

Agenda Item Summary

BACKGROUND

The Landowner Preference Program (LOP) was implemented at a time when the number of general seasons with unlimited tags for bull elk and buck deer were being decreased. The number of controlled hunts (limited number of tags) were being increased, making it more difficult for a landowner to draw a tag valid for their property. The original purpose of the LOP program was to:

- 1) Provide landowners with the opportunity to obtain tag(s) for those species (deer and elk) that occur on their property.
- 2) Provide a form of non-monetary compensation in recognition of the importance of wildlife habitat on private lands.

The LOP program was first implemented in 1982. Up to two landowners were eligible for either one buck deer or bull elk tag if they owned more than 40 acres and their names appeared on the deed of record. In 1984, 34 tags were issued. In 1986, the program was expanded to include antlerless hunts; 563 LOP tags were issued statewide. Based on acreage, properties are now eligible for up to 14 tags for buck deer, 14 tags for antlerless deer, and 14 tags for elk (Table 1). In 2015, there were 9,145 LOP tags issued with 4,970 (54%) buck or antlerless deer tags. Last year, there were 14,265 registered landowners; 6,584 were active in LOP hunt draws.

Table 1. Minimum acreage requirements for Landowner Preference tags

TAGS — MINIMUM ACREAGE — HUNT TYPE		
2	40	all hunts <u>except</u> eastern Oregon buck deer, Eastern Oregon bull elk, either-sex elk, and either-sex or doe/fawn pronghorn hunts
2	160	— all hunts
3	1,200	— all hunts
4	2,500	— all hunts
5	5,000	— all hunts
6	10,000	— all hunts
8	20,000	— all hunts
10	40,000	— all hunts
12	80,000	— all hunts
14	160,000 and greater	— all hunts

While LOP opportunity has increased over the past 30+ years, public rifle hunting opportunities for buck mule deer decreased. Through the early 1970's, a hunter could purchase a statewide buck deer tag. However, by the late 1970's, hunters were required to select either a black-tailed buck deer tag or a mule deer buck tag. As controlled buck deer hunts were implemented in additional eastern Oregon Wildlife Management Units (WMUs), general season buck mule deer opportunities were reduced. Since 1991, all rifle hunting for mule deer has been in controlled hunts. From 1979-81, there was an average of 169,000 mule deer buck hunters and from 2013-15 the average was 47,000, a reduction of 72%.

There have been numerous changes and adaptations through the years to the LOP program statutes and administrative rules. In 2013, as part of a workgroup to review the LOP program, there was agreement to:

- Expand the Elk Damage Tag Program from the SW Oregon Pilot Program, to statewide.
- In balance, limit LOP tags for mule deer hunting when the wintering population estimate in that WMU was below the management objective level.

This agreement was reflected in Oregon Revised Statute, which states that the Commission may specify by rule, a formula for determining the number of LOP tags that are available for mule deer controlled hunts in WMUs below the population management objective (MO).

In previous years, the Department had limited other LOP tags for hunts that provide a special opportunity, such as:

- Elk hunts that included branch bulls in the bag limit in WMUs where most of the bull hunting was restricted to spike only (e.g., Mt Emily, Walla Walla and Wenaha).
- Late season buck deer hunts (e.g., White River, Mt Emily, Beulah, and Hart Mtn.).

The formula used to limit tags for these hunts was five tags or 10% of the tags authorized by the Commission, whichever is greater. The Department is not proposing to change the formula for these special opportunity hunts.

The Commission also chose to limit LOP mule deer buck tags to five or 10% of authorized tag level in WMUs where the population was below MO. This limited draw for LOP mule deer tags began in 2015 for the fall hunting seasons. At the June 2016 Commission meeting, there were several individuals who commented on their dissatisfaction with the allocation of limited LOP tags for mule deer. Following public testimony to the Commission, Wildlife Division committed to reviewing and evaluating the formula for allocation of limited LOP mule deer tags with landowners, producer representatives, organized hunting organizations, and general sportsmen.

PUBLIC INVOLVEMENT

A framework of recommendations was developed by a workgroup after two meetings, review of information, and long discussions. Workgroup members included representatives of the Oregon Cattleman's Association, Oregon Farm Bureau, Oregon Hunters Association, Oregon Bow Hunters, Traditional Archers of Oregon, landowners, and hunters at large. Workgroup members and Department staff shared discussions and meeting information with interested persons, including the news media.

ANALYSIS

The workgroup recommended a three-tiered approach to adjust the components of the current formula to limit the allocation of LOP mule deer tags. The tiers are based on the estimated wintering population for each WMU expressed as a percent of the population MO. For example, if the population MO is 5,000, and the most recent wintering population estimate is 4,000 mule deer, the population is described as 80% of MO.

After the workgroup agreed on the approach, Wildlife Division staff reviewed and discussed the mechanics to implement the recommendations; including programming and timeframe requirements. Ultimately, groups agreed that Tier two was the only tier that would require a modification. The final recommendations were:

Tier 1:

For populations at 80% or more of MO, there would be no limitation to issuance of LOP tags beyond the standards for acreage, etc. This is comparable to the threshold level of 100% used since 2015.

Tier 2:

For populations between 60 to 79% of MO, a limitation of five LOP tags or 15% of the tag level authorized for the public for each hunt, whichever is greater.

Tier 3:

For populations below 60% of MO, LOP tags would remain limited as currently in place; five tags or 10% of the total controlled buck tag level authorized for the public for each hunt, whichever is greater.

Initially, the recommendation for Tier two limited allocation of LOP tags to 1/2 of the current acreage formula to guarantee each landowner at least one tag. However, after review of the controlled hunt draw systems capability, the Tier two recommendation was revised. While 15% of the tag level authorized for the public does not guarantee a tag for each property, increasing available tags by 50% in these hunts, compared to the WMUs below 60% of MO, increases the chance landowners will draw tags.

In Table 2 (Attachment 3), one representative hunt is shown for each WMU or subunit. The LOP tags for other "100 Series" hunts (muzzleloader, bow, etc.) in the same WMU or subunit would be allocated by the same formula for the area unless an exception is made for hunts unrelated to population MO. The table includes a section for each "Tier" (based upon the group's recommendations) using the 2016 percent of MO values.

In addition, there are a few WMUs and specific hunts the Department is proposing for exception to the buck deer LOP limitation. The proposed exception for hunts being placed in Tier 1 of Table 2, regardless of % of MO, are as follows:

- Extremely high percentage of private lands within the Columbia Basin (94%) and E. Biggs (89%) WMUs.
- Hunt # 167A, NE Owyhee, is a limited portion of the Owyhee unit concurrent with the standard rifle season for buck deer. This hunt targets private agricultural land to address damage and maintain LOP participation.
- LOP buck harvest in the Mt Emily (154A and 154B) hunts is composed of 40-50% white-tailed deer, compared to half that for the standard tag holder.

OPTIONS

1. Adopt staff recommendations
2. Modify staff recommendations
3. No change; retain current process for allocation of limited LOP tags

STAFF

RECOMMENDATION Option 1.

DRAFT MOTION I move to amend OAR Chapter 635, Division 075, as proposed by staff.

EFFECTIVE DATE Upon Filing