

NATIONAL DEER ASSOCIATION

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19 July, 2021

Basil Seggos, Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233

RE: Comments Regarding DEC's Final Deer Management Plan

Dear Commissioner Seggos,

On behalf of the National Deer Association (NDA), I am writing to provide our feedback on the NYSDEC Management Plan for White-Tailed Deer in New York State, 2021–2030 (Plan). NDA is a national nonprofit wildlife conservation organization dedicated to ensuring the future of wild deer, wildlife habitat and hunting. We represent 30,000 members nationwide, and our membership includes hunters, landowners and natural resource professionals.

After reviewing the deer Plan, it is clear that the DEC put significant time and effort into creating a well-thought-out document grounded by science, metrics and public input and outreach. The final Plan provides an opportunity for public review, comment, and understanding, which are incredibly important elements of deer management in any state. Additionally, the Plan will provide necessary strategic direction for deer management in New York over the next 10 years.

The Plan outlines six primary goals that encompass the priorities for deer management and the values and issues expressed by the public. DEC established a number of objectives and strategies to achieve each of these primary goals. The NDA supports many of these objectives and strategies, and we write now to highlight and provide comments on those we think are crucially important to ensuring the future of wild deer, wildlife habitat and hunting. We have organized our comments categorically.

Chronic Wasting Disease

The Plan contains a number of strategies to keep the presence of chronic wasting disease (CWD) out of New York and/or to limit the spread of the disease should it be detected in any part of the state. The NDA outlines deer diseases as a critical focus area and slowing the spread of CWD is of primary concern. CWD is one of the largest threats to wildlife conservation that we have encountered over the last century. As many states have learned, preventing the spread of this always-fatal disease is a daunting task and early detection and rapid response once the disease is found is critical for long-term management.

First, we support the Plan's inclusion of provisions to prevent disease spread by emergency regulations to prohibit movement of harvested deer and live captive cervids from CWD-affected areas to other portions of New York. While there remains much to learn about CWD, we do know that moving deer, dead or alive, can facilitate its spread. That goes for deer relocations led by wildlife agencies, movement of deer between captive facilities given the absence of a reliable live animal test, or transport of carcasses by hunters who can't be immediately sure if their deer is infected. CWD spreads the fastest and the furthest when carried in a vehicle, and that's something that all deer managers and hunters should be concerned about.

We also support the Plan's outline for intensive removal of wild deer from the landscape for testing to determine the scope of new disease outbreaks. To achieve removal and testing goals, we support changes to increase hunting harvest in select wildlife management units (WMUs) and/or sharpshooting, depending on the time of year when CWD is detected. Targeted removal, or sharpshooting, can help reduce spread of CWD and/or keep it at a low prevalence rate as demonstrated in other states. This is because strategic removal from a known CWD area increases the odds of removing additional CWD-positive deer. Research from Wisconsin shows adult does are 10 times more likely to be CWD-positive if they have a CWD-positive relative nearby. Thus, concentrating population reduction efforts in areas known to contain CWD-positive deer is a sound strategy to slow the increase in prevalence rate and spread across the landscape. The NDA supports the use of sharpshooting and targeted-removal strategies in CWD management. However, we encourage that hunter harvest be used in CWD population reductions to the greatest extent possible and that agencies provide educational information on its benefits. Certainly, public acceptance resulting from public involvement will be necessary for these programs to be successful.

Finally, we support the strategy to maintain and enforce the prohibition on the feeding of wild white-tailed deer. The NDA defines supplemental feeding as the act of placing quality food resources for the purpose of increasing dietary quality. The practice of supplemental feeding and its role in deer management have grown in terms of controversy and complexity in recent years. We acknowledge that the available scientific data surrounding this issue is incomplete and, at times, inconsistent. We support providing adequate food and cover for deer through habitat management programs. The NDA does not support supplemental feeding in known CWD and bovine tuberculosis (TB) areas or where this activity may disrupt natural migratory patterns of deer.

Hunting Opportunity

The Plan offers a number of strategies to provide increased hunter opportunities. The NDA outlines hunter recruitment, retention and reactivation (R3) as a critical focus area to achieve our goal of ensuring the future of wild deer, wildlife habitat and hunting. Undoubtedly, successful R3 efforts rely heavily on hunting opportunity, and the NDA supports increased fair-chase hunting opportunities that do not negatively impact the resource.

The NDA fully supports Strategy 2.2.8, which extends daily deer hunting hours to 30 minutes before sunrise and 30 minutes after sunset, consistent with most legal hunting hours around the country. In fact, the NDA and its members have been advocating for this change for nearly a year. As DEC notes in the plan, New York is the only state that limits deer hunting to between sunrise and sunset. Further, there is no data supporting the notion that hunting during daylight prior to sunrise or after sunset results in any increased risk to safety. Rather, data we've monitored on hunting accident rates that show hunting during this time is safe and appropriate for all hunters, and New York currently allows it for other game species (turkey, waterfowl, etc.).

The NDA also supports Strategy 2.4.3, which aims to improve hunter access to public and private lands by directing DEC to work with municipalities, State and local parks, federal land managers, and private preserves to allow or increase deer hunting opportunities on their lands. One of the major barriers to people beginning to hunt or even continuing to hunt is a lack of access to quality places to pursue game. The NDA supports efforts to provide greater land access to hunters.

Strategy 2.2.4 establishes a firearms season for antlerless deer in mid-September in specific WMUs where existing harvests are inadequate to achieve population management objectives. As DEC notes, deer populations are managed principally through manipulation of mortality rates of adult female deer. On the landscape scale, regulated hunting is the only viable tool available to accomplish this type of management. Through most of New York, DEC modifies the number of Deer Management Permits (i.e., antlerless deer tags) available to hunters and regulations for hunting seasons to manipulate harvest of adult female deer and affect population change consistent with recommendations to achieve local objectives. Here, DEC has already applied a sustained effort to increase the number of Deer Management Permits (DMPs), but availability (and efficacy) of these allocations has routinely outpaced demand. So, if more DMPs are not doing the job, the next step up would be to increase opportunity and/or allow the use of more effective hunting implements. In this case, DEC has opted to utilize both. The NDA supports this strategy to help bring deer populations more in line with local objectives.

Similarly, Strategy 2.2.6 establishes a late bow and muzzleloader season between Christmas and New Year's in the Southern Zone. Generally, the NDA fully supports the addition of new hunting opportunities that effectively maintain or aid in the management of a healthy and balanced wild deer herd. However, we do have some reservations on the realized increase in hunter opportunity presented by the "holiday" season, as well as other biological and sociological harvest-related issues. We believe alternatives are available that could offset most harvest-related concerns while maintaining hunter opportunity. Alternatives could also reduce hunter, deer processor, landowner, and Department staff fatigue associated with longer seasons. Moreover, while we believe that there may be even better options for expanding hunting opportunities in New York than the proposed "holiday" season, we understand that a "holiday" season could expand hunting opportunities for non-residents and students returning home, as well as hunters who have time off from work for the holidays.

The NDA supports Strategy 2.2.2, which incorporates a firearms deer hunting opportunity for youth in Suffolk County. Generally, the NDA supports the expansion of youth hunting opportunities. In addition to this strategy, the NDA has been an ardent supporter of the recently approved youth deer hunting pilot program that would allow a hunting license holder who is 12 or 13 years of age to hunt deer with a crossbow, rifle, shotgun or muzzleloader if certain conditions are met. New York's youths are missing out on hunting opportunities and outdoor experiences that youths in every other state get to experience. Youth hunting opportunities are safe and enjoyable for all, and engaging youth in big game hunting at a young age and with appropriate supervision goes a long way in developing life-long hunters and conservationists.

Finally, the NDA supports Strategy 2.2.3, which modifies the Deer Management Focus Area to be a statewide urban/suburban hunt program for which municipalities can opt-in to expanded antlerless hunting opportunities, including longer seasons and/or additional antlerless tags. Urban and suburban communities face significant challenges with over-abundant white-tailed deer populations, and utilizing hunters as a management tool in these areas has continuously been proven to be the best method for achieving harvest objectives and population goals. Even more, expanding hunter opportunities in these more-developed areas could aid in recruiting, retaining and/or reactivating new and seasoned hunters alike – especially those that align with the locavore movement.

Regulatory Objectives

The Plan outlines a number of objectives that require regulatory action for implementation. These include assessment, and potential changes, to antler point restrictions (APRs) in the state, simplification of the DMP licensing system and encouragement of the use of non-lead ammunition statewide for hunting.

The NDA supports Strategy 2.3.4, which calls for an assessment of the preexisting mandatory antler restriction program for consistency with hunter values and impacts on population management and recommend changes if warranted. The NDA has supported some antler restrictions, opposed others, and taken a neutral stance on still others. Ultimately, however, we believe that deer management decisions should be left to the agencies responsible for managing the resource. In this instance, we trust and support DEC's ongoing commitment to educate the public about the benefits of voluntarily "letting young bucks go to watch them grow." This has been a successful [campaign](#) and it is worth seeing it through (see below; Strategy 2.3.1). We also believe DEC is best situated to make science-based decisions regarding APRs. We absolutely support DEC taking an objective look at the program, and we encourage DEC to consider whether any implemented APRs are biologically sound and if program is supported by a majority (>50%) of affected hunters and landowners.

Next, the NDA supports Strategy 1.2.3 to modify DEC's licensing system to allow more flexibility in the issuance of DMPs. A streamlined approach for hunters to engage in the deer management process is incredibly important and doing so may remove barriers to entry for those unfamiliar with outdated or cumbersome processes. Not only will flexibility in the issuance of DMPs benefit hunters but doing so will aid DEC in achieving desired deer population trajectories through the harvest of antlerless deer.

Finally, the NDA asks DEC to gathering hunter and stakeholder input with respect to Strategy 2.1.5, which encourages the use of non-lead ammunition by New York deer hunters. Due to constraints on availability, cost and uncertain biological data, the NDA opposes wide-sweeping bans on lead ammunition for deer hunting. However, the NDA is more than willing to help DEC engage deer hunters on the issue, and we think that public information campaigns, similar to passing young bucks, could be worthy pursuits.

Hunter Education

Finally, the NDA supports provisions of the Plan that outline the importance of hunter education and DEC's commitment to educating hunters and non-hunters on safe hunting practices and the state's deer herd.

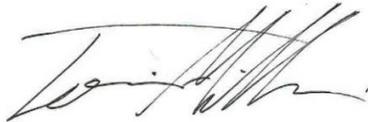
First, the NDA supports Strategy 2.1.3, which aims to promote regulated hunting as a safe, enjoyable, and ethical tool to manage deer populations and as an opportunity for the public to acquire venison by contributing to DEC efforts, as well as to enhance skills and effectiveness of existing hunters and engage new hunters by improving safety education courses and implementing additional education programs as needed to encourage hunter safety, ethical behavior, and success. The NDA encourages safe and ethical hunting and supports the expansion of hunter education efforts to those ends. Similarly, this strategy engages R3 principles, and as mentioned previously, the NDA greatly supports these efforts. Educational strategies that recruit new hunters or make the hunting experience safer or more enjoyable for existing hunters are crucial to long-term participation in the sport.

Second, the NDA supports Strategy 2.3.1, designed to maintain and increase opportunity for hunters to see and take older bucks while preserving hunters' freedom of choice. This Strategy is designed to educate hunters on their role in affecting local deer herd populations and composition and encourage those hunters who desire to see and take more 2.5-year-old and older bucks to voluntarily restrain from harvesting young, small-antlered bucks. This strategy falls squarely within Quality Deer Management

(QDM) principles – from which one of our founding organizations took its namesake. QDM is a management strategy that unites hunters, landowners, and resource managers in a common goal of producing healthy deer herds with balanced adult sex ratios and age structures. This approach typically involves protecting young bucks while harvesting an appropriate number of antlerless deer to maintain herds within existing environmental and social constraints. A successful QDM program requires an increased knowledge of deer biology and active participation in management. This level of involvement extends the role of the hunter from mere consumer to manager. The progression from education to understanding bestows an ethical obligation on the hunter to practice sound deer management. Consequently, to the majority of hunters, landowners, and deer managers, QDM is the preferred deer management philosophy over traditional and trophy deer management. The NDA supports the QDM philosophy as *the* preferred deer management strategy.

Again, NDA applauds the NYDEC on a thoughtful and comprehensive Plan for the management of white-tailed deer in New York state for the next 10 years. The Plan is well-rounded, well-considered and based on sound science, and we are confident that the Plan offers realistic goals and insights for future success. We look forward to helping the DEC on deer management and policy issues in the years to come, and we are hopeful that some of our insights, recommendations and offers are considered, implemented and accepted.

Respectfully,

A handwritten signature in black ink, appearing to read 'Torin Miller', with a stylized, cursive script.

Torin Miller
Director of Policy