

Nebraska Game and Parks Commission
2008 Report
for the
Mid-Western Association of Fish and Wildlife Agencies

Wildlife Habitat

The Habitat Partners Section of the Wildlife Division is engaged in leading, conducting and influencing habitat improvement work throughout Nebraska. Six districts provide infrastructure for how we do work and three programs (Wildlife Diversity and Education, Agriculture, and Wetlands) provide solid support for our actions. Together we provide oversight, policy and administrative support. In addition, we are deeply involved in delivering the Natural Legacy Project (our State Wildlife Action Plan) through a variety of local focus areas and Farm Bill related programs. Farm Bill programs specifically are delivered in a concerted manner by staff and through our Farm Bill Wildlife Biologist Partnership with NRCS, Pheasants Forever, Ducks Unlimited and other partners.

Private Landowner Assistance

The six districts continue to provide technical and financial assistance for a host of programs funded by NGPC or partners, which are provided to private landowners. In addition, district staff spend considerable energy influencing people to increase their appreciation for wildlife and their habitats in a manner that helps to change the actions of individuals with respect to those habitats. Doing so requires constant attention to a host of partners, partnerships, communities and individuals. The district managers—in addition to supervising, managing and leading regular district staff and activities, serve as supervisors for the coordinators of our Natural Legacy Project focus areas and the Farm Bill Wildlife Biologists. In addition to habitats, the districts deliver hunting access programs, which consist of about 170,000 acres of free and wide open public hunting opportunity that is based on CRP lands and active habitat management.

Wildlife Diversity Programs

Our Wildlife Diversity and Education Program houses our implementation component of the Natural Legacy Project as well as Wildlife Education. This program provides guidance and oversight for the Natural Legacy Project, competitive State Wildlife Grants, Project WILD, broad-sweeping additional education efforts, and a host of other advocacy and policy related efforts. Considerable effort has been expended at the national level in providing support to efforts to restore funding to the Landowner Incentive Program.

2008 Farm Bill

Our Farm Bill Program focuses on ensuring that the existing farm bill is being delivered in a manner that is most beneficial to wildlife. Of late, even more attention has been given to assisting in the development of and advocacy for the Farm Bill that is currently under consideration by Congress. There are many rules and policies to prepare as the new Farm Bill comes on line. Additionally, this program oversees efforts to manage and implement our statewide Focus On Pheasants program and oversees a four-state effort to collaborate on the management of tallgrass prairies.

Wetland Restoration

Our Wetland Program is a leader in ensuring that wetland restoration and management efforts throughout Nebraska are completed using the best science and are of the highest quality while, spending limited funds wisely. This program is involved in private and public land wetland activities and provides policy and regulatory support. Wetlands are an important component of our Natural Legacy Project and the Wetland Program Manager also provides supervision, oversight and support for many aspects of Natural Legacy Project implementation.

Chronic Wasting Disease

NGPC collected 3,060 testable lymph node samples during the 2007 firearm deer season, and a total of 17 new positives was confirmed. Counties with positive deer included Box Butte (3), Cheyenne (2), Dawes (3), Garden (1), Hall (1), Keith (1), Kimball (2), Red Willow (1), Scotts Bluff (2), and Sioux (1). Only the Red Willow County positive represents a significant expansion of the previously known endemic area.

Surveillance of CWD in 2008 will again be directed at mapping the distribution and determining the prevalence of the disease. Based on obtaining the necessary funding, it is proposed to collect 4,200 samples. We expect to collect samples in all firearm deer units except Keya Paha, Calamus West, and Loup East, which were sampled in 2007 and did not contain a positive sample.

NGPC surveillance activities were funded primarily by a \$261,000 grant from USDA. However, our staff also expended over \$50,000 in permanent staff time that was not charged to this grant. Alternatively, these expenditures were often eligible for reimbursement through Pittman-Robertson grant funds. We expect that the USDA grant funds will diminish in future years, which will reduce our capacity to monitor the prevalence and spread of the disease.

Highly Pathogenic Avian Influenza (HPAI)

Sample collection for avian influenza went well in 2007, our second year of participation. Samples were obtained from 282 mallards, 213 blue-winged teal, 233 other dabbling ducks, 15 diving ducks, and 8 geese, for a total of 751 birds. USDA-APHIS-Wildlife Services collected a similar number of samples. Obviously, none of the birds tested positive for HPAI, but a small number tested positive for other AI strains.

NGPC surveillance activities were funded primarily by a \$100,000 grant from USDA. However, our staff also expended over \$31,000 in permanent staff time that was not charged to this grant. Alternatively, these expenditures were often eligible for reimbursement through Pittman-Robertson grant funds.

Avian Influenza surveillance for 2008 will be similar to the 2007 effort. The Game and Parks Commission will again partner with APHIS-Wildlife Services to obtain a total of 1600 samples (800 each agency). The number of each species to be sampled has yet to be determined by the Central Flyway Council.

Nebraska High School Trap Shoot Tournament

Junior high school trapshooters from across Nebraska turned in excellent scores despite cool and breezy conditions on May 1, the opening day of the 39th annual High School Cornhusker Trapshoot in Doniphan, according to the Nebraska Game and Parks Commission's Rocky Hoffmann, Cornhusker shoot director. I

"The annual Cornhusker Trapshoot has grown over the last 39 years and we've seen another excellent response from shooters and their coaches, family and friends," Hoffmann said. "We've expanded the schedule to begin the junior high events on Thursday, with nearly 100 squads of 500 junior high students competing on Thursday and 256 high school squads, a total of 1,269 individual shooters on Friday and Saturday."

The Cornhusker Trapshoot, scheduled each year during the first weekend in May, is the largest event of its kind in the world.

"In 1970, the Cornhusker began with two squads. Now we have a total of 356 squads competing this year, and more than 15,000 students have shot at the Cornhusker since 1970. "Trapshooting has a strong following across Nebraska and most of the United States," Hoffmann said. "Sport shooting is one of the safest sports available to youngsters and it's a sport where every student can participate regardless of the individual's size or sex."

"All Cornhusker entrants must have successfully completed the Nebraska Hunter Education Course, and it is extremely gratifying to observe first-hand the responsibility that these young people demonstrate in the use of firearms and the genuine sportsmanship displayed during the three day event," he added.

Bald Eagle Delisting in Nebraska

After receiving state and federal protection, and with the banning of DDT and other similar chemicals in 1972, Bald Eagle numbers increased. In 1999, The U.S. Fish and Wildlife Service proposed to remove the Bald Eagle as a federally listed species. The Bald Eagle was formerly removed from the list of federally threatened and endangered species June 28, 2007, which made it eligible for state delisting as well. In Nebraska, the recovery goal was 10 breeding pairs by 2000. In 1996, the recovery goal of 10 pairs was achieved. Because of these developments, Wildlife Division staff believes the species should be considered for removal from the state list of threatened and endangered species.

National Archery in the Schools Program

The National Archery in the Schools Program expanded in 2007, with nearly 150 schools now involved to some degree in NASP and instructing 15,000 middle school and high school students. The third state tournament in April 2008 had 230 participants from 11 schools, a slight increase from 2007. Four different schools have gone on to the National NASP Tournament in Louisville, KY since April 2007. Nearly 250 instructors have been trained since the program began in 2004.

Youth Mentored Hunting Programs

Nebraska continues to be the premier youth mentored hunting state, thanks to partnerships with groups such as Pheasants Forever and National Wild Turkey Federation (NWTF). In 2007, more than 1,600 Pheasants Forever volunteers took to the field with 916 youth bird hunters and NWTF members mentored nearly 100 young hunters. The Mentored Youth Archery Program (MYAP) is a model of mentored youth hunting, pairing qualified Master Bow Hunters with graduates of Bow Hunter Education for the full 90+ days of the archery deer season. A record 87 youth and 26 mentors took part in the 2007 Program. Plans for an even more successful 2008 season are underway as new lands and mentors are being pursued.

Outdoor Skill Camps

Teaming up with the Nebraska 4-H camps, Commission staff and volunteers provided two outdoor skill camps that covered the shooting disciplines, aquatic education and natural resource activities. These camps gave 175 youth the opportunity to explore Nebraska hunting and fishing.

Recruitment, Development and Retention Plan

The Commission recently unveiled a new 20-year plan that will assist with hunter/angler recruitment, development and retention efforts by focusing Commission education, marketing and access efforts. The Plan has five main goals that include youth, adults and families, lapsed hunters/anglers, development of hunters/anglers and maintaining support for hunting and fishing. The Plan utilizes various education, marketing, access, evaluation and surveying strategies to accomplish 10 quantifiable objectives and includes action plans designed to create and maintain skills, social support, understanding, etc. such as an After School Outdoor Skills Program, Family Hunting and Fishing Camps, Mentoring Programs, Shooting Range Development and much more.

Becoming an Outdoors-Woman

More than 110 women took part in the popular Becoming an Outdoors-Woman program in October at the state 4-H Camp near Halsey, providing a solid introductory foundation for women from across the state. Participation remains at an above-normal capacity. Registration for 2008 recently began with over 50 applications submitted in the first few weeks.

Nebraska Outdoors: Expo 2008

The second annual outdoor expo in Kearney was a huge success in April 2008, showcasing the partnerships with many conservation organizations, nongovernmental organizations and the Commission. There were approximately 9,600 participants, including more

than 2,600 school students, compared with 5,000 and 1,500 respectively in 2007. Participants took part in hunting, fishing, shooting, camping, boating and ecology activities hosted by Commission staff and volunteers. An expo also was held at Ponca State Park in September 2007, with an estimated 38,000 visitors attending.

SANDS

The Nebraska Game and Parks Commission's program Sportsmen Assisting the Nation's Disabled Sportsmen (SANDS) has continued to grow quickly and participation steadily rises. This year's SANDS Banquet saw more than 250 attendees and has necessitated a larger facility to house the event. This year, through donations, SANDS was able to secure the purchase or leasing of equipment that will allow more opportunities for those with disabilities to pursue their outdoor passions – including a specialized turf cart and puffer-switch operated firearm/crossbow device. The success of SANDS is not going unnoticed by surrounding states as they are attempting to emulate the program.

Shooting Ranges

Nebraska has spent over \$360,000 since 2003 on the Shooting Range Grant Assistance Program where non-profit shooting ranges or political subdivisions request funds for new developments and or range enhancements. In 2007, funding was used to finalize development on a large outdoor public archery range for the city of Lincoln, as well as several other projects across the state.

Hunter and Boater Education

In 2007, Hunter Education trained 8,266 students – 6,752 for firearm and 1,514 for bow. The public was offered an alternative to the traditional firearm class and there were 70 field days offered for the certification of 299 students who used the independent study option. In addition, the staff trained 102 firearm and 58 bow hunter instructors and 49 firearm and 33 bow hunter instructors became certified. The state certified 1,360 students in boating safety in 2007 and registered 84,500 boats. We presently have about 250 active instructors and we continue to build this corps of volunteers to meet the demand of the education program. We have maintained a partnership with Safe Kids Nebraska in an effort to increase child safety through voluntary compliance with the life jacket wear mandate.

Hunter and Boater Education funds, staffing and/or volunteers assisted with many events including the Cornhusker Trapshoot, other shooting events, youth skills camps, mentored youth hunts, Becoming an Outdoors-Woman, Women in the Outdoors, two Expos and the State Fair. They also assisted in the construction of an outdoor archery range that is open to the public.

Ak-Sar-Ben Aquarium

A total of 289 groups, consisting of 23,784 children and 11,379 adults, visited the Ak-Sar-Ben Aquarium in 2007. Workshops were held for the public on antler scoring, snakes, walleye and catfish fishing, bluebirds, bird banding, venison sausage making, fly tying, hunter education, and photography. Approximately 1,600 fifth graders from Omaha-area schools attended a water festival. The aquarium sold 5,250 permits (including 2,423 Big Game permits), and served as a deer check station from September-January.

Project WILD

Twenty-one Project WILD and Aquatic WILD workshops were conducted, training 258 formal and nonformal educators. The Wildlife Education Program also certified 13 vocational

agriculture instructors in Project WILD, Aquatic WILD, and Science and Civics. Two Flying WILD workshops were conducted, training 23 teachers for a total reach of 395 educators in 2007.

The Wildlife Education Program conducted 67 environmental education programs, reaching an additional 3,085 adults and youth. To meet an increasing need, an education coordinator was hired in 2007, in partnership with Rocky Mountain Bird Observatory, and a new central Nebraska education assistant will be hired in 2008.

Aquatic Education

A total of 173 fishing clinics were held in 2007, attended by 20,648 youngsters and taught by 1,118 volunteers who contributed 3,567.5 hours. Nearly 6,000 children, 40 educators, and 100 women learned about fish, fishing and aquatic environments at 12 different events held across the state. At two of these events, attended by approximately 1,000 children, fishing opportunities also were provided. A new Youth Fishing and Aquatic Education brochure was developed and is now available.

LAW ENFORCEMENT DIVISION TRAINING ISSUES

Due to the ever-changing and more violent environment in our society, all Nebraska Conservation Officers (COs) are currently undergoing critical incident training with the Nebraska State Patrol to address active shooter and aggressor situations. As most know, a multiple fatality shooting event occurred at an Omaha mall this past fall. We also had our first CO-involved shooting fatality last fall where a young male was fatally wounded by officers. One of our officers was assisting PD officers in searching a building for an armed burglary suspect when the deadly force encounter occurred. The Grand Jury exonerated our officer from any wrongdoing in the incident which clearly demonstrated the value of continual appropriate use-of-force training. We are also developing a critical incident protocol for the agency that expands on the general State protocol to address details of agency response to such events whether in our facilities or when assisting other agencies.

We sent 3 District Supervisors to a two-day Project Extra Mile (PEM) training session. PEM is directed at creative law enforcement efforts to help curtail underage drinking. Alcohol consumption by youth on our State Park and Recreation Areas is an ongoing problem and hazard for them and other area users.

FUNDING AND STAFFING ISSUES

We continue to experience hunter/angler participation deterioration in most arenas with resultant cash flow challenges as well as rampant inflation for such things as vehicle fuel. Consequently, we have undertaken several efforts to help address these issues:

- We have completed an agency budget reallocation process that will help build the Game Fund balance to a more viable level. This involved additional budget cuts in all operational divisions including Law Enforcement. Combined with previous cuts over the past three years, the only way we can meet the reduced budget guidelines and still maintain adequate operating funds is to leave additional officer vacancies open as they occur – hopefully through natural attrition from retirements, etc.

- The marketing effort that the agency initiated in 2006 continues to gain momentum and budget needs have been identified for the program. In addition, funding has been allocated for the enhanced hunter/angler recruitment, development and retention (RDR) and the hunting/angling access programs. This means further budget cuts for all divisions beginning with the next biennium in July, 2009, to provide the required budgets for these expanded programs that are geared toward increasing participation in hunting and angling and related outdoor recreation activities.

MAJOR CONSERVATION LAW ENFORCEMENT TRENDS

The Law Enforcement Division (LED) is becoming even more involved in hunter/angler recruitment, development and retention programs. As an example, our third annual Missouri River Outdoor Expo at Ponca State Park in September 2007 drew 38,000 participants – up from 18,000 in 2006. COs provided security and traffic control as well as assistance with event planning, shooting events and the LED display.

The second Kearney Outdoor Expo is scheduled for April 17th through 19th this year with over 2,700 school kids committed to attend the first two days and an open public and family day on Saturday. We will have 18 Conservation Officers assigned to the Expo providing security and assisting with events such as shotgun clay target shooting, fishing, and providing a safety boat and crew for canoeing and kayaking.

COs assist with all facets of the current RDR program including hunter education, youth outdoor skills camps, youth mentored hunts for various game (pheasants, turkey, doves, furbearers and deer primarily), aquatic education programs, school programs, specialty workshops, and a myriad others with more to come as the expanded RDR program is implemented.

Our elk herd is increasing with hunting opportunity spreading to new areas annually. Trophy quality is excellent which has resulted in more illegal activity. The increasing number of elk and their expansion into more eastern areas are creating more complaints and conflicts with publics and landowners in more populated and agricultural areas. COs are usually the first to respond to these complaints.

Our COs provide Game Law and Parks law and regulation training to many other law enforcement (LE) agencies across the state each year as well as to each Basic Class at the Nebraska Law Enforcement Training Center and the State Patrol Academy. This enhances awareness of wildlife and parks laws and regulations and support for the efforts of our COs on the part of many agencies and all new LE officers.

UNIQUE CROSS BOUNDARY OR COOPERATIVE ENFORCEMENT EFFORTS

We continue cooperative efforts in many arenas. A few examples:

- Our COs cooperated as usual with US Fish and Wildlife Service Special Agents and Refuge Officers on a number of special LE details and investigations over the past year such as a waterfowl detail in District 4 that resulted in a good assortment

- of violations including possession of wild-taken waterfowl by a Chinese restaurant for commercial purposes.
- The back-up assistance provided by a CO in a burglary arrest situation that resulted in the fatality mentioned earlier. An ongoing and routine type of assistance to other LE agencies that we all provide, but that can be very hazardous as in this case.
 - We conducted a number of joint law enforcement operations with a wide variety of other agencies including a boating safety and boating under the influence (BUI) detail on the Missouri River with Iowa and South Dakota COs as well as Dakota County Sheriff's deputies and South Sioux City Police Department officers. A total of 19 officers participated in the concerted effort which netted 4 BUI arrests and 16 other boating violations. These cooperative details are excellent rapport builders between us and other LE agencies in Nebraska and bordering states, and are extremely well-received by the public – a great public relations tool.
 - We hosted a joint meeting with Nebraska Native American tribes' natural resources law enforcement personnel in August of 2007 at Ponca State Park. Representatives were present from the Ponca, Omaha and Winnebago tribes. It was a good cooperative exchange, again (we host a meeting every three years or so), and resulted in several joint LE details with tribal officers in the fall.
 - We continue to become more involved in general emergency response and Homeland Security programs and efforts. We are in the process of finalizing our agency Continuation of Operation Plan (COOP) to mesh with the State COOP. The Law Enforcement Division has taken the lead on this project as well as all other facets of agency emergency preparedness.
 - We are coordinating with the Nebraska State Patrol for our inclusion in the Nebraska Fusion Center project now underway which they are heading up. We will be a substantial player in that cooperative LE and emergency response program as is the case for conservation LE in many other states these days.
 - Cooperative details with the State Patrol and local sheriffs were conducted on State Recreation and Wildlife Management Areas for traffic, drug and alcohol interdiction. These cooperative LE efforts result in a wide variety of arrests and citations for all involved agencies, and the removal of problem individuals from the areas much to the appreciation and support of campers, anglers and other legal area users.
 - Another area of LE cooperation is assistance from the State Patrol Air Wing with aircraft and officer/pilots for spotlighting and other details. We also utilize some contract aircraft and pilots, but the Patrol has been a substantial additional asset to maximizing our airborne LE capability. At the same time Patrol pilots enjoy the change of pace from traffic enforcement, and it gives them more night flying hours than normal to help them maintain that proficiency.

NEW INNOVATIONS IN CONSERVATION LAW ENFORCEMENT

Nebraska has implemented a COPR (Conservation Officers Protecting Resources) program which is an organized, focused, special-detail-team approach to dealing with complaints, problems or areas of high activity. It varies from normal special details in that the officers utilized are part of a special team that is composed of two officers from

each district (total 10) overseen and coordinated by a captain. The team or components of it are detailed to areas where problems (real or perceived) exist – often on short notice, rather than planned in advance, with no foreknowledge of location or target individuals or activities being provided to anyone outside the team to prevent compromising detail impact. COPR details often utilize a mix of covert and uniform officers to maximize effectiveness. One such COPR detail at Lake Maloney and Sutherland Reservoir focusing on illegal fishing and commercialization last summer resulted in fines and liquidated damages (restitution values for illegally taken/possessed wildlife) of over \$10,000 in a two day period. This detail utilized a covert camping trailer with officers in residence to observe and document illegal fish harvest.

The new State radio communications system project continues to progress. The request for proposals was released to vendors in March. The timeline is currently to award the contract in late summer 2008 with completion of the system build-out and implementation approximately 18 months later. The new State radio system will provide a needed enhancement of wireless communications for all Public Safety agencies. Wireless data is a related topic that is also being addressed concurrently with consideration of all available options including separate commercial (cell-based) approaches and enhanced stand-alone radio system data capabilities beyond the basic provided by the digital voice system technology specified.

STATE, REGIONAL AND NATIONAL ISSUES, LEGISLATION, LEGAL CHALLENGES AND COURT DECISIONS IMPACTING NATURAL RESOURCES LAW ENFORCEMENT

We hope to again be able to seek statute changes in the 2009 legislative session to allow us to participate in the Interstate Wildlife Violator Compact (IWVC) – this time by establishing authority to incorporate the compact into our regulations. We have attempted several times to implement the IWVC by including all the provisions in statutes, but without success primarily due to the length and complexity of the legislation. We are also in the process of formulating recommendations for the Board of Commissioners regarding increases in some fines and liquidated damages including trophy values for deer, elk and bighorn sheep which we don't currently have. These, too, would require statutory changes.

COST SAVINGS INITIATIVES

Our ongoing budget challenges and reductions have resulted in/necessitated several cost saving efforts:

- Continue holding three Conservation Officer vacancies unfilled for the indefinite future, and increasing the number of vacancies over the next 18 months by 3 or 4 more (a total of 6 or 7) to augment available operating funds. We are hoping that this will be a temporary necessity while the budget adjustments mentioned previously are accommodated.
- Law Enforcement again implemented a mileage reduction program for March with continued efforts as feasible for the remainder of the fiscal year ending June 30th.

- Continue mandating planned patrol tactics and prioritization of complaint responses and other activities that can be combined and planned more efficiently to help realize the reduced mileage and fuel expense goals.
- We are still restricting equipment purchases, especially for high dollar items like boats, in an effort to accommodate as much of the budget reduction as possible in the operating area rather than personal services. This is only viable on a temporary basis, however, or long-term operational capabilities will be compromised due to lack of adequate equipment.
- Continue to prioritize acquisition of equipment and eliminate marginally effective and less necessary equipment items. One example is issuing replacement night vision equipment only where necessary and frequently used.

Hopefully, the prioritizing of expenditures will also result in more efficient operations while saving money.

OTHER SPECIAL LAW ENFORCEMENT ISSUES

Mountain lion sightings and encounters with the public are increasing across the state. The immediacy for response to such calls, especially in urban environments, has placed a substantial additional burden on our COs and available staff time.

The budget reductions continue to be the primary challenge for the Law Enforcement Division. The necessity of leaving Conservation Officer vacancies open for extended periods of time compounds the problem of insufficient staff to handle the increasing number of calls for service and complaints regarding illegal activities. However, the limited resources have resulted in better planning and utilization of remaining staff time and support monies through prioritization of duties and responses. Hopefully, the future will bring a more positive financial picture that will allow rebuilding the CO Corps to a more appropriate level.

Overall, the Law Enforcement Division is holding our own and still addressing the vast majority of mandates while contending with this period of reduced staffing and funding. We are at the same time ramping up our efforts in support of the newly enhanced hunter/angler recruitment, development and retention program.