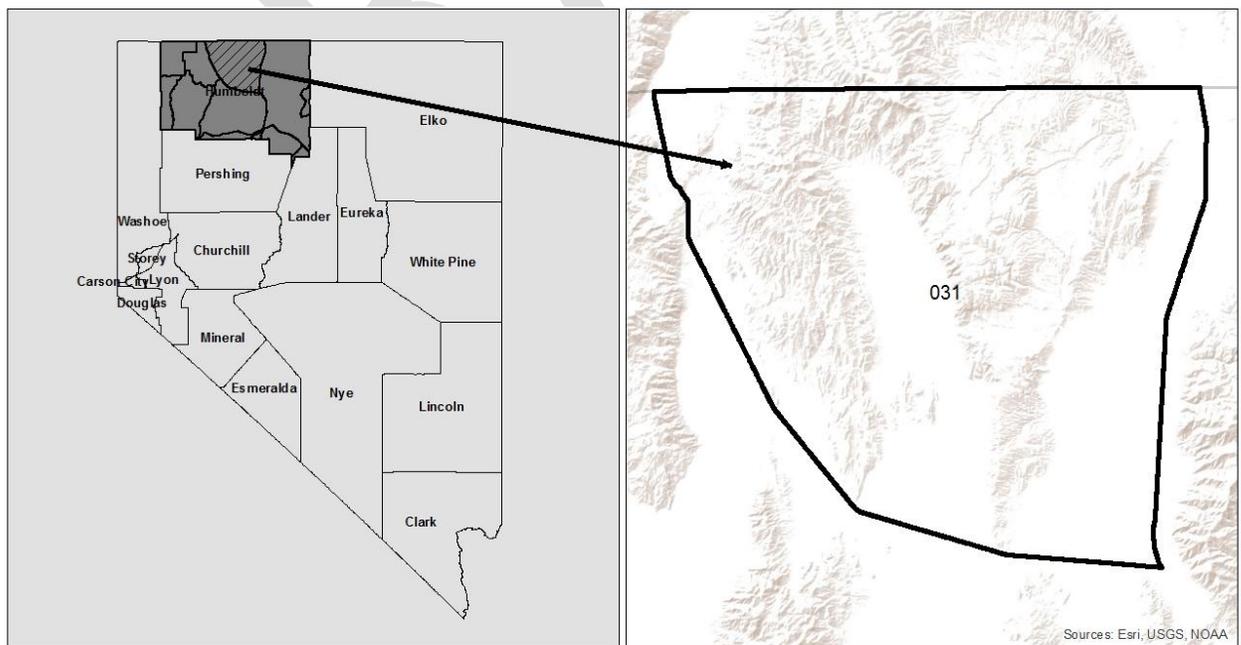
TIME FRAME OF THE HUMBOLDT COUNTY ELK PLAN

The State Wildlife Commission at their May XX, 2016 meeting voted to have the Humboldt County Elk Plan reviewed at the end of XX years. The review process for this elk plan will begin in July of XXXX.

PLANNING UNIT SPECIFICS

Each planning unit section contains a map showing the planning unit in relation to Humboldt County, a written area description, land status and current estimated elk numbers and distribution. Also included in these sections are potential habitat and elk numbers and the final recommendations and detail as voted by the Humboldt County Steering Committee.

Unit 031



Area Description

This area is that portion of Humboldt County south of the Oregon state line, north and east of State Route No. 140 from its intersection with U.S. Highway No. 95 to Denio Junction, east of State Route No. 292 from Denio to the Oregon state line, and west of U.S. Highway No. 95.

This area includes the Double H Mountains, Montana Mountains, Bilk Creek Mountains and that portion of the Trout Creek Mountains along the Oregon border.

Land Status

The land status within this area is a mixture of BLM, BIA and private land. The McDermitt Indian Reservation is located at the northern end of the planning area. The McDermitt Indian Reservation was not included in the analysis since NDOW has no management authority within this area. Table 3 shows the number of square miles and the percent of land associated with each ownership group.

Table 3. Land Status for unit 031 planning area.

Ownership/Management	Square miles	Percent
Bureau of Land Management	1287.8	85%
Private	213.4	14%
BIA	5.3	1%
Totals	1506.5	100%

Current Estimated Elk Numbers and Distribution

At this time, there has only been an occasional elk sighting in this unit. It is believed that elk are passing through at this time, with no evidence of a resident herd.

Potential habitat and elk numbers, and the SC's final recommendations

Table 4 portrays the square miles of elk habitat and the potential elk numbers as determined by the process outlined on pages seven and eight. These numbers were further defined using the process described on page nine with the end number being the Steering Committee's final recommendation.

Table 4. Potential Habitat based on vegetation cover types on public land and .5 mile buffer from water

	Low	Moderate	High	Total
Sq. mi. of habitat	312	95	53	460
Elk/square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	--
Potential elk #s	156 to 468	143 to 238	133 to 212	432 to 918

Public land .5 mile buffer from water

432-918 elk



Public land .5 mile buffer from water HMA excluded

432-918 elk



Public land .5 mile buffer from water HMA excluded exclude low habitat

276-450 elk



TRT Biological Assessment

Pioneering -200 elk



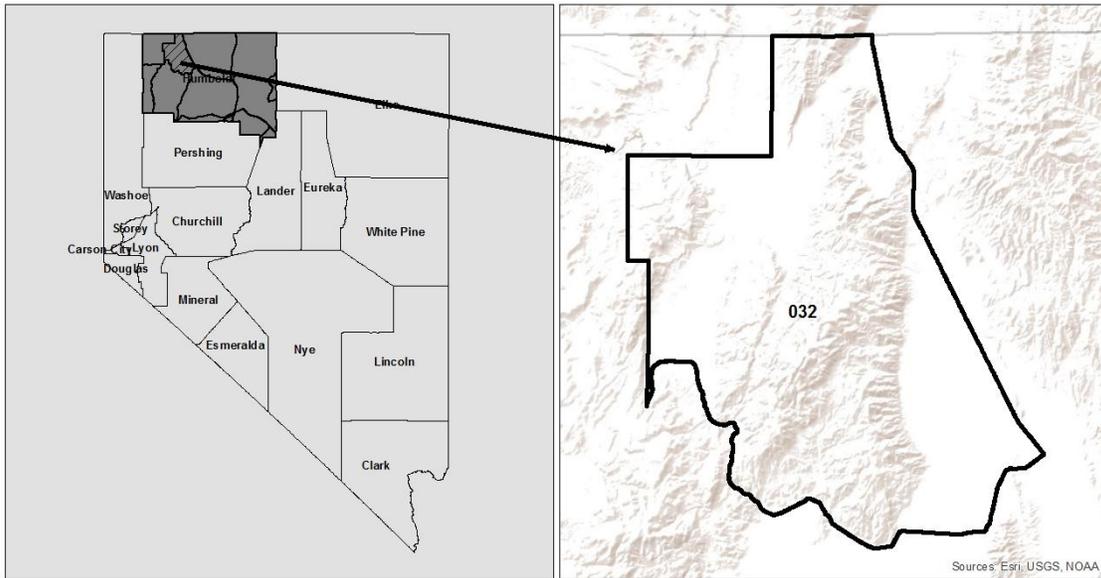
Advisory Committee Action

Pioneering to 100

Unit 031 has the potential to maintain a very limited elk population. At this time, many of the aspen stands, as well as mahogany, have been altered due to fire. Much of this unit burned in 2012 during the Holloway fire. This unit has been mainly classified as moderate at this time with potential good recovery from this fire. In future years, depending on moisture regimes, habitat in this area could be conducive for elk. Limiting factors for this unit are lack of aspen and Mahogany stands. This unit seems to have adequate water and forage available.

When animals become established, collars will be used to determine use areas and to evaluate the amount of acreage used corresponding with the estimates provided in this plan. Collaring data will help evaluate movement corridors. With these numbers there will be the flexibility to increase numbers in the future if habitat allows.

Unit 032



Area Description

Unit 032 is that portion of Humboldt County south of the Oregon state line, east of the Sheldon National Wildlife Refuge, west of State Route No. 140 from the Leonard Creek Road to Denio Junction, west of State Route No. 292 from Denio Junction to the Oregon state line, and north of the Leonard Creek-Pearl Camp-Cove Camp-Idaho Canyon-Summit Lake Road to its intersection with the southeast corner of the boundary of the Sheldon National Wildlife Refuge.

The major mountain ranges in this area include the Pine Forest Range, a portion of McGee Mountain and the Pueblo Mountains to the Oregon border.

Land Status

The land status within this area is a mixture of BLM and private land. Table 5 shows the number of square miles and the percent of land associated with each ownership group.

Table 5. Land Status for unit 032 planning area.

Ownership/Management	Square miles	Percent
Bureau of Land Management	569.9	92%
Private	52.3	8%
Totals	622.2	100%

Current Estimated Elk Numbers and Distribution

At this time there has only been an occasional elk sighting in this unit from sportsman. Elk have not established themselves at this time. In late 1990, one of the permittees in the Pine Forest Range was interested in converting cattle AUM's to Elk AUM's. Since that time, Elk AUM's were added in the Paradise Denio MFP III decision.

Potential habitat and elk numbers, and the SC's final recommendations

Table 6 portrays the square miles of elk habitat and the potential elk numbers as determined by the process outlined on pages seven and eight. These numbers were further defined using the process described on page nine with the end number being the Steering Committee's final recommendation.

Table 6. Potential Habitat based on vegetation cover types on public land and .5 mile buffer from water.

	Low	Moderate	High	Total
Sq. mi. of habitat	94	39	18	151
Elk/square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential elk #s	47 to 141	59 to 98	45 to 72	151 to 311

Public land .5 mile buffer from water

151-311 elk



Public land .5 mile buffer from water HMA excluded

115-235 elk



Public land .5 mile buffer from water HMA excluded exclude low habitat

68-126 elk



TRT Biological Assessment

Pioneering -100 elk



Advisory Committee Action

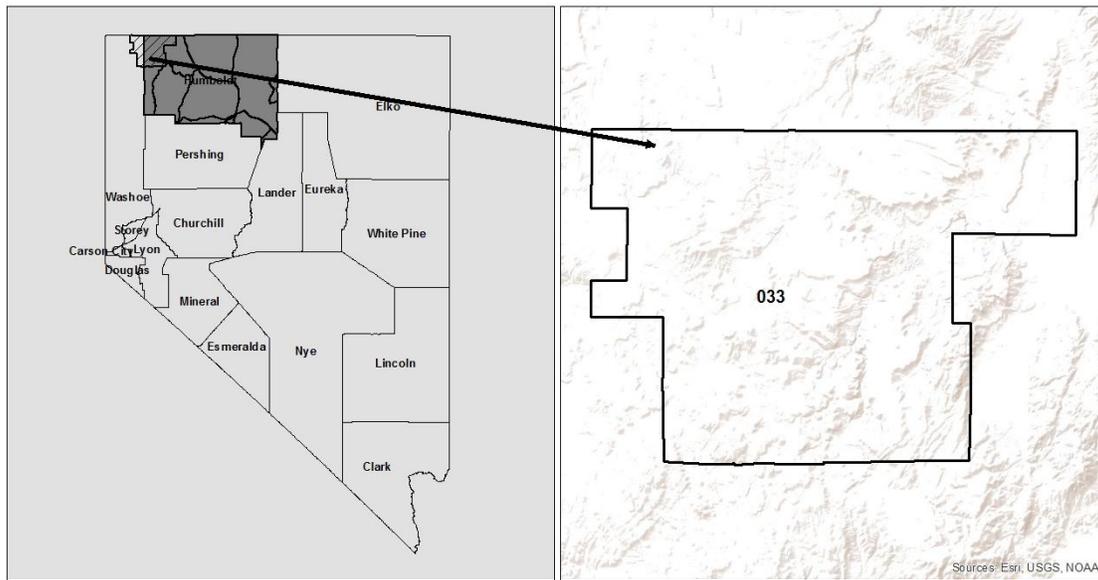
Pioneering to 100

This unit has a good mixture of vegetation that ranges from a mountain brush zone in the upper elevations coupled with mahogany on the rugged mountain tops. Many aspen stringers run the length of the drainages with cooler moist north facing slopes. The mid to lower slopes have a good mix of sagebrush with perennial grasses. Large meadow complexes exist at mid elevations throughout this unit. Ample thermal cover exists within the aspen and mahogany stands and could be utilized throughout much of the year.

The large mahogany stands could be used through most winters to provide the cover needed. There is adequate water availability due to a number of springs and seeps as well as reservoirs and perennial streams.

When animals become established, collars will be used to determine use areas and to evaluate the amount of acreage used corresponding with the estimates provided in this plan. Collaring data will help evaluate movement corridors as well as adjustments in numbers if needed.

Unit 033



Area Description

Unit 033 is those portions of Humboldt and Washoe Counties that are within the boundaries of the Sheldon National Wildlife Refuge. Unit 033 in its entirety lies within the Sheldon National Wildlife Refuge.

Land Status

The land status within this area is mainly the USFWS with a little private ground mixed in. Table 7 shows the number of square miles and the percent of land associated with each ownership group.

Table 7. Land Status for unit 033 planning area.

Ownership/Management	Square miles	Percent
USFWS	844.9	99.5%
Private	3.8	.5%
Totals	848.7	100%

Current Estimated Elk Numbers and Distribution

Early excavations of the Last Supper Cave on the Sheldon National Wildlife Refuge showed presence of elk in the area. At this time, there has only been an occasional elk sighting in this unit. It is believed that elk are passing through at this time with no evidence of a resident herd.

Potential habitat and elk numbers, and the SC's final recommendations

Table 8 portrays the square miles of elk habitat and the potential elk numbers as determined by the process outlined on pages seven and eight. These numbers were further defined using the process described on page nine with the end number being the Steering Committee's final recommendation.

Table 8. Potential Habitat based on vegetation cover types on public land and .5 mile buffer from water.

	Low	Moderate	High	Total
Sq. mi. of habitat	168	326	154	648
Elk/square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential elk #s	84 to 252	489 to 815	385 to 616	958 to 1683

Public land .5 mile buffer from water

958-1683 elk



Public land .5 mile buffer from water HMA excluded

958-1683 elk



Public land .5 mile buffer from water HMA excluded exclude low habitat

874-1431 elk



TRT Biological Assessment

Pioneering -400 elk



Advisory Committee Action

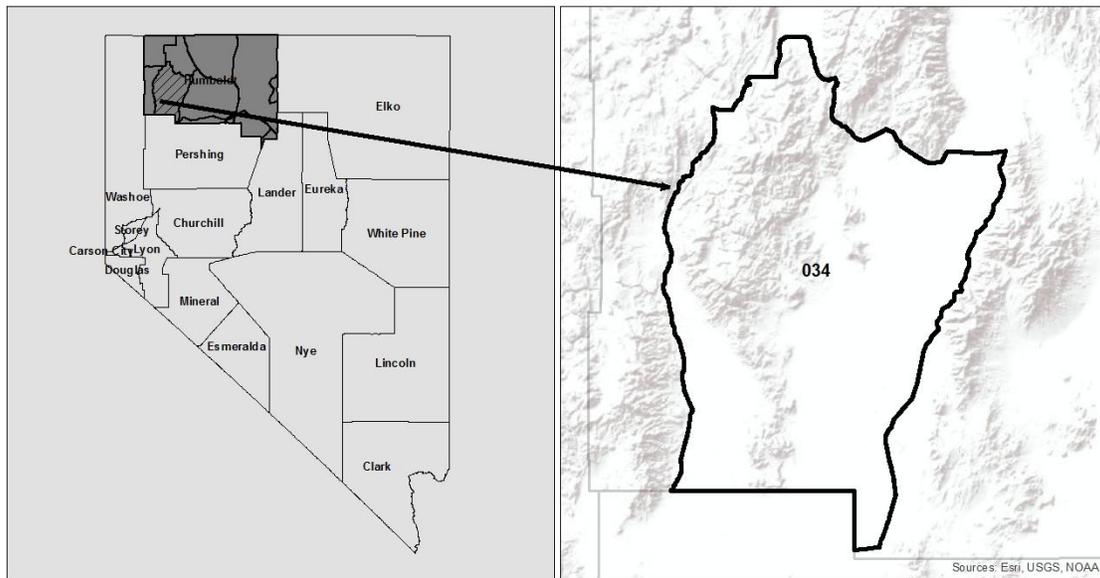
Pioneering to 400

Unit 033, which lies solely on the Sheldon National Wildlife Refuge, has a vast and diverse fauna component. This high mountain desert has a combination of vegetation types that range from grassy meadows to juniper and mountain mahogany plateaus. Many of the rugged gorge type canyons have aspen stringers with perennial streams in them. Several reservoirs are scattered throughout this unit providing water in various locations. Springs and seeps are distributed throughout this unit which will provide

forage and water throughout the year. The mountain mahogany, aspen, and juniper plateaus provide ample thermal cover for both summer and winter months.

When animals become established, in order to have a hunt, the Sheldon will need to go through the NEPA process and complete a compatibility determination. Collars will be used to determine use areas and to evaluate the amount of acreage used corresponding with the estimates provided in this plan. Collaring data will help evaluate movement corridors as well as interaction between pronghorn and elk. Once more data is gained in these areas adjustments may be made to allow additional animals.

Unit 034



Area Description

Those portions of Humboldt and Pershing Counties south of the Leonard Creek-Pearl Camp-Cove Camp-Idaho Canyon-Summit Lake Road to its intersection with the southeast corner of the boundary of the Sheldon National Wildlife Refuge, east of old State Route No. 34 from Gerlach to the Soldier Meadows-Summit Lake-Idaho Canyon Road to its first intersection with the Sheldon National Wildlife Refuge, west of the Deer Creek Ranch-Jackson Creek Ranch-Sulphur Road, and north of the northernmost railroad track that runs from Sulphur to Gerlach.

The major mountain range in this area is The Black Rock Range.

Land Status

The land status within this area is a mixture of BLM, BIA and private land. The Summit Lake Indian Reservation is located at the northwestern end of the planning area. The Summit Lake Indian Reservation was not included in the analysis since NDOW has no

management authority within this area. Table 9 shows the number of square miles and the percent of land associated with each ownership group.

Table 9. Land Status for unit 034 planning area.

Ownership/Management	Square miles	Percent
Bureau of Land Management	1107.6	96%
Private	31.6	3%
BIA	12.3	1%
Totals	1151.5	100%

Current Estimated Elk Numbers and Distribution

At this time there has only been an occasional elk sighting in this unit from sportsmen. Elk have not established themselves at this time.

Potential habitat and elk numbers, and the SC's final recommendations

Table 10 portrays the square miles of elk habitat and the potential elk numbers as determined by the process outlined on pages seven and eight. These numbers were further defined using the process described on page nine with the end number being the Steering Committee's finale recommendation.

Table 10. Potential Habitat based on vegetation cover types on public land and .5 mile buffer from water.

	Low	Moderate	High	Total
Sq. mi. of habitat	114	2	35	151
Elk/square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential elk #s	57 to 171	3 to 5	88 to 140	148 to 316

Public land .5 mile buffer from water

148-316 elk



Public land .5 mile buffer from water HMA excluded

48-78 elk



Public land .5 mile buffer from water HMA excluded exclude low habitat

8-12 elk



TRT Biological Assessment

Zero tolerance area



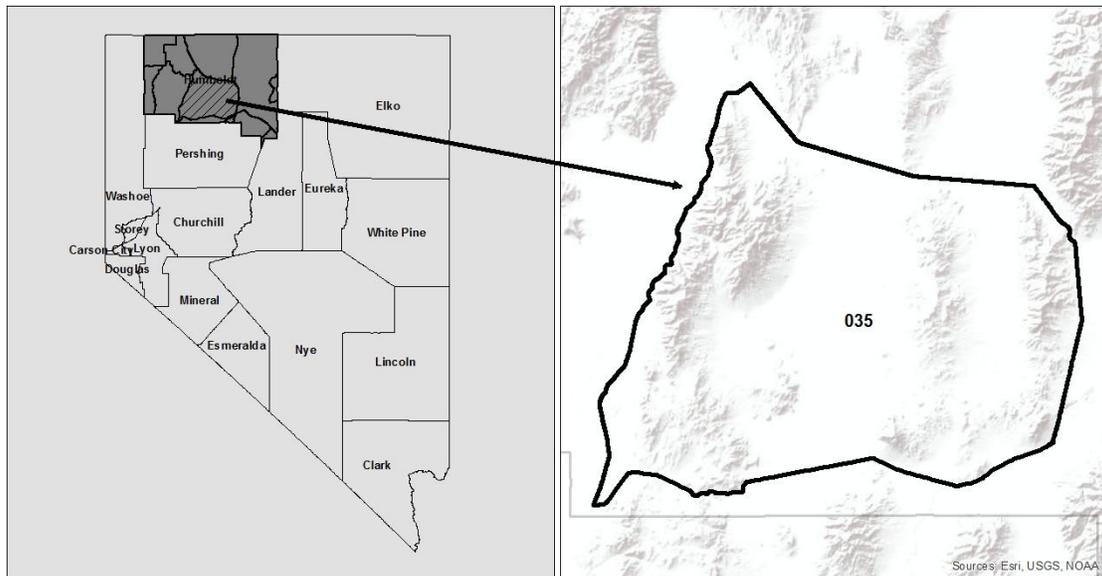
Advisory Committee Action

No established population area*

**Establish population is a herd that consists of ten or more cow elk showing repeated use of an area during the same season for two consecutive years and/or continual use of an area for twelve consecutive months.*

Vegetation associated with this unit varies from a mountain and big sage community to juniper woodland on the south end of the range. This unit also contains aspen stringers through some of the canyons. Springs and seeps are available water sources with perennial streams in many of the canyons. The juniper woodland that is available through the south end of the range would provide ample thermal cover. These areas are found a little lower in elevation which would work well for elevational migrations in winter. The central and northern part of the unit provides a good understory perennial component with large patches of mountain mahogany available. Grassy meadows are available in many of the mid elevation drainages which will also provide forage and water. Within this unit, competition will exist between feral horses and elk. In the advent that horse numbers are lowered or removed this area will be re-evaluated for an established population.

Unit 035



Area Description

That portion of Humboldt County south of State Route No. 140, east of the Leonard Creek-Deer Creek Ranch-Jackson Creek Ranch Road, west of U.S. Highway No. 95 and Interstate Highway No. 80, and north of the northernmost railroad track that runs from Winnemucca to Sulphur.

The three mountain ranges that are associated with this unit include the Jackson Mountains, Slumber Hills and the Blood Run Hills.

Land Status

Lands status in this unit consists of BLM, BIA, and private in holdings. BIA has a very minor portion in this unit with the largest portion being BLM. Table 11 shows the land status associated with unit 035 planning area.

Table 11. Land Status for unit 035 planning area.

Ownership/Management	Square miles	Percent
Bureau of Land Management	1383.5	81%
Private	320.1	19%
BIA	.9	<.1%
Totals	1704.5	100%

Current Estimated Elk Numbers and Distribution

Currently there is no established population in this unit. Reports have been made of Elk observed in the Jackson Mountains but those sightings are very few. The Bloody Run Hills have had observations of young bull elk but those are believed to be passing through as well.

Potential habitat and elk numbers, and the SC’s final recommendations

Table 12 portrays the square miles of elk habitat and the potential elk numbers as determined by the process outlined on pages seven and eight. These numbers were further defined using the process described on page nine with the end number being the Steering Committee’s final recommendation.

Table 12. Potential Habitat based on vegetation cover types on public land and .5 mile buffer from water.

	Low	Moderate	High	Total
Sq. mi. of habitat	266	16	12	294
Elk/square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential elk #s	133 to 399	24 to 40	30 to 48	187 to 487

Public land .5 mile buffer from water

187-487 elk



Public land .5 mile buffer from water HMA excluded

56-167 elk



Public land .5 mile buffer from water HMA excluded exclude low habitat

.65 elk



TRT Biological Assessment

Zero tolerance area



Advisory Committee Action

No established population area*

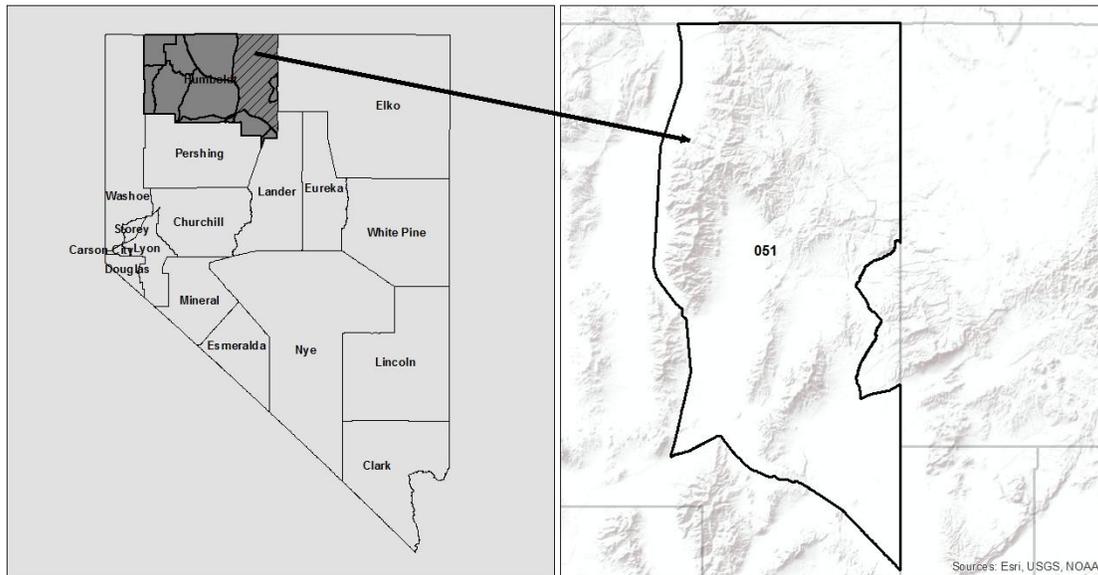
**Established population is a herd that consists of ten or more cow elk showing repeated use of an area during the same season for two consecutive years and/or continual use of an area for twelve consecutive months.*

The Jacksons has an abundance of aspen and mountain mahogany which would allow for adequate escape cover. The juniper tree cover in the lower elevations throughout the range would not only provide necessary escape cover, but thermal cover as well in the winter months. The upper basins in the Jacksons have a good amount of mountain brush with a fairly strong grass understory. As you move down slope, there is an ample sagebrush grass understory to the valley floor. This area has not had much influence of fire at this time. Plenty of water is available throughout the Jacksons with both perennial and scattered seeps throughout this range. Within this unit, competition will exist between feral horses and elk. Forage utilization will provide a much better understanding on the number of elk that may inhabit this unit. Utilizations rate should be used to adjust the number or population objective for this unit.

The Bloody Run Hills are also within this unit. This range has seen many fires and would be very limited not only in quality habitat but the number of elk that could use this area. There is good water availability, however, habitat cover and forage throughout the year is very limited.

In the advent that horse numbers are lowered or removed this area will be re-evaluated for an established population.

Unit 051



Area Description

That portion of Humboldt County east of U.S. Highway No. 95 and north of Interstate Highway No. 80, excluding that portion north of the Midas Road from the Elko County line to its intersection with the Kelly Creek Ranch Road and east of the Kelly Creek Ranch-Chimney Creek-Shelton Road to the Elko County line. Unit 051 consists of all of Area 5.

The three mountain ranges in this unit are Santa Rosa Range, Hot Springs Range and the Osgood Mountains.

Land Status

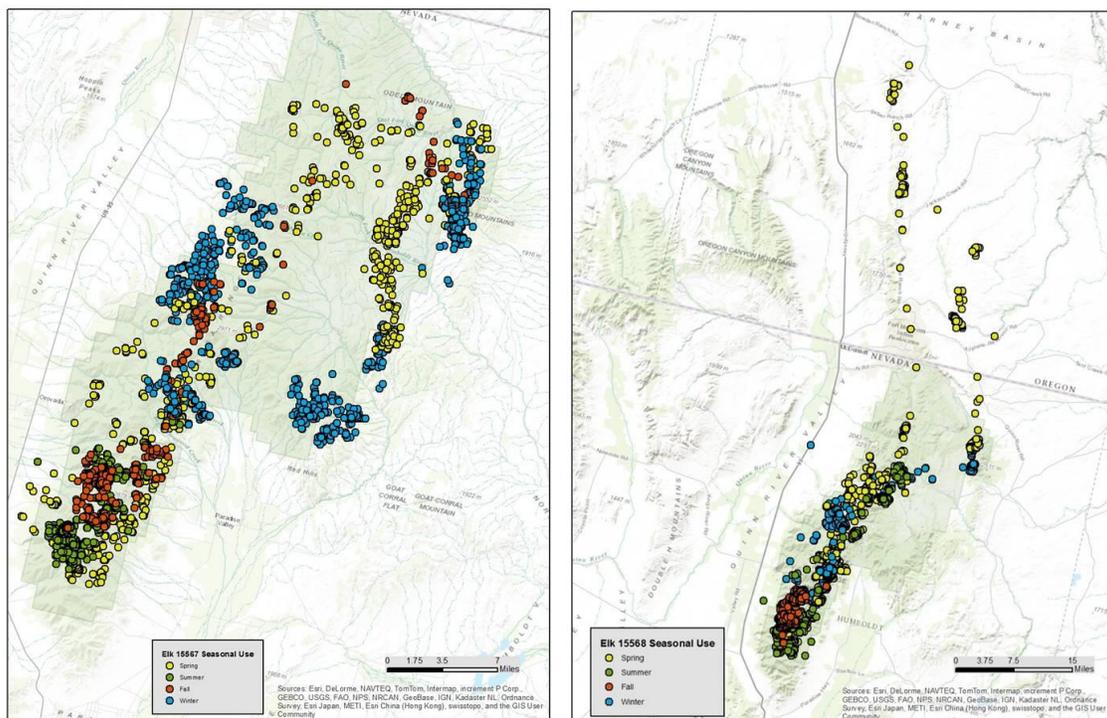
Land status for this unit is split into four different entities. The BLM has the largest area with 55% of this unit. Private land is the second largest part of that unit with the majority of that being agriculture. The Santa Rosa Ranger District has the next largest portion with 16%, which at this time seems to have most of the elk use. Lastly the BIA has the smallest portion with just less than 1%. Table 13 shows the land status associated with the unit 051 planning area.

Table 13. Land Status for unit 051 planning area.

Ownership/Management	Square miles	Percent
Bureau of Land Management	1488.2	55%
Private	759.4	28%
USFS	436.6	16%
BIA	10.3	1%
Totals	2694.5	100%

Current Estimated Elk Numbers and Distribution

More and more elk are being seen in this unit. Some of the earliest sightings were from the early 1990’s. More consistent sightings have occurred over the last five years. In 2013, a collaring project was done to try to track movement of the elk that resided in this unit. During this project, it was very difficult to locate any cows other than the group that contained the two collared animals. Collaring data was utilized for this plan to determine not only movement, but use and vegetation correlations as well. Data that was gained from this has shown elk movement from the south end of the Santa Rosa Range north into Oregon. See map 3. Once more collaring data is acquired it to will be added to the data set. Maps in the appendix show monthly movement in the Santa Rosa Range. At this time the population estimate for this unit is just under 100 animals.



Map 3. Shows elk movement for 2013 through 2015

Potential habitat and elk numbers, and the SC’s final recommendations

Table 14 portrays the square miles of elk habitat and the potential elk numbers as determined by the process outlined on pages seven and eight. These numbers were further defined using the process described on page nine with the end number being the Steering Committee’s final recommendation.

Table 14 Potential Habitat based on vegetation cover types on public land and .5 mile buffer from water.

	Low	Moderate	High	Total
Sq. mi. of habitat	565	233	55	853
Elk/square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential elk #s	283 to 848	350 to 583	138 to 220	771 to 1651

Public land .5 mile buffer from water

771-1651 elk



Public land .5 mile buffer from water HMA excluded

572-1134 elk



Public land .5 mile buffer from water HMA excluded exclude low habitat

432-710 elk



TRT Biological Assessment

100-300 elk



Advisory Committee Action

100-200

Collaring data has been a tremendous asset in assessing this unit and the vegetation types that have been utilized by the newly established population (see charts and graphs in the appendix). This entire unit has an abundance of water spread throughout and an array of vegetation types. The south end of the Santa Rosas has an abundant mountain brush component with aspen stringers on many of the northern exposures and along creek bottoms. These areas have shown to be high use areas from the collaring data that was acquired. The southern exposures in the upper elevations are a sage and native grass component that is utilized as well. The lower elevations are comprised of a fairly good mix of sage and grass understory. The valley floor to the toe slope has experienced wildland fires converting many of these areas to annual grasses such as cheat grass. The more dry rugged sights are occupied by mountain mahogany and in some areas are very dense.

The northern end of the Santa Rosas is comprised of much of the same plant communities; however, fire has altered much of this area even in the higher elevations. This area still has much of the sage/grass and mountain brush component with aspen stringers in the canyons. Large dense patches of mountain mahogany exist and provide the cover needed to support elk numbers.

The Osgood Mountains are also within this unit east of the Santa Rosa Range. This range has had elk use to a lesser extent. Habitat conditions on this range lack the components needed to support large numbers of elk. The Osgood's have had many fires occur over

the years, converting most of this area to an annual grass. This area is beginning to see some regeneration of the brush community, which may help more elk in the future.

Continued collaring efforts should continue in this unit. Both bulls and cows should be collared to identify use areas as well as future movement corridors. With gained information elk numbers may be added to this area if warranted.

MANAGEMENT ACTIONS

The following management actions pertain to the management of elk within all of the planning units. NDOW is responsible for wildlife population management while the BLM, USFWS, and the USFS are responsible for managing the habitat. Since population management and habitat management are so interrelated, effective elk management must involve a successful partnership with NDOW, the Forest Service and the BLM working in concert with private landowners, sportsmen and the public. The following breaks down the elk and habitat management responsibilities of each agency in Humboldt County:

NDOW

Population Management:

1. NDOW will assess the status of the elk populations including population composition, production, distribution, harvest and health data. Methods shall include, but are not limited to, aerial surveys, collaring data, ground surveys, observations, hunter return cards, computer models, life tables, necropsy, serology and tissue samples. All activities will be documented and population estimates will be prepared annually.
2. If there is a defined need for distribution or seasonal use data, radio collars or other marking devices may be used. Any animals that are released will be ear-tagged and an appropriate number of radio collars will be attached to document movements and establishment of seasonal use patterns.
3. Elk populations will be maintained within the population objectives defined within this subplan. Also, if elk are responsible for hindering the attainment of land use objectives, the Department will work with the land management agencies to implement projects to meet land use objectives or reduce elk numbers. Sport harvest will be the preferred means of population control in order to meet the population objectives and land use objectives. With newly established hunts in the state such as antlerless elk landowner tags, elk management tags, wilderness tags, emergency depredation tags, depredation tags, cow hunts during the rut, and winter cow hunts NDOW will have the ability to better reduce animals.
4. Sport harvest is considered a desirable use of the elk resource. The Department, with input from the Humboldt County Wildlife Advisory Board, will formulate

annual harvest recommendations to be adopted by the Wildlife Commission. Guidelines within the Statewide Elk plan will be used in developing elk quotas.

Elk Management of Private Lands and Public Lands:

Elk damage and compensation issues are addressed specifically in the Nevada Department of Wildlife's Program and Procedure entitled Elk Management on Private Lands. The statewide Elk Species Management plan also outlines responsibilities relating to elk use on private lands. Options to address elk use on private lands include:

1. A landowner may receive elk tag(s) as an incentive to support elk use on uncultivated private lands. Large landowners are more likely to qualify for this program than the smaller landowners.
2. Exclusionary fencing may be provided and constructed for stored crops and standing crops. This is a preferred option to continual compensation payments each year to the same landowner.
3. The Department of Wildlife is authorized to pay for elk damage including losses to crops, grazing reductions and privately maintained improvements. A single claim is limited to \$10,000.00: or greater with the Wildlife Commission's approval. Funding for this is provided through the Elk Damage Account, which is supported by a \$5.00 fee for each elk application received.
4. Other options for dealing with elk on private lands include emergency depredation hunts, hazing, Department removal and landowner removal.
5. Where conflicts on private land caused by elk become excessive and cannot be resolved by implementing any of the outline options, recommendations to reduce elk numbers will be considered. Use creative strategies to increase elk tags in units or areas to reduce the number of elk
6. Should the Department of Wildlife and the private landowner disagree on value of loss, elk usage of private lands, or mitigation methods, the landowner has the option of seeking mediation through a Local Panel as set forth in N.A.C. 504.430.
7. Provide landowners with antlerless tags for use on private land

No major elk depredation problems have occurred within Humboldt County at this time. It is imperative that the landowners and the Department work together and respond quickly to any problems that might occur. Deterrence at the onset of an elk problem will most likely shortstop a major problem from developing. See appendix for elk damage and incentive programs.

BLM

1. Manage elk habitat on public lands within the subplan area consistent with the management prescriptions outlined in the Winnemucca RMP and in accordance with existing laws, regulation and policy to provide forage to sustain a total target elk population level identified in this subplan while minimizing impacts to existing uses.
2. Work with NDOW and the private landowners to complete the appropriate NEPA documentation for proposed habitat treatments designed to mitigate impacts of target elk populations to existing resources and uses, improve elk distribution and allow for more efficient use of available habitat within the sub plan area.
3. Apply elk habitat management objectives and monitoring efforts in the following priorities: a) crucial; b) seasonal; and c) yearlong use areas.
4. Continue to participate as a TRT member through implementation and review of this subplan as necessary. As a TRT member responsible for management of the public land resources, the BLM will provide habitat monitoring information to be used in resolving conflicts with existing land uses and/or attainment of the goals and objectives of this sub-plan as staffing and funding allows.

Forest Service

1. Manage elk habitat on public land within the sub-plan area consistent with the Humboldt National Forest Land and Resource Management Plan (Forest Plan as amended). Resource goals with underlying objectives define multiple-use direction for forest-wide management.
 - Produce a sustained yield of forage on all lands available and suitable for livestock grazing while maintaining or enhancing the productivity of the land.
 - Manage all allotments to maintain suitable range presently in satisfactory ecological condition and to improve suitable range that is in less than satisfactory condition.
 - Improve the current productive level of wildlife habitat with the emphasis on maintaining or improving limiting factors.
 - Manage livestock to recognize the special needs relating to wet meadows, riparian areas, and fish habitat.
 - Reduce conflicts between livestock and wildlife for forage on key ranges.
2. Forest utilization standards guide allotment management and annual operating plans to maintain range that is in satisfactory condition and improve range that is not in satisfactory condition. Forest Service standards and guidelines for rangeland management will consider wildlife and livestock use.
3. Strive to establish partnerships with NDOW and other interested groups to monitor seasonal use and establish vegetation monitoring studies when elk use is impacting vegetation resources. Type and intensity of study or inventory will be

- determined when problems are identified and when populations have been established. Studies will depend on funding and staff availability.
4. Complete NEPA as funding and staffing allows for proposed actions on habitat treatments or structural improvements within the Forest boundary that would allow for more efficient use of available habitat.
 5. Forest Service staff will participate as a TRT member through implementation and review of the sub-plan. The Forest is responsible for management of public land and will provide habitat monitoring information, as funding and staffing allows, that may be used in resolving conflicts with acceptable land uses.

U.S. Fish and Wildlife Service

1. Manage the habitat on public land within the Sheldon National Wildlife Refuge (Refuge) consistent with the Comprehensive Conservation Plan (CCP) that was completed in 2012. Our vision statement says:
Sheldon National Wildlife Refuge will foster a strong land ethic and provide scientific leadership through collaboration with a diverse network of partners and utilize the highest principles of conservation. Sheldon Refuge will promote opportunities for people to actively seek and discover natural and cultural treasures in the vast and rugged high desert characterized by solitude, abundant wildlife, and wildland free from human influences. Management will focus on Sheldon Refuge's wild character, biological integrity, and contribution within the larger landscape of the Great Basin as driven by natural ecological processes. As a result, Sheldon Refuge will perpetuate its unique cultural history and critical role in the preservation and study of the sagebrush-steppe ecosystem with its diverse and vital native species.

Under our selected alternative, current fish, wildlife, habitat, and public use management would continue with the following key enhancements.

- Improvement of native habitat conditions would be facilitated by removal of all feral horses and burros from the Refuge within 5 years.
- Nonnative rainbow trout in Big Spring Reservoir would be replaced with trout species indigenous to the region (i.e. Lahontan cutthroat trout, Alvord cutthroat trout, or redband trout), and populations would be maintained through restocking if necessary.
- Increased control of noxious weeds and other invasive plants would be implemented, including increased weed control along road corridors.
- Removal of western juniper would be undertaken where juniper woodlands are encroaching upon sage-steppe habitats.
- Rehabilitation and restoration of degraded habitats would occur, using intensive management techniques (i.e., seeding, erosion control structures, and recontouring).

- Removal of abandoned livestock water developments would occur, along with restoration of spring, playa, wet meadow, and stream habitats to more natural conditions where beneficial to wildlife.
 - Improved recreation opportunities would be provided by relocating and enlarging the visitor contact station, improving campground facilities, developing an accessible interpretive trail, creating a self-guided auto tour route, and improving signage of routes open to vehicle use.
 - Vehicle access to the Refuge would be improved when we reopen existing routes, following revisions to proposed wilderness area boundaries. More frequent maintenance of improved gravel roads would also occur.
 - Relocation of up to nine campgrounds and realignment of road segments would occur, to reduce erosion and impacts to sensitive riparian areas and cultural resources. Seasonal road closures would be implemented as appropriate, to protect sensitive species and habitats.
 - Areas managed for wilderness values will include those currently proposed for wilderness designation under Alternative 1, and additional wilderness study areas identified during the 2009 Sheldon Refuge Wilderness Review. As a result a larger portion of Sheldon Refuge (424,360 acres) would be managed for wilderness character than under the other alternatives.
 - There would be increased inventory, protection, and quality of interpretation for historic and cultural resources.
2. The CCP directs the USFWS to manage elk if they pioneer into the Refuge. No reintroductions were authorized under the CCP.
 3. Establish partnerships with NDOW and other interested groups to monitor seasonal use and establish vegetation monitoring studies when elk use is impacting vegetation resources. Type and intensity of study or inventory will be determined when problems are identified if populations have been established.
 4. The NEPA process was covered during the process of completing the CCP.
 5. The USFWS will participate as a TRT member through implementation and review of the sub-plan. The USFWS is responsible for management of public land and will provide habitat monitoring information that may be used in resolving habitat damage.

APPENDIX

NO PRIVATE .5 MILE BUFFER WATER

Potential habitat based on vegetation cover unit 031				
	Low	Moderate	High	Total
Sq.mi. of habitat	312	95	53	460
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	156 to 468	143 to 238	133 to 212	432 to 918

Potential habitat based on vegetation cover unit 032				
	Low	Moderate	High	Total
Sq.mi. of habitat	94	39	18	151
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	47 to 141	59 to 98	45 to 72	151 to 311

Potential habitat based on vegetation cover unit 033				
	Low	Moderate	High	Total
Sq.mi. of habitat	168	326	154	648
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	84 to 252	489 to 815	385 to 616	958 to 1683

Potential habitat based on vegetation cover unit 034				
	Low	Moderate	High	Total
Sq.mi. of habitat	114	2	35	151
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	57 to 171	3 to 5	88 to 140	148 to 316

Potential habitat based on vegetation cover unit 035				
	Low	Moderate	High	Total
Sq.mi. of habitat	266	16	12	294
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	133 to 399	24 to 40	30 to 48	187 to 487

Potential habitat based on vegetation cover unit 051				
	Low	Moderate	High	Total
Sq.mi. of habitat	565	233	55	853
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	283 to 848	350 to 583	138 to 220	771 to 1651

**NO PRIVATE .5 MILE BUFFER WATER
NO HMA**

Potential habitat based on vegetation cover unit 031				
	Low	Moderate	High	Total
Sq.mi. of habitat	312	95	53	460
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	156 to 468	143 to 238	133 to 212	432 to 918

Potential habitat based on vegetation cover unit 032				
	Low	Moderate	High	Total
Sq.mi. of habitat	70	23	18	111
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	35 to 105	35 to 58	45 to 72	115 to 235

Potential habitat based on vegetation cover unit 033				
	Low	Moderate	High	Total
Sq.mi. of habitat	168	326	154	648
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	84 to 252	489 to 815	385 to 616	958 to 1683

Potential habitat based on vegetation cover unit 034				
	Low	Moderate	High	Total
Sq.mi. of habitat	39	0.1	3	42.1
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	40 to 59	.15 to .25	8 to 12	48 to 71

Potential habitat based on vegetation cover unit 035				
	Low	Moderate	High	Total
Sq.mi. of habitat	111	0	0.01	111.01
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	56 to 167	0	0	56 to 167

Potential habitat based on vegetation cover unit 051				
	Low	Moderate	High	Total
Sq.mi. of habitat	285	196	54	535
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	143 to 428	294 to 490	135 to 216	572 to 1134

NO PRIVATE .5 MILE BUFFER WATER NO HMA NO LOW HABITAT

Potential habitat based on vegetation cover unit 031				
	Low	Moderate	High	Total
Sq.mi. of habitat	0	95	53	148
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	0	143 to 238	133 to 212	276 to 450

Potential habitat based on vegetation cover unit 032				
	Low	Moderate	High	Total
Sq.mi. of habitat	0	23	17	40
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	0	25 to 58	43 to 68	68 to 126

Potential habitat based on vegetation cover unit 033				
	Low	Moderate	High	Total
Sq.mi. of habitat	0	326	154	480
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	0	489 to 815	385 to 616	874 to 1431

Potential habitat based on vegetation cover unit 034				
	Low	Moderate	High	Total
Sq.mi. of habitat	0	0.1	3	3.1
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	0	.1 to .25	8 to 12	8 to 12

Potential habitat based on vegetation cover unit 035				
	Low	Moderate	High	Total
Sq.mi. of habitat	0	0	0.1	0.1
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	0	0	.25 to .4	0.65

Potential habitat based on vegetation cover unit 051				
	Low	Moderate	High	Total
Sq.mi. of habitat	0	196	55	251
Elk/Square mile	.5 to 1.5	1.5 to 2.5	2.5 to 4.0	
Potential Elk #'s	0	294 to 490	138 to 220	432 to 710

Nevada Department of Wildlife Elk Damage and Incentive Program

NDOW has numerous programs to prevent damage by elk. These include the following:

- 1) Build elk exclusionary fences to prevent elk access to private lands
- 2) Compensate landowners or permittees for elk damage on private or public lands
- 3) Provide elk incentive tags to private landowners who may qualify
- 4) Provide landowners with antlerless tags for use on private lands
- 5) Hold emergency depredation hunts
- 6) Use creative strategies to increase elk tags in units or areas to reduce the number of elk
- 7) Hazing elk off of private or public land
- 8) Using department employees to remove offending elk.

1) Elk Fencing

NRS 501.351 Cooperative and reciprocal agreements.

1. The Director may enter into cooperative or reciprocal agreements with the Federal Government or any agency thereof, any other state or any agency thereof, any other agency of this state, any county or other political subdivision of this state, to the extent permitted by the provisions of [chapter 277](#) of NRS, any public or private corporation, or any person, in accordance with and for the purpose of carrying out the policy of the Commission.

2. Such agreements do not relieve any party thereto of any liability, independent of such agreements, existing under any provision of law.

[1:286:1949; 1943 NCL § 3148.05] + [2:286:1949; 1943 NCL § 3148.06] + [3:286:1949; 1943 NCL § 3148.07]—(NRS A 1961, 194; 1969, 1550; 1979, 895; 1981, 607; [1993, 66, 1657](#); [1995, 509](#); [2003, 1526](#))

NRS 501.3535 Fences constructed by Department: Requirements concerning construction and maintenance. If the Department constructs or causes to be constructed a fence in carrying out its duties, the Department shall, to the greatest extent practicable, ensure that the fence is constructed and maintained in such a manner as to prevent livestock from being trapped in the fence.

(Added to NRS by [2013, 504](#))

2) Elk Damage Payments

NRS 504.165 Disbursement of money: Regulations of Commission; proof required from claimant.

1. The Commission shall adopt regulations governing the disbursement of money to:
 - (a) Prevent or mitigate damage to private property and privately maintained improvements, including, without limitation, fences;
 - (b) Prevent or mitigate damage to fences on public lands;
 - (c) Construct fences around sources of water on private lands or public lands where there has been damage to the area near such sources of water; and

(d) Compensate persons for grazing reductions and the loss of stored and standing crops, caused by elk or game mammals not native to this State.

2. The regulations must contain:

(a) Requirements for the eligibility of those persons claiming damage to private property, privately maintained improvements, fences on public lands or areas near sources of water on public lands to receive money or materials from the Department, including:

(1) A requirement that such a person enter into a cooperative agreement with the Director for purposes related to this title; and

(2) A requirement that if the claim is for money or materials from the Department for the construction of a fence around a source of water on private land or public land, such a person must:

(I) Conduct a physical inspection of the private land or public land upon which the fence is proposed to be constructed to determine the most effective manner in which to protect the source of water and to determine the most effective manner in which to provide access to a source of water for livestock and wildlife that is located outside the fence and within a reasonable distance from the fence;

(II) Conduct the inspection described in sub-subparagraph (I) in consultation with the persons or entities which will be directly affected by the construction of the fence, including, without limitation, an owner of the private land on which the fence is proposed to be constructed, a governmental entity that manages the public land on which the fence is proposed to be constructed, a holder of a permit to graze livestock on the public land, if applicable, and a person who holds a water right which will be directly affected by the construction of the fence; and

(III) Enter into a cooperative agreement with the persons and entities described in sub-subparagraph (II) for purposes related to the construction of the fence in accordance with the results of the inspection conducted pursuant to this subparagraph.

(b) Procedures for the formation of local panels to assess damage caused by elk or game mammals not native to this State and to determine the value of a loss claimed if the person claiming the loss and the Department do not agree on the value of the loss.

(c) Procedures for the use on private property or public lands of materials purchased by the State to prevent damage caused by elk or game mammals not native to this State.

(d) Any other regulations necessary to carry out the provisions of this section and [NRS 504.155](#).

3. The regulations must:

(a) Provide for the payment of money or other compensation to cover the costs of labor and materials necessary to:

(1) Prevent or mitigate damage to private property, privately maintained improvements and fences on public lands caused by elk or game mammals not native to this State; and

(2) Construct fences around sources of water on private or public lands if:

(I) Elk or game mammals not native to this State have caused damage to the area near such sources of water; and

(II) A source of water for livestock and wildlife is available outside such a fence and within a reasonable distance from such a fence or will be made available at such a location.

(b) Prohibit a person who has, within a particular calendar year, applied for or received a special incentive elk tag pursuant to [NRS 502.142](#) from applying, within the same calendar year, for compensation pursuant to this section for the same private land.

4. Money may not be disbursed to a claimant pursuant to this section unless the claimant shows by a preponderance of the evidence that the damage for which the claimant is seeking compensation was caused solely by elk or game mammals not native to this State.

5. As used in this section, "public lands" means all lands within the exterior boundaries of the State of Nevada except lands:

(a) To which title is held by any private person or entity;

(b) To which title is held by the State of Nevada, any of its local governments or the Nevada System of Higher Education;

(c) Which are located within congressionally authorized national parks, monuments, national forests or wildlife refuges, or which are lands acquired by purchase consented to by the Legislature;

(d) Which are controlled by the United States Department of Defense, Department of Energy or Bureau of Reclamation; or

(e) Which are held in trust for Indian purposes or are Indian reservations.

(Added to NRS by [1989, 2020](#); A [1991, 269](#); [1993, 1678](#); [1997, 1380](#); [1999, 437](#); [2003, 512, 1554](#); [2013, 1629](#))

PREVENTION AND MITIGATION OF DAMAGE CAUSED BY CERTAIN GAME ANIMALS

NAC 504.350 Definitions. ([NRS 504.165](#)) As used in [NAC 504.350](#) to [504.440](#), inclusive, unless the context otherwise requires:

1. "Claimant" means a person claiming damage to private property or privately maintained improvements caused by elk or game animals not native to this State.

2. "Damage" means any change in the quality or quantity of private property or a privately maintained improvement which reduces its value or intended function and which is caused by elk or game animals not native to this State.

3. "Site" includes any land, other than native rangeland, that is planted, irrigated or otherwise manipulated to produce a crop. The term includes any native hay meadow if the native hay meadow is:

(a) Evaluated by the landowner applicant and the Department to determine its suitability as native habitat for elk; and

(b) Not recommended for inclusion in the program for the issuance of special incentive elk tags established pursuant to [NRS 502.142](#).

4. "Stored crop" means any crop that has been reaped, severed, gathered and stored.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90; A by R206-08, 10-27-2009)

NAC 504.355 "Privately maintained improvements" construed. ([NRS 504.165](#)) For the purposes of [NRS 504.165](#), "privately maintained improvements" include any structures or facilities on private property or public property which are privately maintained.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

NAC 504.360 Accounting for and disbursement of money received by Department. ([NRS 504.165](#))

1. The Director of the Department shall ensure that all gifts, grants, fees and appropriations of money received by the Department for the prevention and mitigation of damage caused by elk or game animals not native to this State, and the interest and income earned on the money, less any applicable charges, are accounted for separately within the Wildlife Account.

2. The Department may disburse that money to reimburse:

(a) Members of a local panel established pursuant to the provisions of [NAC 504.430](#), for their travel and per diem expenses.

(b) The Department for the expense of administering the provisions of [NAC 504.350](#) to [504.440](#), inclusive. The Department may not be reimbursed for more than 10 percent of the money remaining at the beginning of each year.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

NAC 504.365 Notice required from claimant. ([NRS 504.165](#)) Except as otherwise provided in [NAC 504.370](#), to receive money or materials from the Department pursuant to the provisions of [NAC 504.350](#) to [504.440](#), inclusive, a claimant must notify the Department in writing of any damage within 5 days after he or she discovers it. The notice must include the:

1. Dates on which the damage occurred or an estimate of the dates;
2. Estimated number of elk or game animals not native to this State that are causing the damage;
3. Type of damage;
4. Date on which the damage was discovered;
5. Estimated extent of the damage; and
6. Location of the damage.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

NAC 504.370 Acceptance of late claim. ([NRS 504.165](#)) The Department may accept a claim that is filed more than 5 days after the claimant discovers the damage if:

1. The claimant gives verbal notice of the damage to the Department within the 5 days; and
2. The claimant shows that his or her failure to give timely notice was:
 - (a) For good cause;
 - (b) Not caused by his or her lack of diligence; or
 - (c) Caused by the Department.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

NAC 504.375 Cooperative agreement between claimant and Director of Department. ([NRS 504.165](#))

1. To receive money or materials from the Department pursuant to the provisions of [NAC 504.350](#) to [504.440](#), inclusive, a claimant must enter into a cooperative agreement with the Director of the Department.

2. The cooperative agreement must state that:

(a) If the Department and the claimant agree that the hunting of elk is necessary to control damage, the parties agree to negotiate the circumstances under which access to the land of the claimant will be allowed.

(b) The Department agrees to:

- (1) Act expeditiously when it receives a complaint.
- (2) Assess the problem and recommend a course of action to the claimant.
- (3) Carry out an orderly progression of action to alleviate the damage as agreed to by both parties.

(4) Compensate the claimant for damage if a preponderance of the evidence proves that the loss was caused solely by elk or game animals not native to this State.

(c) The claimant agrees to:

- (1) Consult with the Department and consider its technical advice regarding:
 - (l) Damage which occurs because of the placement of stored crops; and

- (II) The relocation of stored crops and development of new agricultural fields.
- (2) Allow the Department to enter his or her property to:
 - (I) Remove elk or game animals not native to this State when the Department so requests.
 - (II) Prevent further damage by any method necessary, including, but not limited to, hazing, hunting, shooting and scaring.
- (3) Allow hunters to whom the Department has issued a wildlife depredation tag, to hunt on his or her property if the hunters will not constitute an undue safety hazard to persons or property.
- (4) Notify the Department in writing of any damage within 5 days after he or she discovers it. The notice must include the information and documentation required by the provisions of [NAC 504.365](#).

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

NAC 504.380 Offer, acceptance and use of materials for prevention of damage. ([NRS 504.165](#))

1. The Department may, after consultation with the claimant, offer the claimant sufficient and appropriate materials for the prevention of damage. The claimant shall use the materials to construct exclusionary devices according to a mutually agreed upon specification and maintain them in good repair. The claimant must sign a loan agreement for the use of such materials.
2. If the Department offers the claimant sufficient and appropriate materials for the prevention of damage and the claimant:
 - (a) Fails to accept and use the materials to prevent and mitigate damage caused by elk or game animals not native to this State, the claimant is no longer eligible to receive money or materials from the Department for such damage unless a local panel determines that the failure to accept or use the materials is reasonable.
 - (b) Accepts the materials, the claimant shall agree to use the materials to prevent or mitigate damage caused by elk or game animals not native to this State.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

NAC 504.385 Losses for which reimbursement is prohibited. ([NRS 504.165](#)) The Department shall not reimburse a claimant for losses for which the claimant is or can be reimbursed pursuant to a policy of insurance.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

NAC 504.390 Inspection of damaged property. ([NRS 504.165](#)) The Department and the complainant shall inspect the property that is damaged as soon as is practicable, but not later than 10 days after the Department receives the notice required by [NAC 504.365](#).

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

NAC 504.395 Agreement upon ways to prevent or mitigate damage. ([NRS 504.165](#)) After the Department and the claimant inspect the property as required by [NAC 504.390](#), they shall agree, if possible, upon ways to prevent or mitigate damage caused by elk or game animals not native to this State, including:

1. Hazing and scaring;
2. Erecting exclusionary devices;
3. Issuing depredation tags; or
4. Removing the animals which are causing the damage.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

NAC 504.400 Subsequent discovery of damage on another site. ([NRS 504.165](#))

1. Except as otherwise provided in subsection 2, if a claimant files a claim for damage on one site and then discovers damage on another site, the claimant must file a separate claim for the damage on the second site, but is not required to enter into a second cooperative agreement.

2. The Department, upon a showing of good cause, may waive the requirement that a claimant file a separate claim for damage on a second site.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

NAC 504.405 Ongoing damage: Periodic reports; notification when damage ends. ([NRS 504.165](#))

1. If damage is ongoing, the claimant shall periodically inform the Department of the status of the damage.

2. The claimant shall notify the Department in writing when the damage ends not later than 30 days after it ends. The notice must state:

- (a) The total extent of the damage; and
- (b) When the damage began and ended.

3. For the purposes of subsection 1, ongoing means not more than 20 days have passed since the property of the complainant was damaged.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

NAC 504.411 Proof of damage. ([NRS 504.165](#))

1. The Department shall develop a form to be used by a claimant to prove damage.

2. The claimant shall submit the form to the Department within 30 days after he or she files the notice required by [NAC 504.365](#). The Department may return incomplete or incorrect forms.

3. The form must be accompanied by:

(a) A statement that the damaged property was in good repair before the damage.

(b) A statement setting forth the amount of property damaged, including the amount of material by type that is needed to repair or replace the property to its condition immediately before the damage.

(c) An agreement between the claimant and an investigator of the Department, where possible, that the damage was caused by elk or game animals not native to this State.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

NAC 504.415 Approval and payment of claims. ([NRS 504.165](#))

1. If the Department approves a claim that is filed by a claimant, the Director of the Department or the Director's designee shall sign the form required by [NAC 504.411](#) and date his or her signature.

2. The Department shall pay each approved claim as soon as is practicable, but not later than 30 working days after the Director or the Director's designee signs the form required by [NAC 504.411](#).

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

NAC 504.421 Determining amount of award; proof of cause of grazing reductions. ([NRS 504.165](#))

1. The money that a claimant may receive for:

(a) A loss claimed includes the costs of restoring the property to its condition immediately before the damage.

(b) The loss of a stored crop must be based on the fair market value of the crop where it was stored.

(c) A loss to private property or a privately maintained improvement must be based on the cost of repairing or replacing the property or improvement, adjusted for the remaining useful life of the property or improvement immediately before the damage.

(d) A loss from grazing reductions on private or public property must be contingent upon whether the claimant can prove by a preponderance of the evidence that the loss was caused solely by elk or game animals not native to this State. The burden of proof is the sole responsibility of the claimant.

(e) The loss of a standing crop or pasture meadow must be determined by:

(1) Comparing the harvest yield on the damaged area with comparable undamaged areas, and adjusting for any difference in production, if comparable undamaged areas are available;

(2) Using the best estimate of yield provided by the claimant from past records of harvest and agreed to by the Department, if comparable undamaged areas are not available; or

(3) Any other method agreed upon in writing by the claimant and the Department.

(f) A loss on one site must be limited to \$10,000, unless the Commission determines that a claimant may be paid more and there is sufficient money to pay him or her.

2. For the purposes of paragraph (e) of subsection 1:

(a) "Pasture meadow" means land which is:

(1) Used primarily for the production of grasses or legumes;

(2) Grazed on by livestock; and

(3) Irrigated or maintained for livestock.

(b) "Standing crop" means all products of the soil that are planted, managed, grown or farmed, including, but not limited to, grasses, legumes and grains which are growing and standing in a field. The term does not include windbreaks, gardens or ornamental trees and shrubs.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

NAC 504.425 Appeal to local panel: Grounds; service of notice; partial payment required.
([NRS 504.165](#))

1. If the claimant and the Department do not agree on the amount of money the claimant is to receive or the claimant fails to accept or use materials offered by the Department pursuant to [NAC 504.380](#), the claimant or the Director of the Department may seek relief from a local panel formed pursuant to [NAC 504.430](#). If such relief is sought, the person seeking relief shall serve notice upon the other, personally or by registered mail, indicating his or her intent to seek relief.

2. If the Director of the Department receives or serves the notice required by subsection 1, the Director shall pay the claimant 75 percent of the amount he or she estimates the value of the loss to be within 30 days after the Director receives or serves the notice. The value of the loss must be determined in the manner set forth in [NAC 504.421](#).

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

NAC 504.430 Appeal to local panel: Selection and terms of members; selection of chair.
([NRS 504.165](#))

1. If the claimant and the Department do not agree on the value of a loss or the claimant fails to accept or use materials offered by the Department pursuant to [NAC 504.380](#), the Board of Wildlife Commissioners will select a local panel from the residents of the county in which the

claimant resides to assess damage caused by elk or game animals not native to this State, determine the value of the loss claimed and, if applicable, determine whether it was reasonable for the claimant to fail to accept or use materials offered by the Department pursuant to [NAC 504.380](#).

2. A local panel must consist of three members to be selected as follows:

(a) One member representing the local business community.

(b) One member representing persons actively engaged in the production of agriculture. Persons engaged in the production of agriculture shall, upon request, provide the Board of Wildlife Commissioners with a list of prospective members.

(c) One member representing either a local hunting or sportsmen's organization, or the county advisory board to manage wildlife. The county advisory board to manage wildlife shall, upon request, provide a list of prospective members.

3. A member of a local panel must be a resident of the county he or she serves.

4. The term of office of each member of the panel is 2 years.

5. Each local panel shall select a chair from among its members.

6. A local panel will be called to serve at the request of the Director of the Department or the Director's designee.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

NAC 504.435 Appeal to local panel: Duties of panel; effect of decision; payment of members. (NRS 504.165)

1. A local panel shall assess damage caused only by elk or game animals not native to this State, make a final determination of the value of the loss sustained and, if applicable, determine whether it was reasonable for the claimant to fail to accept or use materials offered by the Department pursuant to [NAC 504.380](#).

2. A local panel shall:

(a) Review the evidence submitted by a claimant and the Department before making a determination; and

(b) Render a decision in an expeditious manner, but not later than 20 days after receiving notification to serve on a claim.

3. The decision of the local panel is final and binding on the parties if it complies with the provisions of [NAC 504.350](#) to [504.440](#), inclusive, and applicable laws of this State.

4. Each member of a local panel serves without salary, but may receive the per diem allowance and travel expenses provided for state officers and employees generally while performing official duties of the local panel.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

NAC 504.440 Mitigation of damages required. (NRS 504.165) Each claimant shall mitigate damages where possible. A claim may be denied or limited if the claimant fails to exercise reasonable care and diligence to avoid the loss or to minimize or lessen damage. The burden of proving a failure to mitigate damages rests with the Department.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 4-18-90)

3) Elk Incentive Tag Program

NRS 502.142 Establishment of program for issuance of special incentive elk tags.

1. The Commission shall adopt regulations to establish a program pursuant to which the Department will issue special incentive elk tags. The regulations must:

(a) Set forth the application and annual review processes for the issuance of special incentive elk tags.

(b) Require that an application for a special incentive elk tag must be accompanied by:

(1) The fee charged for an elk tag pursuant to [NRS 502.250](#); and

(2) Any administrative fee charged in connection with the issuance of an elk tag pursuant to this chapter.

(c) Provide for the issuance of a special incentive elk tag only to a person who:

(1) Lawfully owns, leases or manages private land within an actual elk use area; and

(2) If that private land blocks reasonable access to adjacent public land, provides reasonable access through the private land to allow a person or hunting party possessing a valid elk tag to hunt elk on the adjacent public land.

(d) Establish criteria for the issuance of special incentive elk tags based upon:

(1) The number of elk using private land controlled by the applicant;

(2) The number of days the elk use private lands of the applicant in a calendar year;

(3) The total number of elk; and

(4) Limiting the number of special incentive elk tags issued in each calendar year to not more than one-half of the bull elk tags issued in that calendar year, within the actual elk use area in the unit or units of the management area or areas in which the private land is located.

(e) Provide that special incentive elk tags are valid for both sexes of elk.

(f) Prohibit a person who has, within a particular calendar year, applied for or received compensation pursuant to [NRS 504.165](#) as reimbursement for damage caused by elk to private land from applying, within the same calendar year, for a special incentive elk tag for the same private land.

(g) Allow a group of owners, lessees and managers of private land to qualify for a special incentive elk tag for their combined lands.

(h) Ensure that the issuance of special incentive elk tags will not result in the number of bull elk tags issued in any year being reduced to a number below the quota for bull elk tags established by the Commission for 1997.

(i) Provide that a person to whom a special incentive elk tag is issued by the Commission pursuant to this section may:

(1) If the person holds a valid hunting license issued by this State, use the special incentive elk tag himself or herself; or

(2) Sell the special incentive elk tag to another person who holds a valid hunting license issued by this State at any price upon which the parties mutually agree.

(j) Require that a person who is issued a special incentive elk tag must hunt:

(1) During the open season for elk.

(2) In the unit or units within the management area or areas in which the private land is located.

(k) Provide for the appointment of an arbitration panel to resolve disputes between persons who apply for special incentive elk tags and the Department regarding the issuance of such tags.

2. As used in this section, "actual elk use area" means an area in which elk live, as identified and designated by the Department.

(Added to NRS by [1997, 1379](#); A [1999, 1226](#); [2003, 1534](#))

Special Incentive Elk Tags

NAC 502.42253 Definitions. ([NRS 501.105](#), [501.181](#), [502.142](#), [502.160](#)) As used in [NAC 502.42253](#) to [502.42283](#), inclusive, unless the context otherwise requires, the words and terms defined in [NAC 502.42256](#), [502.42259](#) and [502.42263](#) have the meanings ascribed to them in those sections.

(Added to NAC by Bd. of Wildlife Comm'rs by R057-98, eff. 9-1-98; A by R107-02, 1-21-2003; R206-08, 10-27-2009)

NAC 502.42256 "Actual elk use area" defined. ([NRS 501.105](#), [501.181](#), [502.142](#), [502.160](#)) "Actual elk use area" has the meaning ascribed to it in [NRS 502.142](#).

(Added to NAC by Bd. of Wildlife Comm'rs by R057-98, eff. 9-1-98)

NAC 502.42259 "Landowner applicant" defined. ([NRS 501.105](#), [501.181](#), [502.142](#), [502.160](#)) "Landowner applicant":

1. Means any owner, lessee or manager of private land who supports:

(a) The established management objective, as defined by the Department in any applicable subplan for the management of elk within the local area of the private land of the landowner applicant; and

(b) Any elk in addition to the established management objective living on the private rangeland or private native hay meadow which are used to justify the issuance of a special incentive elk tag to the landowner applicant.

2. Includes the owner, lessee or manager of any native hay meadow, if the native hay meadow is:

(a) Evaluated by the landowner applicant and the Department to determine its suitability as native habitat for elk; and

(b) Recommended for inclusion within the private land of the landowner applicant based upon:

(1) The desire of the landowner applicant; and

(2) The evaluation conducted pursuant to paragraph (a).

(Added to NAC by Bd. of Wildlife Comm'rs by R057-98, eff. 9-1-98; A by R206-08, 10-27-2009)

NAC 502.42263 "Special incentive elk tag" defined. ([NRS 501.105](#), [501.181](#), [502.142](#), [502.160](#)) "Special incentive elk tag" means an elk tag that is awarded to a landowner applicant as an incentive to support:

1. The established management objective, as defined by the Department in any applicable subplan for the management of elk within the local area of the private land of the landowner applicant; and

2. Any elk in addition to the established management objective living on the private rangeland or private native hay meadow which are used to justify the issuance of the special incentive elk tag to the landowner applicant.

(Added to NAC by Bd. of Wildlife Comm'rs by R057-98, eff. 9-1-98; A by R206-08, 10-27-2009)

NAC 502.42269 Denial of tag under certain circumstances. ([NRS 501.105](#), [501.181](#), [502.142](#), [502.160](#)) The Department will not issue a special incentive elk tag to a person who does not currently possess a valid Nevada hunting license or who is not eligible to receive an elk tag pursuant to [NAC 502.405](#).

(Added to NAC by Bd. of Wildlife Comm'rs by R057-98, eff. 9-1-98)

NAC 502.42273 Persons not eligible for tag. ([NRS 501.105](#), [501.181](#), [502.142](#), [502.160](#))

1. The following persons are not eligible for a special incentive elk tag:

(a) A landowner applicant who, during the same calendar year he or she applies for a special incentive elk tag, has applied for or received compensation pursuant to [NRS 504.165](#) for damage caused by elk to the private land identified in the agreement for the special incentive elk tag.

(b) A landowner applicant whose private land blocks reasonable access to adjacent public land and who does not agree to provide reasonable access through his or her private land to allow a person or hunting party possessing a valid elk tag to hunt elk on the adjacent public land.

(c) An employee of the Department and the employee’s spouse or children if the employee processes the request and awards the special incentive elk tag to himself or herself or to his or her spouse or children.

2. If a landowner applicant:

(a) Fails to comply with any provision that is included in the agreement made pursuant to [NAC 502.42276](#); or

(b) During the term of the agreement, prohibits or attempts to prohibit any hunter or hunting party holding a valid elk tag from entering or crossing the private land of the landowner applicant,

□ the Department shall not, for 1 year after the failure or prohibition occurs, issue a special incentive elk tag to the landowner applicant.

(Added to NAC by Bd. of Wildlife Comm’rs by R057-98, eff. 9-1-98; A by R206-08, 10-27-2009)

NAC 502.42276 Provisions of agreement between landowner applicant and Director. ([NRS 501.105](#), [501.181](#), [502.142](#), [502.160](#)) The agreement made between a landowner applicant and the Director of the Department for a special incentive elk tag must provide that:

1. The landowner applicant shall:

(a) Approve a document specified by the Department in which the landowner applicant specifies how he or she shall support:

(1) The established management objective, as defined by the Department in any applicable subplan for the management of elk within the local area of the private land of the landowner applicant; and

(2) Any elk in addition to the established management objective living on the private rangeland or private native hay meadow which are used to justify the issuance of a special incentive elk tag to the landowner applicant;

(b) If the private land of the landowner applicant is adjacent to public land for which access is not available except through the private land, allow access to the public land:

(1) By a person or hunting party possessing a valid elk tag for the purpose of hunting elk on the adjacent public land; and

(2) At a location which is determined by the landowner applicant and the Department; and

(c) Allow an employee or other representative of the Department to enter the private land, at any date and time agreed upon by the landowner applicant and the Department, to assess elk use to determine the number of special incentive elk tags that the Department will issue pursuant to [NAC 502.42279](#).

2. The Department will:

(a) Determine the number of special incentive elk tags that it will award pursuant to [NAC 502.42279](#); and

(b) Assist a landowner applicant in determining the portions of his or her land that are used by elk.

(Added to NAC by Bd. of Wildlife Comm’rs by R057-98, eff. 9-1-98; A by R206-08, 10-27-2009)

NAC 502.42279 Award, issuance and use of tags; fees. ([NRS 501.105](#), [501.181](#), [502.142](#), [502.160](#))

1. The Department will award special incentive elk tags based on the following formula:

(This formula has been updated to include spikes harvested from previous year in addition to bull tags)

$$\frac{NP}{NE} \times \frac{DP}{365} \times \frac{(NT + TSH)}{365}$$

where:

NP = The number of elk using the private land of the landowner applicant.

NE = The total number of elk in the actual elk use area in which the private land is located.

DP = The number of days the elk use the private land during the year.

NT = The total number of antlered elk tags that were issued during the previous year in the unit or units within the management area or areas in which the private land is located.

2. A group of landowners, lessees or managers may apply to receive special incentive elk tags for their combined private lands. The group may allocate the tags among the members of the group at its discretion.

3. The issuance of special incentive elk tags will not result in a reduction of the total number of antlered elk tags issued to the public during a year below the quota for antlered elk tags established by the Commission for 1997, which was 186 tags.

4. A special incentive elk tag is valid for both sexes of elk.

5. A landowner applicant to whom a special incentive elk tag is issued pursuant to this section may:

(a) Use the tag himself or herself if the landowner applicant holds a valid hunting license issued from this State; or

(b) Transfer the tag to another person who holds a valid hunting license issued from this State for any price upon which the parties mutually agree.

6. The Department will charge the same fees for a special incentive elk tag and for the processing of an application for a special incentive elk tag that are charged for an elk tag and for the processing of an application for an elk tag set forth in [NRS 502.250](#).

7. An applicant who applies for a special incentive elk tag must indicate on the application the hunt for which he or she is applying. The Department will not issue a tag to the applicant for the hunt indicated on the application unless the Commission has established a hunt in the unit or units within the management area or areas in which the private land is located.

8. The Department will indicate on each special incentive elk tag it issues pursuant to this section the period during which the tag is valid and the unit or units within the management area or areas in which the private land is located for which the tag is valid.

9. A person possessing a valid special incentive elk tag shall hunt only:

(a) During the period indicated on the tag issued pursuant to this section;

(b) With the weapon designated for that hunt; and

(c) In the unit or units within the management area or areas in which the private land is located, as indicated on the tag.

(Added to NAC by Bd. of Wildlife Comm'rs by R057-98, eff. 9-1-98; A by R104-99, 10-27-99; R085-00, 9-25-2000)

NAC 502.42283 Arbitration panel. ([NRS 501.105](#), [501.181](#), [502.142](#), [502.160](#))

1. The Commission may select an arbitration panel from the residents of the county in which an owner applicant resides to:

(a) Decide a dispute between a landowner applicant and the Department concerning the number of special incentive elk tags that the Department should award; or

(b) Determine whether a party who possesses a special incentive elk tag has adhered to the terms of the agreement entered into to obtain the tag.

2. An arbitration panel must consist of three members to be selected as follows:

(a) One member representing the local business community.

(b) One member representing persons actively engaged in the production of agriculture. Persons engaged in the production of agriculture shall, upon request, provide the Board of Wildlife Commissioners with a list of prospective members.

(c) One member representing either a local hunting or sportsmen's organization, or the county advisory board to manage wildlife. The county advisory board to manage wildlife shall, upon request, provide a list of prospective members.

3. A member of an arbitration panel must be a resident of the county he or she serves.

4. The term of office of each member of the panel is 2 years.

5. Each arbitration panel shall select a chair from among its members.

6. An arbitration panel will be called to serve at the request of the Director or his or her designee.

7. Each member of the arbitration panel serves without salary, but may receive the per diem allowance and travel expenses provided for state officers and employees generally while performing official duties of the arbitration panel.

8. The arbitration panel shall:

(a) Review the evidence submitted by a claimant and the Department before making a determination; and

(b) Render a decision in an expeditious manner, but not later than 20 days after receiving notification to serve on a claim.

9. The decision of the arbitration panel is final and binding on the parties if it complies with the provisions of [NAC 502.42253](#) to [502.42283](#), inclusive, and applicable laws of this State.

(Added to NAC by Bd. of Wildlife Comm'rs by R057-98, eff. 9-1-98)

4) Antlerless Elk Landowner Tag Program

Process and Regulatory Establishment #22

- NDOW identifies private lands where unwanted elk use has or may occur in relation to standing crops or meadows; where private land may restrict access for standard “draw tag” elk tagholders to hunt; and where a limited tag quota has a high likelihood of solving private land elk issues that NDOW and private landowners mutually acknowledge.
 - o For those landowners that have a past history of reoccurring unwanted elk use, a NDOW biologist will identify specific conditions, timing, location, elk numbers, potential hunt boundaries, and tag numbers through direct coordination with the landowner. An Investigation Report will be filed and the landowner will be considered “qualified” for antlerless elk landowner tags.

- o If NDOW estimates a strong potential for future unwanted elk use on a particular private land parcel, the local biologist with direct input from the landowner will fill out an Investigation Report and the landowner will be considered “qualified” for antlerless elk landowner tags.

- o There may be situations where unwanted elk use may not be foreseen but occurs unexpectedly. As quickly as possible, the local biologist, with direct input from the landowner, will fill out an Investigation Report that initiates an antlerless elk landowner tag hunt.

- All investigation reports for unwanted elk use situations will be reviewed and signed off by the Game Division’s regional supervisor.

- Investigation reports will then be forwarded to the License Office so they may draft the antlerless elk landowner tag application. The Investigation Report is essentially a checklist of items that License Office will ultimately need to initiate/generate the hunt and tags including:
 - o Geographic Location - includes unit or units where private and public land is located and physical boundaries of the hunt area including a map.
 - o Season Dates – Specific Season Dates will be set by the local biologist and landowner and if necessary, multiple back to back seasons may be set. Each separate season for a given geographic area will have a unique hunter choice number for issuing tags and tracking hunt questionnaires valid for each specific season.

- Big Game Hunt Questionnaire Deadline • If a season ends on or before January 1, the deadline will be January 31 of the current year’s hunt season, as per NAC 502.405.

- If the season ends after January 1, the deadline will be January 31 of the following year’s hunt season (e.g., if season dates are December 1, 2013 – February 15, 2014, the hunt questionnaire deadline is January 31, 2015)

- o Quota specific to each season and geographic area. A limit of 25 tags exists per landowner per year.

- o 1 tag per applicant per year (includes the landowner)

- o Landowner contact information in case clarification or other questions are needed before tags are issued.

- o Landowner signature on the investigation report or email from landowner acknowledging the report and hunt details

- In the case of potential, future unwanted elk situations:
Nov. 12, 2013 ver. 2
 - o Once elk are actually present, most likely observed by the landowner, NDOW biologist and landowner will finalize specifics for the antlerless elk landowner tag hunt.
 - o The NDOW regional game division supervisor/biologist will forward a revised investigation report to the License Office.
- License office builds the specific antlerless elk landowner hunt and hunter choice numbers into the Hunt Application System
- Landowner will send to NDOW a list of hunters and pertinent information to confirm their eligibility (i.e., no past revocations, or other limitation) and from which office(s) hunters may obtain a tag. Not every known hunter’s name is required initially, but by doing so, it will expedite the purchase of the tags at a regional office.
- License Office will contact administrative staff at regional office(s) alerting them the specific antlerless elk landowner hunt and applications are in the “system”, ready to be processed.
- Antlerless elk landowner tag applicants, as identified by the landowner, may travel directly to the previously identified regional office(s), walk in, fill out the hunt application, and once funds are collected, the tag will be issued.
- Regional administrative staff must deposit the funds according to the Fiscal revenue General Ledger (i.e., predator, elk damage, application and tag fee must go into separate GL accounts).

Eligibility Issues in Relation to Other Elk Tags

On page 21 of the 2013 Big Game Application brochure is the annual big game application Commission Regulation that sets the big game application eligibility requirements including how many tags a person may obtain during a single hunting season. The following sentence is the suggested new language to accommodate the antlerless elk landowner hunt and emergency depredation hunts to allow a person to obtain these tags and also to apply for draw elk tags.

A person may not obtain more than one elk tag during a hunting season except for Heritage tags, elk incentive hunt tags, emergency depredation hunt tags, and antlerless elk landowner hunt tags.

Waiting Period for Obtaining Certain Elk Tags

NAC 502.361 established the waiting periods for “bull”, “spike” and antlerless tags. It states that a person is eligible in any year for an antlerless elk tag – no waiting period. So no additional language needed.

Establishment of the Antlerless Elk Landowner Hunt will initially be through Commission Regulation

We propose to identify and define the antlerless elk landowner hunt and tags initially in Commission Regulation as we do Emergency Depredation Hunts each and every year. It is recommended that the regulation and revised application eligibility be drafted for adoption at the February 2014 Wildlife Commission meeting.

5) Emergency Depredation Hunts

CR 15-09 Amendment #1 – Emergency Depredation Hunts – 2015 and 2016 Emergency Hunts

The board of Wildlife Commissioner, under the authority of Sections 501.181, 502.140, 503.120 and 503.140 of the Nevada revised Statutes, does hereby adopt the following regulation for the big game resource. 503.090, 503.140 and 503.245 of the Nevada Revised Statutes, does hereby adopt the following regulations for the big game resource.

SPECIES	MULE DEER	PRONGHORN ANTELOPE	ELK
LEGAL WEAPON		To be determined by hunt	
HUNT NUMBER FOR CLASS OF ANIMAL	Hunt number #1104 for antlerless mule deer,	Hunt number #2104 for pronghorn antelope with horns shorter than ears,	Hunt number #4104 for antlerless elk, hunt

	<p>hunt number #1105 for antlered mule deer, and hunt number #1106 for either class of mule deer.</p>	<p>hunt number #2105 for pronghorn antelope with horns longer than ears, and hunt number #2106 for either class of pronghorn antelope.</p>	<p>number #4105 for antlered elk, hunt number #4106 for either class of elk, and hunt number #4108 for spike only elk.</p>
CLASS OF ANIMAL		<p>To be determined by the Department for each designated emergency hunt</p>	
OPEN SEASON		<p>Individual designated emergency hunts may occur between July 1 and February 28 of the following year.</p>	
TAG QUOTA		<p>Not to exceed 2000 tags statewide for the species listed.</p>	
APPLICATIONS		<p><i>In an emergency hunt for a particular geographic area (that may have multiple seasons) where the total quota for all seasons is less than 20 tags,</i> participants will be selected from the unit group alternate list established for the nearest similar hunt.</p> <p><i>In an emergency hunt for a particular geographic area (that may have multiple seasons) where the Department designates a total quota of 20 tags or more for all seasons for a particular hunt,</i> the Department will hold a computerized drawing.</p> <p>Submission of</p>	

		<p>applications for an emergency hunt drawing will be restricted to online at www.huntnevada.com. The application period and deadline for each emergency hunt draw will be determined at the time the hunt and season is established by the Department. Applicants must be currently eligible for the species identified in the hunt to be eligible to apply for an emergency hunt draw.</p>	
<p>ELIGIBILITY RESTRICTIONS</p>	<p>No change to current Nevada Administrative Code for mule deer.</p>	<p>Eligibility restrictions concerning successive years' hunts as stated in Nevada Administrative Code 502.341 do not apply to this hunt.</p>	<p>Eligibility restrictions concerning successive years' hunts as stated in Nevada Administrative Code 502.361 do not apply to this hunt</p>

6) Elk Hunt Strategies

1. Antlerless Elk Management Tag Awarded if Deer Tag Drawn (“Delk” Tag) –

The premise for the “delk” tag is to increase cow elk harvest without adding additional hunters and hunter congestion during existing mule deer hunt seasons. This antlerless elk tag is considered a “management” antlerless elk tag without any bonus points associated with it.

- Mule deer applicant would check box on their application (for Hunts 1341, 1371, 1331, and 1181) if he or she would want to draw an antlerless elk tag if they were to draw a deer tag.
- The season for both the deer and antlerless elk management tags issued in this method would be the same season dates as the deer tag.
- The antlerless elk management tag may only be a select set of hunt units within the mule deer unit group depending on where the biologist needs additional cow elk harvest (i.e., Cow elk tag may only be good for Unit 061 or 062 within Deer unit group 061 – 068).

- The area biologist would set a quota for these antlerless elk management tags in case there is high demand by deer applicants to acquire an additional cow elk tag.
- The drawing of an antlerless elk management tag for the successful deer applications will occur in the order of the lowest draw number assigned to the deer applications
- NAC 502.4187 will need to be amended to add language to exclude management hunts tags from the bonus point program and not allow bonus point accumulation on these hunts.
- The hunter choices (unit groups and weapon class hunts) that would be associated with this application option would be identified in Commission regulation during the annual big game season setting process each February and quotas for the antlerless elk management tags set in May.

2. NAC 502.4187 to be amended to eliminate bonus points from depredation hunts.

The premise is that bull elk depredation applicants that are building bonus points are more likely to trophy bull hunt once they draw the tag and not shoot a bull at all if the antlers are not large. The whole reason to have a depredation hunt is to kill elk regardless of age or antler size. The amendment would remove the term depredation from the bonus point categories and add language that would exclude the depredation hunts from accumulating bonus points.

3. Allow Both Antlered and Antlerless Elk Applications in same Draw Period - Allow for a hunter to apply for both bull elk and cow elk in the main big game tag draw application process. The outcome of the bull elk applications would need to be determined first. If applicant is successful drawing a bull tag, the cow elk application is deemed “unsuccessful” and the applicant is awarded a bonus point for cow elk. If the bull elk application is unsuccessful, a bull elk bonus point would be awarded and the cow application is assessed with all other species in the draw process to determine if successful or not. Premise is bull elk applicants would be willing and able to harvest a cow elk but they don’t want to miss out on accumulating bull elk bonus points and apply for cow elk. With this program we are “recruiting” bull hunters to harvest a cow elk while waiting for their bull tag to be drawn.

- NAC 502.4179 would need to be amended to allow for more than one application per species.
- Then Commission regulations set during the big game season setting process in February would define the eligibility language to allow for both antlered and antlerless elk applications in same application period.

4. Wilderness Only Antlerless Elk Hunts – Have separate any legal weapon cow elk seasons just for designated wilderness areas within certain unit groups where wilderness has severely limited hunter access and cow elk are utilizing wilderness more and more to avoid hunting pressure. The hunt boundary would be the wilderness boundary as defined by USFS or BLM. A map would be provided with the tag.

5. Spike Elk Hunts – Initiate spike bull hunts in select unit groups where we are over population objective. Start with small quotas and increase once hunter success rate is estimated for a given unit group (Utah’s spike hunts hunter success is typically around 15%.) Season dates for spike hunts would be same as cow elk hunts. Spike hunt quotas would be in addition to the standard antlered bull hunt quotas since our goal is to increase overall bull harvest but not to increase mature bull harvest

6. **September 17 – 30 Any Legal Weapon Antlerless Elk Hunt** - Change muzzleloader weapon to any legal weapon hunt for the September 17 – 30 cow elk season to increase hunter success for a couple of years during September when hunters can locate cow elk groups easier because of bugling bulls and no additional hunter congestion during the large quota deer hunt seasons in October.
7. **Consider Changing NAC 502.361 for the Waiting Period for Successfully Harvesting an Bull Elk** - Reduce bull elk hunt waiting period to 5 years if a bull elk tagholder is successful. This would make both successful and unsuccessful bull tag holders have the same waiting period of 5 years. Premise is some bull elk hunters would be willing to kill more non-trophy bulls if they only have to wait 5 years compared to 10 years to start applying again for a bull tag. We acknowledge that it would increase the number of bull tag applicants that would have otherwise still have been in their waiting period.
8. **“Management” Bull Hunts were considered but not recommended due to concerns over hunt implementation**

7) Hazing Elk

NRS 501.3525 Taking of wildlife by employee of Department. An employee of the Department may take any wildlife from any place, except private property without lawful authority, and in any manner for any purpose determined by the Director to be in the interest of conserving wildlife in this State if the taking of the wildlife complies with the requirements established by the United States Fish and Wildlife Service or any other agency of the Federal Government.

(Added to NRS by [2005, 1307](#))

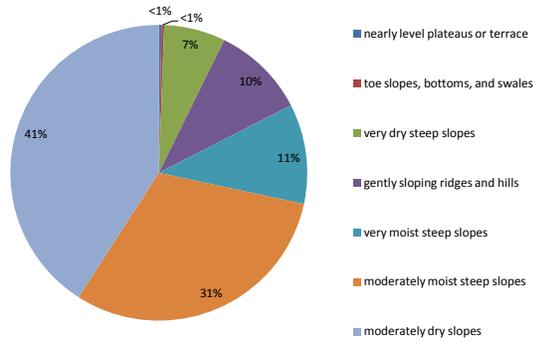
8) Department Removal

NRS 501.3525 Taking of wildlife by employee of Department. An employee of the Department may take any wildlife from any place, except private property without lawful authority, and in any manner for any purpose determined by the Director to be in the interest of conserving wildlife in this State if the taking of the wildlife complies with the requirements established by the United States Fish and Wildlife Service or any other agency of the Federal Government.

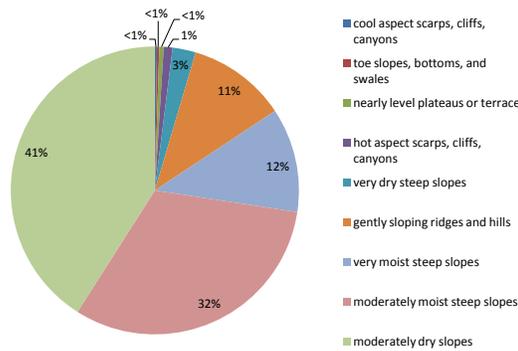
(Added to NRS by [2005, 1307](#))

SLOPE USE AREAS PER SEASON UNIT 051

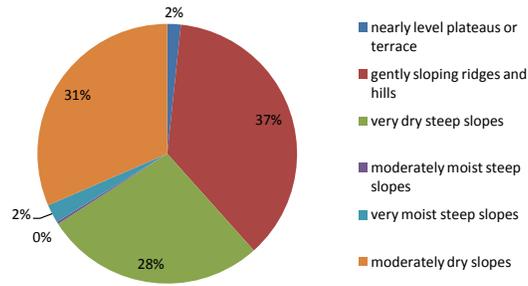
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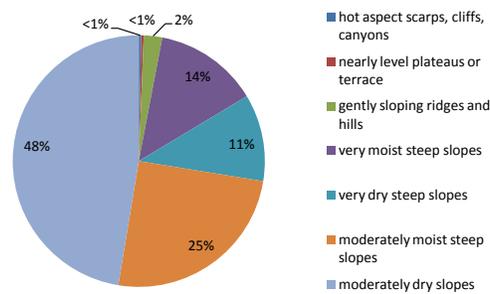
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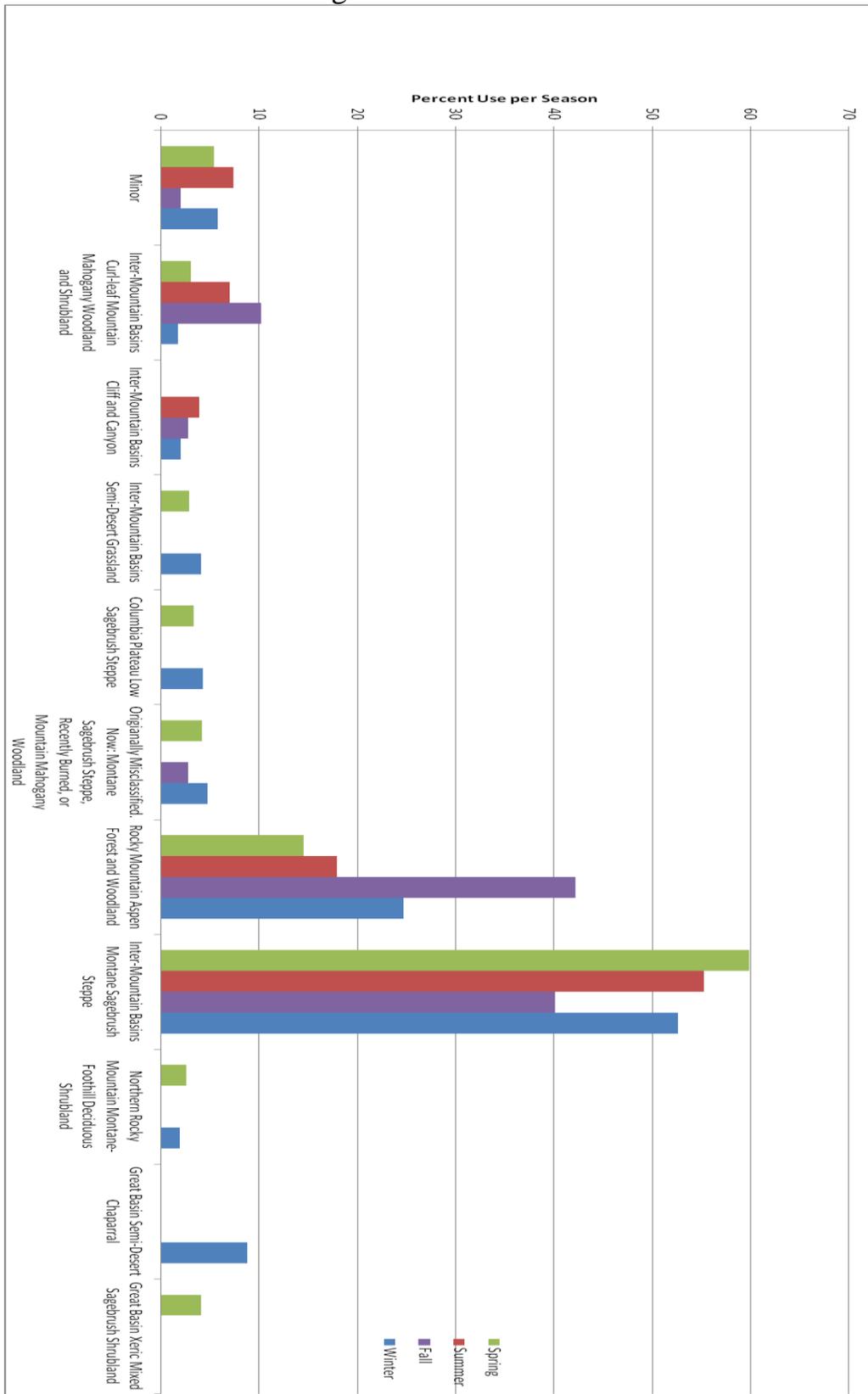
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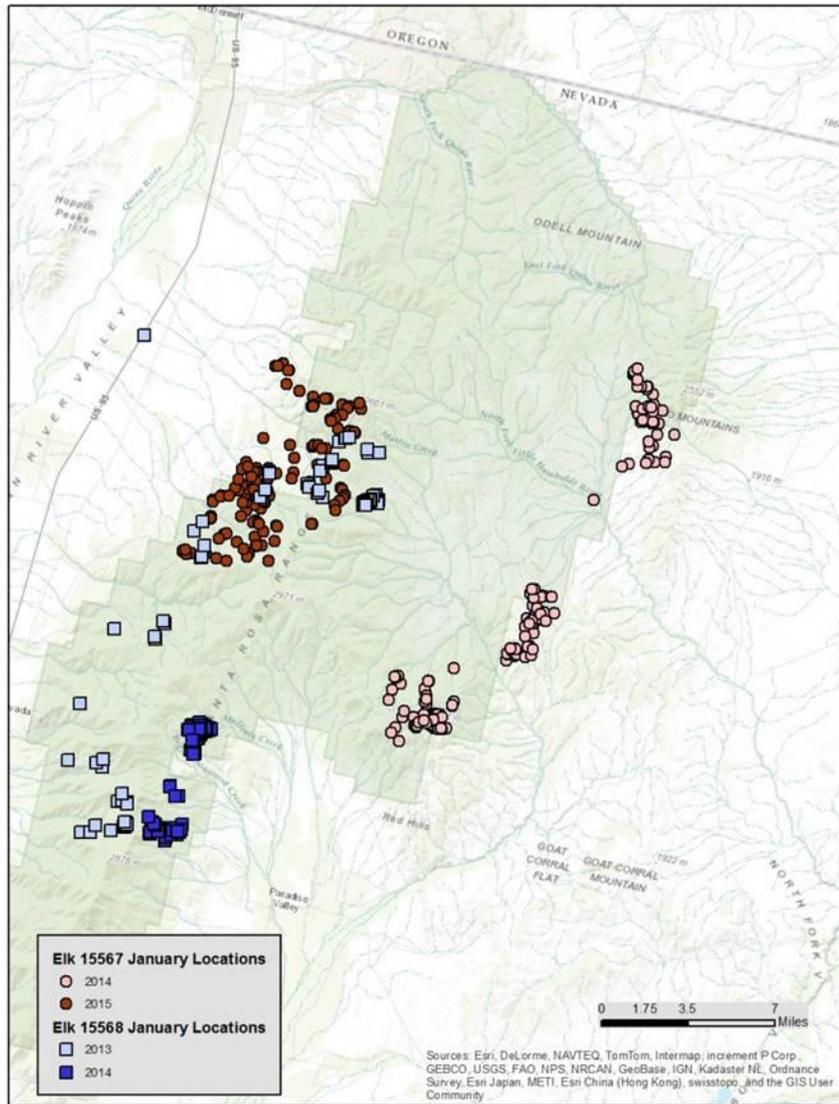
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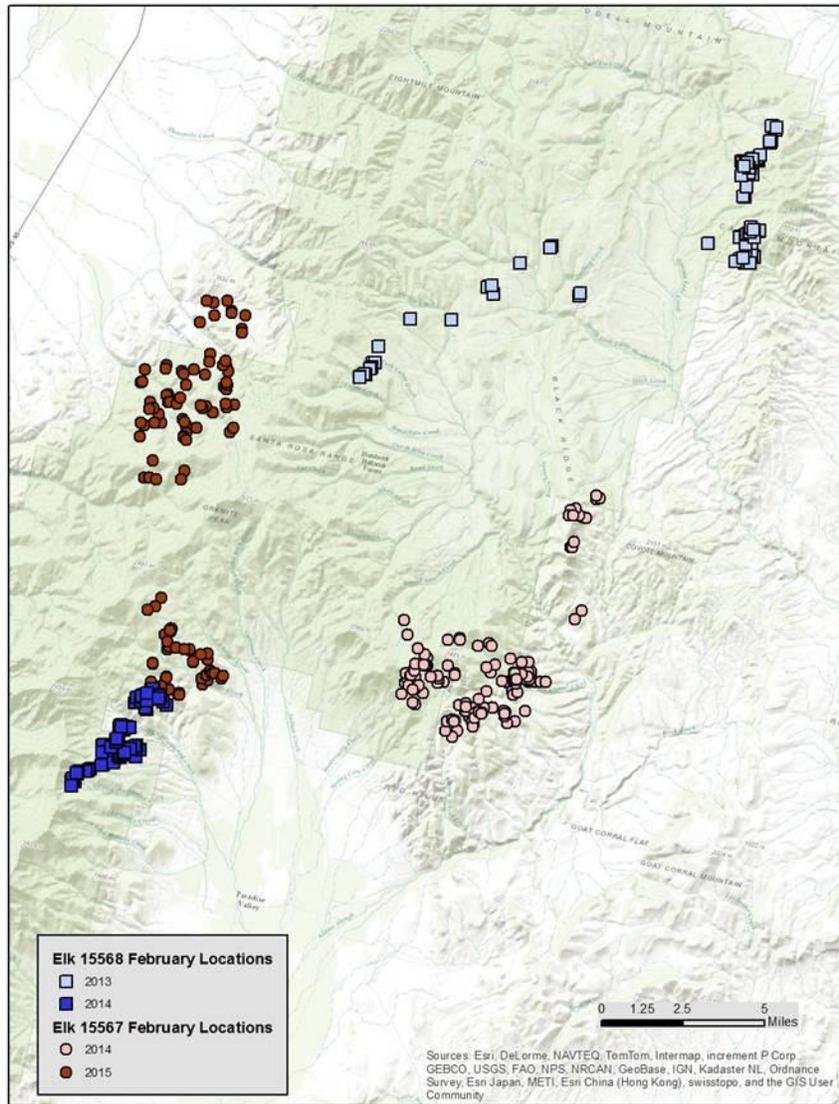
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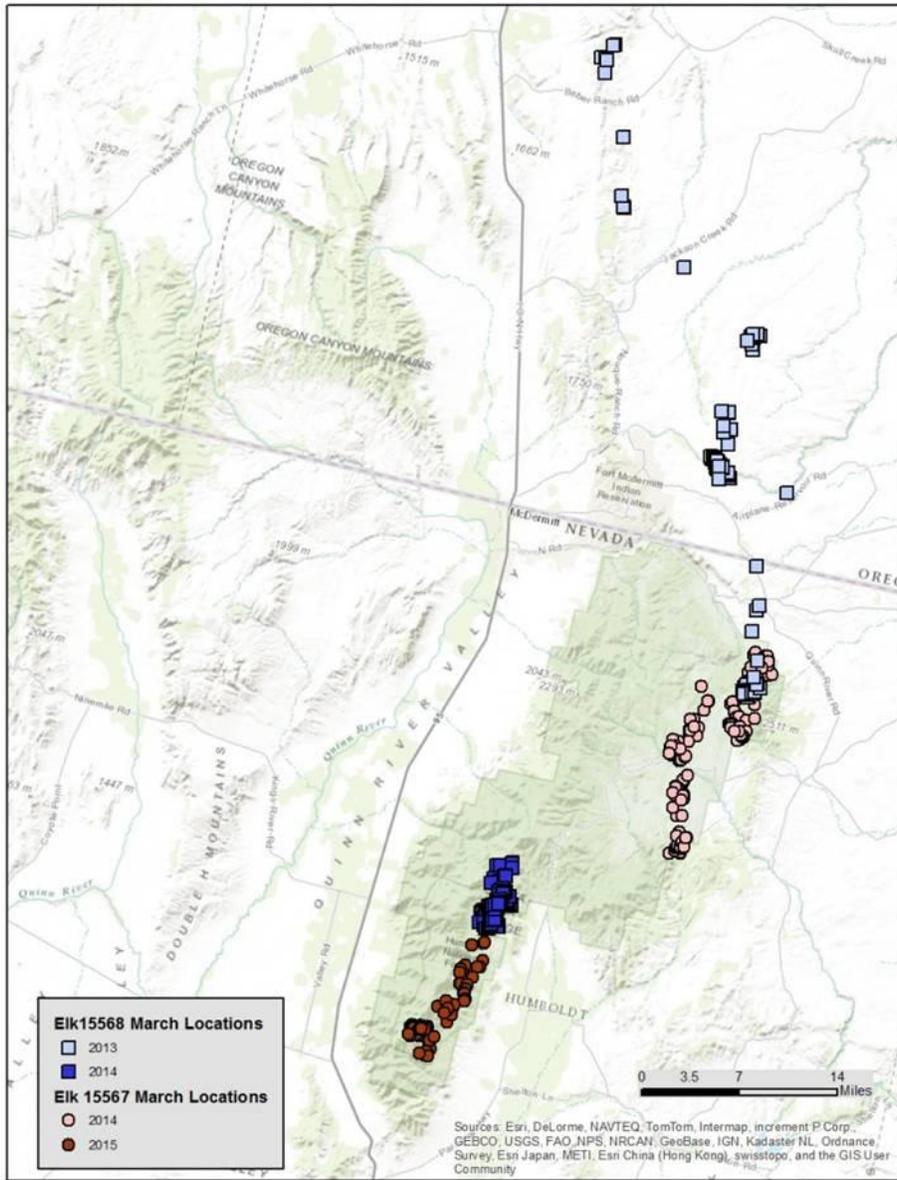
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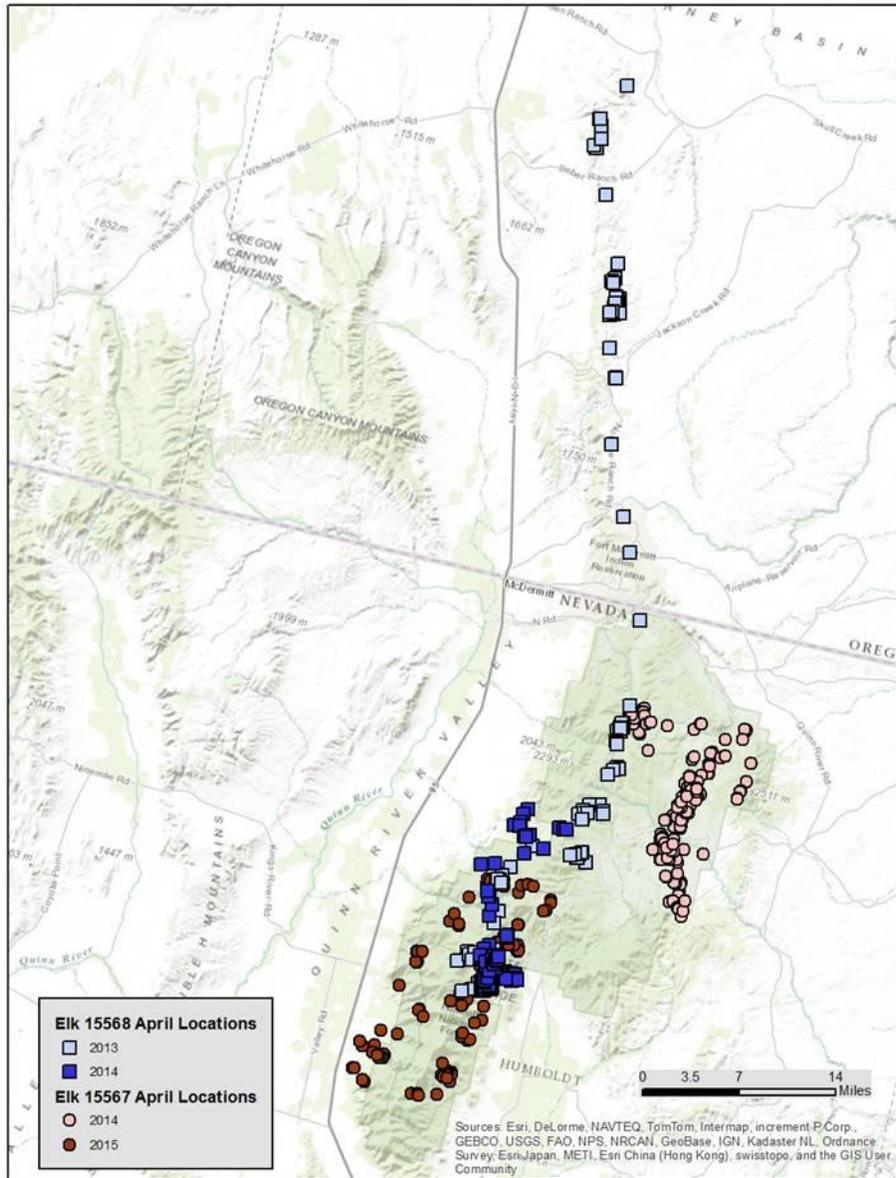
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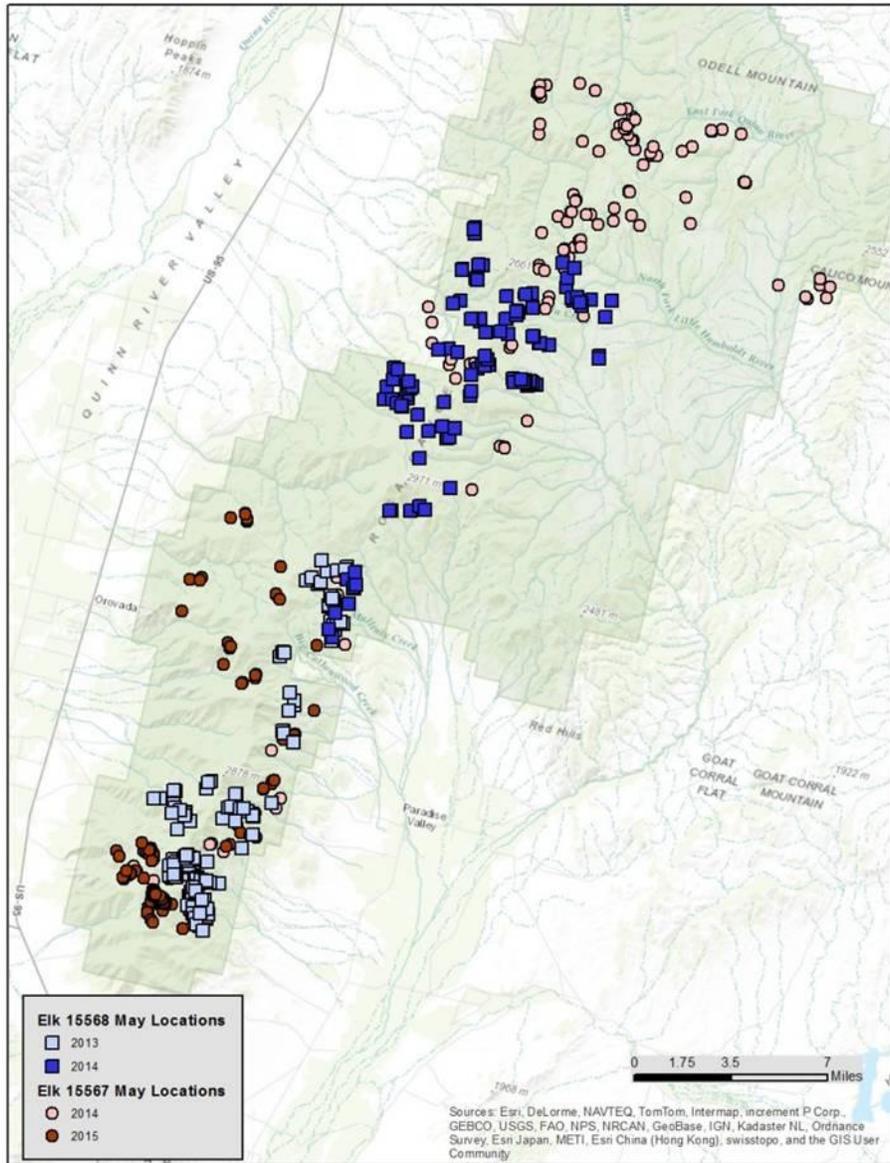
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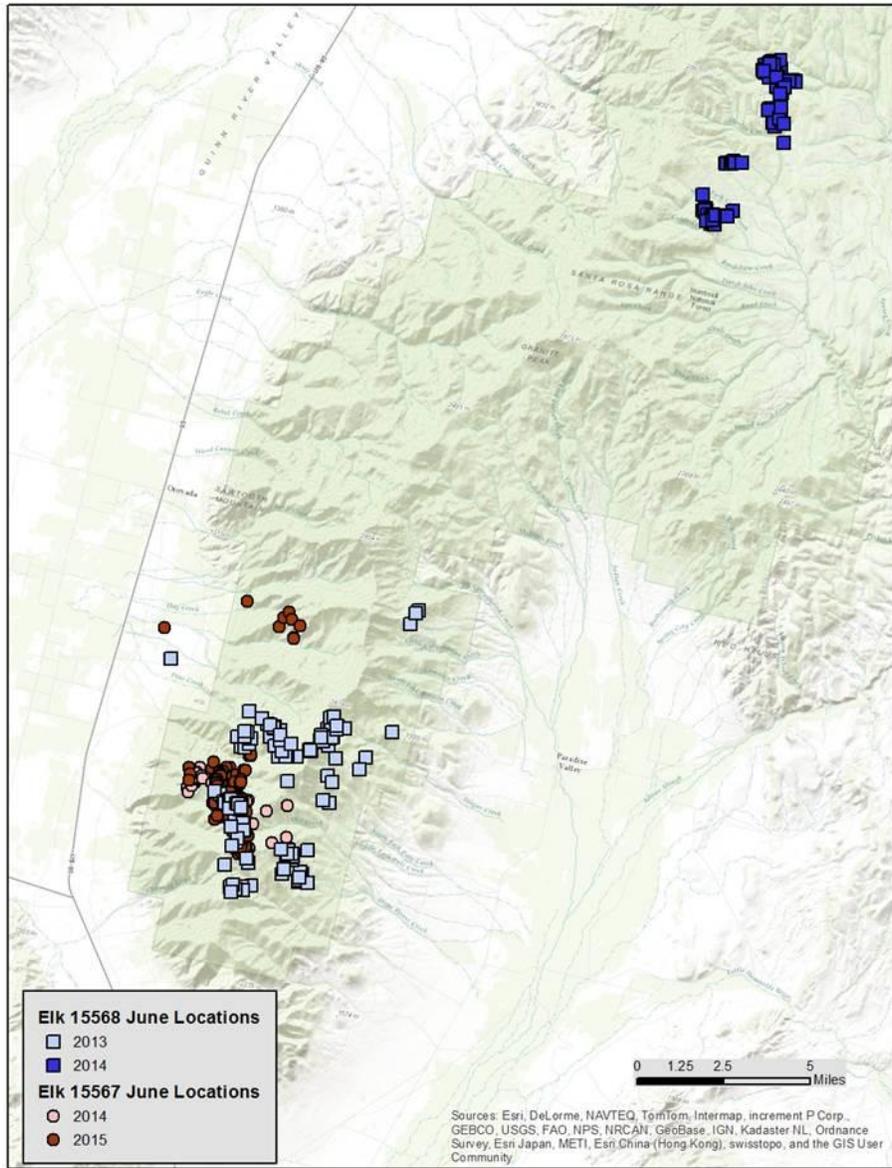
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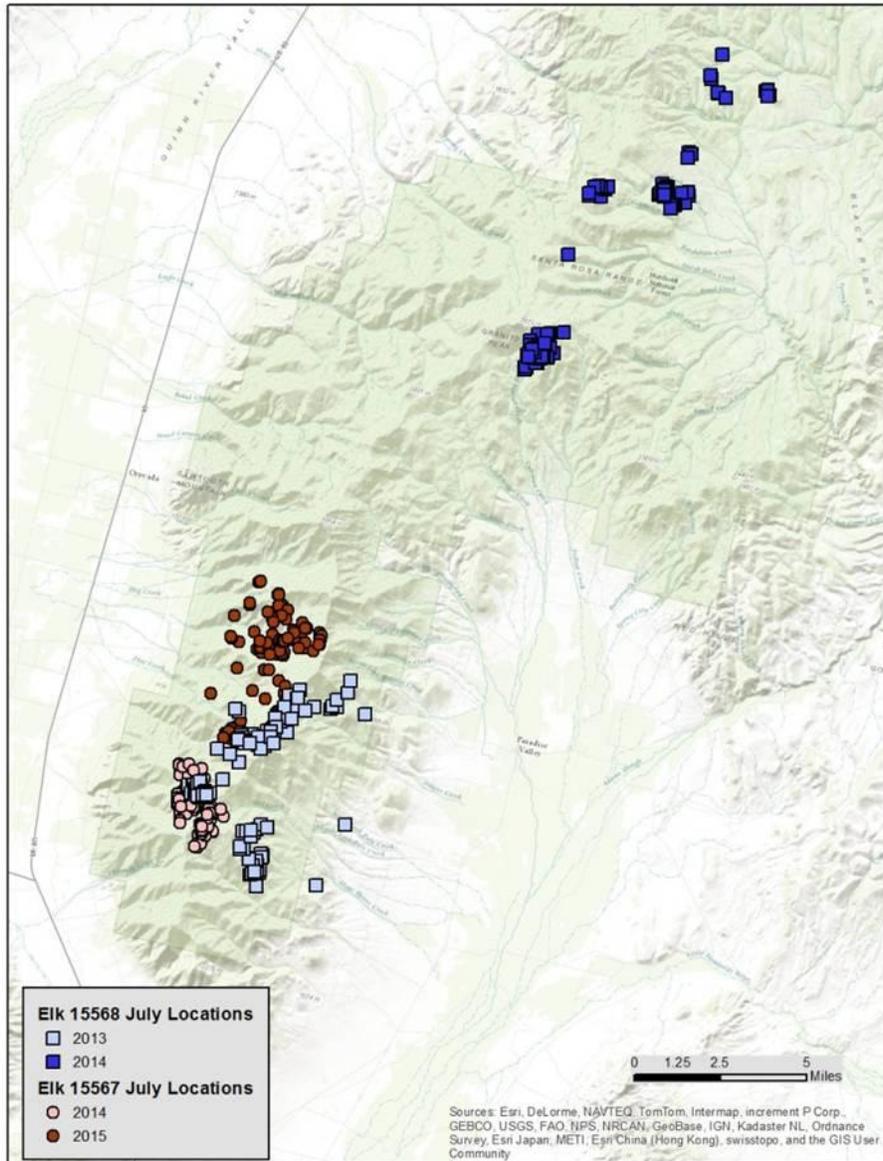
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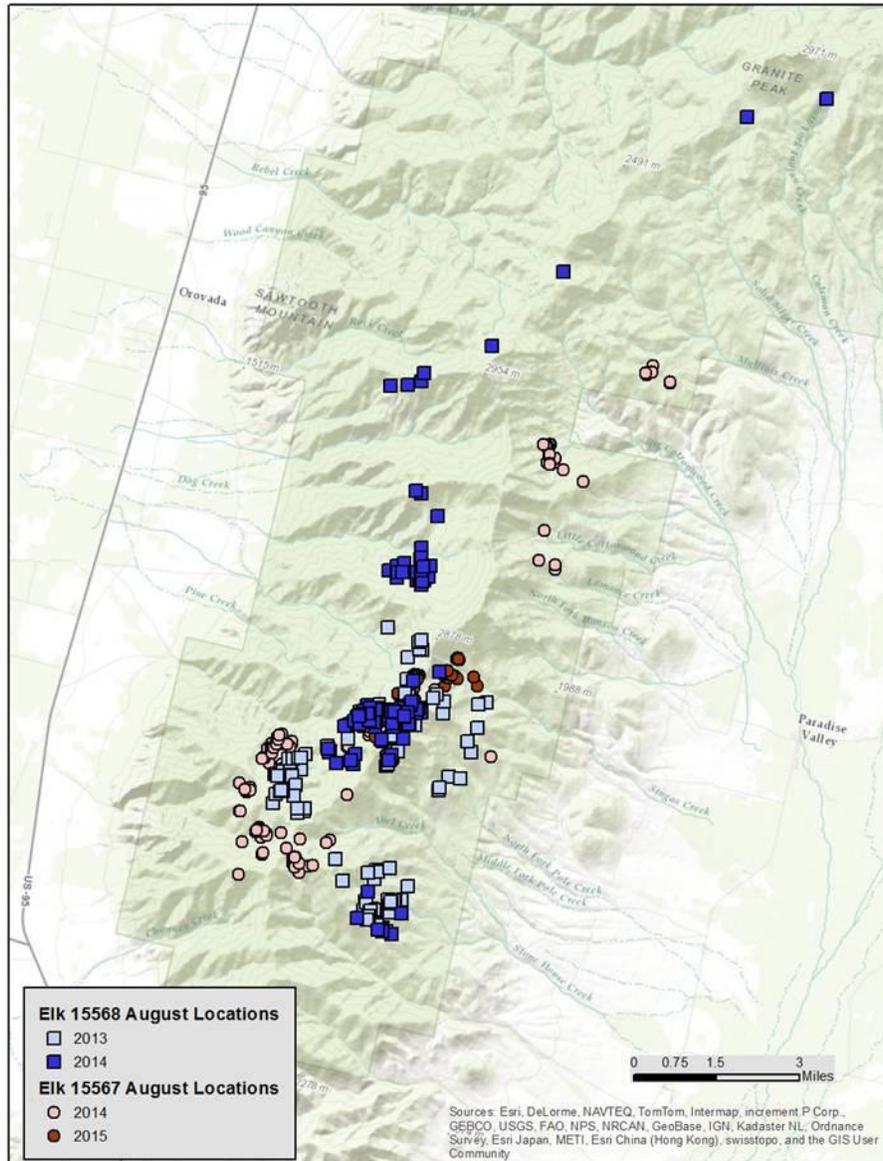
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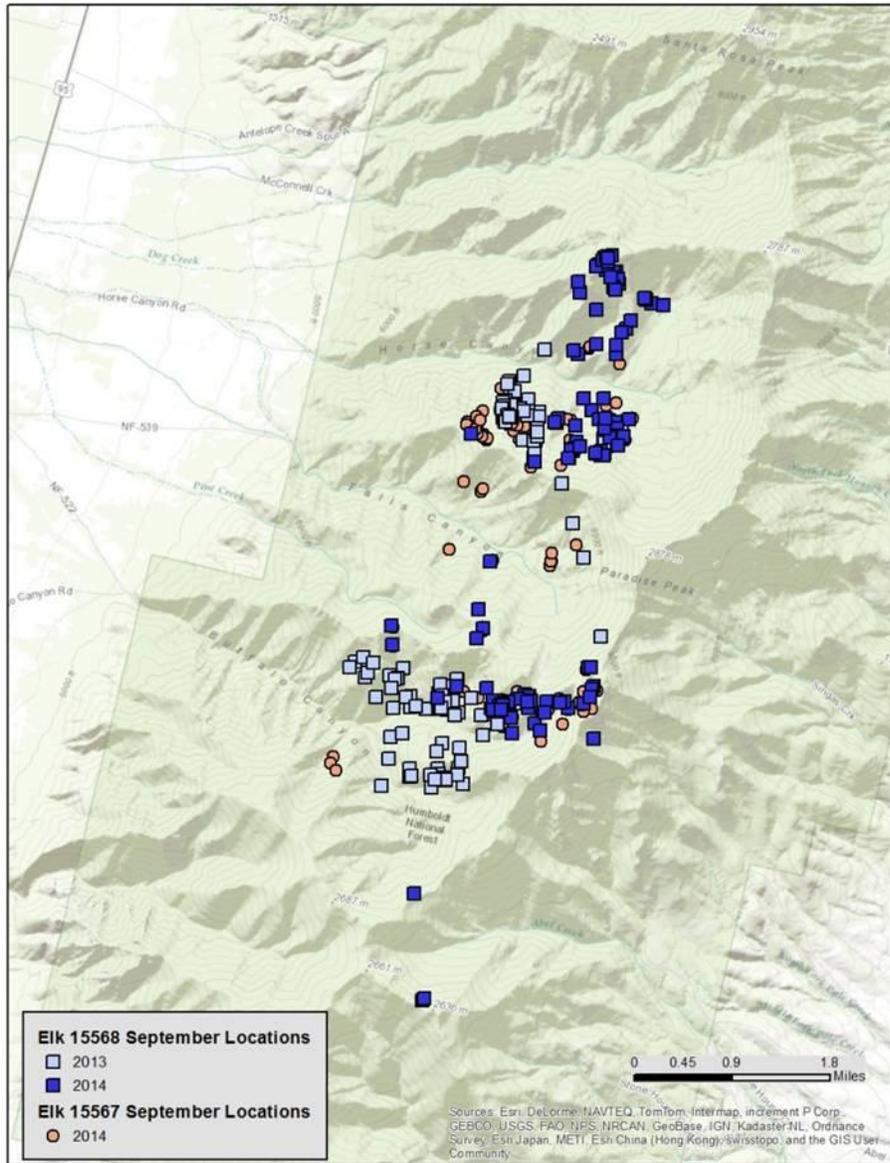
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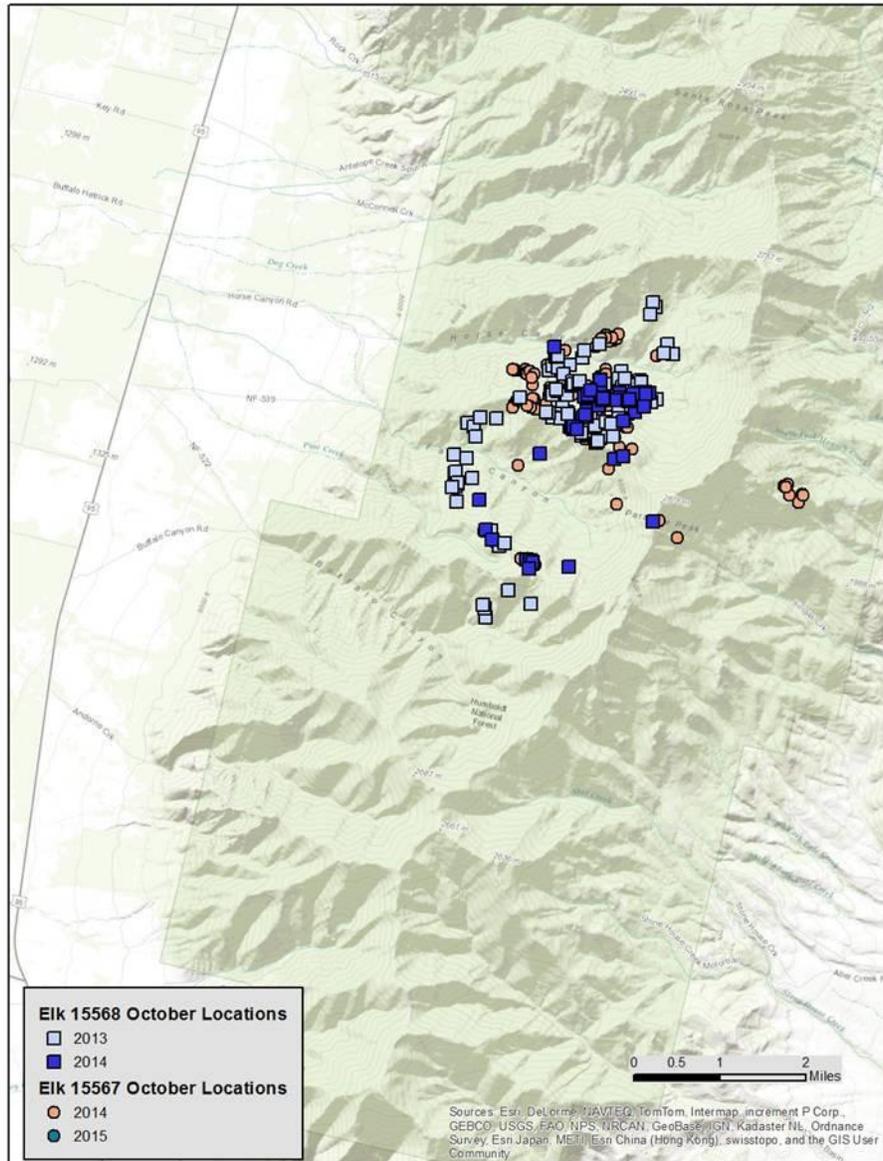
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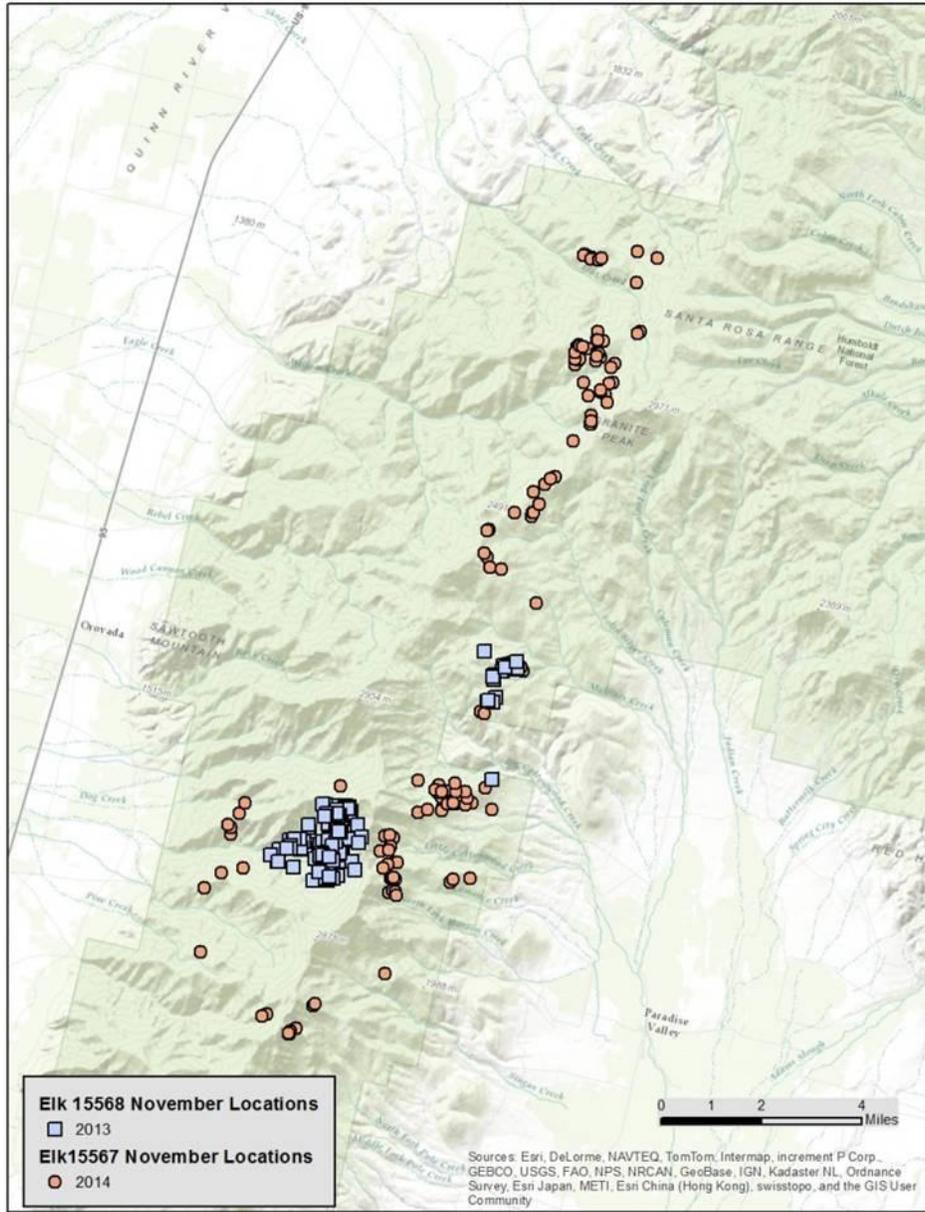
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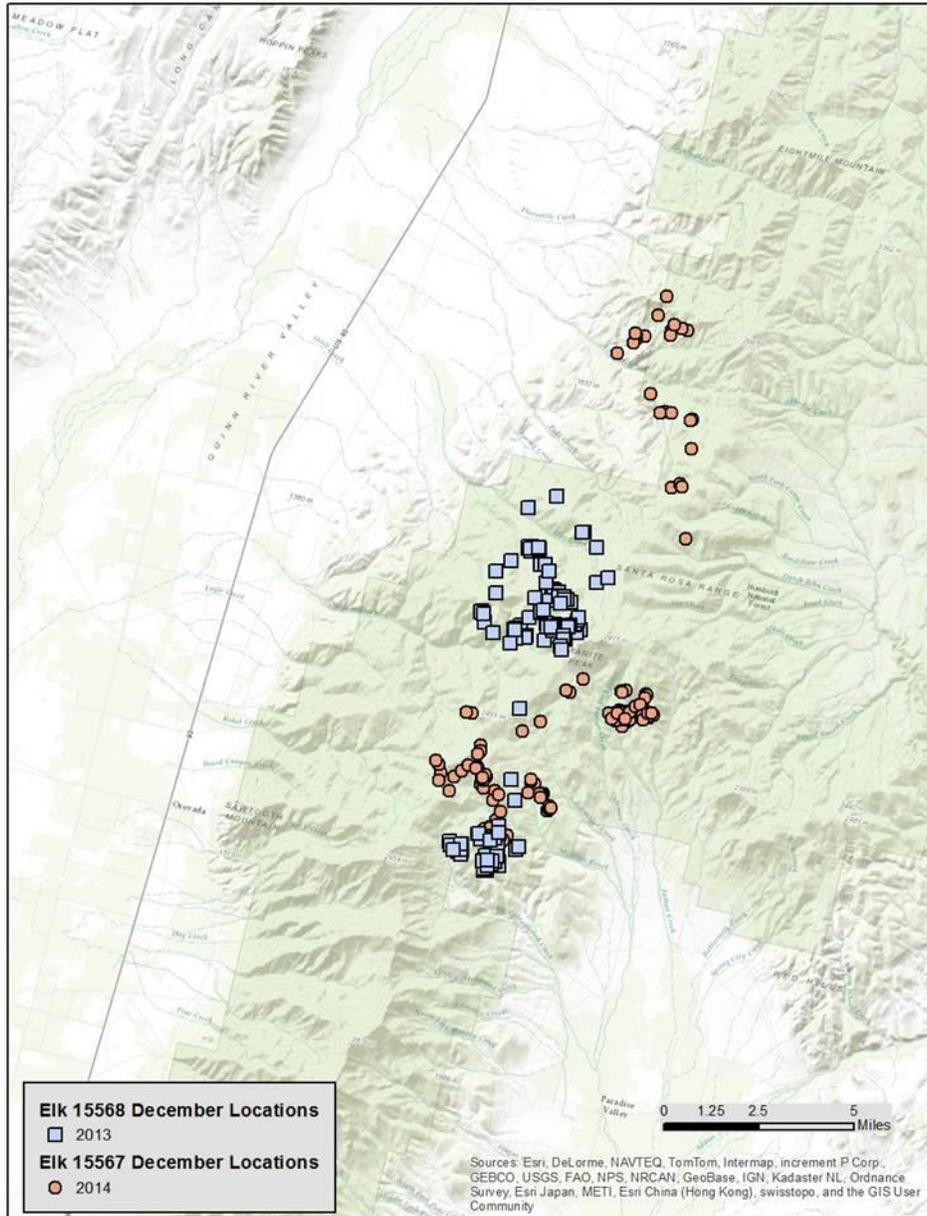
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Unit 051



Unit 051



FIELDS REMOVED FROM DATA AS NONUSE AREAS

"CN_LEVEL3" = 'Columbia Plateau Ash and Tuff Badland' OR "CN_LEVEL3" = 'Cultivated Cropland' OR "CN_LEVEL3" = 'Developed, High Intensity' OR "CN_LEVEL3" = 'Developed, Low Intensity' OR "CN_LEVEL3" = 'Developed, Medium Intensity' OR "CN_LEVEL3" = 'Developed, Open Space' OR "CN_LEVEL3" = 'Inter-Mountain Basins Active and Stabilized Dune' OR "CN_LEVEL3" = 'Inter-Mountain Basins Alkaline Closed Depression' OR "CN_LEVEL3" = 'Inter-Mountain Basins Playa' OR "CN_LEVEL3" = 'Inter-Mountain Basins Volcanic Rock and Cinder Land' OR "CN_LEVEL3" = 'No Data' OR "CN_LEVEL3" = 'Open Water (Fresh)' OR "CN_LEVEL3" = 'Pasture/Hay' OR "CN_LEVEL3" = 'Quarries, Mines, Gravel Pits and Oil Wells' OR "CN_LEVEL3" = 'Rocky Mountain Alpine Bedrock and Scree' OR "CN_LEVEL3" = 'Undifferentiated Barren Land'

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