


USDA Natural Resources Conservation Service
 U.S. DEPARTMENT OF AGRICULTURE



Boundary Fence

NV Tribal Advisory Committee Meeting April 17, 2025
 Jim Gifford, State Resource Conservationist

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Boundary Fence

- Some History
- Going WAY back, the Programs Manual said:
 - **H. Ineligible Conservation Practices and Activities** Include Those—
 - (1) For which the sole purpose is to enhance production without addressing a natural resource concern. Examples include:
 - (ii) **Fence** (Code 382) or Access Control (Code 472) when the sole purpose is to—
 - **Function as a boundary fence, separate ownership, or exclude domestic livestock from transportation networks or residential, commercial, or industrial areas.**

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Boundary Fence

- Some History Continued
- On May 16, 2011, the Nevada NRCS State Conservationist sent a memo to the field offices.
 - "... NRCS in Nevada is making preparations to allow fencing between tribal members or permittees with allotments or assignments."
 - Available in Fiscal Year 2012.

Boundary Fence

- Some History Continued
- Around 2021-2022 the boundary fence example of an ineligible practice was removed from the manual.
- But the intent remained the same – generally boundary fence is ineligible for financial assistance with a couple exceptions.
- So, Nevada NRCS created guidance.

Boundary Fence

■ Boundary Fence State Instruction – November 20, 2024

■ Planning Procedures

Fence (382) is a facilitating/structural practice and is not appropriate to be planned and applied under all conditions or situations. Therefore, the planning and application of **practice 382 as a perimeter or boundary fence in Nevada shall be limited to when one or more of the following conditions exist:**

- (a) Wherein the applicant can document (e.g. via FSA records) they are owner and/or operator (via lease, BLM or Forest Service permit, etc.) for the land units on both sides of the proposed boundary fence. Therefore, the fence is an integral part of the management of livestock for the ranching operation;
- (b) The boundary of the property is adjacent to, or within close proximity of, a sensitive area such as a wetland or riparian area, and the sensitive area will have a direct benefit from the planned fence; And/or
- (c) Fences that separate tribal allotments/assignments within a reservation.

Boundary Fence

■ Boundary Fence State Instruction – November 20, 2024

■ Planning Procedures

Fence (382) **shall not** be planned or applied in any of the circumstances listed below:

- (a) For the purpose of separating land ownership and/or to adhere to open range policies and/or regulations, or otherwise the fence is legally required by state, county, or municipal laws or regulations;
- (b) Wherein a primary purpose of the fence is to exclude livestock from transportation networks, such as highways, county roads, private roads, driveways, or other right of way easements. Some exceptions may be allowable for replacing existing fence with wildlife friendly fence for big game migration corridors;
- (c) Wherein the primary purpose of the fence is to exclude pests, including species such as deer, feral hogs, wild animals, predators, rodents, or other animals; And/or
- (d) Other conditions where a resource concern is not being addressed.

For more information

- Talk to your local office
- NRCS Nevada Website
 - Use the QR Code or visit <https://www.nrcs.usda.gov/nevada>
- Email SM.NRCS.NV.INFO@usda.gov



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