

Elko County Board of Commissioners

540 Court Street, Suite 101 • Elko, Nevada 89801
775-738-5398 Phone • 775-753-8535 Fax



Commissioners

Demar Dahl
A. Grant Gerber
Glen G. Guttry
Charlie L. Myers
R. Jeff Williams

Elko County Manager

Robert K. Stokes

Executive Assistant

Michele Petty

Receptionist/Clerical

Sara Benoit

April 17, 2014

Honorable Sally Jewell
Secretary of the Interior
United States Department of the Interior
1849 C Street, N.W.
Washington DC 20240

RE: Request for the Delisting of the Common Raven from the Migratory Bird Treaty Act to Protect the Greater Sage Grouse

Dear Secretary Jewell:

The Elko County Board of Commissioners firmly believes that the Greater Sage Grouse, currently under consideration for listing under the Endangered Species Act, is severely impacted by common raven predation. Depredations account for as high as 94% of sage grouse nest failures, and ravens are responsible for 46.7% of these depredations in northern Nevada. Given their keen eyesight and intelligence, ravens are deadly and efficient predators of sage grouse nests. The use of DRC-1339 treated eggs is an effective management measure in an overall program to control the growing raven population. Unfortunately, the permitted number of treated eggs and other permitted control measures are severely limited due to the raven listing on the Migratory Bird Treaty Act.

Enclosed is Elko County Resolution 04-2014 in which the Elko County Commission requests the delisting of the common raven from the Migratory Bird Treaty Act so that an effective predator control program can be properly implemented. We believe that the raven will continue to thrive without the protections of the Migratory Bird Treaty Act.

Elko County respectfully requests your immediate action to order the U.S. Fish and Wildlife Service to immediately remove the raven from the list of birds protected under the Migratory Bird Treaty Act. We firmly believe this to be a prudent and appropriate measure to ensure the viability of Greater Sage Grouse populations and remove the consideration of Endangered Species Designation.

Sincerely,

Charlie L. Myers, Chair
Elko County Board of Commissioners

Honorable Sally Jewell
Secretary of the Interior
April 17, 2014
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enclosures

cc w/encls: Governor Brian Sandoval
US Senator Harry Reid
US Senator Dean Heller
US Congressman Mark Amodei
US Fish and Wildlife Service
US Bureau of Land Management
US Forest Service
Nevada State Senator Pete Goicoechea
Nevada State Assemblyman John Ellison
Nevada Department of Wildlife
Governor's Sagebrush Ecosystem Council
Nevada Association of Counties
All Nevada State Legislators
All Counties in the State of Nevada
Cassia County, Idaho
Box Elder County, Utah
Te-Moak Tribe of Western Shoshone
Elko Band Council
South Fork Reservation Council
Wells Band Council
Battle Mountain Band Council
Farm Bureau
Nevada Cattlemen's Association
Nevada Mining Association
Elko County Advisory Board to Manage Wildlife
Mr. John Carpenter



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NO 04-2014

A RESOLUTION FOR THE ELKO COUNTY BOARD OF COMMISSIONERS TO DEMAND THE COMMON RAVEN BE REMOVED FROM THE LIST OF SPECIES PROTECTED UNDER THE MIGRATORY BIRD TREATY ACT

WHEREAS, the Migratory Bird Treaty Act (MBTA) was enacted in 1918 to protect populations of birds such as the snowy egret from extinction due to high demand for feathers, wings and even entire taxidermied birds in the millinery trade for use in women's hats; and

WHEREAS, the MBTA is administered by the U.S. Department of the Interior, acting through the U.S. Fish and Wildlife Service (FWS) 16 U.S.C. § 701; and

WHEREAS, contrary to natural assumptions, being migratory is not a prerequisite for the FWS to extend coverage of the MBTA to a species of bird; and

WHEREAS, the only prerequisites to being covered under the MBTA are the bird species must be native to and found within the United States; and

WHEREAS, the Audubon Society states the number of bird species in the United States is in the eight hundreds; and

WHEREAS, there are currently 1,026 species of birds on the list protected under the MBTA; and

WHEREAS, ravens were added to the list of species under the Migratory Bird Treaty Act in 1974; and

WHEREAS, Elko County is at risk of losing hundreds of millions of dollars and thousands of jobs due to the federal regulations related to the Sage Grouse Draft EIS; and

WHEREAS, a recent scientific study conducted in a portion of northern Nevada concluded that depredation accounted for 82.5% of the nest failures of sage grouse (Lockyer et al. 2013); and

WHEREAS, another study concluded that nest depredation represents approximately 94% of sage grouse nest failures (Moynahan et al. 2007); and

WHEREAS, ravens are responsible for 46.7% of sage grouse nest depredation in northern Nevada (Lockyer et al. 2013); and

WHEREAS, the same study also concluded that an increase in one raven per 10km² was associated with a 7.4% increase in probability of Greater Sage Grouse nest failure in parts of northern Nevada (Lockyer et al. 2013); and

WHEREAS, in addition to depredation on sage grouse, ravens prey on and consume the eggs and the young of song birds and other species during the nesting season; and

WHEREAS, ravens have been observed attacking and pecking out the eyes of baby lambs, calves, deer and other livestock and wildlife, particularly during or shortly after birth, causing loss of valuable livestock and wildlife; and

WHEREAS, raven population sizes, densities and distributions have increased substantially across the western United States. Ted Koch, head of the USFWS for Nevada, confirmed that the raven population in Nevada has increased by 600% in the last ten years; and

WHEREAS, the U.S. Fish and Wildlife Service (USFWS) previously listed threats to the sage grouse and placed predation, including ravens, as number "twelve" on its list of threats; and

WHEREAS, common sense and recent studies suggest that raven depredation should be of primary importance in protecting the populations of sage grouse, song birds, other wildlife, lambs and calves; and

WHEREAS, the raven has been deemed a nuisance and threat to the health, safety and welfare of the people and wildlife of Elko County.

NOW, THEREFORE LET IT BE RESOLVED THAT, Elko County demands that the Secretary of Interior and the U.S. Fish and Wildlife Service immediately remove the raven from the list of birds protected under the MBTA; and

NOW, THEREFORE LET IT FURTHER BE RESOLVED THAT, Elko County requests the Nevada Congressional Delegation, Governor Sandoval, the Nevada Legislature and the Nevada Division of Wildlife take all possible actions to cause the Secretary of Interior and U.S. Fish and Wildlife Service to immediately remove the raven from the list of birds protected under the MBTA.

PROPOSED by Commissioner R. Jeff Williams.

SECONDED by Commissioner Glen G. Guttry

PASSED and ADOPTED this 2nd day of April, 2014.

Resolution 04-2014

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VOTE:

AYES - 5
NAYS - 0
ABSENT - 0



CHARLIE MYERS, CHAIR
BOARD OF COUNTY COMMISSIONERS
ELKO COUNTY NEVADA

ATTEST:



CAROL FOSMO, ELKO COUNTY CLERK