

Memorandum

Joint City of Bloomington-Monroe County Deer Task Force

Wednesday, 21 March 2012, 5:30 PM

McCloskey Room (#135), City Hall, 401 N. Morton St.

PRESENT: Task Force Members: Keith Clay, Stefano Fiorini, Bob Foyut, Iris Kiesling, Thomas Moore, Laurie Ringquist, Dave Rollo and Susannah Smith **Staff:** Stacy Jane Rhoads
Public: Dave Parkhurst

I. Welcome

II. Approval of Minutes –Task Force approved the minutes for 06 March 2012.

III. Public Comment

- Parkhurst said his only comment is that “Deer eat vegetables and I like vegetables better than deer.”
- Kiesling said she has received a number of reports from residents seeing groups of five or more deer in neighborhoods in Sycamore Knolls.

IV. Brief Review of City/County Recommendations to Date

Rollo asked Rhoads to review the City/County recommendations to date.

Rhoads reviewed:

Non-Lethal: feeding ban; raise fence height limits; call for further consideration of electric fences; wildlife displacement and habitat fragmentation as a development consideration.

Lethal:

- General Support for Trap and Euthanasia using Automatic Clover Trap Notification System.
- General Support for sharpshooting in appropriate spaces to address neighborhood deer.

Rhoads stated that the group is still deciding on how to best configure hunting as a management strategy. Specifically, she reminded the group that they asked her to relay two specific questions to the IDNR:

1) Would IDNR approve the City and ring around the City as a UDZ if hunting was restricted in the City only to public and private greenspace? Greenspace is defined as five contiguous acres, possessing a permeable surface (forested, shrub/grass covered areas, parks, golf courses, cemeteries and agricultural land) and more than ten feet from any human-made development such as roads, parking lots and buildings.

2) Additionally, Moore wanted to know if IDNR would approve the City as a UDZ if hunting was restricted in the City only to public greenspace?

V. Discussion of Hunting on Greenspace

Rhoads relayed that she sent the group IDNR's reply earlier in the week. In brief, IDNR responded that it would be amenable to designating the City and County a UDZ if hunting were allowed on public and private greenspace, but would not be willing to make a favorable recommendation if hunting was limited just to public space. IDNR advised that limiting hunting only to public greenspace would be too limiting and would not make a meaningful difference.

If the Task Force recommends some form of hunting in the City, IDNR recommends that the Task Force/City should move ahead with pursuing regulations and an Earn-a-Buck program. It can take up to two years to move a UDZ recommendation through the administrative rulemaking process. If the City wants to move forward with an urban hunting program (greenspace or otherwise), don't wait for UDZ status.

Rhoads said that IDNR and Smith have observed that certain parks would not be suitable for hunting. For example, Bryan Park is very visible, proximate to houses and open, without much tree cover. Rhoads asked IDNR if it would be better to exclude these areas based on certain criteria or just by identifying specific parks that would not be suitable. Some communities such as Fargo, SD limit hunting in greenspace to areas of potential deer holding habitat and exclude areas of developed parks, bike paths and developed trails. IDNR advised that it is better to exclude parks by individually naming the exclusions rather than trying to come up with criteria for exclusion.

Task Force members suggested that some possible suitable hunting areas might include: Winslow Woods, Wapehani Mountain Bike Park, Thompson Park, Trillium Horticultural Park (north of Thompson), Goat Farm, Southeast Park would be good places to start.

Rhoads reviewed that at the last meeting, it appeared that Task Force members had different opinions on hunting: Hayes said she was uncomfortable with hunting in the City limits even if hunting was limited to greenspace. Smith said that she felt hunting need not be limited to greenspace and Moore said that he felt hunting should only be limited to public greenspace.

Moore commented that his thinking on limiting hunting only to public greenspace has changed. He said that Rollo's comments at the last meeting about hunting on public areas being more controversial really resonated with him. Public parks are everyone's space and hunting would require park closure. In contrast, hunting on private property would mean that only those who were in agreement with the practice would allow it.

Kiesling mentioned that the allowance would almost have to be private and public land to reach the 5-acre threshold.

Clay pointed out that about 95% of greenspace on the map is privately owned. It seems that there is just not way that the community could effectively manage the deer population if hunting was just limited to the 5% or so of public greenspace.

Smith said that someone mentioned to her that the YMCA has a large deer population and is situated in the problem area and that the YMCA might be amenable to allowing hunting on their property as a fundraiser. She mentioned that the Y is located in prime deer habitat and near the area that has reached social carrying capacity. She said that deer in the area are numerous and that she has been charged by a deer during the day there. Should such an event be held, Smith could contact *Hunters and Farmers' Feeding the Hungry* about setting up a booth at any sort of event.

Rollo said that Smith's idea is a great one. He mentioned that there are community gardens and a community orchard nearby that would greatly benefit from deer management. Rollo said that the group should pursue this idea.

Fiorini mentioned that he was in Cedar Rapids, IA for a conference and was able to talk with people from Cedar Rapids and Iowa City about their deer management plans. He said that while Iowa City has engaged in sharpshooting from the beginning of its management program, Cedar Rapids recommended bow hunting from the start. Interestingly enough, while Cedar Rapids did not achieve the deer reduction numbers they were aiming for, hunting appears to have satisfied social carrying concerns. It seems to be the case in Cedar Rapids that simply doing *something* to alleviate deer pressure was enough to satisfy residents. While Cedar Rapids does not issue a survey or otherwise monitor social concerns, a biologist on the Cedar Rapids Task Force says that deer complaints have gone down since bow hunting was instituted. The Cedar Rapids program started in 1997.

Fiorini also relayed that initially Iowa City contracted with the USDA to conduct sharpshooting. Because it is a federal agency, the USDA action was challenged in federal court. A federal judge delayed the action until USDA could demonstrate adequate safety measurements were in place. By the time the ruling was issued, the culling time frame established by the USDA had passed. That is when Iowa City contracted with White Buffalo for sharpshooting services. By so contracting, Iowa City took it out of federal jurisdiction.

Fiorini also mentioned that in Iowa City, deer were concentrating in a certain area of the City – a peninsula experiencing new human development. Fiorini said this is an example of why developers should be asked for a mitigation strategy at the time of development approval. Developers should assume the cost of deer management, not the City.

Both Iowa City and Cedar Rapids conduct helicopter counts.

Rhoads reminded the group that White Buffalo could be hired to conduct sharpshooting, but State law would prohibit them from using silencers or jacklights.

Rollo asked how people felt about recommending hunting on public and private greenspace.

Foyut responded that he would like to see stricter controls put in place for hunting within the City limits. He said that in his mind, hunting in the City was tied to UDZ status. If it is

not necessary to have UDZ status to hunt within the City, would IDNR need to approve local hunting rules?

Rhoads responded that she did not think so, although having IDNR review local rules for soundness and possible conflict with State law is prudent. Absent a UDZ, anyone hunting within the City limits would still have to obtain a State hunting license. However, under the Task Force proposal, they would have to adhere to an additional set of local rules.

Ringquist asked: If the City can implement additional rules, can the County?

Kiesling said that she will inquire with County Legal.

Clay said that beyond implementing an Earn-a-Buck requirement in the County, the other rules specific to hunting in the City, might be too onerous – and unnecessary – in the more sparsely-populated County areas.

Fiorini asked if the same special damage permits written for hunters could also be written for owners of greenspace? Smith responded that the damage must meet a monetary test (\$500 of loss) or pose a threat (such as at the airport).

Rollo asked if the IDNR list of restrictions was acceptable.

Foyut said he does not have a problem with the list IDNR provided.

Smith said that the list is good, but she would also like to see some sort of match program established, one that pairs property owners with hunters. Perhaps a local match could somehow piggyback on the IDNR match program. If not, a separate local match program should be established.

Rollo asked Rhoads to frame a motion. Rhoads suggested:

1) the Task Force recommend that elected officials request UDZ status for the City and the ring around the City in the interest of increasing the opportunity to take more deer and 2) that the discharge of a projectile within the City limits be restricted to five contiguous acres of public and private greenspace where greenspace is defined as possessing a permeable surface (forested, shrub/grass covered areas, parks, golf courses, cemeteries and agricultural land) and more than ten feet from any human-made development such as roads, parking lots and buildings. Within such area, the safety and hunter guidelines established by the IDNR should attach.¹

¹ IDNR suggested guidelines include. “NDZ” = Nuisance Deer Zone – greenspaces in which hunting would occur.

- City requires each hunter hunting in the NDZ to be permitted a unique ID #
- Hunters must not have previous record of state game violations, felony charges, and must meet the requirements for statewide hunting (ex. meet hunter ed. requirements as directed by the DNR, obtain proper licenses, etc)
- Must pass a proficiency test (defined by Bloomington DTF)
- Each permit issued to only one person; permits are non-transferable
- Must sign a “Hold Harmless” agreement provided by the city
- Hunter and participating landowner must sign a permission to hunt or similar liability form (examples are available by the DNR)

► Clay moved per above. All present voted “aye.” Motion passed.

Rhoads said that the IDNR suggested regulations do not include the approval of a tree stand location. Some communities require that the City approve the location of a stand. It gives the City more oversight/control over where people are hunting.

Moore said that he thought it was necessary to sign off on the location of a stand.

Ringquist asked who would be qualified to approve the location? She does not think ACC would be qualified. She asked if the IDNR Conservation Officer assigned to this area could help with the approval.

Smith added that there are some criteria offered by tree stand manufacturers about which type of trees are suitable for a tree stand – must be straight, limbless, at least 3’ in circumference.

Clay responded that he worries that the Task Force would be attaching too many requirements to the type of tree and that these requirements would be too limiting.

Smith said that IDNR recommends a safety harness be used. Harnesses are not used with portable, free-standing tree stands.

Kiesling suggested that the group might offer best tree stand practice, but that exceptions would be allowed.

Rollo suggested that Smith could work on tree stand location “best practice” as an appendix.

Clay and Ringquist stated separately that the role of the Task Force is to offer general recommendations to decision makers, not to work through all the possible details. Clay

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- Application fee, if desired (though not necessary)
 - Equipment limited to longbow, recurve, compound bow or crossbow, as legal defined by DNR during archery hunting season
 - All hunters must hunt from elevated stand. No still hunting is allowed.
 - All hunters must use safety harness or belt while hunting.
 - Hunters must carry copy of permit issued by city at all times while hunting.
 - Hunters must mark all arrows/bolt with permit number corresponding to permit number.
 - Each hunter must attend mandatory hunter orientation meeting (to be held several times throughout fall) prior to any hunting in a nuisance deer zone
 - Hunters are responsible for obtaining permission to hunt each property within NDZ. Permission must be obtained prior to application or attendance in any orientation meeting or proficiency test.
 - City reserves right to suspend hunting on days in NDZs where special events or concerns increase the visibility potential of the program.
 - If deer expires in highly visible location, then the entire deer, including offal, should be removed from area to reduce prolonged negative exposure to the program.
 - Hunter should make every reasonable attempt to recover deer. Hunters should not attempt to track deer on private land they do not have permission to hunt without expressed written consent from the landowner.
 - If wounded deer is not recovered or leaves permitted NDZ, hunter should contact Bloomington police or city and provide sufficient information that can be used to locate and dispatch the deer.
 - Hunter is required to submit a cull summary to the city.
 - City has authority to issue, deny, or revoke hunting privileges or to limit or condition privileges in NDZs.

pointed out that once the Task Force issues its report, it will still be subject to a lot of public discussion when it goes to the various decision-making entities.

VI. Implementation – Simultaneous or Tiered?

Rhoads said at the last meeting, some members discussed the possibility of a tiered approach to management. When it comes to use of clover traps, sharpshooting and hunting, should the recommendation be for implementation of all close in time or is the recommendation to implement one or two, see how it works, and then implement the rest on an as-needed basis?

Ringquist said that each management approach addresses a different geographic area of the City and that she thinks all three options needs to be offered at the ~same time. Clover traps are really the only way to address pocket deer in neighborhoods. Sharpshooting is a short-term reduction effort and hunting is cost-effective maintenance. She said she thinks all three should be employed. Ringquist added that since it takes a while to move a UDZ proposal through the administrative rule-making process, and since it might take a while to get local hunting rules passed, the group’s proposal might end up being tiered in practice.

The group discussed timing – whether clover traps and sharpshooting should come before or after a hunting effort. Smith mentioned they should follow the hunting season as the colder months are when deer have a stronger food drive and could be effectively baited. Fiorini mentioned that the community would not want to spoil a hunting effort for those who have made the effort to pass a proficiency test and abide by the various rules established by the City.

Rollo advised that the timing of the efforts will largely be determined by USDA and IDNR. The group should seek their advice.

Clay said that it will be important to communicate clearly that the cost, efficacy and public acceptance of management strategies should be evaluated every year.

Ringquist added that much of the management strategy will really be shaped by funding – be the funding private or public.

VII. Who Pays?

Rollo reviewed that the Task Force has voted that the sharpshooting efforts at Griffy should be borne by the City and County because Griffy is a common good. The analysis of deer management in neighborhoods is different. Because different parts of the City are affected differently, who should bear the cost?

Foyut pointed out that not only are different areas affected differently, but there may even be different opinions within a neighborhood.

Clay pointed out that citizens pay for many services are unequally distributed – schools, garbage, etc. However, insofar as the problem seems to be localized, it does not seem unreasonable to ask residents to bear the cost or part of the cost. It could be a match.

Rollo pointed out that the City and County are under considerable fiscal stress and does not think that it will be a priority of the City to fund clover traps or sharpshooting.

Fiorini said that the City would already be assuming a significant burden in coordinating and administering a program. He said is not keen on the City absorbing additional cost by paying directly for the management.

Kiesling said that if residents are asked to pay in whole or in part, it gives citizens more buy in and investment.

Clay pointed out that fencing can be very expensive. Could make the case that paying for clover traps or sharpshooting is cheaper.

Rhoads said that the group has heard from citizens that some who oppose lethal means and/or are not experiencing a problem do not want their money spent on lethal management. The group has heard from others that at a time of financial strain, money should not be spent on expensive deer management when hunting is more cost effective.

Clay said that it will be important to communicate that sharpshooting will not be a year-to-year cost, that it will be a one to-two year intensive reduction effort.

Rollo moved that the recommendation be sharpshooting and clover traps used in interest of neighborhood deer management should be borne by residents in the affected neighborhoods, with the City assuming a coordinating role.

► All present voted “aye.” Motion passed.

Fiorini said that Task Force should communicate that if the deer population in certain areas presents a public health risk, then who pays could be revisited. Rollo pointed out that public health threats are not a concern at this point. Rollo mentioned that he would like to add that right now, the deer social carrying capacity is located in an area that is not economically stressed. However, if the deer problem moved to an area of the community that was so stressed, the City might revisit the balance of who pays.

VIII. Other Communication from IDNR

Griffy: Rhoads relayed that IDNR suggests that short-term reduction at Griffy should be distinguished from maintenance. Recall, when the group voted on management preferences at Griffy, the vote was for sharpshooting as the preferred management strategy with a controlled hunt as a distant second choice. The group did not really discuss, nor vote on, management over time. Both IDNR and Joe Caudell have pointed to the need for intense reduction of deer at Griffy in the interest of ecosystem recovery. Sharpshooting can remove a substantial number of deer quickly and humanely. After a reduction effort, that would likely span at least two years, IDNR and USDA have mentioned a controlled hunt as maintenance.

Clay said that when it comes to maintenance, the Task Force can handily point to the experience of the State Parks when hunting is allowed when necessary.

IX. Next Meeting: Tuesday 27 March

- For the next meeting, Ringquist suggested that Rhoads have a copy of the Report outline so the group can review and discuss which parts need to be drafted.
- Rhoads added that Griffin will be present at the meeting, so that would be a good time to discuss any outstanding IDNR-specific questions.
- Moore requested that Kiesling report back on the idea of implementing an Earn-a-Buck requirement in the County before a UDZ is in place.

X. Adjournment

The Task Force adjourned at 7:05 pm.