

Natural Resources Committee September 18, 2019

HUGHES: OK. I see that it's a little after 9:00, so welcome to the Natural, to the Natural Resources Committee. I am Senator Dan Hughes. I am from Venango, Nebraska, and I represent the 44th Legislative District. Today, we'll be hearing testimony for LR142 an interim study to examine any matter concerning the Game and Parks Commission. The purpose of this hearing is to gather information for the committee. No positions of support or opposition are taken. I ask that you abide by the following procedures to better facilitate today's proceedings. Can everybody hear me OK? OK. If not, let me know and I'll speak up a little louder. Please silence or turn off your cell phones. If you are planning to testify, please pick up a green sign-in sheet that is on the table by the back of the room. Please fill out the green sign-in sheet before you testify. Please print, and it is important to complete the form in its entirety. It is - when it is your turn to testify give the sign-in sheet to the committee clerk. This will help us have a more accurate public record. If you do not wish to testify but would like your name entered into the official record as being present at the hearing, there is a separate white sheet on the tables that you can sign in for that purpose. This will be part of the official record of the hearing. Writing-- written materials may be

distributed to committee members as exhibits only while testimony is being offered. If you have handouts, please make sure that you have ten copies and give them to the committee clerk to be distributed to the committee present. When you come to testify, please speak clearly into the microphone and please tell us your name and please spell your first and last name to ensure we get an accurate record. We will take testimony from the public. How many people are wishing to testify today? Can I just have a show of hands? OK, quite a few. So we will be using the light system and five minutes. I think it's kind of our benchmark-- you know, if you need to go over-- you know, we'll, we'll kind of make that judgment at that time. When you see the yellow light come on that means you have one minute remaining and the red light indicates your time has ended. Questions from the committee may follow. Another reminder: no displays of support or opposition, vocal or otherwise are allowed in this public meeting. The committee members with us to-- will introduce themselves starting on my far left. Senator Halloran.

HALLORAN: Good morning, Senator Steve Halloran representing Legislative District number 33, which is Adams and southern and western Hall County.

HUGHES: And on-- to my right.

BOSTELMAN: Bruce Bostelman, District 23, Saunders, Butler, and majority of Colfax Counties.

GRAGERT: I'm Senator Tim Gragert from District 40, which is up in northeast Nebraska's Cedar, Dixon, Knox, Holt, Rock, and Boyd County.

QUICK: I'm Dan Quick. I represent District 35, which is Grand Island.

HUGHES: OK. And I do appreciate the members traveling way out west to have this hearing. To my left is committee legal counsel, Laurie Lage. And to my far left is committee counsel [SIC], Mandy Mizerski. I do want to acknowledge that Steve Erdman would have liked to have been here this morning but he has a-- he is chairman of the Legislature's Building and Maintenance Committee, and they are meeting in Kearney today looking at the youth facility. Which he texted me this morning, we had a couple of more walkaways last night. So we have some very challenging situations in that area of Corrections in the state. So I appreciate the fact that he is chairman of that committee looking at those facilities. And he wishes he could be here, but unfortunately he could not. So LR142. Thank you to the committee for travelling and everyone's attendance here today to, to address the important matters involving the Nebraska Game

and Parks Commission. The language of LB-- LR142 is broad. And that was intentional. There are a number of issues that I believe warrant some discussion. Issues that others have brought to me and other senators. Some of these issues affect western Nebraska, in particular, which is why I scheduled to public hearings on this resolution in this part of the state. Tomorrow we will be meeting in McCook at 9:00 at the Mid-Plains Community College campus there. By and large, the issues are related to land management and the Commission's responsiveness to Nebraska citizens. I have talked with many Nebraskans who have expressed concern about the challenges the Game and Parks Commission has with handling all of their responsibilities. The Commission is responsible for the regulation and management of hunting and fishing in the state and for the regulation and management of all state park facilities. The responsibilities are enormous, and I think you should welcome the opportunity-- we should welcome the opportunity when concerns are expressed to take a look at how things are done and whether there is room for improvement. This is my goal with this hearing to give citizens and the Commission the opportunity to express their concerns and to ask and answer questions. There are a few issues I would like to weigh on-- weigh in on before we turn the hearing over to you folks. One, is whether the Commission's Board of Commissioners

is representative of the state as a whole. I have often heard from constituents that the Commission seems to be more focused on the eastern part of the state with regard to facilities and wildlife management. Perhaps, we need to evaluate the makeup of the Commission and the qualifications of its members to ensure a more balanced representation. Two, is the management of park areas, in particular, Lake McConaughy. Lake McConaughy is the second largest tourist attraction in the state of Nebraska. The popularity of the lake has grown and the local economy has benefited from the influx of visitors. However, the number of incidents involving alcohol, drugs, and violence has grown as well. The problem of crowd management at McConaughy has led to dangerous situations for local law enforcement whose lives can be put in danger when responding to the Lake McConaughy calls. I had the opportunity to sit in on a group that was put together by Chase-- or Chase-- Keith County Commissioners after the Fourth of July weekend when there was an estimated 50,000 people per day scrunched into Lake McConaughy because of the high water levels, and there were some real challenges. Fortunately, the Labor Day weekend went much more smoothly so I do appreciate the effort that Game and Parks made in-- on that second weekend to ensure the safety of the people who are coming to our lakes. We know the lake makes money for the Commission. We need to talk

whether that is necessary-- whether the necessary amount is being spent on regulations and law enforcement to ensure everyone's safety. Three, also relating to the management of park areas is whether more attention to making improvements needs to be focused in the western part of the state. I hear about overgrown weeds and bathroom conditions and roads not being maintained at facilities in western Nebraska. At the same time we hear about new high-profile projects for recreation in eastern Nebraska. We should discuss these-- how these decisions are made. The justification for choosing to improve one park area over another and whether the state should spend money on projects that compete with private industry for the management of wildlife that causes damage to agricultural crops. This is a topic I've been trying to address, address for a few years and one that is frustrating to me personally. Earlier this year the Wauneta Breeze-- in the Wauneta Breeze, a local newspaper-- there was an article of how to manage deer that ruin crops. In the article, The Game and Parks representative told ag producers that one way they could alleviate the damage was by planting deer resistant corn. This type of advice is not legitimate and is not helping. This is a serious problem for which I intend to find a solution. I have been working with the Sportsmen's Foundation and Scott Smathers over the interim to come up with a

possible remedy that would be acceptable to all. Scott will tell you more about what he has been working on when he testifies. I give him and the Sportsmen's Foundation a lot of credit for their sincere efforts to address this problem. These are major issues and I want to-- I would like to discuss with Game and Parks. I will open it up now for public to share with the committee their concerns or their lack of concerns with those or any other topic under the jurisdiction of the Game and Parks Commission. Since I have gotten more involved in this, I visited with a lot of the employees of Game and Parks and I do want to compliment the employees of the Commission. They are hardworking, very dedicated individuals to their job. I'm in no way disparaging the efforts of the employees of the Commission. I think there are some enormous challenges. There is a huge amount of work that is being done but whether or not the resources that Game and Parks has is up to the challenge and either they need more resources or less responsibility and that's what we're here to find out today. So with that, I would like to ask Mr. Smathers to come be our first testifier and kind of give us what he has been working on. And after that, we'll kind of open it up to anybody if you have an issue with Game and Parks, positive or negative. This is your opportunity to talk to your elected representatives because those of us at this table

are the ones that can make those changes. So thank you all for being here. Mr. Smathers.

SCOTT SMATHERS: Thank you, Chairman Hughes, members of the committee, Senators, Legal Counsel. Thank you very much. I'm Scott Smathers, S-c-o-t-t S-m-a-t-h-e-r-s. I'm executive director of the Nebraska Sportsmen's Foundation. We are a 501(c)(3) educational foundation for Sportsmen's with 13,000 members statewide. We were found in 2002, and our main office is in Lincoln, Nebraska. Senator Hughes is correct. I appreciate the opportunity to visit today. I appreciate the opportunity to travel west. It's one of my favorite drives that we were discussing with some of the other senators and other members. Highway 26 is the best stress reliever in the world to get out of Lincoln. So thank you. I'm here today to address Sportsmen's Foundation, what we've been doing in our conversations with three groups basically. Senator Hughes, Laurie Lage of legal counsel, Game and Parks' leadership and management, and our own membership base and our landowners that are members of us. Regarding-- I'm gonna speak solely on the second bullet point of LR4-- 142, wildlife management populations. That's where we live. That's where we talk about live every day. I've also geared testimony today to this region and then also a different set of testimonies and numbers for tomorrow's region for Senator

Hughes's area. We testified in opposition to LB126 in January of 2019. We had a large number of our sportsmen respond in writing and in calls. And I appreciate the staff at Senator Hughes's office for handling those, those large numbers of, of, of reach outs. Mandy handled a tremendous amount of inquiries. We at that point in time opposed the bill and asked for a interim study to review the extremely in-depth numbers in history that we have to take a look at regarding wildlife populations. Again, keeping in mind the State of Nebraska is as diverse as our crops are, is as diverse as our wildlife needs and concerns across the entire state. We, we understood that when LB126 was introduced by Senator Hughes it was to create a conversation starter regarding several areas of concerns that he was hearing from his constituents. One of those concerns was obviously depredation. That's where I focused my opportunities and my conversations with all three parties we've been working with is establishing each area's numbers of permits, number of harvest, number of doe harvest versus buck harvest, average age of buck harvest, in addition to the number of "depredational" complaints and issues that can, that can-- what we look at may be solving some of these depredations are being a tool to use. As I said, I visited with Laurie extensively. I visited with Game and Parks extensively and our membership base. I want to caution the

committee, we're in the very beginning stages of talking about different opportunities and programs and it's gonna take a tremendous amount of conversation and coordination amongst all individuals to make it happen. We recognize the fact that depredation is an issue in certain parts of the state regarding deer specifically. And that's all I'm gonna talk about. I understand there's pronghorn. I understand there's elk. There's some turkey with some other species depredation, but since we're stict-- strictly talking about deer let's talk about that. Laurie Lage and I have spent several meetings together talking about-- presented "depredational" programs in our five surrounding states. Excuse me. Iowa, Kansas, South Dakota, Wyoming, and Missouri, and additionally, Idaho. Looking at breaking it down between crop depredation and livestock "depredational" issues. They're two separate issues. I'm strictly gonna talk about crop depredation. We've looked at mentoring programs, "depredational" programs that require input from landowners, management practices from landowners from state wildlife agencies. The bottom line is that Laurie and I have talked numerous hours. There's a huge financial tag to all those issues. There's difficulty in judging reality versus what cannot be done and what should be done. But we feel there's a couple of different opportunities with mentoring programs with

depredation. As we all know, Nebraska has 97 percent private land ownership. Access is always an issue whether you're in western Nebraska, central Nebraska or eastern Nebraska. With access comes responsibility from my groups and our members to respect landowners. We certainly understand the hesitance by certain landowners in certain areas to open up access. The rights have been abused. No ands, ifs, or buts. So we are looking strictly at youth mentoring programs to put kids out in the field and there's various organizations around the state. Again, it's one avenue. I've also spent three meetings visiting with the Game and Park's leadership in regards to the numbers we were talking about. And again, I'm gonna gear just today's testimony towards this district. And again, our members have responded, responded loudly. We called back the horses a little bit for this hearing because Senator Hughes graciously and the rest of members agreed to an interim hearing to dig deeper into the numbers for cause, effect, and solutions and we're grateful for that. The-- and I'm gonna talk about whitetail and mule deer for this particular region. Obviously, in the eastern side of the state, mule deer is not a conversation or is elk unfortunately at this point. District 47 has the following whitetail and mule deer units in the, in the, in the Republican and Frenchman-- excuse me, the Republican Management Unit.

Sorry, this is what happens when Laurie makes me make two different testimonies. I apologize.

HUGHES: I think he just threw you under the bus.

SCOTT SMATHERS: I did and I will pay for it later I'm sure. It's all right. The Plains Management Unit, the Upper Platte Management Unit, and the Platte Management Unit. A couple things that jumped out at me when I looked at this is real simply is that the Game and Parks puts out every year a recommendation for big game. It's public information. It's where I derive my information from then I backed it up by talking to certain outfitters, landowners, and sportsmen who hunt these particular regions. That information is obviously not scientific from my members and from our outfitters, but it does provide kind of a clue because our outfitters in the state make a good deal money from nonresident tags and resident tags. Within the Plains Management Unit, the Game and Parks in 2018 had one depredation complaint. Total tags are issued. Remember, this is all weapons, all seasons' mule deer and whitetail. There was 1,100-- excuse me there were 1,700 authorized permit numbers. Seventeen hundred were sold for the Plains. For the antlerless only, 500 were authorized, 462 were sold, 38 remained. Mule deer, there was a harvest of 703 bucks, 93 antlerless mule deer. Ninety-three to

703. There's a point I'm driving at with this-- with these questions-- with these statements. Whitetail, 216 bucks were harvested, 37 with antlers-- antlerless only. A total of 308 antlerless mule deer and 161 antlerless whitetail were harvested in the Plains Management Unit. Mule deer has 22 percent of the deer harvest, 28 percent of the whitetail deer harvest. I'm, I'm not gonna spend the time-- we have limited time today going through the other two units but I have their--

HUGHES: Thank you.

SCOTT SMATHERS: You want me to?

HUGHES: No, no, don't.

SCOTT SMATHERS: OK.

HUGHES: Get, get to your point.

SCOTT SMATHERS: The bottom line is this,--

HUGHES: A lot of other people would like to--

SCOTT SMATHERS: --the bottom line is this, is we understand there's an issue in certain areas of state. There is a three-part system here. There's wildlife management, which is a difficult task. It's as difficult as growing crops. You have a

lot of factors that affect and happen. The EHD outbreak in 2012 in each side of the state took 40 percent of whitetail population. It's a tough number to come back from. The second part of this is rights of sportsmen. We've become antler hunters. We've become big-- we've become trophy hunters. And I say that as a generic term: we, driven by TV, driven by bragging rights, driven by everything else. They don't take the deer meat. They don't use the tags available, the resources available. And they don't touch on the simple fact that putting food in a freezer is the number one driving factor anymore. Third part of it is, is that we have access issues. We've been able to get on and be responsible and that again falls on our shoulders when we have access to respect the landowners' properties and work with the landowners or management. The bottom line is this issue is difficult. We certainly appreciate and understand 60 percent of my membership are ag producers. So they're very well-versed in this issue. And so we want to find a solution, the best possible solution. We don't want to just arbitrarily throw out more tags, different structures, because we have other factors to consider. And until we review all those numbers, and that's what we're asking again is to continue this. And I look forward to working with Senator Hughes, staff, and the committee and the Game and Parks and our sportsmen to find a

bottom line solution. I'll conclude now because I'm well past my time. I apologize.

HUGHES: No worries. Questions for Mr. Smathers? Bruce-- Senator Bostelman. I'm sorry.

BOSTELMAN: Thank you for being here, Mr. Smathers. So the youth hunts was one, more access was two-- is that-- I just want to go through-- you had three points I think.

SCOTT SMATHERS: Right.

BOSTELMAN: Refresh me on that.

SCOTT SMATHERS: Gaining access-- and with youth, we can control that atmosphere to the land-- private landowner's ground. We'll have a mentor and a youth. There are lists throughout the state of folks that are willing to go--

BOSTELMAN: Right.

SCOTT SMATHERS: --for a sense to be sharp shooters with youth where they can keep a deer. And again, this has to be doe only. If you're gonna, you're gonna control populations, it has to be the doe species. We can't just shoot horns. So mentoring, the mentor is gonna be there responsible. It's an educational tool. It's an introduction. The success rate of this for youth is

gonna tie them to the outdoors, natural resource, and respect for the landowner stronger than if he just goes on his own.

BOSTELMAN: So the, so the youth was one but you talked about depredation tags specifically also. Is there any change in the depredation that you see how those are issued, how those are handled?

SCOTT SMATHERS: I think it's, I think it's a case-by-case situation. I know that there's depredation that occurs. We all know that in every region. Not everybody has the same attitude. It's about letting people on their land, whether they're employees of the Game of Parks, whether they're, whether they're hunters. I own my own farm. I, I manage my ground for my, my wildlife hobbies. And letting people on unless it's children, I wouldn't do it. I understand that. So yes, handling depredation has to be a case-by-case issue. I know landowners have been contacted, they refused.

BOSTELMAN: So was there a third area you were speaking to?

SCOTT SMATHERS: The depredation-- Laurie and I've talked and what they have allowed in the other states-- a lot of the other states require an intense management, a separate department to oversee all "depredational" activities. There's an immense

amount of responsibility by landowners to combine-- to comply with crop plantings in order to receive "depredational" compensation or tags, if you will. Laurie and I have discussed-- I personally don't feel that that's the right direction as far as trying to have a separate department as Senator Hughes's opening statement. The question is, is Game and Parks handling too much responsibility and need more resources? I live in a [INAUDIBLE] that needs more resources. I know what they go through. I live with them every day. So-- but it's an avenue we need to look at. I'm not taking anything off the table and I'm offering us as an organization that's willing to sit down and go through those numbers. If we need to travel, we'll travel.

BOSTELMAN: And have you looked at other states on how they handle additional tags?

SCOTT SMATHERS: Yes. And I'm assuming you're going to where we've had conversation to transferable tags.

BOSTELMAN: We can talk about that later. I'm just--

SCOTT SMATHERS: Yes, we act tremendously and I've done a tremendous amount of research in a short period of time on transferable tags and we need to have a lot of conversation.

BOSTELMAN: OK. Thank you.

HUGHES: Additional questions? Senator Gragert.

GRAGERT: Thank you, Chairman Hughes. Thank you. You threw out a lot of numbers there. Bottom line is the percent of tags that are filled, do you have that?

SCOTT SMATHERS: For each region?

GRAGERT: Well, for the state. Let's just say for the state. If, if--

SCOTT SMATHERS: There's folks behind me from the Game and Parks that will be able to give that information.

GRAGERT: OK.

SCOTT SMATHERS: I can give you specifics to the region. But, yes, we have them. They're all right here from 2014 to 2018 is what's available in this book.

GRAGERT: So is it over 80 percent? Just--

SCOTT SMATHERS: I, I haven't,--

GRAGERT: OK. No, no problem.

SCOTT SMATHERS: I haven't put a pencil to that total number for the entire statewide or even for each region. I can tell you

that doe percentage is where I focused my attention on. Because again, obviously when you're, when you're in control of herds and "depredational" issues, it's our biggest opportunity.

GRAGERT: Thank you.

HUGHES: Additional questions? Thank you, Mr. Smathers. We appreciate you coming today.

SCOTT SMATHERS: Thank you, Senator Hughes.

HUGHES: So with that, we'll open it up to anyone who wants to come and tell us-- sing the praises of Game and Parks or if you have an issue with something in your area. Don't be shy. This is your chance. Yeah, come on up. Welcome.

DONALD JESPERSEN: Good morning. Donald Jespersen, D-o-n-a-l-d J-e-s-p-e-r-s-e-n. And I'm a farmer and rancher from around the Alliance, Hemingford area, 60 miles north of here. And I just wanted to come in and voice my support. We utilize the-- oh, let me get it, the open fields and water program as far as allowing hunters on our property, walk-in only. And last year was my first year with it. And I was very excited to see the-- how it was utilized. I was having quite a time trespassing on my property. A few ruined it for many. And I decided if they're gonna trespass, I might as well be getting something for it and

see how this works. And the lady in-- out of the Chadron office, put together-- in, in one, in one group of land we have 1,600 acres-- all, all continuous acres put together with three different landowners and some of it runs into Sioux County and most of it's on the west end of Box Butte County. And I couldn't believe how much it was utilized for antelope, deer pheasant. It was very well-utilized. People drove from, from Scottsbluff up-- like on a-- not a daily, but I mean, it was pretty much a routine and they had, had success. I just wanted to express my support for that program and my family. We have enrolled 1,600 acres into that program. And also we use the-- for the habitat improvement to cost share for pollinators, and this year with all the moisture we had the pollinators look great. But I, I just wanted to voice my support for the, for the walk-in program and I hope that can continue. We planted a lot of trees through the federal programs, but my family's planted over a million trees on our own property between here and down through the valley and even down towards Sidney. And I'm excited to see the wildlife. I know we have-- you're here addressing problems maybe with damages, but it's exciting to see what we have and how it's brought, how it's brought back. We-- I enjoy-- I'm not a hunter, but I enjoy people hunting on my property. So thank you.

HUGHES: OK. Thank you. Are there questions for Mr. Jespersen?
Senator Gragert.

GRAGERT: Thank you, Chairman Hughes. Thank you for being here. A real quick question. How long have you owned your land?

DONALD JESPERSEN: Oh, it's been in-- a lot of it recently-- it's been-- I'm the fourth generation. My son's the fifth generation on our property.

GRAGERT: So before, before you entered into the-- I think, open waters and land,--

DONALD JESPERSEN: Um-hum.

GRAGERT: --do you see any less damage on your property from game-- damages from game or did you notice any kind of change from--

DONALD JESPERSEN: When I was a-- I'm 63. When I was a young man, it was a treat to see a deer in our-- I mean, you would go a week or weeks without seeing any deer. Now daily I can-- I see deer. And there's damages, but I-- I'm a support of, of that. I mean, financially I can't see it being, being any, any detriment to me I guess. But I don't have the elk tearing down-- you know, where my alfalfa is piled and things like that. The, the herds

of antelope probably is the one thing I noticed and I still couldn't say that it's a detriment to my wheat crop. But when they start to gather you'll get groups of-- you know, 3 to 500 antelope on-- you know, and stay in one region. But I, I can't testify that it's, it's hurt me financially.

GRAGERT: Do, do you have any idea how many individuals actually utilize the program and, and hunt on your land?

DONALD JESPERSEN: I, I honestly don't from last year. But there was a lot of different, a lot of different cars from different counties, different areas. I had one place-- it's a 480-acre place that some people had some fair success with. But one lady chased them off and said she was here first, and so I was trying to get a hold of that lady. I didn't have a name, but I wanted to emphasize there is not a first come, first serve. So when I pulled up there it was license plates from California but they were here with family but they come out from California yearly to hunt. But, but it was-- there wasn't hardly a day during deer season, we had like three or four access points for the-- designed for parking that there wasn't somebody walking the property during-- especially during deer season and pheasant season. It was utilized very, very heavily.

GRAGERT: Thanks a lot.

DONALD JESPERSEN: Yeah.

HUGHES: Additional questions? I guess I have a couple. So the, the type of land that you've got enrolled in this, what-- is it pastureland or farmland or--

DONALD JESPERSEN: It's CR-- it's CRP mostly.

HUGHES: OK.

DONALD JESPERSEN: Some of it's continuous CRP with the trees and we have like 5, 5 roads in a belt and then we have a space of CRP and then another five rows and it covers a lot of acres. Right now, I'm trying to get support. The government is not re-- reenlisting in fibro belts and I'm a little discouraged with that. So I, I hate to see-- the mindset might be the trees are already there so they're not gonna go away. But there's gonna be a lot of places where livestock is gonna be turned in on them. I mean, we've spent a lot of money on a federal level and a, and a producer level to get these-- excuse me, get these established. And I hate to see that, so I'm kind of pushing with our congressmen and senators on that at a federal level to-- hopefully they-- the shift is kind of-- went to clean water and these trees-- I see, I see many benefits. There will be people

that argue-- there are-- but I-- it's exciting to see what we have in our area.

HUGHES: So the, so the land that-- a good chunk of the land that you've got enrolled in this, you're not actively trying to make a living off of farming or ranching, it's--

DONALD JESPERSEN: Not, not that, not that land that's being hunted in that program.

HUGHES: OK.

DONALD JESPERSEN: But the surrounding, we have, we have pivots, irrigation that's around all these properties. And the deer, the deer move in and out regularly there. And as far as a financial burden, it has not been on my property.

HUGHES: OK. Thank you for your testimony.

DONALD JESPERSEN: Thank you.

GRAGERT: Can I just make one question?

HUGHES: Yeah, sure.

GRAGERT: Just more of a statement than a, than a question. With your, with your shelterbelts, might want to take the avenue of

maybe adding a shrub row to that and get the entire shelterbelt enrolled back into a continuous CRP just to enhance it.

DONALD JESPERSEN: We, we have shrubs, we have shrubs on the outlying-- or out of the five roads the two outside are shrubs.

GRAGERT: OK.

DONALD JESPERSEN: And then we have carnivorous trees in that and then the others in the center.

GRAGERT: Just take the avenue of how do you-- how can you enhance it to get it back in.

DONALD JESPERSEN: And that's-- one thing I wanted to do, we had some belts that we had to keep them at 80 percent survival rate. And in certain portions of the county, it's, it's really, really sandy and we've tried to do that during the drought years. We vigorously replanted and replanted but some of them we didn't bring up to specs and so when it came time they weren't reeligibile, but I'm still trying to get them back into some type of CRP. I'm having a little bit of resistance, but we're still working that area.

GRAGERT: All right. Thank you.

HUGHES: Senator Bostelman you had a question.

BOSTELMAN: Yes. Mr. Jespersen, you mentioned 300-plus antelope essentially can be any [INAUDIBLE]. What time of year is that? And is that during an antelope season?

DONALD JESPERSEN: There's, there's probably, probably not, no, they gather-- they're just starting to gather up. Now there's people well better versed than me on that. I just know I see them bunched up in the December, January timeframe.

BOSTELMAN: OK, that's fine.

DONALD JESPERSEN: And I know-- like I said, I'm not the expert on this. But when I, when I drive around on my property I do not see a shortage of antelope. But I do see people having trouble getting tags, but I--

BOSTELMAN: I know I appreciate that and that's part of what we're talking about here today. So if there is a certain time that you see them and if others see them at the same time, time of year then maybe that's something we can look at. And that's kind of why I asked the question is, if we're seeing a certain time where they do come together that may be something that's important for us to understand.

DONALD JESPERSEN: It's an awesome thing to see, but if you're the one experiencing the damage-- but when we-- my nephew had

done a drone picture of them when they're, when they're all going-- you know-- and it's an awesome picture.

BOSTELMAN: Sure.

DONALD JESPERSEN: But what it does regardless is maybe not so awesome.

BOSTELMAN: Understand. Thank you, sir.

DONALD JESPERSEN: And so one, one other thing-- excuse me, one other thing I might say is, I started at the railroad 13 years ago and I work with a Native American gentleman who takes people out. I mean, just coworkers that have never been hunting before. And every year he takes somebody new. And, and it's exciting to see the excitement in their, their eyes. And there-- a couple guys are going this year and they're, they're two months away and they're all jacked up. And last year he took a young man out, very first time for black powder. The day before he goes and buys his rifle. He gets his license that day. He goes out and shoots a twelve point nontypical whitetail on our property. And I said he might as well quit if that-- if he's looking for shooting horns. He, he is at the pinnacle right now. So-- but thank you. And the people-- I just wanted to-- and we did get a, a game warden, or whatever they might be called in our area, and

I was excited to see that last year. Just to-- they have a lot of work to do on the walk-in property, and I think it's-- so it's handled right. So, so-- because it is getting harder and harder to get private owners to let you in just because of the abuse. So thank you.

HUGHES: OK. Very good. Thank you for your testimony. And whoever wants to come up. Just jump up. Welcome.

KEVIN GROTE: This, this is not easy.

HUGHES: I, I-- I'd understand. I have been in that position. I understand how nervous you can be. But just tell us your story.

KEVIN GROTE: My name is Kevin Grote, K-e-v-i-n G-r-o-t-e. I wrote this speech up so bear with me. I gonna read it.

HUGHES: That's fine.

KEVIN GROTE: I'm from the northwestern portion of the state and I want to thank you, Senator Hughes, for providing this opportunity. As ag producers, some of us are burdened by the overpopulation of certain wildlife species. They make their living off the land and so do we. Nebraska derives the bulk of its economy from agriculture. The Nebraska Game and Parks Commission deals mostly with ensuring recreational opportunities

for the state's people. Sometimes these two areas conflict. Agriculture is being used to further the agenda of the Game and Parks. A point to think about is this, when a person purchases farm or ranch land there are no reservations or easements on the deed requiring the purchaser to house wildlife. It seems that the Nebraska Game and Parks Commission has forgotten this fact. Left unchecked, it is the nature of humanity to feather one's own nest. The Nebraska Game and Parks Commission is no exception to this rule. I feel that they have overstepped their intended boundaries. I have photographs and questions for consideration which illuminate some of these issues. I would gladly share more later if anyone wishes. Thank you.

HUGHES: OK. Thank you. Hold on, you don't get off that easy. Come on now. You've gotten through the hard part. So questions from the committee? Go ahead. Yeah, Senator Bostelman.

BOSTELMAN: Yeah, thank you, Mr. Grote, for being here. Can you tell me a little bit more about what you're talking about? What's the damages? What is it that you're concerned about? What is it that the, the wildlife that's out there-- what-- tell me a little bit more about that.

KEVIN GROTE: We-- my photos show-- we have a lot of depredation. And the elk population up there, they're a big animal and they, they destroy more stuff.

BOSTELMAN: Sure. Are we talking corn? Are we talking alfalfa? Are we talking grass? Are we talking beans?

KEVIN GROTE: They eat year-round. It's year-round depredation.

BOSTELMAN: Um-hum.

KEVIN GROTE: They don't just go onto public land and then sneak off onto private. They're constantly on private land.

BOSTELMAN: Sure. I understand that. So fences?

KEVIN GROTE: Yeah.

BOSTELMAN: I mean, taking off-- like on haystacks, do you have hay?

KEVIN GROTE: Haystacks.

BOSTELMAN: Are you high fencing around hay? Like-- I mean, I go to Colorado, Wyoming, Montana. And when they have-- you know, they'll put high fences-- you know, they've got those big poles. They just know they have it. So is it on the stack or is it before you get it to the stack, you have a problem?

KEVIN GROTE: When they're not eating on the stack, they're eating out on your field or your grass.

BOSTELMAN: OK.

KEVIN GROTE: They consume food year-round.

BOSTELMAN: Sure.

KEVIN GROTE: I have been offered by our conservation officer, cedar post and high wire. I could fence my stack yard to keep the public's animals out. I have told him the cedar posts will rot off in 10 years. It's my responsibility to fix that. And why do I want to do the labor to keep the public's animals off. And I hear this-- I have other information where the Game and Parks will assist you in chasing animals off. We just chase them off on to your neighbor. That's not very neighborly. So--

BOSTELMAN: OK.

KEVIN GROTE: I have questions which-- if, if I'm not taking up too much time.

HUGHES: No, you're, you're fine. You're, you're off the clock now.

KEVIN GROTE: We don't need answers to these questions. They're just to evoke thought. Why is the fine for illegally taking an animal with large horns greater than the fine for illegally taking a female or less grand animal? Does this not point to catering to outfitters and the more wealthy segment of society? I don't know if it's still that way, but why are people with landowner permits not allowed to hunt on public property? Are they not also equal owners of public property? Now I'm getting argumentative. Why did an unelected Game on Parks Conservation Officer gain more authority than an elected county sheriff on some issues? This one alone kind of eliminates the fact that a regulatory agency has kind of overstepped its intended boundaries. As for offering a solution, we need depredation permits on a shall issue basis.

HUGHES: On a what issue basis?

KEVIN GROTE: A shall issue.

HUGHES: Shall.

KEVIN GROTE: If we call Alliance, that would be our office, I guess, to call and say, we need depredation permits, I don't feel that they should be able to tell us how many. An elk is a big animal, good meat. It should be used.

HUGHES: So I guess, I guess my question for you is, it sounds like you have tried to work with Game and Parks in the past and have not-- it's not--

KEVIN GROTE: Our county commissioners-- I have-- I don't know, this is a little argumentative, too, but I sent letters to all the members of the Game and Parks Commission and to the Attorney General. What I asked them is this question, are property owners required by Nebraska law to harbor and provide food for wildlife? They-- this, this question arises due to the fact that currently wildlife populations in our area of the state do grow at a rate which puts a burden on a smaller agricultural segment of society. The agriculture businesses of farming and ranching are competitive just like other free-market businesses. If farmers and ranchers are required by law to host these animals, they then bear an unfair burden. If so, a taking of private property for public use is occurring. At some point a confrontation between property rights and public use exists. Attorney General's office sent me back a letter that he will help-- he will answer questions for you guys. But he won't answer for me. So--

HUGHES: So I guess I, I want to get back a little bit more to your interaction with Game and Parks. So you've called them up

and said I've got a bunch of elk on my property-- you know, what can I do?

KEVIN GROTE: Twenty years ago I did.

HUGHES: And--

KEVIN GROTE: I have not--

HUGHES: It didn't work out so you just gave up. Is that-- don't let me put words in your mouth, but that's kind of what I'm hearing.

KEVIN GROTE: Yeah. I, I feel I need to go to their bosses.

HUGHES: That's why we're here.

KEVIN GROTE: Alliance's bosses-- our, our conservation officer. I need to go to their bosses.

HUGHES: And I, and I-- you know, I, I, I have heard that a lot of people who have tried over the past 10 to 20 years to go through the correct channels and they just get tired because they get stonewalled from Game and Parks. And I've, I've experienced the same thing. So I'm very sympathetic to that and-- you know, the fact that we're-- you know, there's not 200 people in the room is because people are tired of trying to buck

the system when they know it doesn't go anywhere. So I appreciate you coming and telling us-- you know, what's going on, on your property because it is your property.

KEVIN GROTE: That's, that's the way I think the country was set up. That's the way it was founded. One, one thing I would mention, I have heard that the Game on Parks is purchasing 1,520 acres up in Sioux County. They're using a lot of private money, but the Environmental Trust Fund is-- it's contributing \$480,000. I thought the Environmental Trust Fund was set up due to the Clean Water Act 10 or 15 years ago to handle other issues rather than buying more land for Game and Parks.

HUGHES: I'm, I'm aware of the large tract of land and it does have to get approval from a couple of legislative committees. So it is not a done deal.

KEVIN GROTE: If, if the Environmental Trust Fund has that much money, reduce their, their income. There's no sense them having money to give to someone else. I'm sure they're tax supported also.

HUGHES: OK. Additional questions? Senator Gragert.

GRAGERT: Thank you, Chairman Hughes. Just one quick question. Do you let people hunt on your land?

KEVIN GROTE: I do.

GRAGERT: And how many do you let hunt?

KEVIN GROTE: Friends, and I don't charge anybody. We have friends that-- you know, as far as me getting compensation they farm back east and they come out here and hunt deer. They have little knickknacks that help me and I just have two elk hunters have called for this season and I've told them both to come.

GRAGERT: So you only have two people hunting elk on your land?

KEVIN GROTE: Yes.

GRAGERT: How many acres?

KEVIN GROTE: Oh, thirteen, fourteen thousand. Something like that. I will let them hunt, but I don't think the fix is for me to open my land up to the public.

GRAGERT: OK. All right. Thank you.

HUGHES: Senator Halloran.

HALLORAN: Thank you, Chairman Hughes. Thank you, Mr. Grote, for being here. I remember talking to you in the back and asking you if you wanted to testify and you're doing a fine job. So in an ideal world, what are some solutions from your perspective? I

mean, what should be done? More depredation permits, more permits generally to get down the population?

KEVIN GROTE: Cow permits, and I'm a softy for mule deer. I have pictures of terrible mule deer damage, but I like them. No one wants to come and shoot a female deer or a female elk really. The way it is set up, we're-- our country is much different than here and the elk you don't know where they are. They're back up in the hills on somebody's property. And it's hit or miss whether you can get one. I had a cow elk permit a few years ago and we were just lucky. I was able to fill it. But bulls are much easier to get a solution. You got to-- you would have to thin the cows down in order to control the population. Shooting bulls doesn't do any good. Same way with deer.

HALLORAN: So fewer bull permits and more cow permits?

KEVIN GROTE: As far as I am concerned, the bull permits is fine. Grow some big horns, but eliminate the, the numbers so more cow permits. That would be my recommendation.

HALLORAN: OK. Thank you.

HUGHES: Additional questions? I, I will share with you. We had a gentleman from the southwest part of the state came and complained at one of these hearings and Game and Parks did

respond to him. They have been back with depredation permits, so Game and Parks does listen to the concerns. And I would hope that they would get with you at some point to look at a more personal response to your situation because they have done that in the past. So thank you for coming and testifying. I, I wish you well.

KEVIN GROTE: Thank you.

HUGHES: Thank you very much.

KEVIN GROTE: Thanks much for this opportunity.

HUGHES: See that wasn't so hard. Next. Welcome.

DAN JORDAN: I want to talk a little bit about the mountain lions.

HUGHES: Could you spell your name? Give us your name and spell it, please.

DAN JORDAN: D-a-n Dan, J-o-r-d-a-n Jordan.

HUGHES: Very good. Thank you.

DAN JORDAN: In the past ten years, I've lost two horses to mountain lions. One, was a baby colt that I never did find. I saw him when he was born. I went back later in the day, no colt.

I'm sure a mountain lion got him. Mountain lions-- we got game cameras from an outfitter. They are on my property. The other one was a mare that I really liked and she was tore up underneath. I tried to take her to a vet to get there, and that was when they were doing the construction between Crawford and Chadron, and she went down in there. And by the time I got Chadron, she was dead. So I don't know-- I think that, at least on my place, I won't go anyplace off of my place. But if I see a mountain lion-- I've got, oh, six or seven horses, and we lose calves and stuff-- you know, you never do find them. If I see one, I'm gonna shoot it. That-- I, I just think that to protect my livelihood, that's something I've got to do. You know, I've got horses. I sold-- you sell them for six, seven thousand dollars you know. And I can't afford that kind of loss. And that's all I've got to say.

HUGHES: OK. Are there questions? Senator Gragert.

GRAGERT: Thank you, Chairman. I don't know where you live, but is there, is there currently a mountain hunting season?

DAN JORDAN: Yes.

GRAGERT: OK. Thanks.

HUGHES: So have, have you tried to work with Game and Parks at all on this? Did you, did you call them out?

DAN JORDAN: I talked to the game warden and he said, if you see one and he's threatening your livestock, I can shoot him and contact him. The, the thing is he said, they've got to be threatening your livestock. We all know these mountain lions travel a large area. And any time I see one, I feel he's a threat to my livestock. The Game and Parks trapped one on my play. There was a, there was a young juvenile and there was an old cat there I assume. They put a collar on him and turned him loose. A couple weeks later they called me and they said the collar was in one spot. Well, they went out and they found it. And the mountain lion had got it off. That doesn't do me any good. The only thing that's gonna do good for me to protect my livestock is if we-- on my place I feel for myself because I've lost so many things, so much livestock, there ought to be a way that I can take care of it.

HUGHES: I, I don't have the answer to that. But I, I am sympathetic that if, if you see a mountain lion, it's probably there hunting your livestock. Any other questions?

DAN JORDAN: Do I have a right to shoot him?

HUGHES: If he's threatening your livestock, absolutely.

DAN JORDAN: Where I've lost some money-- if I see one, he's gonna be back whether, whether I've got livestock in that pasture or not. He's gonna be back, and I'm gonna have livestock in that pasture. I think that he needs taken care of whenever I see him.

HUGHES: I, I can't advise you to do that. But if I were the game warden, I wouldn't prosecute you for that.

DAN JORDAN: Well, my problem is-- I talked to the game warden and he said he's got to be actively threatening my livestock. Well, if he's there, I can't, I can't be everyplace on my place all the time. If he's there, he's a threat to my livestock. That's the way I feel.

HUGHES: I-- that's your answer. Any other questions? Thank you, Mr. Jordan. We appreciate you coming.

DAN JORDAN: Thank you.

HUGHES: Who wants to be next? Welcome.

HOD KOSMAN: Good morning. I'm Hod, H-o-d, Kosman, K-o-s-m-a-n. I'm a local businessman. Been here for many generations, and I'm currently the president of Platte River Basin Environments, Inc.

We're a Nebraska 501(c)(3) public benefit corporation and we'll celebrate our 30th year of existence next year. Our sole purpose as a-- as an organization is to enhance habitats along the North Platte River and our focus really goes from Walden, Colorado really down to North Platte, but our, our-- so far for the first 30 years it's all been in Nebraska. Just want to comment on our interactions with Nebraska Game and Parks. It's been very positive over the years. They have been partners with us on numerous projects. Our approach is that we have willing landowners that wish their land to remain as it is. Most have been-- although we have lots of riverine properties, we also-- we own these properties and we manage these properties. We pay the same taxes as our neighbors. We develop water the same as our neighbors. We affect invasive species the same as our neighbors. And all of the-- all of our lands, all of our lands remain working landscapes. A farmer and a rancher are making a living off of the land and we manage these lands in a way that provides them with the value they need as a farmer and rancher, but also enhances the wildlife attributes of this land. And we have large tracts, our western tract is 22,000 acres, 13 miles across, and includes Nebraska Game and Parks land. Private ranches that we manage for those ranchers, land that we have a conservation easement on and so that-- the piece, about 17,000

acres of that land is open to the public and the conservation easement land is not open to the public. The-- one of the ranches where the rancher family lives that we have one ranching multigenerational family that operates on all of our ranch lands and grazes those, their house is situated-- it's not, not a good place to have open to public hunting. But the rest is all open to, to public hunting and recreation, whatever. So our eastern, we border-- Game and Parks manage 4,600 acres in the eastern part-- 4,700 acres out of about 10,000 acres. Again, all open to the public. All walk-in areas and all used for all of our lands for working landscapes. We have had lots of interaction, lots of value from Game and Parks from the conservation side from the way we manage our properties together for the benefit of the wildlife. We have had great interaction from the commissioners. The commissioners from all across the states have come out here and talk to us about our approaches, talk to how we approach conservation lands. And we've had that for, for many, many years. Throughout this whole period of time, we've had great interaction with them. So we have done a number of projects. Right now, we are partners with Game and Parks with the Nebraska Environmental Trust grant, Ducks Unlimited, and the U.S. Fish and Wildlife. This is our seventh year of a project and it's removing invasive species in enhancing habitats on the North

Platte River from North Platte to Henry, thousands of acres of invasive taken out, hundreds of miles of riverine sloughs restored and that's a cost share that the landowner has a very small piece of this often in kind. And, and with our partners, we pay for all the rest of that. It's been an extremely successful program and we'll finish that up this year with a number of more projects. But just about a million dollars that we put the hand to the hands of landowners to restore their properties. So just want to comment that we've had a great 30-year relationship with Game and Parks. We find them responsive. We find that we don't always agree, but we can always talk about it and we find a solution. Thank you.

HUGHES: OK. Further questions for Mr. Kosman? Senator Gragert.

GRAGERT: Thank you, Senator-- or Chairman Hughes. Just a quick question because this is interesting to me now. You got 17,000 acres. The last gentleman had 13,000 acres. Do you have any idea how many animals, whether it's deer, elk, or whatever, are harvested off your 17,000 acres?

HOD KOSMAN: I, I do not. I, I will also commend that the public use atlas that the Game and Parks gets together, I get calls on that from all over the country because they, they-- we put our lands into their public use atlas. And I've hosted-- you know,

people come out here from Georgia and they think they can walk out in the Wildcat Hills and hunt a turkey and I say you're gonna die. You know, you're at 12 feet and we're at 5,000 feet. So I say, I'll take you there. So we have-- I get lots and lots of calls. I've been getting a lot of calls because deer season is coming up of people that want to travel here. I don't have an idea of how-- we have elk, deer, pronghorn in our western third. I know we have at least five cats. We've had no depredation. Our, our ranchers had no depredation. We move our herds. We, we changed all our grazing protocols, all our water protocols so that we can move these herds. And our ranching family is ecstatic because the, the gains on their property with the resource-- the grass resource that we've restored has been tremendous. We're really proud of that.

GRAGERT: Thank you.

HUGHES: So what, what is your group again?

HOD KOSMAN: Platte-- well, they usually call us PRBE, but it's Platte River Basin Environments, Inc.

HUGHES: And you said it's a 501--

HOD KOSMAN: (c) (3), yeah.

HUGHES: So it's a nonprofit?

HOD KOSMAN: Correct.

HUGHES: OK. So you're not really concerned about making money off of this land?

HOD KOSMAN: We are, because we are self-sufficient. It costs lots of money to-- we pay the taxes. We pay over \$100,000 in tax assistance, Scotts Bluff County, let alone Banner County. And we have to repair fences. We have to put hundreds of thousands of dollars into-- in this-- in our, in our western piece, I think there's eight or nine landowners that came to us and said we all want our land to remain this way forever. We don't want ranchettes. We want to be ranch land. And if you own it, then our families can always come to this land because it's open to them. And so, so these people came to us. We, we have never knocked on anybody's door. They knock on our door because this is what they want for their lands. So it takes a huge amount of money to run a ranch.

HUGHES: Right. But you're not concerned about making a profit, you're just concerned about making ends meet unlike most farmers and ranchers.

HOD KOSMAN: Oh, no, I would say that's wrong. I, I would say that we manage our ranch just like anyone would manage their ranch because we won't have our mission unless we do. And so--

HUGHES: So a 501(c)(3) is a nonprofit?

HOD KOSMAN: Well, so is a hospital. You know, you got to-- it doesn't mean that you don't make a profit. It means that you, you don't pay taxes on the gifts that you receive. So like if we get monies in, we don't pay taxes on that. But we, we pay the same, same as anybody else. And we have to have the same expenses as anyone else. And we do lots of restoration work on this-- on these lands. So it's, it's a very expensive large budget operation.

HUGHES: So do you pay income tax on the money you make?

HOD KOSMAN: If-- depending on the source of the income, we will pay income tax on certain sources. If we get grants, that is not taxable to us.

HUGHES: OK. Thank you for your testimony. Additional questions?
Senator Gragert.

GRAGERT: Just-- thank you. Just real quick. Do you, do you graze cattle on this 22,000 acres?

HOD KOSMAN: Oh, yes.

GRAGERT: OK.

HOD KOSMAN: We have a, we have a-- yes. All of our lands are working landscapes.

GRAGERT: OK.

HOD KOSMAN: So if they're farm ground, they're farmed. You know, the city of Mitchell went to the, the Resource Commission for their, their wastewater. It had a red flag on it, and they needed to use some of our farmland that we had adjacent to one of our wetland properties to put their effluent on. We worked with them and they went through the Water Sustainability Fund and got some funding for that. And so you know, we were-- we're, we're neighbors. We work with all of our, our constituents. We have lots of wetland areas as well which are important for the migrating waterfowl and we host a significant number of people that come into this area as a result of the lands that we have.

HUGHES: OK. Very good. Thank you for coming to talk to the committee today. Who else? Welcome.

ANNE JAMES: Good morning. Thank you for coming out west. My name is Anne James, A-n-n-e J-a-m-e-s, and I have lived in Nebraska

most of my life in western Nebraska. I've been involved in environmental education since 1992. And in full disclosure, I am a retired Nebraska Game and Parks employee. I worked at the Wildcat Hills Nature Center as an outdoor education specialist and I would like to talk about the importance of the Wildcat Hills Nature Center to education in western Nebraska. I just got numbers this morning from them. Last year, they educated 7,000 students and 2,000 adults. That's pretty good for a community that has 30,000 people in the county. They educate students from western Nebraska and also eastern Wyoming. They do a phenomenal job reaching the youth that don't have hands-on experience outdoors today. Most of our students today are tied to their cell phones, their video games indoors, and they don't have any exposure outdoors. They do a phenomenal job and have for many, many years in connecting these students with the outdoors. When I was there, I would have teachers every year say to me this is just phenomenal because that student just sits in my classroom and never participates. And here they're involved, they're excited, they're learning. It's-- they just praise the program left and right. A few years ago we had-- we were fortunate enough to get funding to add a large portion to the Wildcat Hills Nature Center and that was funded locally as well as by the Game and Parks Foundation and-- you know, other entities

across the state. That has allowed them to expand their opportunities for education, contact with the public, and it's used every day. And it's just, just phenomenal what goes on out there. In the time that I worked for Game and Parks, all of the people that I came in contact that worked for the Commission, whether they were law enforcement, whether they were Wildlife Division or Parks Division, were totally dedicated to their job. They were very professional and they care very deeply about our wildlife, the resources in our state and our parks. So I want to echo-- you know, Senator Hughes's comments at the outset, that the people of Game and Parks are very dedicated. I just feel that what they do out here whether it's-- you know, bringing the wild sheep back to the Wildcat Hills, whether it's educating students managing our parks so that people can enjoy the outdoors is very important. And I wanted you to know that out of here they're doing a great job.

HUGHES: OK. Thank you. Are there questions? Senator Bostelman.

BOSTELMAN: Thank you. Thank you, Miss James, for being here today. Seven thousand students and how many adults?

ANNE JAMES: Two thousand.

BOSTELMAN: How many-- and I'm curious because one thing that's been discussed here as part of the LR is looking at east side of the state-- all-- the entire state,--

ANNE JAMES: Um-hum.

BOSTELMAN: --and what we provide as through our, through our facilities statewide and if there's more being offered on the eastern or central part of state than the western part of the state. So two-part question one. One part of the question was, what do you feel is there anything that could be added to the facility that would draw more people in? What would that be recreational or otherwise that could be brought into potentially bring more people into that area? And the other one would be, if you-- if that would happen, do you think there would be a-- you know, have any idea as to the number of people that that may as a result bring to the park, bring to that facility, or just bring into that area alone?

ANNE JAMES: They have talked for several years about having an outdoor education area where children can come on weekends when the park isn't open that they can explore nature-- you know, play in, in the trees and the water. A lot similar to what the Arbor Foundation does at Arbor Farm, Arbor Lodge. They have tried-- you know, they thought about that. One of the things

they've talked about is doing-- oh, I forget what it's called,
but a suspension--

BOSTELMAN: Zip lining.

ANNE JAMES: Yes, there you go. Thank you. I went blank for a
minute. They've got great canyons out there that they could do
that in. And that would-- you know, bring in people. I mean,
today they have Boy Scouts that use the park. They have families
that use the park, reunions go out there, students go out there,
different businesses meet out there. You know, the use just goes
on and on and on. And there is-- you know, they need an expanded
campground out there. That's a beautiful place to see the stars
at night. So having an enhanced campground would be very
important-- you know, for more usage. And I mean, the numbers
are great. When I was there, we were teaching 4,000. Now
Amanda's [PHONETIC] doing 7,000.

BOSTELMAN: Um-hum.

ANNE JAMES: That's just incredible.

BOSTELMAN: Sure.

ANNE JAMES: You know, and the, and the opportunity is there for
more expansion.

BOSTELMAN: OK.

ANNE JAMES: And, and-- you know-- and true a lot of the money goes back east, there's more people back east. But they have supported the Nature Center out here and our expansion just-- you know, made it so much more possible to do more things that-- and we're appreciative of that.

BOSTELMAN: Well-- yeah, I would agree. And I think there is an opportunity for folks to come through this area, that area as well as they go-- maybe if they're going to the Black Hills.

ANNE JAMES: A lot of people do that.

BOSTELMAN: You know, there's a-- it's a good place to stop. It's good if you have facilities, if you have things there for them.

ANNE JAMES: Um-hum.

BOSTELMAN: That's something that they like to do. It's a great-- you know, if they're coming from Kansas, Nebraska it doesn't matter, eastern part of the state, that's if it's an eight-hour drive, whatever, it's a good place for them to stop, spend a day, two days, and then move on from there.

ANNE JAMES: There are a lot of people from out of state that,--

BOSTELMAN: Right.

ANNE JAMES: --that do that.

BOSTELMAN: OK. Thank you.

HUGHES: OK. Additional questions? Seeing none, thank you, Miss James. Appreciate it.

ANNE JAMES: Thank you for coming out.

TERRY JESSEN: Good morning, Committee.

HUGHES: Welcome.

TERRY JESSEN: My name is Terry Jessen, T-e-r-r-y J-e-s-s-e-n. First of all, thank you for each one of you senators for making the drive to western Nebraska. We appreciate that. We are here. We spend our lives here. I was born in Garden County. I still live in Garden County. I did live in Scott Bluffs County for a number of years. My comments really revolve only about antelope. Antelope populations in western Nebraska have gone unchecked and they continue to go unchecked and they are expanding, and they're expanding like the other gentleman said to the detriment of the private landowners. When I grew up in Garden County, so in the 50s and 60s when we would drive to town we'd go through the grassland and we would occasionally see an antelope. Maybe

we'd see two or three-- you know, in a, in a month or something. Today, there's not a day goes by that I cannot see antelope on our farm including right next to our house. If I, if I drive even a half mile from our house, if I drive ten miles, I've, I've seen antelope every single time. What came to mind growing up was home, home on the range where the deer and the antelope play. That's changed. Today, it is home, home on the farm where the antelope are taking over. When I returned-- when I refer to farm, that area of Garden County and Deuel County is basically all farm ground, there's no grass. You think of antelope being in a grass area. That's the way it used to be. Now they're everywhere. Yesterday I was on a tractor working summer fallow, and I see all these tracks out in the summer fallow. No, the tracks don't really hurt the summer fallow per se, but it's the population that's there and they're hurting-- they have caused damage to, to growing crops everywhere. I-- you know, I have seen several times herds of about 50. I've talked to other people with herds of 100 and I was stunned by those numbers. When, when I saw the 50, I was stunned. When, when I hear about 100, I was stunned. However, last fall after we planted wheat on two center pivots by Lewellen, Nebraska, I didn't see it myself but my tenant told me that there was a herd of over 1,000 antelope on our property. So on a half section of land over a

1,000 antelope. He said, you know, it was just covered, just unbelievable. There was contact made with the Game and Parks Commission and there was a response. And the response included a number of things, but it included, like Mr. Grote's referred to of, well, we'll come in, we'll fly a plane or a helicopter and we'll, we'll push them off onto someone else. That doesn't solve the problem. The problem is real simple. If you have mathematically, if you have a third of a 1,000, and they're basically left unchecked, what's your herd gonna be in a year, two years, five years? The, the numbers are just explosive. When I went on the Internet this morning, it talked about gestation period for pronghorn is 245 to 255 days, after which the female gives birth to one or most of the time to two. So even if you do the, the simple part of the math, if there's 1,000, if they're half and half, male and female, there's 500 females and they're gonna give birth to maybe 500, maybe 750, so that 1,000 herd grows to 1,500 unchecked. One more year, one more year, you get a 10,000 head. I mean, the math is explosive. I think the solution is, is-- first of all, is so far out of hand that it's gonna take drastic measures to bring them back to a more realistic level. I'm not an expert in knowing what that realistic level is, but certainly they've got to issue more permits. They I think could consider increasing the hunting

season. But probably bottom line to kind of get balance, I think Game and Parks Commission would have to eliminate a substantial number of antelope. I-- the Game and Parks Commission has a Open Fields and Waters contract, which another gentleman referred to this morning, that pays landowners \$3 an acre to provide habitat. We're providing habitat. I think I have a couple little contracts but not much. But it isn't just the habitat. What I'm here to talk about is the damage. So round numbers of farmland that I and my family operate about 25,000 acres, the Open Fields and Waters contract is \$3 an acre. So I'd be asking the Commission for compensation for damages for \$75,000 for 2018, and again, \$75,000 in 2019. How many more years do we have to, to just furnish this ground without any effective control measures? Game and Parks was cooperative in, in talking to us, but I felt like their solution wasn't a solution. Thank you.

HUGHES: Thank you, Mr. Jessen. Are there questions? I guess I, I-- and your problem is antelope,--

TERRY JESSEN: Yes.

HUGHES: --the people who talk to me are deer, turkeys are everywhere. I know up in the Panhandle the elk are, for whatever reason, the wildlife populations are exploding. I mean, they're being-- they're adapting mountain lions. So one of my thoughts

is, like in your situation where you have a 1,000 head of antelope, that Game and Parks can verify that and say, yeah, we've got an overpopulation in this area. The landowner-- you can go shoot X number. You don't have to harvest them. You can shoot them. And that if-- and maybe, maybe you harvest 10 percent for the meat or something to keep the, the PETA and those people at bay, but we've got to do something to reduce the numbers. And what is happening now is not working.

TERRY JESSEN: Right.

HUGHES: You know, the depredation permits-- you know, the gentleman that I referred to earlier who had come and testified before us last fall, Game and Parks has tried to address his. You know, they had shooters come out in the middle of August and wanted to shoot and they've, they've got to harvest the meat. Well, you can't harvest the meat in the middle of August because it's too hot and all the locker plants are full of 4-H and FFA beer and hog-- or beer-- deer, beef, and hogs from the county fairs. So there's to be a different solution that we've got to be able to reduce these numbers. And I really hate to say it but, yeah, you're antelope are moving down to my farm in Chase County.

TERRY JESSEN: Yeah.

HUGHES: You know, and that's-- I've never in my entire life seen antelope before. And they're, they're worse than deer in my, my opinion.

TERRY JESSEN: Part of the solution that they offered was under a certain set of circumstances that we would be permitted to harvest up to 5 antelope on our property, 5 out of a 1,000. Might as well not have done anything, you know. We did not actually shoot any antelope. They were not on our property very many days but they were on their enough days to destroy that wheat crop.

HUGHES: Yeah, and I, I agree. That's been my whole premise that the farmer and rancher are the ones feeding these wildlife and Game and Parks is the one benefitting. There should be some compensation back to the person that's feeding them 365 days a year.

TERRY JESSEN: Thank you.

HUGHES: Other questions? I'll get off my soapbox. Thank you, Mr. Jessen.

TERRY JESSEN: Thank you.

HUGHES: Welcome.

GARY DARNALL: Thank you. Thank you for coming to western Nebraska and listening to our concerns. Appreciate it very much. I'm a landowner and operator.

HUGHES: Could, could you give us your name and spell, please?

GARY DARNALL: Excuse me. Gary Darnall, G-a-r-y D-a-r-n-a-l-l. We have operated property in Banner and Kimball County. And we have property in the Wildcat Hills, and this one particular piece of property, roughly 2,200 acres. And we run a cow-calf operation, and a yearling operation. But on that particular piece of property, we have elk and it's got deep canyons in it and so forth. And that's a home for at least 125 head of elk. In that particular pasture our-- we've had to reduce our stock-- stocking about 30 percent because of the elk and probably in our mind the elk can--are the most destructive wildlife that we have. We're constantly fixing fences. They don't go over them or under them, they go through them. And so there's a lot of, a lot of labor involved. So in-- on our property we have deer and antelope, and over the years those numbers have increased substantially. And so in figuring our economic loss, I tried to work out on an animal unit on the total property of, of the elk and the deer and the antelope. And I was using elk as two head per cow-calf, deer four head, antelope five head. And in the

estimation, and I think we're conservative, that would be equivalent to about 250 head of cow-calf operation. And figuring the acres that it would take-- that it takes is reduced which we figure about 2,500 acres. And so that value at, at a rental value of \$35 per head or per pair is \$105,000. And the taxes on that same land at, at a minimum of grass would be \$12,500. And the maintenance and the labor on the fence we estimated at \$2,000, which I think we're underestimating. Anyway, we have a total here of \$19,500. And we're out here trying to pay for this land and make a living and so forth. And we-- because of the excess [INAUDIBLE] and so forth, we think number one, that the landowners need some type of compensation. And number two, I'd like to see more landowner operators on the board of the Game and Parks Commission. Basically, that's all I have.

HUGHES: OK. Thank you, Mr. Darnall. Are there questions? Senator Halloran.

HALLORAN: Thank you, Chairman Hughes. Thank you, Mr. Darnall, for being here. I think-- and I regret that I didn't make this comment with Mr. Jessen, but I think you're both being very conservative in the damages that you're talking about and Mr. Jessen was talking about \$3 per acre. You know, with the price of wheat today, it was far more damage than \$3 an acre. I'm

confident of that. And from the figures that you gave I'm confident that you were very conservative in the damages that you have. That's more of a statement than a question, but I think it's incumbent upon, upon the Games and Parks to truly manage the population. And what I'm seeing and hearing, and I've heard from other producers, there's been a gross failure in the management of population strictly from the health of the animals-- the wildlife animals. There should be an issue with overpopulation. We've seen it with deer. I'm sure it's true with antelope. I'm sure it's true with elk. When they're overpopulated, they are subject to more diseases within the herds. But this is a manageable, this is a manageable situation if the proper action is taking place. And I don't want to come back, and I don't think any of us want to come back a year from now for another hearing and hear the same problems. We-- not that we don't want to come out here but we don't want to hear problems unresolved. So I appreciate your testimony; and, Mr. Jessen, I appreciate yours as well. Thank you very much.

HUGHES: Other questions? I, I guess-- have-- has there always been elk on this property or is this just kind of a recent phenomenon increase more like other-- the other numbers have increased of, of different animals?

GARY DARNALL: The elk-- approximately ten years ago the elk came in and they've grown in numbers and we have requested to disperse or move or some way reduce those numbers and we haven't gotten any satisfaction from that from Game and Parks.

HUGHES: So the, the, the elk migrated from Wyoming or Colorado, I'm assuming or--

GARY DARNALL: I'm not sure they weren't planted. I, I don't know. I can't prove that.

HUGHES: OK, but they-- about ten years ago, and they--

GARY DARNALL: Right.

HUGHES: --the herd has grown considerably since that point in time.

GARY DARNALL: Yeah.

HUGHES: For-- you know, and it's great for whatever the conditions are that our wildlife has-- is doing well. But-- and I agree with, with Senator Halloran that's a point that we have not brought up as the-- you know, potential for disease within the herds. But probably part of what this hearing is, is the management of the wildlife in the state of Nebraska and it's out of control--

GARY DARNALL: Yes.

HUGHES: --you know, and trying to get Game and Parks attention to address this is what this is about. So I appreciate your testimony.

GARY DARNALL: Thank you.

HUGHES: Yes, Senator Bostelman.

BOSTELMAN: Thank you, Chairman Hughes. Mr. Darnall, the elk herd that-- you said there's about 125 animals on your property. Are those resident herd or are they moving out? I mean, are they staying right in-- the reason why I'm asking is you're coming back to controlling the populations. So if you have 60 that come and go but if you're-- if you consistently feel you have 125 that are on your property or that adjoining area. If that's the resident herd, that's one issue that I think is more readily addressed than if we have animals moving in and out. Do you understand my-- where I'm going with that?

GARY DARNALL: Yes, yes.

BOSTELMAN: Could you speak to that please?

GARY DARNALL: Yes. It is a resident herd. They're there year-round. They go back in this canyon. It has water. It's got

protection and so forth. That resident herd goes down into the valley, into cornfields and they aren't there 24 hours a day, but they go down in the cornfields. And they bed down in those cornfields, and it's irrigated-- you know, with pivots and they bed down in those fields and they make a new bed every night.

BOSTELMAN: Um-hum.

GARY DARNALL: And I think you'll have-- hear some more testimony today about the damage that they do. I, I personally don't have that effect be-- have to deal with. The deer that we have on our other-- on other property of ours, we have a feedlot and the deer come down there and just make a mess of our silage pile and so forth.

BOSTELMAN: Um-hum.

GARY DARNALL: And we've asked for help for that and we have not received that help.

BOSTELMAN: And in that situation we talked about-- I know where I grew up at the time, we had the same issue with deer and the Republican River. I grew up in Superior, Nebraska. So on the Republican Basin down there. And, and especially on the river down there, if you had any number of cattle, if you had silage, we had hay-- you know, that was always an issue there was the

deer to come in on those stacks to foul those. I understand what you mean there. So thank you.

HUGHES: Additional questions? Thank you, Mr. Darnall. We appreciate you coming today.

GARY DARNALL: Thank you.

HUGHES: Welcome.

BUTCH SCHULER: Thank you. My name is Butch Schuler, B-u-t-c-h S-c-h-u-l-e-r. I'm a third-generation rancher in Morrill and Banner County is my, my son is the fourth-generation rancher. And we've have coexisted for many years with wildlife on our ranch extending from waterfowl, pheasants, turkeys, deer, more recently elk. There's also other wildlife: prairie dogs, rattlesnakes, porcupines. They're less pleasant to be around. They, they do present a threat to our livestock and well-being but it's usually localized. And one advantage of that is they can be dispatched legally on site. But the, the bigger problem is the deer and the elk population. We've had deer for years-- circulate some handouts, and I specifically just addressed the, the damage to the crops and the harvested feeds. The first handout you have is a yield map and you can see where they, they graze along the edges of those circles and I think that's mostly

that the deer-- you see that reduction there, and they also get out into those fields. But as you see the bigger bare spots in that yield map and also some pictures we actually took this morning with a drone you can see where the, the elk are out there and they're knocking down that corn. And as time goes on as that corn becomes more mature as they're moving around those fields, they, they drop the ears everywhere they go. They're not, not consuming that, that corn, all of it. But they're eating-- consuming a lot of it. But the damage they're doing is, is more of the fact that how much is this going on the ground. And that presents a very big threat to our livestock that we graze on those circles after, after harvest is we cannot pick up those ears. And the threat is that we turn cows out and they're not adapted to that corn, they can get acidosis, they can bloat. We try to put younger cattle out there. I think the term is dumb calves, if you will. And we will, we will condition, figure out, and try to get them with-- you know, get them on some grain in their diet and we'll keep feeding when they go out there. But we still-- once we stop feeding them, we've, we've had death losses and we've had to go out and treat those calves-- you know, those young calves. So the cows are a bigger problem where they're schooled and they're very well trained to go out there and harvest for that, that-- those, those ears are laying on the

ground. Last year, we conditioned those cows. We didn't have the calves to put out the way, the way the logistics worked out. We went with the cows out there. So we conditioned those cows before they went out there, and I had a handout or my notes I guess, and this is what it cost us to feed those per day. It was a \$1.55 to condition. We get them up to roughly ten pounds of grain and those assume the \$3.75 cost per bushel cost. We did that for roughly two weeks and we cross fenced those pivots so that it would minimize the access that those cows had to that grain to limit the, the corn in their diet. We took the grain out of the ration, but we still felt we had to fill them up with some lower quality roughages. And so that's where that next number came from is the \$1.35. A little higher yardage for maintaining a lot electric fences out there that I don't really - didn't really include that cost to construct those fences. But as you can see on that 800 head of cows-- you know, it costs us about \$75,000 just to get those cows transitioned to those cornfields so they didn't die. And as evidence of that, we had some young cows we put on another field or a couple of fields not too far from there that didn't suffer the same kind of damages that these, these fields did. But they said all, all the corn fields suffered damages from the elk population. But some are worse than others because they decided that's gonna be their

favorite or is closer to the water source. And even with those cows being-- you know, filled up and adapted and being fed on a semi-regular basis, we, we lost three head to acidosis out there and I can directly attribute that to the elk. I don't, I don't have any doubt in my mind that's why. And I didn't-- with, with those figures I didn't address that the crop loss that were laying on the ground that we can't harvest and we estimate we lose 25 bushels in those fields that they infest. The, the elk get into every one of our cornfields. We have 12 different pivots, usually there's 800 acres or so that's going to be grain or corn and there's gonna be damage at every single one of those. But the ones where they stay, they're closer to maybe the water sources for what-- or for whatever reason. We'll say at 25 different bushel in yield between those fields. And so taking an average of 275 acres of corn every year that we lose 25 bushels on, and I use \$4.05 which is the current price of corn today, that's when we, we normally sell is 27,000. So in 2019, once-- one year out of-- I don't know how many, we'll-- we came up-- I come with a number, and I think it's conservative, over \$113,000 in losses, just the elk damage on our crop field. The, the elk are not native to Nebraska is my understanding. We don't know where the elk-- necessarily if they've migrated to our area, but we know some of these elk have escaped from a game farm close to

us and they've been allowed to proliferate. Many years ago when we started having the elk before they even had the season, I remember we, we discussed this with the Game and Parks that they came out to the ranch. And I said, I don't see the problem, we just put the elk back. They said, no, once they'd been out-- and I forget if it was how many days, one, two, three, I don't remember, but so we get to manage it. I said-- I asked what does that mean, you get to manage it? Well, we can issue permits. I said, so you manage them by going back to Lincoln and issuing permits. And we sit here and live with them, and I've got to spend \$113,000 to keep from killing my cows. I think every effort should be made to not let the population of the elk in Nebraska increase. If any funds should be directed, it should be to control or limit the population, but we should no way allow that population to increase. That's my opinion. I appreciate your time.

HUGHES: Thank you, Mr. Schuler. Are there questions? I guess I, I appreciate this. You know, this type of information is, is very easy to understand for the nonfarmer. I mean, it's a picture of the yield map when you harvest and it shows very clearly the damage being done by wildlife. And, and you have put a lot of work into it. You know, not only just the lost crop but the challenge of after it's harvested and, and grazing those

stocks. So I, I applaud you for your efforts to help me and my colleagues understand the economic impact of wildlife in the state of Nebraska. That needs to be addressed that the farmer and rancher is paying for and Game and Parks is benefiting from and there's no-- there's a very hard wall between that and there's no benefit other than maybe you can get a discounted landowner permit which is, which is a joke. So thank you very much.

BUTCH SCHULER: Well, if I may add,--

HUGHES: Absolutely.

BUTCH SCHULER: --we've, we've-- you know, we've gone through the hoops on the mule deer population to get depredation permits in the past. We work with the Game and Parks wildlife biologist. It's been over ten years ago. We got ten depredation permits. And there's at times-- you know, across from our house we have a stackyard. We've fenced it out. We've gone through all the hoops that they lay out before you get the depredation permits, but largely it was ineffective. We just still couldn't keep the deer out of there. And they did the deer count stuff and we got, we got ten permits. And there's at times, we'll count 300 head of deer in that stackyard especially doing weather events, but it's not uncommon nightly to see between 80 and 100 head. And we knew

on the west part of the ranch, there will be 300 head in that pasture. I don't know how many is in between there. But it's easy to think that there's over 1,000 head of deer out there on the ranch and we let people hunt. But-- so we, so we hunt 40 head of deer and we get 10 depredation permits. And, and like Mr. Jessen's testimony, there's a lot of those having, having babies and we're just repopulating. We're not really addressing the problem.

HUGHES: So what, what I'm hearing is you've tried to work with Game and Parks and basically have just given up because their, their remedies are ineffective.

BUTCH SCHULER: Ten head of deer won't make any difference.

HUGHES: Right. OK.

BUTCH SCHULER: Harvesting five elk out of our cornfield is not gonna help.

HUGHES: Yeah. So is this, is this herd a resident herd?

BUTCH SCHULER: They--

HUGHES: It's not the same as what Mr. Darnall-- I mean, you're, you're not close to [INAUDIBLE].

BUTCH SCHULER: These are different elk than what they're seeing. And we're seeing expansion and, and where at least all, all the deer are-- or the elk are located. But this is a resident herd and they-- they're usually somewhere on the ranch or on the neighbor's ranch but are-- when we see them and our biggest concern is when we have growing corn or, or, or mature corn.

HUGHES: Yeah.

BUTCH SCHULER: That's when they pose a threat to our, our livestock and to our, to our livelihood.

HUGHES: Yeah. Any other questions? Senator Halloran.

HALLORAN: Thank you. Thank you, Senator-- or Chairman Hughes. So you, you spoke about your neighbors have-- share the same issue with elk.

BUTCH SCHULER: Yes. Yes.

HALLORAN: Can you give us kind of a guesstimate of, of how many acres including your neighbors that would be dealing with the same issue? I know it's a guess.

BUTCH SCHULER: I don't know. I mean, it, it--

HALLORAN: Is it widespread?

BUTCH SCHULER: I, I would conservatively say it could be-- you know, between 30 and 50 thousand acres.

HALLORAN: And it really doesn't matter, the damage is being done on your place. But I'm just trying to grasp how if it's a large-

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BUTCH SCHULER: But even, even though they encompass that many acres most of the damages that I experience and also-- and not trying to speak for my neighbors just across the fence, it's on our cropland that we have the most damage from the elk that we see. We, we-- sure we have fences down and they do, do other ancillary damage but the, the, the damage to those crops, and, and then the, the management concerns of us trying to get our cattle out there and graze, graze that without killing them because of the acidosis problem.

HALLORAN: It's kind of a classic case of the old expression, it all depends on whose bull gets gored, right? And by saying that I'm saying that if this were a problem in an urban area where we had large herds of antelope, mule deer, or elk coming into urban areas and causing damage in yards or you know doing damage to businesses in urban areas it'd be taken care of. So it does depend on whose bull gets gored. And that's why we're here is to hear from you folks because you're small in numbers but the

damage is huge and it's, and it's personally huge to you financially. So thank you for your testimony.

HUGHES: Seeing no more questions, thank you very much for coming to testify today.

BUTCH SCHULER: Appreciate it. Thank you.

HUGHES: Welcome.

TODD FILIPI: Thanks for having me. I'm Todd, T-o-d-d Filipi, F as in Frank i-l-i-p-i, and I'm here today on behalf of the Pheasants Forever chapter membership. Thanks for having me today, committee. And thanks for coming out here to the west to visit us. I'm gonna read just a little quick thing and then kind of give you some personal notes on my end, too. Pheasants Forever has a strong interest in providing quality assistance to private landowners and hunters in Nebraska. We work with Nebraska Game and Parks Commission regularly through our private land partnership programs like Cornhusker Wildlife and the Grassland Improvement Program. We also partner with Nebraska Game and Parks on the voluntary public hunting and fishing access program Open Fields and Waters. With the Nebraska Game and Parks assistance, our partnership represents an annual budget of \$5 million and 425,000 acres of voluntary conservation

access on private land. We have been able to provide over 300,000 acres of public access on private land and improved 30,000 acres on publicly owned wildlife management areas. These programs and opportunities for both landowners and hunters rely on state and federal funding generated through license sales. We feel Nebraska Game and Parks does a great job working with partners, hunters, and landowners to create win-win options and continue to build our partnerships to provide more opportunities. With Nebraska being 97 percent privately owned and a top pheasant and quail state, our 135,000 nationwide members respect and rely on partnership programs that bring local state and federal funding to make large scale impacts. Our concern with previous proposals related to access is a broader impact. Those decisions can make that negatively impact our upland game experience and opportunity for large scale conservation. Kind of on my personal side of things, I'm a born and raised Nebraskan. I get my fisheries and wildlife degree from Nebraska from UN-L. But I moved to Wyoming, worked over there for seven years before coming back to Nebraska before life brought me back home. But I think over there, again, a different perspective to on a state that values wildlife differently than Nebraska does. Kind of with that, I offer a few things back to the group here. One the things I valued over there was the

senators would come out and ride around with us and do surveys. There was a lot more open dialogue and some of that, some that I challenge back to you guys. I should say when I came back to Nebraska, I don't currently work in wildlife management. I'm kind of an outside viewer from back here, but I still work with landowners a bit. Kind of the other big things that I offer back, kind of the little I do work with landowners yet, and some of the things that scare me that are thrown back at me through the Pheasants Forever's side is I can ask a landowner and say, is there a dollar amount or something you'd be willing to offer up, surrender to have wildlife and some of that back? And there's guys that I'm running into more and more often that will tell me \$4 bushel of corn to lose to a deer is way too much. And to me that's a much bigger problem than just Game and Parks. That's a deal we have to deal with as a state, that those guys are so far in the red that a deer eating a \$4 bushel of corn has become an issue. So to me that reflects on us more as a state as a whole versus just any little defined things that maybe Game and Parks is doing. So I think that's something we need to work on. The other big thing that I wanted to offer up that I've ran into in the last year is folks telling me they're not gonna promote wildlife because they're worried about some of the recent laws with prairie dogs and some of that other stuff. If

he promotes wildlife and it leaves his property, is he gonna get sued by his neighbor? And the sad downside of that is he's not willing to promote wildlife. He's gonna do everything he can to make sure there's no wildlife on his place because he's that terrified of his neighbor coming after him. And to me, is that really what we want here in Nebraska as well? And kind of with that as a property owner back here in Nebraska now proud to be in Nebraska and proud to be home. Obviously, I have a different biases, different outlook on wildlife, and I'm a big proponent of prescribed fire. I had a lot of flowering plants that are weed [INAUDIBLE] and my local folks around here. But they are native plants that I'm persecuted by my neighbors, talked badly about. And the fact that I have to feel guilty for planting my native plants on and promoting wildlife on my property that feels like a shame as well. So, so I appreciate you taking the time to listen to me today. I hope we can continue to work with Game and Parks through Pheasants Forever to continue to build the partnership and stuff that we've done there. It's been a good experience from that standpoint.

HUGHES: OK. Thank you. Are there questions? Senator Bostelman.

BOSTELMAN: Yes. Thank you, Chairman Hughes. Thank you for being here today. I have something I would like you to bring back to

the committee, run it through the committee, Pheasants Forever can run it back. I would like to know, how the money is being used, where it's being spent statewide. So in other words, if there is programs you're working in, what are those programs? What is that money and where exactly in the state is that being distributed? So-- and the reason why I want to know that is, is there an area in the state that we're more focused on, Pheasants Forever, than another area? There-- maybe that needs to be looked at. So if you could do that I would appreciate it.

TODD FILIPI: OK. What's the best way to provide that back to you?

BOSTELMAN: Thank you.

HUGHES: Just contact my office--

TODD FILIPI: OK.

HUGHES: --in, in the Legislature--

TODD FILIPI: OK.

HUGHES: --and my staff will-- can get-- take care of that, and then it'll get distributed to the committee. So if, if-- Filipi, is that correct?

TODD FILIPI: Yep.

HUGHES: What, what is your current job? I mean, you said you, you do have limited contact with landowners now?

TODD FILIPI: I'm here today to represent Pheasants Forever.

HUGHES: OK, that's fine. If you're-- if you don't want to say that's fine.

TODD FILIPI: I work for the NRD as a resource specialist is what I do.

HUGHES: OK.

TODD FILIPI: But like I said, I'm here to represent Pheasants Forever today so that's my contact with landowners.

HUGHES: OK. Yeah, I, I was just curious what, what your relationship was of how you were limited contact with farmers now.

TODD FILIPI: That's my interaction through--

HUGHES: OK, very good. That-- not-- it's not a problem. OK, other questions? Thank you for coming and talking to us today.

TODD FILIPI: Thanks for having me.

WAYNE DAVIS: Senators.

HUGHES: Welcome. I think after this gentleman talks, we'll take maybe a five- or ten-minute break and then we'll come back and wrap up-- or listen to whoever else wants to talk. But welcome. Thank you.

WAYNE DAVIS: Senators, thanks for coming to our end of the state. My name is Wayne Davis, W-a-y-n-e D-a-v-i-s. I'm the maintenance foreman at the Alliance Municipal Airport. All airport staff work closely with our local Game and Parks personnel on wildlife management at our airport. Our airport is unique in that it not only has our airfield property but a very large amount of land that surrounds the airfield. Overall, the airport roughly consists of 4,400 acres. I mentioned this because we utilize Game and Parks in multiple ways at the airport. The wildlife management inside the fence-- we have a fenced area around the airfield. Damage control permit, this was covered-- this has covered mule deer, white-tailed deer, wild turkey, and I believe most recent rabbits, too, which rabbits are everywhere. We have a wildlife fence, it helps the majority of large game. However, I know they have helped with deer inside the fence when a gate was left open by a tenant. Game and Parks assisted in getting the deer out of the gate. More recently, we

had requested to add pheasants and grouse to our damage control permit and found that we could-- that could not happen. Staff worked to get the state statute changed and add these species to the permit. This was huge for the airport in our efforts to prevent bird strikes on our airport. It is amazing the damage that can be done by a plane even the smallest bird can do. And I believe that has changed legislation statewide for other airports. I, I was just told this yesterday. Something happened with that, because they wouldn't let us do it before at all and now it's changed. So thank you, whoever has worked that.

Trapping, we have called for help on trapping larger rodents that we-- were causing issues digging under a fence. They either put us in touch with someone that could trap or did the trapping them-- let us do the trapping ourselves. Prairie dogs are the huge issue for airport, and we are not allowed to have holes or mounds in the safety area of our runways. We have had personnel come to tour the airfield with us, come up with ideas of what they could do differently to help control population along with vegetation that we could plant to help deter them from entering our safety areas. Personnel participate in wildlife management plan reviews from time to time during the required FAA training. This is greatly appreciated as it shows how closely we work with Game and Parks to ensure safety is our priority. Outside the

fence, grazing land, staff has helped the airport identify noxious weeds so we could do our part to eliminate them.

Controlled burn, in 2017, they worked with Game and Parks and prescribed a burn of roughly 200 acres that helped eliminate heavy thatch layers and increase the plant diversity. This also provided our fire department with a great training opportunity. In exchange, we allow hunting for 5 years on those 200 acres. Open Fields and Waters contract with the Game and Parks on 2,500 acres. The Alliance Municipal Airport appreciates the relationship we have had with Game and Parks. They play a vital role in keeping our airport safe for all users.

HUGHES: OK. Thank you, Mr. Davis. Are there questions?

WAYNE DAVIS: Any questions?

HUGHES: I, I guess I just have one. I'm assuming there are federal funds helping to keep the airport--

WAYNE DAVIS: The FAA provides us funding on an annual basis mostly for projects for runways and stuff like that. So everything we do for-- I, I mean, I can't tell you how many prairie dogs I've had to gas this year. We have neighbors that are doing nothing, so they are coming to all the housing

vacancies that we have on the airfield. So that's an ongoing annual work ethic for us.

HUGHES: But the-- but there are regulations from the FAA about fencing the property.

WAYNE DAVIS: Fencing-- the, the biggest thing is from the edge of the center line of the runway out 250 feet, you can have no holes, no mounds. It has to be-- so if the air aircraft leaves the paved surface, it will be somewhat safe and that is a huge job of ours on a daily basis.

HUGHES: OK, very good. Any other questions from the committee? Seeing none, thank you for coming in and testifying today.

WAYNE DAVIS: Thank you, sir.

HUGHES: Appreciate that.

WAYNE DAVIS: Have a great day.

HUGHES: So with-- how many more wish to testify today? OK, so we've got a half a dozen. So let's take a, let's take a quick five-minute break. We'll be back at 11:00. And hopefully be wrapped up by noon.

[BREAK]

HUGHES: Who's next? Mr. Spurgin. Welcome.

MARK SPURGIN: Thank you. I'm Mark Spurgin, M-a-r-k S-p-u-r-g-i-n. Farmer feeder in Keith County and I was the past commissioner for this district which includes the Panhandle of Nebraska plus Keith county. I just want to-- it kind of disappoints me that it takes this type of meeting to get these issues addressed. Because while I was commissioner, we had public meetings every year in our area regarding wildlife including waterfowl, big game, fish, just let the public have that opportunity to address these issues. We had meetings in Bridgeport, Chadron, Oshkosh, Scottsbluff every-- at least we had probably in the area two meetings a year regarding this. And what I would stress during these meetings is have-- we had them publicized in the papers for landowners to come in and address these types of issues and we were always disappointed because no one showed up. So there is opportunities during the last eight, ten years to maybe address some of these issues. And during this time, we wonder why we do have a lot of big game, everything increasing in population. We're doing a heck of a job in the farming community by raising crops that are better than they were 20 years ago. They're increased protein sources for these animals. So these animals instead of having maybe twins on whitetail side they're having triplets just because of the protein source that these

animals do have. And I know as being on the commission, we addressed these issues as far as increasing permits. And every year we say, did we do enough? And it sounds like maybe we didn't do enough. But it still was an opportunity out there for the public to come in and tell us that they were having issues. I mean, I received phone calls during my tenure and I would bring them back to the Commission and we'd address them. Depredation permits was one of the big issues that was, where do you draw the line at? How many is enough? You go north of Chappell and there's a herd there. You go out there, it's gone. And another thing about antelope, antelope can get a bad rap because they're seen during the day. Deer go out at night. Not saying, I'm not protecting the antelope, they do do damage. Me, as a wheat producer, we had problems with antelope coming out into our area eating bindweed and they'd get on top of the hill. And that's where they would dispose of their waste, and we'd get bindweed. So there's other issues out there, too. But as a commissioner, I just wanted to say that there was opportunities before this meeting. I mean, this is a great meeting but there was times that we could have addressed this and maybe the issue could have been solved. Thank you.

HUGHES: Thank you, Mr. Spurgin. Questions?

HALLORAN: Thank you, Mr. Chairman. And thank you for your testimony. Do you think at some level, because I see the same thing when it comes to budget hearings, whether it's for city councils, county supervisors, there's a certain amount of I would say cynicism on the part of the public that them being there makes any difference. Do you see-- do you sense some of that as well?

MARK SPURGIN: Could be-- I mean, it's just like when you have a budget hearing, who shows up? Nobody shows up. So what do you think, you think you're doing a good job.

HALLORAN: But do you sense though that there's a-- that there is a sense of cynicism on the part of the public that my being there and questioning or challenging make any difference?

MARK SPURGIN: Well, I-- during my time, I wrote an article in the Nebraska Cattlemen regarding these issues. And the title of my article I think was, We Listen. So I think people gave up maybe 20 years ago. They approached different issues and they never had any, any reaction to them. And I think that maybe they should realize that times do change. And we do listen.

HALLORAN: I think it's imperative upon all of us at whatever level government we're in. Just a statement that we do act upon

listening because I know a lot of people say property tax relief for example. We have 30-plus years promised property tax relief and for 30-plus years we've grossly failed at that. So after a while people say-- you know, what, what difference does it make? It won't matter if I come to the hearing or not. So it's imperative I think and incumbent upon us and upon every government subdivision to act upon listening, can't always act on it, but we should be very proactive and, and taking heed of what's being said.

MARK SPURGIN: Maybe-- excuse me.

HALLORAN: No, go ahead.

MARK SPURGIN: Maybe that would be a good property tax relief for us ranchers and farmers is if we're having so much game out there we get a reduction in our property taxes.

HALLORAN: A little plug there.

HUGHES: Senator Gragert.

GRAGERT: Thank you, Chairman Hughes. Just a quick question on-- you know, with you being there and hearing it, do you-- how much weight do you put in to the rancher or the producer saying I got a problem versus your-- you know, subject matter experts doing

the count? Don't you realize that the population is getting way out of control without, without producers calling in I got X amount of damage? You know, I would think you-- you've got to count on where this population is going. Right?

MARK SPURGIN: Well, that's true.

GRAGERT: The trend.

MARK SPURGIN: I mean, I mean the trend is up. I mean, there is a trend when it was going down because of the disease and he also talked about deer populations controlling themselves. You know, they get the bluetongue when there is too many. And I suppose EHD was developed because of the same reason. At one time in the eastern part of Nebraska when this EHD was bad, we had-- or I personally had a body shop call me and says, when you gonna get the deer population back up? So I mean-- you know, it does go up and down. And the studies that they had it showed that the population was growing. And if you look at our annual, we increased permits, too. But like I say, when you got a 1,000, like they was talking about, and he had five permits, it doesn't do a lot of good.

GRAGERT: Right. So I'm interested in your, your opinion. As you know, we've had this over the years and, and we're moving

forward and we've got better crops and all this, what's the solution?

MARK SPURGIN: Increase permits.

GRAGERT: Thank you.

HUGHES: OK. I, I, I appreciate you coming and your perspective as a past commissioner. And I certainly applaud your efforts to have those meetings, but the people I've talked to have dealt with Game and Parks for 10, 20, 30 years and have been largely left wanting because they're-- the remedies have not worked and they've just finally given up and figure I've got to solve this problem on my own or just-- you know, suck it up and take it. So I, I appreciate your efforts when you were a commissioner. But I-- you know, I think it's good and I appreciate the fact that we have so many commissioners here today that you are hearing of the problems that I hear about firsthand because I don't-- I question whether it's getting to you gentlemen or not. So thank you very much for coming and testifying.

MARK SPURGIN: A lot of times the problem could be here and not here.

HUGHES: Wildlife moves.

MARK SPURGIN: And you know-- and how do you regulate that you know when you just don't want to make all subunits. You say, let's kill them all here. You know, because it gets kind of hard to interpret.

HUGHES: It's a big job, very big job. OK. Yes, Senator Bostelman.

BOSTELMAN: Thank you, Chairman Hughes. Mr. Spurgin, thank you for being here. I want to go to the LR and, and the first point here is it talks about-- and it was mentioned earlier, another person who came to talk with us, commission districts and representation. I guess I'm kind of looking at commissioners, and how that's structured and how that is. Is there-- do we need more? Is there a different-- do you-- from your experience, since you have that experience over those years, do you think there's a different way either adding more or there's a different regional or different way to maybe structure that maybe we can be more responsive or deal with these in a, in a different way?

MARK SPURGIN: We don't need any more commissioners. I mean, the districts are appropriate. I mean, like I said, every public meeting that was held I was at,--

BOSTELMAN: Um-hum.

MARK SPURGIN: --and I listened. Right now, most of the-- I mean, I don't know if you're getting at election commissioners or appointed commissioners. I mean, to me elected people they generally have an agenda. Right now, the commissioners that I've dealt with and I know that are here today they are passionate about what they're doing. They're passionate about wildlife. They're passionate about parks. You know, they, they, they listen and I think the biggest thing is that constituents make sure that they call their commissioners. I mean, I, I, I don't think that they really utilize the commissioners like they should because the commissioners are the ones that set policy and staff implements it.

BOSTELMAN: To follow up with that-- and you're saying you probably thought that you had maybe two per year. Is that something that the commissioner can request or is that something that the director has say in that? I mean, can--

MARK SPURGIN: I mean, they-- that's what--

BOSTELMAN: I mean, can-- if you're-- I'm sorry, I'm gonna interrupt you. But if in your district where you represent are you-- do you have the ability to say, I'm gonna-- we're gonna

have a-- I want to have a meeting? So it's an open meeting, get the word out to the public. Is that how that works? Or is it something that, that you set like an annual schedule, say we're gonna do two in this district or that district?

MARK SPURGIN: Every, every district--

BOSTELMAN: Who calls--

MARK SPURGIN: --gets meetings.

BOSTELMAN: Right. But I mean,--

MARK SPURGIN: I mean-- you know, that's--

BOSTELMAN: --can you call for more?

MARK SPURGIN: Oh, yeah, if you wanted more you could call for more. But that's just kind of a standard. And like in the western part of Nebraska, we wanted to have two meetings because that-- it's such a big area.

BOSTELMAN: Right.

MARK SPURGIN: You wanted to spread it out.

BOSTELMAN: Sure.

MARK SPURGIN: And it was just an annual event. It's something that-- you know, because we wanted to find out what was happening out there.

BOSTELMAN: Um-hum.

MARK SPURGIN: And so if we wanted to have more meetings we did. I mean-- you know, that's the reason we implemented meetings regarding fisheries and stuff like that because you know we think we're doing a good job and maybe the fisherman thinks that he wants to have this type of fish in his pond. You know, we needed to hear that. So I mean, it was-- the, the commissioner was always attending those meetings and that way he could hear it firsthand instead of just having word back from staff this is what was said.

BOSTELMAN: Sure. OK. Thank you.

HUGHES: Seeing no more questions, thank you.

MARK SPURGIN: Thank you.

HUGHES: Welcome.

TOM PETERSON: Thanks for having me. My name's Tom, T-o-m Peterson, P-e-t-e-r-s-o-n, and I'm here today to represent Ducks Unlimited. We're also a 501(c)(3) nonprofit. Myself

specifically, I am a biologist for Ducks Unlimited and work in western Nebraska so basically the North Platte River is the focus of my work and Ducks Unlimited and myself work with all landowners whether that be private landowners, Nebraska Game and Parks, other nonprofits in the habitat restoration and protection realm of work. And that is-- in being in this landscape and across all of Nebraska where Ducks Unlimited does work, I think most Nebraskans are extremely proud of the diversity and abundance of wildlife that do exist within this state. However, Nebraska is 48th in all the states for the amount of public lands. And when you do any survey, any questionnaire on hunters and anglers was the limiting factor when it comes to either starting that sport or the retention is access. So access is always the limiting factor, and being ranked 48th out of 50 states-- you know, you can see where there's-- you run into an issue. So as-- you know, Ducks Unlimited strongly supports the addition of public access whether that's fee title easements. The Open Fields and Waters program is extremely successful in the state of Nebraska and opening up private lands to public access. And you know, this-- you know, when you open lands to-- I mean, I, I imagine most people if they're hunters or know the difference between if you go hunting on public ground versus hunting on private ground.

And so opening-- you know, opening the lands to hunting removes that refuge effect. Yeah, when you have private land that doesn't have pressure, doesn't have the disturbance, you are going to have far more animals, animals than the piece of property next to it that's open to the public. So by-- you know, if, if truly animal populations on your property are an issue-- you know, a, a great way to redistribute those animals, allow licensed hunters who are given licenses to manage the wildlife population. They can only manage the wildlife population if they have access to those populations. And I guess that is where I will leave, leave it with Ducks Unlimited's kind of stance in adding to this and that public access is extremely important and to be able to manage wildlife populations through means of hunting which is the North American Model is public wildlife. And if you're going to manage it as-- you know, scientific backing you have to have access to those species.

HUGHES: OK. Thank you. Are there questions? Seeing none, thank you for coming and testifying today.

TOM PETERSON: Thank you.

HUGHES: Welcome.

TERRY BROWN: Good morning. My name is Terry Brown, T-e-r-r-y B-r-o-w-n. My ranch is nine miles south of McGrew. Well, it starts six miles south right in the center of the Wildcat Hills. You've talked to a couple of my neighbors today, Gary Darnall and Butch Schuler. That is a problem that they have that involves my whole county of Banner and a population of approximately 300 people and it's really raising Cain with our economy. Our taxes is going out of the-- Game and Parks Nature Conservancy has bought the two ranches on my north border. I can't tell you the exact number or the-- what they paid for it, but it's up towards a \$1,000 an acre. That's something like five or six times what that land will produce. It takes 20 acres for one cow and calf unit. And that's what I've got to make my living with is 20 acres for a cow and a calf. In the 1960s, I purchased-- my wife and I, a, a pasture next to us. Those bluffs-- now Sheep Mountain isn't on us, but it's right there and we have other-- and it's a waste. It's those beautiful rocks that you want to look at, but it doesn't bring any income into me. And it was wasteland in the 60s and I didn't pay taxes on it. It's six bucks an acre today. Six times 20, that's the profit off that calf, if it was being able to eat the grass there. Last year, we lost 17 head of calves, yearlings, cows, and stuff, and can't find any remains of them. But it was a mountain lion that done

it. It might have been a couple of two- legged mountain lions, but most of them are four. And so we're-- you can see we're right in the heart of the Wildcats, and my daughter is horseback four days out of the week and we find-- the remains is just a bone because we've got predators. Coyotes running out of our ears. We do have a tool-- Chris Anderson [PHONETIC] is with the-- he's a predator control officer-- federal government, but he's not allowed to-- he's scared to get them lions because they're all tagged and stuff. And we need to let him loose and control the predators-- the mountain lions, the coyotes, and what he can control, and bobcats, they don't cause much trouble. But we're just home to too many predators and that and mountain lion is the main one. My-- we've had mountain lions for 20 years or more but they're, they're worse now than they were. There's a mama cat had her babies in what we call the wild horse [INAUDIBLE]. And that fall when she was teaching her babies how to hunt, three cows right in the feed grounds, one's head was pushed under the water tank. We just need to let Chris get after them. I figure I lost about \$20,000 last year with those 17 cattle, and I just wonder how many people can stand \$20,000 off the top of their, of their-- and our ranch, we have saw-- we had a moose that came through. She didn't do much. She just came through. We've had two wolves that came through that we saw and they

didn't stick around or do much. But we have-- those 100 to 150 head of deer that come in to the feed piles, there's-- we feed the cattle on [INAUDIBLE] at the ranch and we have beet pulp and this sort of thing, and there's 75 to 100 head of deer come in that. But we're able to manage that. And-- but out in the fields where our hay piles are we have another 75 to 100 head, but lucky for me they go down to Gary Darnall's and have the lunch, too.

HUGHES: I, I see your red light's on. Any other additional comments you'd like to make?

TERRY BROWN: I'd like to invite any of you guys to my ranch if you would like to see any of this firsthand. I'd like to do that.

HUGHES: Thank you. We appreciate that. Are there any questions for Mr. Brown?

HALLORAN: Chairman Hughes.

HUGHES: So I-- yes, Senator Halloran.

HALLORAN: Thank you, Chairman Hughes. Thank you, Mr. Brown. So this federal predator control agent, what is he allowed to do?

TERRY BROWN: Well, if he comes-- on my place he can control prairie dogs and coons and coyotes and, and that sort of thing.

HALLORAN: OK.

TERRY BROWN: But the, the mountain lion-- you caught him-- he caught one that was on the neighbor-- about 100 yards from my place. They tagged the thing and turned him loose. I've got portions of my pastures that the cattle won't go to because that's where the lion lives. I've got 40 acres north and east of my house, cows won't go up there. They used to, but this is where they caught that lion and tagged him and turned him loose. And what we call the wild horse pasture in that draw, there's, there's been lions being born in there for years.

HALLORAN: Thank you.

TERRY BROWN: And they just-- the cows won't go up there. The fact is Paula was riding and there was Howard's Gap-- I know you probably heard of Gordon Howard with his family settled in there in the early 1900s, late 1800s, and-- but those cattle won't go up there. They get up there and boy they come boiling out of those hills because there's a lion after them. The, the trouble was the lion, he, he kills what he wants and eats it. And then all them coyotes and stuff and predators and we even got some

wild dogs that come in and all you find is a bone off yonder somewhere. You don't have the-- one-- once in a while-- one time we found where a lion killed the deer and dragged it across the road and we had that deer. And Paula found a buck fresh kill this year, but that's what he's supposed to eat you know. But those seven head of my customer's yearling and steers, well, they don't find nothing. I had one red cow. We weaned her calf, but she didn't show up that fall. You know what happened to her.

HUGHES: Additional questions? I guess, have you tried to work with Game and Parks?

TERRY BROWN: I get along good with Game and Parks. I know Todd and Chris's Grandpa was a school buddy of mine. I just talked with Pat [PHONETIC]. Yeah, I-- but their hands are tied. We-- we're here, we're feeding these hundreds a head of deer, elk, and antelope, and stuff, and no compensation. And yet, you've got thousands of dollars that you want to buy more land with, millions probably. The Nature Conservancy, I hear this come-- that's part of the people that bought those ranches beside me. But there's-- not much money gets in my pocket from that deal. They raised the value my pasture land up in this tax structure of Nebraska is taxes on the value of the land not what it will produce. And here I'm paying, well, 20 times 6, 120 bucks a year

for a cow where, where she can eat and that's the profit on the calf.

HUGHES: Yeah. Any additional questions? Seeing none, thank you, Mr. Brown. We appreciate you coming today. Welcome.

JOHN GEISER: Thank you. John Geiser, J-o-h-n G-e-i-s-e-r. And I guess I wanted to speak on the land acquisition and in Sioux County and there's very few people in Sioux County so there's not many to speak against it. But you know, does-- do they feel like they will do a better job of running this ground taking care of it? I think the private individuals are doing a great job in Sioux County-- you know, taking care of it. Would we lose-- we would lose taxes on it if, if they buy it. We would probably lose the tax base. If this keeps happening, we're going to end up only a few paying-- you know, keeping that the county going and which it's hard enough already to, to do without losing. Just-- as just taking little increments at a time out of it, it's, it's-- you don't notice at all. But pretty soon, it's a, it's a big bunch. So-- and I guess I would ask that they do not take money from them Nebraska Environmental Trust. I don't see, I don't see where buying this ground would-- you know, help the environment, help the-- you know, there's, there's really no need of the Environmental Trust putting money into land for the

Game and Parks. So that's-- also there was a couple of times when you asked people about the antelope hunting-- how many do you let on? How many-- well, it's one of those things you can't let every Tom, Dick, and Harry on your place because that antelope is running right in with your cows and so-- you know, if you're going to give extra permits out you almost need to give them to the rancher and he gives them to who he would trust to help-- you know, to go out there and shoot them because you can't just, oh, here's my place and come out and, and shoot the deer and antelope because that, that doesn't work. So pretty much that's what I had to say. Thank you.

HUGHES: OK. Thank you, Mr. Geiser. Are there questions? I guess, I've got a couple getting back to the, the potential purchase of, of land. So do you know what the value-- is, is the price-- was the price paid for that?

JOHN GEISER: I-- no, I-- and I haven't seen an article. I haven't seen anything. That's-- I guess, maybe it's rumor. I-- but I, I guess, I'm speaking against it because I, I don't want it to, to happen. I just soon they would not acquire any more land in any part of the state. But that, that is a-- that is another question. If they pay over the price of what it's valued

at, then all that does is raise everybody else's taxes around it.

HUGHES: Correct.

JOHN GEISER: So it does-- yeah, that needs to be-- you know-- but, yeah, I-- like I say, it's been hush-hush as far as I know about what's going on.

HUGHES: No, I, I believe it is, it is fact because it is-- it will be addressed-- it has to be approved by the Building and Maintenance Committee to accept the gift to buy the land and then it also has to be approved by the Executive Committee of the Legislature to do that. So there are a couple of hurdles yet to be crossed before it will happen. Senator Halloran.

HALLORAN: Thank you, Chairman Hughes. Is a quick question I should know the answer to this, but I don't. But so when the Nebraska Environmental Trust buys the land, are they exempt from property taxes?

HUGHES: My understanding the land that Game and Parks has they do pay in lieu of taxes on if it's a wildlife management area but not a recreation area. So the tax is my understanding, and I'm sure someone from Game and Parks will address when we're done, the last speaker will address that, but it is my

understanding that they do pay taxes or in lieu of taxes on recreational land not-- or I'm sorry, wildlife management land but not recreational land so lakes and those types of things they don't.

JOHN GEISER: But-- and also with on the different easements, people have talked about easements and-- you know, I think that also adds to our-- with our county commissioners of, OK, now they-- there's an easement. You can't sell it for-- you can't develop it. You can't-- well, then how's it then-- then how does that work on the taxes? Does it lower the taxes even though it's a-- you know, prime-- you know, that easement a lot of times causes quite a little-- you know, they, they try and get their taxes-- I think some have been sold with an easement just to get rid of-- you know, lower the taxes on it which is, is hurting the rest of the county.

HUGHES: Senator Gragert.

GRAGERT: Thank you, Chairman Hughes. Let me just clarify one thing you mentioned to me, I think was directed at me for-- I in no way am advocating that you open up your land. But I am advocating that you still have a say on who hunts on your land but that more people hunt on your land--

JOHN GEISER: Yeah.

GRAGERT: --would have to be part of the solution. Speaking towards the easement, some-- I got a little bit on that. You agreed to an easement and that you still pay the taxes on that easement. The, the upfront monies that you get is, is, is, is really the carrot, if you will, the taxes will still be there.

HUGHES: OK. Anything else? Thank you, Mr. Geiser.

JOHN GEISER: Thank you.

HUGHES: We appreciate you coming today. Welcome.

PAULA BROWN: Hello. Thank you for coming. Paula Brown, P-a-u-l-a B-r-o-w-n. You met my dad. I'm that girl on that horse four days a week. I've noticed the biggest change, and I'm here for my concern of the mountain lions. I've noticed the biggest change this year, but it's been happening over the last ten years. And listening to the-- our neighbors that have come here and just neighbors in conversation, the migration of our deer we're noticing a difference. You've heard our neighbors express their concern today about how our herds are growing but only in specific areas. So that has me wondering, and especially with our population of mountain lions up north, our populations coming here. We have lions coming from South Dakota, Wyoming,

and they're coming in here because that's natural. It's gonna happen. But we're seeing-- I think it's a downward effect from our lions coming in. I could be wrong, but that's kind of what my education has taught me. When something moves in something else will populate or it will depopulate. What I'm seeing here now on our ranch alone is our-- the strange behavior of our animals. Yes, our cows used to graze everywhere in pastures. We're not seeing that now. They're migrating downward. I try to get him to go up there and I look over everything and it's dawning on me, I'm not seeing the deer feces like I used to. I'm not seeing the deer, especially this year. We do not have deer like we used to. And during the wintertime we do, we have hundreds of deer. And during the summer, I'd see about 10, 15. This year, I've seen four bucks and maybe three does and that's a concern. That's our livelihood, too. We love having those hunters in. But I started also thinking we had the big horns. We want to help everybody enjoy those big horns because they're awesome. But there's a change in those big horns, too. Our homestead is on the south side of our house of our property of the hills and the sheep usually range in the north side along those ranges because they're more rocky. We're seeing buck-- we're seeing the bucks come over, the does come over. We have a lone doe. She's found haven in our little area of our household.

The bucks are coming in. Usually, we only had two. Now we have four bucks that stay around our area constantly. I have a herd of horses in the pasture Dad called the wild horse. My family for 103 years have kept horses over there. That's where the bucking stock used to be. And so it's a safe pasture. My mares who grew up in East Glacier know what a mountain lion is. They've been huddled in a certain corner. That's a concern to me, too. I now carry a gun or I have friends come with me. I don't travel the hills by myself. And our hills need to be enjoyed. A lady said over-- we're not that far away from the, the Wildcat recreational area and they want to build on to that and allow people to come and go. Well, my concern is a mountain lion on top of a tree sees lunch, that lunch is a kid. Some laugh and mock, it's not funny anymore. I'm carrying a gun for my own safety. The behavior of our animals is changing.

HUGHES: Thank you. Are there questions? So currently, mountain lions are protected species because they are declared a big game animal. If that were to go away, they would be unprotected. Then-- you know, they would be the same as a coyote or a coon or something like that. Is that, is that the direction we need to go?

PAULA BROWN: It is a strong possibility to think of. You think of the population that's increasing in our northern hills. For instance, a game cam, and I know exactly where that game cam was. It caught five lions on it together. And I'm seeing that they're drifting down here, too. So that is a strong possibility are-- to allow to hunt them more, and more frequently is-- that would be a nice thing to see. Because they're coming in from other states, we, we can't control those other states. We need to control our population here. And they're coming down the river more and the migration is increasing. So that would be a nice possibility.

HUGHES: Well, I-- to me that's just another example where Game and Parks is benefiting immensely from the exploitation of wildlife to the detriment of the landowner.

PAULA BROWN: Yes.

HUGHES: That's-- we hear that a lot.

PAULA BROWN: Well, and it is-- it's effecting us. These heifers, thank goodness-- last year, the steers-- they tried to. And I have a picture of a steer that-- you know, the seven that are missing. I've never in my entirety of life, and I've rode those hills since I was eight-years-old, smelt a dead tree. Yes,

beautiful pine trees. There's three trees that grew together. And I'm like, what's that smell? And we were looking all around the ground because we're like, no, they're missing. We looked up--the smell was up in those trees. Lions will take their kill up into a tree. And so I started calling it the dead tree. And my horses, to this day, hesitate to go by that tree. And I have a picture, this yearling that is caught in a plum tree, is only from you to me from that tree. And we're seeing in the heifers right now, they'll try to go up there because that is good grass. They'll beeline it out on those hills. And I can't get them to go up there. And I don't want them to go up there. But we're losing poundage on our yearlings now. So it's affecting our bank account significantly.

HUGHES: Yeah. Any other questions? Seeing none, thank you for coming, Miss Brown.

PAULA BROWN: Thank you.

HUGHES: We appreciate it. Additional testifiers? Do you have a sheet, a green sheet?

JAMES DOUGLAS: Oh, I'm sorry.

HUGHES: Welcome.

JAMES DOUGLAS: Thank you, Mr. Chairman and members of the Natural Resources Committee. My name is James Douglas, J-a-m-e-s D-o-u-g-l-a-s, and I serve as the director of the Nebraska Game and Parks Commission. I wanted to touch briefly on the four topics that were on your study resolution identified. But I want to spend most of my time-- I don't know how much time that is that you're gonna allow, but most of my time addressing any particular things that you want to address in any one of those arenas. So first consider-- considering the topic of commissioners and Commission meetings, you did hear some testimony from former commissioner Spurgin, but I just wanted to echo some of his sentiments regarding the number of commissioners and, and their involvement in public meetings and the like. So the, the commission-- commissioners serve four-year terms appointed by the Governor and confirmed by the Legislature. They can serve no more than two consecutive four-year terms. There's been a history in commissioners-- at one time there were five, and then there were seven, and then there were eight, and now there are nine. In that time period, there was some juggling, if you will, of commission districts, but we've been at the nine-- one of those being in that large commission for quite some time. The law statute requires that they meet four times a year. That's been the history of

commissioners for several years now that they meet a minimum of six times a year. All of those six meetings are preceded by a public information meeting where staff presentations are given on various topics. Additionally, the Commission for the last three years has had at least one additional special meeting, sometimes two additional special meetings. For example, they had a special meeting on Lake McConaughy last week. Speaking of meetings and public meetings, we went back and reviewed our, our records for public meetings of all types. These would be public hearings or public meetings where they're gathering input, but not making decisions, but all public. There were over 40 per year each of the last three years, 123 as a matter of fact. And those were held in 54 different Nebraska communities around the state. So the Commission does get around. I can ask answer more questions on that later if you want. I'm just gonna move through a couple of these things. So concerning the expenditures and attention paid to western Nebraska, certainly a lot of the flowery and-- you know, high profile in the news items that, that are associated with capital development but-- in our park system like the venture parks which are primarily privately funded for a total like \$37 million, those get a lot of attention. But I would point out that our Commission made a concerted effort to make sure that we are addressing needs and

capital needs and so on and new construction in western Nebraska in the same time period. In the last, last three, three to five years, we've spent over \$25 million west of Grand Island, including major, major expenditures at Fort Robinson, many of the western reservoirs, all the western parks, two and a half million dollar expansion of Wildcat Hills, one and a half million dollar shooting range at Wildcat Hills, and so on. So there is a lot of attention paid and a lot of dollars spent. We spent \$5 million in the last two years at Lake McConaughy. That was a result of the recognition by our Commission that we needed to create infrastructure at Lake McConaughy that would facilitate us enacting a new plan to limit people going to Lake McConaughy and limiting the places where they are when they do go to Lake McConaughy. We have additional dollars to spend as time moves forward at Lake McConaughy. And special, and special Commission meeting last week, the staff presented a, a plan which would create six individual locations that can be separated from each other at Lake McConaughy on the north side that would include designated campgrounds, such that we could then take reservations and limit the number of people that are going there. And also we can-- we have new infrastructure on our roads that we've been building for the last two years where we fence-- fenced or cabled off road systems so that we could

control traffic in that area. That's what we've been doing for the last couple of years. And so we can now have those individual campsites, and we can control day use. We built additional kiosks, and we're limiting entry and exit to the area. All those things will end up with their own problems if not everybody that wants to be there can be there, but we are going to take action because of the issues that we have there. As, as you noted, we, we had a lot of issues on the Fourth of July. We did, we did do some other things with additional officers out there over the, over the fourth-- or the September holiday and the local papers recognized the increased efforts and the, and the decreased issues that we had. We're going to probably try to accelerate our additional-- gaining additional officers. That was part of our plan all along. We've gained three additional positions in the last three years and we had intended to try to add an officer or two a year for the next five. We will be trying through the appropriations process to get increased personal services limitations so we can increase our officer corps faster. Those are some things we've done at Lake McConaughy. We also improved-- totally renovated the sewage system at the north side of Lake McConaughy, and so on. So we haven't been doing nothing. We're gonna do more, but we had to do a lot of that infrastructure-- pay attention to that so we

could enact our other plan which is now going to be enacted starting next, starting next year with reservation systems for camping. So I wanted to touch on that. Concerning real quickly, this wasn't exactly on the agenda but, the buying of land. We pay only appraised value for land. All the land that we buy, like Hod Kosman talked about, people approach us, we're not approaching them. The Commission enacted a land acquisition plan a year before last. It has priorities in it, limitations on how much land we would seek to try to buy in a given year. We pay taxes at the same rate as everybody else when we buy any land since 1976 for wildlife lands. We buy very little parkland. And so our park system now is nearly 100-years-old. We, we, we bought our first park in 1921, Chadron State Park. So we're coming close on 100 years. A lot of the parklands, the recreation areas that you mentioned, we don't own. A lot of the recreation areas or wherever they have lakes are usually NRD ownership, Corps of Engineer ownership, Bureau of Reclamation ownership, other government entity ownership. We have eight state parks. We have 59 of those recreation areas. As I say, most of those are not our areas that we own. I think that when they started the park system nearly 100 years ago they realized the local economic benefit that would accrue from having parks in the region. There's, there's hundreds of thousands of dollars

in sales tax receipts. There's tax receipts that come from lodging taxes that go back into the local community, and there's tens of thousands and hundreds of thousands of dollars that go back in the local community through salaries of employees in the state park system. And there is-- recently, I attended an economic development summit at Chadron State Park with the Governor and with other, other leaders in Nebraska and laid out all the economic benefits in the northwest region from having Fort Robinson State Park, the visitation there, the taxes that are raised, the local community economic development from Chadron and also from all the other lands that we have up there. So I just wanted to mention that. Now I know that one main topic of conversation is depredation. I don't know if you've got a deadline, deadline for when you're stopping this hearing, but I do have the person who's in charge of all of our depredation programs for, for deer, antelope, and elk here willing to testify on that. I would just say that we double down, if you will, on our efforts on responding to depredation in this last year. We held, as you know Mr. Chairman, meetings down in your district, talked to 109 different landowners down there. We can talk more about that tomorrow. But we also from that learned that we need to do more communication with the general public and with landowners about what options are available because

we're not always contacted. And when we are contacted, we do respond. We're responding more vigorously, for lack of a better word I guess I'd say, and liberally now than we ever had before. If you want depredation permits, essentially you ask for them and you get them. The topic of like, I only got five or I only got ten or whatever, I think-- you know, in a lot of cases in past-- in the past, we said, you know, if you're talking about for example a lot of antelope on a place and you start shooting them they leave. Right? We, we offered multiple permits sometimes. In other words, OK, five isn't gonna do it, we just keep coming back and, and giving more and more. But the-- we, we can issue as many as somebody thinks they can use, and that, and that can be a high number. The other thing that I wanted to mention is that-- you know, besides the, besides the depredation permits, and we-- by the way, we were issuing many of those this year and there are some limitations-- you know, on how many, how many animals somebody wants to kill especially, if they're killing them in the summertime. So we've done some extra things. For example, we found outlets for, for deer and some of our packing plant workers will take them. In Lexington, we've got a, a place where we can get rid of carcasses for hundreds of deer if we want to. We have issued depredation permits done in your district that will allow 750 deer to be taken. In that district,

for example, we're gonna kill about a thousand antlerless deer this year. And a lot of those we hope can be done on antlerless permits that are depredation permits or landowner antlerless permits. But that's three times as many as we killed four years ago. But we started ramping up the, the harvest of deer in many parts of the state about four or five years ago. If we have to ramp it up faster, then we're gonna have to get more participation on antlerless permits. And perhaps that's something that we can talk about as time moves forward. How can we incentivize the use of those antlerless permits, even by landowners? Landowners don't use their bonus-- all landowners get a bonus antlerless tag, they, they don't use it very well. I think they-- about 30, 30-some percent shoot, shoot an antlerless deer on their bonus-free, bonus-free tag, and they don't, they don't do a lot better than that on their either sex tag either. But-- so they have to help as well, but the general public also needs to be incentivized in some other fashion to shoot antlerless deer. Now several years ago we had populations go up pretty fast sometimes and sometimes we're a little bit behind the curve. And if we're behind the curve, then we need to take more action. And I realize that and we'll do that. But several years ago the whitetail population, on what we call the eastern seaboard of Nebraska, got really high. And we had

meetings, and we decided that with the, the rapid pace that we wanted to reduce that population, the only way we could do it with the number of hunters that we had was with Earn-A-Buck where everybody had to shoot a doe before they could shoot a buck. Now it's not popular, not popular at all. And so it depends on how fast you want to reduce the population on whether you go to, to that extreme or not because everybody that says, yes, I'm for that, will get twice as many phone calls as you're getting right now, I guarantee it. So but we could-- we have that tool. We have another tool that perhaps we should look at. And that is, besides depredation permits, there's depredation seasons that can be enacted by the Commission. Depredation seasons haven't really been used very much. And in those cases where we tried to use them, like down by Orleans for example, the landowners didn't want to open their land up to a special season. So-- but if, if we have a special season, for example, that's maybe to talk-- you know, talk about something that Scott mentioned like-- you know, youth, youth hunting. What if you have a depredation season for youth antlerless permits or cow-tag permits or whatever it is? I mean, I'm just, I'm just saying there are things we need to look at. Also those depredation-- special depredation seasons are in the statute are only allowed for deer. Perhaps, we should talk about whether they should be

allowed for elk and pronghorn, too. Not everybody will like that, but that's another, another thing that we could potentially look at. We want to be responsive. We do realize that this-- you know, is a great challenge to balance, balance the different demands that we have from recreational hunters versus the issues that we have for social tolerance for the number of animals that we have in certain places and we want to be responsive. We have tried to be more responsive in the last several months with the tools that we have. We are, we are open to discussing other things that we might do. And with that, I guess I'll just answer any kinds of questions that you might. I also have other people if there's things I can't answer.

HUGHES: OK. Thank you, Director. Are there questions? Senator Gragert.

GRAGERT: Thank you, Senator-- Chairman Hughes. First of all, what I'm hearing, I guess, in all the deer population is some short, short-range goals and some long-range goals. You know, I think maybe that the population is out of hand to go out there and shoot thousands of deer to get it under control. But what is a long-range-- you know, for keeping it under control? You know, higher, higher numbers of permits? You know, it's got to be, it's got to be something more than I think I see what we're

doing is reactive not being proactive on, on-- and I, I understand that the population don't just pop up one year and bound the next. You know, it's, it's-- by the time we figure out the trend possibly, OK, we got out of control but now we got-- you know, and now is it gonna take this to get it back in control?

JAMES DOUGLAS: Well, the, the long, the long-range, the long-range, the long-range plan is really in a general sense the same as the short-range plan which is, we're trying to find that balance between-- you know, population levels that, that allow hunting to continue in a way so we have enough hunters to control the population by that means which is the largest way that we control the population. But also balance those population levels and with the-- with what's happening on the landscape with agriculture, for example, or with highways with deer. Now it's interesting-- you know, part of, part of what I've been thinking about is I went back and looked and I think some of the, some of the increased interaction that we have between deer and elk and cropland and, and in many cases it's because of an increase in, in population of wildlife. But it's also-- there's another factor which is the increase in, in row crops in the state of Nebraska. There's, there's one million more planted acres in Nebraska today than there was in 2002. So

one million more planted acres-- it's the same thing like with deer and highways, as I was explaining once to somebody, we had a time period where we had essentially the same, same number of deer essentially let's say in a couple of counties in eastern Nebraska. But the, but the number of deer vehicle accidents was, was going up. Well, the Department of Roads keeps millions of miles driven statistics. And the, the miles driven on highways was, was going up fast so. So, so you have to balance-- you know, balance out that population then because there's more, more vehicles traveling farther distances. The same way with crops. Now we've got, I think, intersection of elk and crops in some parts of the state where we didn't have it before. So we have to react to that, and we have to do something different. Elk and corn don't mix. They just don't mix. And so I know when we were in the early days when elk were moving into the northwest Nebraska from Wyoming and so on and we were trying to find some kind of, some kind of balance. We even had an elimination season in the early days, tried to get rid of all the elk, all of them, and tried it for a couple of years. It couldn't because they were, they were-- you know, they don't know where the boundary is, right? They just-- they kept coming in. And so as elk have grown, I know, for example, in Boyd County, Nebraska-- at one point in time-- I was wildlife chief

at the time, I said, I think we're gonna have to just kill as many elk because we can kill in Boyd County because there's corn up there and elk, elk and corn don't mix. Well, at a certain point in time though there were enough people in Boyd County that didn't want that to happen that that then wasn't the objective for Boyd County. So things do change, too, over time. And I realize that. And so if we've got too much elk and cropland interaction in the Platte Valley here, we're probably gonna to have to get rid of a lot elk. But we have to-- to answer your question more specifically, we have to, we have to be able to kill cow elk and we have to be able to kill antlerless deer and we need to incentivize that.

HUGHES: Other questions? I guess, I've, I've got a couple. So how do-- how does Game and Parks determine the wildlife numbers? What, what is your process? I mean, do you have people in the field-- you know, looking for scat or--

JAMES DOUGLAS: It, it depends on the-- on which wildlife you're talking about. For example, for mule deer and for pronghorn we can do aerial surveys in the wintertime because they-- and we can do that to a certain extent for elk. But-- you know, elk get into the, into the dense trees and it's harder to do that. You know, for mountain lions that's a totally different process and

we do it two different ways. And, and both of them were-- import with each other pretty well. For white-tailed deer, it's, it's more difficult to have an exact population figure. So what we can look at is we can tell whether population is going up, down, or sideways to a large extent from what happens with certain kinds of permits with a certain number of hunters over time. We can tell what's, what's going on. We also do have research going on, for example, right now down in your district. We've got a mule deer research project going on where we've got a couple hundred does with telemetry collars on them and we're looking at how far they're moving. We're looking at their reproductive rates and so on and so forth. So we use research, we use aerial surveys, we use the information and data that we get from check stations in Nebraska. We use all those different methods.

HUGHES: OK. The, the depredation permits, do they-- do you have to harvest some of the meat of a depredation permit?

JAMES DOUGLAS: No, the statute, the statute says that you have to offer it for human consumption. And if you don't offer it-- if you can't find human consumption, then you can dispose of it in any other variety of way.

HUGHES: OK. Senator Bostelman.

BOSTELMAN: Thank you. I have a couple comments maybe to make on a couple areas. On the lakes and enforcement, maybe we'll wait for that for tomorrow just because of time.

HUGHES: Sure.

BOSTELMAN: But on the mountain lions, obviously, we have a problem in one area with some, some of the folks that came in. Miss Brown talked about, we've got a-- they obviously have some cats in that area that something needs to happen. So my question is, has the-- have, have you thought of-- and this isn't a perfect solution because it's only gonna make it maybe worse for someone else, but until we can hunt these-- remove these animals either federally by a federal person or through licenses, a hounds man to come into an area where we know we have an issue to run those cats and try to get those cats out of that area? And unfortunately that means it may push to someone else, but if we can run them far enough. Because part of it I think-- not all of it, but part of it is, is they're not afraid of us. You know, the cats aren't afraid. They're coming in around houses, around your livestock and that, around the horses, you're losing them. But until there's a population-- I mean, immediate response if you can't shoot them and get rid of in that way then is there a way to get and have-- has either federally or Game and Parks

thought of having a hounds man come in for specific areas to start running those cats and trying to get them moving out? It's one question as a thought. You know, if you have a--

JAMES DOUGLAS: Well, I think-- I, I mean, I, I can take that to think about that.

BOSTELMAN: That's fine, that's fine, it's more comments for you.

JAMES DOUGLAS: I know there's some pros and cons to that.

BOSTELMAN: That's fine. The other comment I'd have on this depredations in these areas, I think it's interesting. I think another thing maybe storage facilities. Is there a possibility to-- if you do have tags out and whatever time of year it is that they can come out and, and take that animal, they don't have a place necessarily to store it, but is there a possibility either at some location, city-- whether it be a-- you know, some areas that put coolers so where you could then take that animal to there so you don't have to-- maybe the-- it's a processing end of it. I can't process ten deer myself, but I can, I can, I can, I can disembowel them and I can haul them to this place here and they can put them into a cooler and then you can get that, then someone else somehow that, that animal gets out and that's a way to utilize that meat where we're not otherwise.

JAMES DOUGLAS: The answer is, yes. As a matter of fact, this year we lined up refrigerated trucks for that purpose.

BOSTELMAN: And-- but timing will be key on that,--

JAMES DOUGLAS: Right.

BOSTELMAN: --especially if you have an area perhaps-- if you have an area-- you know, maybe that's where you move that in. I'll, I'll talk about a couple of the lake things real quick. For, for your-- enforcement wise on your lakes, Sheriff Stukenholtz out of Saunders County, and I had a visit the other day. Two ideas: one is mine and one is his, grants. Our state patrol and the counties they do Click It-- you know, stop for Click It or Ticket or, or they'll do DUI stops, they'll do random safety checks on the highways. There's grant money out there. I would encourage you all to look at those grants and see if we can get grant funds to come to these lakes at key times for funding to help you out in those areas if you're not doing that already. The other thing is, is what he's talking about with the Sheriff's Association will be talking specifically, and this is his idea, having an MOU, and, and where he's coming from as they work with different departments and that department will come to them and say, we need an officer for two weeks. And he says, can't do it. But I can do one for one or two days. And so

what you do is you target an area, target a time, and you go to make your local law enforcement, State Patrol, county sheriffs, whoever they are, and say, we're gonna do an enforcement activity on these dates around this time and then you can go and utilize one or two of those officers from those areas to come together so you have a large enough personnel to be able to handle it. Because when you do a stop, as you know, once you do a stop on, on a road coming in, you're gonna have warrants, you're gonna have all sorts of things. You're gonna be-- there's gonna be people-- you're gonna have to have a lot personnel to handle that and also a facility. So that would be one thing I'd also encourage you if you haven't or not doing it now, maybe there's a relationship that you can build with local officials to where you-- who support you, support your, your game officials that are officers who are out there and others to help you with that type of thing.

JAMES DOUGLAS: We are familiar with that, that program. And at Lake McConaughy, we worked with the local Sheriff's Office to, to get some of those persons.

BOSTELMAN: Sure, and what he's talking about is you go to four or five counties, and you get personnel from four or five counties.

JAMES DOUGLAS: No, I mean, that's what happened,--

BOSTELMAN: Yeah. Sure. OK.

JAMES DOUGLAS: --the Sheriff's-- local Sheriff's Office got them from the general vicinity and--

BOSTELMAN: Right.

JAMES DOUGLAS: --brought them out.

BOSTELMAN: The last topic I'll talk with you about is, is, is my comments on lakes. I think Nebraska does a poor job on their lakes providing camping and facilities. I live 15 miles north of Branched Oak Lake. We used to go there in the evenings. We don't go there anymore because it's too hard to get down there. We have to go to a certain place on the, on the lake. The facilities are, are, are, are outhouses. There's only a couple running water places you can go to. I, I think there needs to be a lot more done as far as developing campsites, hardened camping sites with electrical and water because-- and restrooms-- you go to the, you go to the swimming area on the north side and you got to go to an outhouse, and you're gonna have kids come there? My grandkids go there and we don't want to do that. That's got to be across the state. If we develop those campsites in those areas more, I think we're gonna see less of the nefarious

activities happen because we have people in there that will report it. Go to Kansas, go to South Dakota, it costs money to build these. I understand across the state, and they've done it. Lovewell Lake, where, where I've-- where I grew up across in Kansas. They had very few campsites when I grew up. You go down there now, paved or-- you go down there now and almost every campsite is paved. Almost every camp site has electricity, has water. They found-- and they have-- every facility there has running water. They brought in FEMA trailers, and they rent out FEMA trailers to camp for 80 bucks a night for families to come stay. So I, I would encourage you to maybe go to surrounding states and find out what exactly are they doing. How did they build that out? Where did they get those resources? Because my neighbors go out of state. They won't go in state. They have campers and they go to South Dakota. They'll leave the state and not stay here because of facilities. So I'm not-- you know, and it's not pointing fingers, just saying this is something that needs to be improved upon if we're gonna get more usage of our-- of, of the lakes that we have and our facilities. We've got to upgrade them and we've got to figure out to upgrade those. And so that kind of rolls into some other financial things, but those are comments I, I have. I really think we can learn a lot from other states if we haven't done that because we're losing a

lot of people. You go to Kansas at Lovewell Lake and on a weekend, Lincoln and Omaha cars. I'm telling you, they're filling it, they're filling it. Hundreds, hundreds upon hundreds are going down there. They're not staying here, they're not going to our lakes, they're going down there. So I really-- I would encourage you all to take a really hard look at that. Figure out ways that we can, we can improve these facilities so we keep the people here and then build on the-- you know, other parts of the state as well. So those are the comments I have. Thank you and thank you for being here. And all of the commissioners and other Game and Parks employees, thank you for being here. This is very helpful and those who came in and, and talked-- our ranchers and others, too. I appreciate that. Thank you.

JAMES DOUGLAS: Thank you, Senator. And, and I, I can-- if you'd like, I can comment some more on some of those things tomorrow.

BOSTELMAN: Sure. That's fine. That's--

JAMES DOUGLAS: OK.

HUGHES: OK. Other questions? I guess, one, one last thing, you don't-- you haven't, you haven't seen this yet, but I would like to give this to you and have you make copies and give to your

commissioners. It, it very vividly points out the damage and the economic loss to the landowner. You know, and that-- that's where I've been coming from-- you know, since day one. So Mr. Schuler, I don't know if he's still here or not, but he, he has done an excellent job documenting and, and providing how easy it is to document the damage being inflicted on the landowner. And you know, some way to address that you know. And, and just-- I don't think depredation is enough. I think that is a, a step in the right direction, but I don't think it's not going to eliminate that or provide compensation for the financial loss so I'll give this to you or, or Tim and I would encourage you to, to share that-- you know, because it is, it is very well done.

JAMES DOUGLAS: We will do so.

HUGHES: Yeah. Any other questions? OK. Thank you, Director Douglas. I appreciate it. Is there anyone else that wishes to come and talk? Last chance until tomorrow. OK. With that, we'll wrap up. I sincerely appreciate everybody's point of view on both sides of the issue. I know Game and Parks has taken a pretty good beating today, but these are issues that I think need to be addressed because these are our constituents that are coming to us. So I appreciate everyone coming and listening and having a very good hearing. And with that, we'll adjourn and

we'll reconvene tomorrow in McCook. Thank you, everybody, for coming.