

# Board of Wildlife Commissioners

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Elk Damage and Incentive Committee  
Verdi Nature Center and Community Library  
270 Bridge Street  
Verdi, NV 89439

*Also Via Teleconference at:*

NDOW, Eastern Regional Office  
60 Youth Center Road  
Elko, NV 89801

September 17, 2013

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**PHONE PARTICIPANTS:**  
Grant Wallace, Chairman  
Pete Mori, Commissioner  
Cory Lytle, Committee member

**VERDI PARTICIPANTS:**  
Mike Cox - NDOW  
Maureen Hullinger - NDOW  
Jody Wilkinson - NDOW

**ELKO PARTICIPANTS:**  
Joe Doucette - NDOW

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## **Agenda Item #1 & #2 - Call to order/Introductions - Chairman Wallace**

The meeting was called to order at 3:02 p.m. by Chairman Wallace. Chairman Wallace, Commissioner Mori, Committee member Cory Lytle were on the phone as well as Joe Doucette in the Elko office.

## **Agenda Item #3 - Public Comment**

No public comment.

## **Agenda Item #4 - Approval of Agenda - Chairman Wallace - FOR POSSIBLE ACTION**

**MOTION:** Committee member Cory Lytle moved to approve the agenda.

**SECOND:** Commissioner Mori seconded the motion.

**VOTE:** Passed unanimously (3-0).

## **Agenda Item #5 - Approval of Minutes from the March 5, 2013 meeting - Chairman Wallace - FOR POSSIBLE ACTION**

**MOTION:** Committee member Cory Lytle moved to approve the minutes of the March 5, 2013 meeting.

**SECOND:** Commissioner Mori seconded the motion.

**VOTE:** Passed unanimously (3-0)

## **Agenda Item #6 - Committee Member Items - Chairman Wallace - INFORMATIONAL**

Commissioner Mori noted that we had discussed the stratified hunt at the previous meeting and Maureen was going to look at the information that had come out of the Tag Allocation Committee Meeting to see if there was something that was a companion to what this Committee was working toward and could benefit from, he wanted to know if Maureen was able to do this?

Maureen noted that she was caught flat footed and would have to get back to him.

No other Committee member items were noted.

## **Agenda Item #7 - Update on status of elk exclusionary fence projects statewide - INFORMATIONAL**

Mike gave a brief overview of the current fencing projects noting the handout that was provided at the meeting. He noted that we have several fencing projects in the hopper, Tahoma Creek in Steptoe Valley that was a mile and a half that was completed. The Stratton Ranch fence was identified and was just started last week. Ken Gray estimated that hopefully that would be completed by early November, 2 miles worth of elk exclusionary fence. The next project to start will be the Paris Ranch Stackyard in Willow Creek along with soon after that the TS Ranch in Boulder Valley. We are looking to have those completed by the end of October. Both of those will be built by the Carlin Nevada Division of Forestry Honor Camp Crew. I am currently working on a big contract with several people of our staff, Ross Baker, Matt Jeffress and Ken Gray. We are putting together a bid solicitation that is almost complete to accommodate the IL Ranch Stackyards and the Petan Ranch Stackyards. There is a tentative start date of November. There are 8 total fences for the IL Ranch and 3 stackyard fences for the Petan Ranch. All total of about 2 ¼ miles with 2-3 gates. We have the drawings and the bids put together at this point with 5 contractors that are pre-qualified as per our engineer to bid on this project.

The engineer found some frustrating news a couple weeks ago when he was finalizing the bid solicitation with the locations of the stackyards to ensure that they were on private party. He identified with his records and Google Earth layers that four of the eight stackyards for the IL Ranch were partially or completely on BLM land. It is something that has probably existed for a century or more. We made contact with the BLM office, the Tuscarora Field Office and the State Office in Sparks and they emailed us back confirming that the stackyards were indeed partially on BLM Land. The Lands Agent for the Tuscarora Field Office was going to make contact with Jeff White with Newmont and we have not heard back at this point about what ultimate decision was made by the BLM.

We are hoping to put the bid solicitation out this Friday and it will have 7 stackyards as the primary projects to bid on and then it will have an option to bid on the four in question in terms of land status. If between now and when the materials are

purchased when the contract is finalized we get resolution with the land status we will have a bid price from the bidders on that. Once we go out to bid it is probably going to be a 3 week process so we are hoping for October 20 or 25 to have a contract finalized.

This year we have a very small amount for spending authority for the Elk Damage Fund. We believe the next IFC meeting will be the end of October and we will be having the spending authority amendment in for that meeting. Hopefully we will receive approval.

Chairman Wallace: On the Trout Creek Ranch fencing project there is 6 ½ miles to be done by November, is that going to be a problem, are they still in that area that time of the year?

Mike Cox: When we found out about the IFC and we were not moving as quickly as we had hoped with the bid solicitation documents, we spoke with John Larkin with the Trout Creek Ranch. John had agreed that he is fine to wait until next early summer of 2014 for that fence to be started. It just wasn't going to be in the cards to be started this winter and then to have to be put on hold. What we are going to do is that we will put a separate bid out sometime late winter, early spring for the Trout Creek Ranch 6 ½ mile perimeter fence around that meadow complex up there in Unit 081.

Chairman Wallace: That is pretty good then because that is more mileage than the rest of them combined. Maybe that will ease it off a little bit and be able to complete some of these others.

Mike Cox: We appreciate John's willingness to wait for another year.

#### **Agenda Item #8 - Finalize the Antlerless Elk Landowner Tag Program - FOR POSSIBLE ACTION**

Mike Cox gave a review of the Antlerless Elk Landowner Tag Program draft that was available as support material. He noted some scenarios the first one being that there is a past history of elk coming into private property so we have information on when and where the elk are utilizing and the time of year. The second one is there is elk that are eminent in becoming an issue and we have had past communications with the biologist and the landowner and need to firm up what the current situation is and be vigilant to look out for what is happening. In both situations there will be an investigation report filled out with the landowner and the local biologist (NDOW representative) with details that are needed to document the occurrence of elk and the information that our license office needs to prepare the hunt. The third situation is there maybe something out of the blue and we didn't know we had elk in the neighborhood. Hopefully this program will keep us nimble and be able to get out quickly, sit down with the landowner, fill out the investigation report and move on with the processing of the information.

We have noted that the investigation reports will be forwarded to the license office so they can begin to draft the tag application. It was noted by the Deputy Director that in most circumstances with other hunts we have these types of forms filtered through the regional supervisor before it goes to the license office.

Commissioner Mori: So, you think we need that language in there to keep it consistent?

Mike Cox: And to make sure that our regional supervisors are on board. They have good knowledge of process and they might find something missing or catch something so it is completed before it gets to the license office. I would ask that we add that.

Commissioner Mori: You would add that it be forwarded to the regional supervisor for review and approval and then forwarded to the license office.

Maureen Hullinger: Noted that it would not make it different from any other programs it is just standard procedure.

Mike Cox: Noted that these can be sent electronically with any notes that are necessary.

The second bullet on the handout is primary pieces of information that the license office needs to move forward including the geographic location of where the private land is located with a physical boundary using landscape attributes to make it clear to the tagholder. It is critical that a map be included whether at the time of submission of the paperwork or soon thereafter it is developed and forwarded to the license office. The next is season dates, we had feedback from our staff and I would like to give one of two options. The first option is that if we want a very specific season date. The landowner and biologist may think that with the elk coming in and the timing that they may want multiple seasons (two week increments) and they want to try to put fresh hunters in there. If that was the case then we would need specific dates. The intent originally from the Eastern Region was it would set a long season in regulation (Example: July 15<sup>th</sup> - February 15<sup>th</sup>) whenever the tags are available and the tagholders are available then they would start to hunt.

Cory Lytle: With that hunter choice number and trying to specify a broad season structure (Ex: July 30<sup>th</sup> - February 1<sup>st</sup>) is there a way with the limited number of tags per landowner (Ex: 25) that you can leave that wide open? It seems the more leeway you can keep within the system it may be easier but maybe not.

Maureen Hullinger: I think Mike was getting at, currently with our emergency depredations the CR shows July to February but when we have an emergency hunt come up the biologist actually specifically identifies a season for when the hunters are to be in the field. In this case with this program, you could say July to February but one landowner's situation maybe an August-October problem and another has an October-November problem. It would be set up individually in hunter choices.

Having it wide open it keeps the CR and the season broad enough so that any landowner in the state can be accommodated for their individual hunt requirements.

Mike Cox: Noted that he may have an alternate solution. We are going to have the front end and the back end identified in regulation and maybe let's not get into setting individual season dates. The hunter choice would be specific to a piece of property and say that the biologist and landowner decide that they ultimately want 10 tags sold but initially there were only 5 tagholders that were available or that the landowner wanted at any one time. Those tags are issued, it is still open and when there are additional tagholders that the landowner brings forward to the license office then those tags are issued with the same hunter choice number, so you wouldn't have a need for a season date.

Commissioner Mori: The season dates that are currently set by regulation are from July 30-February 1 or are they set?

Mike Cox: This is a brand new program so there is nothing set. That was just an example of dates.

Commissioner Mori: I sent this to several landowners that could be viewed as potentially participating in this program, the Cattleman's Association also had a directors meeting yesterday and they addressed this, and they seemed to be in favor of having the season dates more flexible in relationship to the need for having the hunt. What I have heard is there is a wide variety, some of the landowners are having elk use even in the spring time and early summer. I know that there may not be palatability when this goes out to the CABMW or harvesting elk when they are about ready to drop a calf or if they have a young calf on them at the time of the hunt. But the consensus that I got was to try to keep this as broad as possible and leave it up to the biologist and the landowner to make the decisions as to when they could have the season.

Mike Cox: You bring up a good point. Maureen did bring up a point, right now the hitch on the back end of any hunt is filling out the questionnaire of your hunt. Right now the deadline is the end of January. There are reminders prior to the next proceeding application process you must have any and all hunt questionnaires submitted. There could be a slight issue.

Maureen Hullinger: The timeframe that is a concern was the late winter hunts (February) because it was right about when the deadline was but it was in a new year. We got it done but we have to be cognoscente of it. They ended up not having to report for 2013, their questionnaire was due the next January. Technically even though the hunt was taking place before the due date.

Mike Cox: It would still allow that tagholder to apply. We typically have April 15 as the deadline. Let's say the tag was issued April 1<sup>st</sup>. The deadline for a questionnaire

would not be until the following year. He wouldn't get caught in the middle of not being able to apply for the current year's big game.

Maureen Hullinger noted that she just needs to make sure it works, which is her problem. It is some of the things on the seasons that we need to be aware of as we are going through the program development.

Mike Cox: I guess we could set the season for 12 months. Will there be a month that there wouldn't be a likely need for this program to be implemented?

Chairman Wallace: The thing I see Mike is if tie ourselves down to something that is what is going to guarantee the month that we can't do it. It seems to never fail that whenever you box yourself in a corner that is when it comes back to get you.

Mike Cox: We have yearlong seasons now and we just have to figure out when is the best time. We have to have a season date. It could be June 1 to May 30 or July 1 to June 30, whatever.

Maureen Hullinger: To make it mesh with the hunt program, I would do a January to December. Then the questionnaires would fall in with the same timeframe as the current ones being due January 30<sup>th</sup>. We start our draws with Spring Turkey in January for a new year. That is what I would recommend if you were going to do a year round season. Especially if you know ahead of time you know which landowners have the problems and when the problems are occurring, the paperwork could be in place and ready to go. We may not even see an application until there is a problem. At least it is set up in the system.

Mike Cox: We are going to know the harvest so we can accommodate. It is just the technical questionnaire will not be due.

Chairman Wallace: Mike, do we have any numbers of what potentially this could be? Has anybody looked at how many tags there could potentially even be?

Mike Cox: I know, just as Commissioner Mori stated, that we know some potential landowner participants already, many of which will probably be in Area 6 somewhere. Probably between Commissioner Mori, Ken Gray and Matt Jeffress they would probably know better.

Commissioner Mori: I think there really is no way of know for sure who is going to actually participate. I think if we have the limit of 25 tags per landowner that kind of sets a parameter that we cannot exceed. I don't know if we would ever hit that limit per landowner. I could be wrong but just knowing the landowners in this area that would participate I don't think we are talking more than maybe 10-15 tags. I could be wrong. A question for Mike; As far as when you guys go to set, you will be getting your harvest data off of these hunts, but if we have a year round season set would this hunt effect your decisions on setting quotas?

Mike Cox: Just like a lot of other things that are outside of the norm. We will get the information we need to know what the harvest was even before the questionnaires come in. I would envision most of the landowners going 5-10 tags. I don't see the limit of 25 being something that is going to be close to being met per landowner.

Chairman Wallace: Just looking at it from that perspective, if we don't think we are going to near the 25 I don't see anything wrong with leaving it at the 25. If we have a special circumstance, once again if you put it down around 10 or 15 you box yourself into a problem. We can always come back and readdress that if it becomes an issue in the future.

Commissioner Mori: I have a question for Cory because you have your finger on the pulse of what is going on in your area. Do you see this as a program that landowners would be interested in, in that area?

Cory Lytle: There would be a couple potential landowners. Some of the private land down here is configured a little bit differently. There is not a lot of contiguous continual pasture lands and "locked in" pasture lands that would need special access or anything like that. As the program goes things change. A couple years down the road it may be completely different in an area. I really think it is something that we should have in place. Having the tool in the toolbox is really important I think. If we box ourselves in too much I think it creates more work down the road. One of the selling points on this is it is micromanagement and the public perception of killing a cow in March is negative to some but we have to remember that everybody is trying to work together on this and the landowners contribute many things into the elk herd. The sportsmen contribute many things in the elk herd and they are just going to have to realize that there is going to have to be some give and take. We are not talking a huge number of elk on this. We are talking some specific projects and specific areas for a specific goal. It is not a free for all.

Mike Cox: The quota is specific to the geographic area and if we agree to have a yearlong season date in regulation we could just say quota specific to the geographic area. It is per landowner, per year. This was somewhat agreed to by the Committee members, 1 tag per applicant per year. Is that still okay with everyone?

Committee members acknowledged and feel that is okay.

Mike Cox: We would want our license office to be able to contact the landowners so we would want his contact information on the investigation report. Again, this is consistent with other programs, we want some acknowledgement from the landowner that he is acknowledging and agreeing to everything detailed in the report. There will be a signature line for the landowner and probably a signature for the regional supervisor just so we know that they are in agreement then the license office can take it from there. Now the license office has the report, they are taking the information off the report and building a hunt with the specifics that they need to track it within the system to allow funds to be associated with that and information

back from the hunter. Ultimately, it will be going into the hunt application system like all other hunts within the Wildlife Administrative Services office in Fallon that manages all of our big game hunts.

We need a list as soon as possible from the landowner, one of the things that Maureen brought up, is we can minimize the problems at our counters when the tagholders come in to purchase the tag and get out in the field. If we have that list we can confirm that there have been no past revocations or other limitations that could present problems.

Maureen Hullinger: Our biggest one is the return card. We get hunters coming from out of state and they are not eligible. We send letters with all of the documentation to the landowners telling them to make sure your hunters are eligible. If there is a screening beforehand at least they know when the time comes that need someone in the field that they are good.

Mike Cox: That could have been a hunt from the previous fall and we haven't seen his return card yet for that tag that he had gotten past October.

Chairman Wallace: Is that something that we could incorporate into the paperwork that goes to the landowner that reminds them for their list of people to talk to them about their hunter return cards if that is going to be one of our major issues of someone being ineligible?

Mike Cox: That is a great idea. We could produce a form that is the tagholder list with all of the pertinent information. The top of the form could be a quick one or two bulleted statement saying these are the most common errors or issues that prevent us from issuing a tag and make sure your potential tagholders have these things addressed. If they have to they can call the hunt application office just to make sure they are in good standings.

Maureen Hullinger: The hunters could do that ahead of time while they are working it out with the landowner just to make sure.

Chairman Wallace: I think that would be important, it would be pertinent on the landowner side to take a little responsibility if they are going to be putting forth hunters names they need to make sure they have somebody that is eligible.

Maureen Hullinger: I would hate to have them travel all the way to Elko to get a tag and find out that they are not eligible.

Mike Cox: We have some internal things happening; our license office will contact the administrative staff at the regional office closest to the hunt, which will likely be the Elko office but I am definitely seeing this potentially finding some folks in Ely.

Maureen Hullinger: That is going to take programming because they currently don't have that authority. I am going to have to get an estimate from Don, if this goes through as approved by the Commission. If this program is approved it will take programming to get in place and training because they don't do it now.

Cory Lytle: Can that be paid for through that \$5.00 fee?

Maureen Hullinger: It comes out of the hunt program funds.

Mike Cox: We probably need to alert the landowner of which office.

Maureen Hullinger: It all depends on how the applications are handled. Initially, they were going to be in the landowners hands and then there was discussion that they were going to be at the nearest office. There has been two methods discussed and I don't know which one was selected.

Mike Cox: I think we agreed that in most situations if we can have the tagholder go directly to the regional office. The regional office is able to issue that tag then it would probably be cleaner. There could be a situation where it may add some time before the tagholder could be out.

Chairman Wallace: I don't know the extra time it adds to it, if someone wants to go hunting and take and take an elk in this situation I don't see why they wouldn't be willing to do what it took to get the tag taken care of.

Commissioner Mori: Agrees with that. In the cases where people had to travel further distances, I believe the hunter could find an office that had the tags, that way we would know that before they received the tag that all requirements were met before they have the tag in their hand.

Mike Cox: Even though we state in here from the identified regional offices. It is not going to be just one office that they have to go to. If somebody lives in Las Vegas and the hunt is in Ely, we are not going to force him to go to the Elko office. There will be some upfront training.

Maureen Hullinger: That is where the communication is important. Having the hunter call ahead never hurts to ask where he can get the tag.

Mike Cox: The last portion of this program procedure is the Commission Regulations that Maureen with my help and our staff will need to modify and revise. We have the eligibility requirements of how many tags a person may obtain in a single season. So, we would need to add the sentence that is in bold to allow for this new program to be added similar to the emergency depredation hunt where you can have multiple tags. The language is: "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."

Mike noted that Maureen was gracious enough to allow this pilot program to start as a Commission Regulation set by the Commission because we might find some things that we want to change. If we happen to set this in NAC we have to change that. Possibly, once we get comfortable with this program we will like to identify the program in NAC. This would allow us to initiate this program at the December 2013 Wildlife Commission meeting.

Maureen Hullinger: I think that concept comes from your discussions with the private land turkey hunt in that regard.

Mike Cox: Any other things that you can think of that is an assumption, missing or you want clarification on?

Chairman Wallace: From my perspective, I am just trying to see how to proceed. Is this something that we are potentially going to need another Committee meeting once the changes we discussed are put into the program?

Mike Cox: I think it would be good enough to bring things back to the Commission. Whether it is a season date, a quota, there are always minor adjustments made. I think our regional staff has had plenty of opportunity to look at this from their procedural end. Maureen and I have sat down for several hours and looked at it from a license office perspective. If we could get language in acknowledging the regional supervisor approval prior to forwarding to the license office and then to decide that a yearlong season as suggested by Maureen (January 1 to December 31) would be the season date for all of these tags.

Chairman Wallace: Questioned whether there were timelines that could be set within the investigation report?

Maureen Hullinger: Nobody knows better when the problem as the landowner. If you know your problem is anywhere between August and October why would you want people on your property any longer than that, in that regard?

Commissioner Mori: I think we have that covered possibly, in the second section there on the investigation report says season dates including specifics if multiple back to back seasons are wanted and is needed to identify hunter choice number. So, that may already occur in the investigation report.

Maureen Hullinger: I like that better than the year long season frankly. I will get it done however it is decided. It is just from my experience is why I am making those comments.

Commissioner Mori: The way I understand it, it says season dates including specifics, that doesn't really state that it has to be within a 2 week period. It could be months or it could be year long. But we haven't backed ourselves in a corner by specifying anything. That could be ironed out between the biologist and the landowner.

Chairman Wallace: Did we not put the season January 1-December 31? Did we not talk about that more for the return cards?

Mike Cox: You are correct. January 1-December 31<sup>st</sup> would help us keep track of which calendar year the questionnaire is required in.

Maureen Hullinger: We do that as we build a hunter choice number. Every one of those choices in that book you see now we have to identify the return card period. We would overcome that problem if it was one of those that fell in January. We would work with Game.

Chairman Wallace: So then what I am hearing is that we wouldn't necessarily have to pick a specific season, January 1-December 31<sup>st</sup>, we could kind of leave it as the season dates including specifics if multiple back to back seasons are wanted if needed to identify hunter choice. We could leave the wording that we have there and work with it.

Maureen Hullinger. I am a little more comfortable with that.

Mike Cox: At each hunt depending on the timing then we will specify with the tagholder his deadline.

Chairman Wallace: That is what I pictured is the landowner and the biologist doing that.

Discussions continued back and forth regarding what season dates language to use.

Mike Cox: Noted this is a procedure and we could have another meeting or we would take the pertinent language within this procedural document and craft it into the succinct Commission Regulation similar to the Emergency Depredation Hunt. There will be some wordsmithing and abbreviations of things. That is the one thing that we do need to do is take this formatted procedure, pull out the pertinent language and make it a regulation.

Chairman Wallace: That might be the best way to handle this and hold another teleconference meeting in November sometime so there is enough time to get the information out to the CABMW before the December Commission meeting.

Public Comment on Agenda #8.  
None noted.

**MOTION:** Commissioner Mori moved to accept the Antlerless Elk Landowner Tag Program as per discussion with the changes that we discussed.

**AMENDMENT:** Chairman Wallace noted: specifically adding regional supervisor in where it need be and the season dates within the box of January to December but set by the investigative report.

SECOND: Seconded by Cory Lytle.  
VOTE: 3-0 passes unanimously.

**Agenda Item #9 - Public Comment**

No public comment noted.

**Agenda Item #10 Assignments - Chairman Wallace - FOR POSSIBLE ACTION**

There are no specific assignments. We discussed the one previously for the Department being the regulation.

Public Comment: None.

MOTION: Cory Lytle moved to meet on October 28, 2013 - 3:00 p.m. - by telephone.

SECOND: By Commissioner Mori.

VOTE: 3-0 - Passes Unanimously.

**Agenda Item #11 Adjourn - FOR POSSIBLE ACTION**

MOTION: Commissioner Mori moved to adjourn.

SECOND: By Cory Lytle

VOTE: 3-0 Passes unanimously.