



Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Fish and Wildlife
402 W. Washington St., Rm W273
Indianapolis, IN 46204
(317) 232-4080

August 1, 2012

Dear Mr. Johnson,

The Indiana Department of Natural Resources (IDNR) has received your request for the application of nonlethal deer management techniques within the city of Ogden Dunes in Porter County. Director Carter has asked the Division of Fish and Wildlife (DFW) to review and respond to this request. After reviewing your application, and the available current research regarding each technique you requested, we feel that your management plan would be ineffective and likely effect the health of the wild deer population as well as impact those that would consume the treated deer. Therefore, the IDNR cannot issue a permit for the use of GonaCon™, the live trapping and translocation of deer, or the insecticide.

The GonaCon™ vaccine is a pesticide approved by the Environmental Protection Agency (EPA), and all pesticide products distributed or used in Indiana must be registered with the Indiana State Chemist. GonaCon™ is currently not registered for use in Indiana. Additionally, since GonaCon™ was approved by the EPA and not the Food and Drug Administration (FDA), the DFW has concerns about secondary exposure to humans and other animals who may consume treated deer. Pursuant to 312 IAC 9-2-13, a permit is required by the DNR Division of Fish and Wildlife to administer this immunocontraceptive into wild, free-ranging deer, and the DNR is required by law in IC 14-22-2-6 to consider the welfare of the wild animals and the welfare of the people. We would like to note that this is a complete reversal from your town's position last year, when you stated in your permit request "fertility control and deer contraception has not proven to be effective given the ability of deer to range over most all of the National Park property". GonaCon™ has shown less than 50% efficacy during its second year of use in trials. As Ogden Dunes is not a closed town (i.e., deer are free to move in and out of the community), immunocontraception will not be effective at lowering the deer population. The City of Highland Park (SE Lake County, Illinois) worked with the University of Wisconsin on a sterilization (a 100% efficacy technique) project, and found that the deer population still increased by 14% over the duration of the study. Mortality among treated/sterilized does was twice as high as unmarked, untreated does, with most mortalities coming at the expense of motorists. Additionally, immunocontraception does not address the town's primary concerns to protect native and sensitive plant species, landscaping, or critical bird habitat, as the individuals currently causing the damage will still be causing damage after they are treated.

The DFW has a policy on the trap and transfer of white-tailed deer. The policy states that no deer can be released into a free ranging situation. Live trapping and translocation of deer will be permitted only to not-for-profit, in-state institutions that have filed a written plan for animal health care discussing nutrition, parasite and disease control, and routine management issues concerning confinement. The institution must have deer-proof fencing to ensure against escape in the wild and must be approved by the DFW. Additional restrictions require all animals to be sterilized, with all costs being incurred by the permittee. All deer upon which drugs have been used must be permanently marked in a highly visible manner. The DFW is unaware of any locations that meet these requirements. Furthermore, additional information is needed to show how the live trapping and permanent marking would be done, including the use of any tranquilizers, who would do the trapping,

and efforts that would be made to minimize any trap-related mortalities and/or injuries to the deer.

The Division of Fish and Wildlife is also requesting additional information regarding the use of the 4-poster device with the insecticide to treat deer for ticks. The DFW needs to know how these will be used in accordance with current label restrictions, and documentation is also needed to show that the permethrin that is used will not have any public health risks associated with the deer that receive this insecticide when they are harvested for human consumption. The DFW would like to note that while this method has proven effective at reducing tick levels in studies in New York, in the absence of a deer reduction management technique, the 4 poster device may actually increase deer populations within your community. The New York study found that the rate of increase in population estimates was substantially greater in areas containing the 4-poster devices than their control areas without the 4-poster devices, a function of reduced harvest as hunters reacted to reports of permethrin residue on the hides and neck muscle of treated deer, as well as likely influence of supplemental feed provided by the 4-poster devices. Additionally, a Connecticut study found that fawn recruitment rates increased substantially in areas with 4-poster devices compared to years where 4-poster devices weren't incorporated. These influences can further compound the problem within and around your community. Other mammals such as raccoons, opossums, and skunks, can also serve as hosts, and one study conducted by researchers in New York found that deer numbers are not important in determining tick abundance; rather previous years' small mammal populations and two years previous acorn production had the greatest influence on tick numbers (<http://www.plosbiology.org/article/info%3Adoi%2F10.1371%2Fjournal.pbio.0040145>). Furthermore, the high density of houses and roads makes adequate distribution of these devices unlikely given the current label restrictions. The Indiana State Department of Health has some excellent recommendations on preventing tick-borne diseases, and we suggest you explore their website for further details (<http://www.in.gov/isdh/20491.htm>).

We are willing to continue working with you to solve the problems with deer within your community. I would encourage you to continue your dialogue with your local district wildlife biologist or our state deer biologist to help solve your problems in an efficient and effective manner. Permits can be suspended, denied, or revoked in accordance with IC 4-21.5. If you wish to appeal the denial, you must contact Steve Lucas, an Administrative Law Judge with the Natural Resources Commission, within 18 days of the date of this letter at the following address:

Natural Resources Commission
Indiana Government Center North
100 North Senate Ave., Room N501-A
Indianapolis, IN 46204.

If you have any questions about filing an appeal, you can contact Steve Lucas at (317) 233-3322 or at slucas@nrc.IN.gov.

Respectfully,



Mark Reiter
Director, Division of Fish and Wildlife

cc: Robert Carter