

Appendix B: 2021 Deer Virtual Public Hearing Comments, Questions, and Department Responses

March 23, 2021

Comment: Still seeing healthy numbers of deer. Saw an interesting shift in deer use of the area they hunt by a few hundred yards—once they figured that out, they realized there were as many deer as in previous years.

Posting laws and Constitution are integrated. Posting law defines what enclosed lands are and outlines clear pathways for hunters and landowners to interact. Currently thinks it is a really good balance.

Comment: We should be all do our part to maintain good landowner relations.

Question: Changes in the archery season—what did wardens see for violations this year—was there an uptick?

Fish & Wildlife Response: Yes, violations were up in 2020 relative to recent years. However, it is important to keep in mind that the number of archery hunters increased substantially in 2020 and many people, including violators, had more time due to the pandemic. Additional data from successive years will be necessary before drawing any conclusions about the cause(s) of any observed changes.

Comment: Youth weekend now aligns with NH youth weekend – limits participation.

Buck limit may be down due to folks passing bucks up. Daughter has taken 3 bucks (at 11 years old).

Comment: It is clear that crossbow concerns did not pan out. Really glad Nick is working for us.

Comment: Lives in WMU K — concerned about the deer herd in Wells and Pawlet. Sent in a petition. Has hunted on the same 3000 acres for 40 years. The acreage is surrounded by farms. Lots of mast but has seen a large doe harvest over the last 20 years. Windshield survey suggests deer population decline in the region.

TNC owns a large part of the area – no habitat.

Would be good to do something about the posting.

Comment: Doesn't like the new season. More arrows in the farmer's fields. Arrows should have the person's name, address, phone number so that they can be traced if there is illegal activity. Novice hunter shot a deer on his land from the road – got caught.

Comment: Posts his land because he has had hunters that left gates open, left trash around, used his tree stand and would not get out when he approached to use it. He allows a few to hunt it who ask permission.

Comment: Wants to congratulate the Department on VCD (Vermont Conservation Design) which addresses the need for both young and old forests by region. If the whole package is promoted it would benefit all species. There are people lobbying to remove all public lands from management—which is crazy. Continue to work with partners to promote and implement VCD.

Comment: Doesn't think hunters should criticize the way others choose to do things. There is nothing that the state can do to change the posting situation. He gets permission by politely asking and doesn't think we should be attacking those who post. Hunters have to take it upon themselves to be ethical and build relationships. Hunters far outweigh the number of staff and should be more engaged without attacking the way people do things. Silly to talk about legislation—he knows a 70-year-old woman who already pays a lot in taxes and shouldn't have to do more. The game wardens do a good job but there are not enough bodies to handle all the illegal activity. He doesn't think anything was done about any of the calls he made to LE. *[note: Department suggested the commenter send an email to Mark Scott, who would pass it on to the Colonel so someone could follow up]*

Comment: Thinks the deer population is doing ok.

Comment: Thinks the size of the WMU's are too large.

Question: Antlerless harvest in youth season—have we ever considered moving them earlier (i.e. Columbus day).

Fish & Wildlife Response: Yes, the Department considered moving both youth season and the new antlerless-only muzzleloader season earlier in October. While the earlier timing would be more favorable for patterning does, the later season timing reduces conflicts with other outdoor recreational activities, school sports, and landowner use of their land.

Comment: This year deer were not in places where they normally are.

Comment: Excited that [young forest] was a key point in the presentation. Department needs to implement cutting plans on state land. Encourage hunter access on private lands to address deer over browsing.

Comment: More posted land.

Question: Can we provide a tax credit to keep land open?

Fish & Wildlife Response: (see below)

Question: You can put your land in UVA but still post it. How common of a practice is that? Can we do something?

Fish & Wildlife Response: The Department does not currently have data on the number or percentage of parcels enrolled in the Use Value Appraisal (a.k.a. “current use”, or “land use”) program that are posted. However, the program has no restrictions on posting, so the percentage is presumably similar to land that is not enrolled. The UVA program is designed to maintain open, working lands (forests and farms) and to protect those lands from development to benefit both healthy forests and wildlife habitat. It does not have a recreation or public access component.

Several other states’ versions of the UVA program have a tiered system, whereby landowners who keep their land open to recreation receive a larger property tax reduction than those who choose to post their land. The structure of our program is set in state statute, and although the Department has previously proposed a similar tiered approach in Vermont, it has not been supported by the Legislature.

Comment: A lot of people are incorrectly posting their land so it is difficult to get accurate data on the amount of land posted. **Suggestion:** Department should make a recommendation to legislature to adjust our posting laws (1) increase fee (2) make it an offense to post without paying the fee. Also seeing hunters post properties for their own use. Need to encourage ethical practices—some are game hogs.

Clarification of comments above—point was not to gripe—he hunts a lot of posted land with permission. Point was that a lot of people are posting inappropriately without legally registering with the town. He does not disrespect anyone’s right to post. Hard to know who to contact without the legal registration.

Comment: Father was a logger. Could the Department introduce legislation to encourage people to manage their properties for wildlife (deer)?

Question: Any thought to adjusting the turkey take in the fall to increase food availability for deer?

Fish & Wildlife Response: Turkeys competing with deer for hard mast such as acorns or beech nuts is a commonly expressed concern among hunters. This typically stems from turkeys leaving the most obvious evidence of feeding due to their scratching. However, it is highly unlikely that turkeys consume mast to the detriment of deer, as autumn is the period of greatest wild food abundance. Wild apples, corn and other agricultural crops, grasses and forbs, berries, and seeds of all kinds are used by both turkeys and deer as well as many other animals. Additionally, research has shown that deer consume more acorns than any other species. Considering that two adult deer equal the biomass of a flock of 20 or more turkeys, it is easy to see how deer would consume most of the available food. The evidence of deer feeding is just much less obvious than that of turkeys.

Comment: Posted land—only state that requires the \$5.00 fee.

March 25, 2021

Comment: Loves the one buck limit.

We need to get rid of “Dean’s Law” which limits the size of clearcuts.

Would have liked to have seen a breakdown of the rifle season results in the presentation.

March 26, 2021

Comment: Reduction in youth season harvest, thinks it could be timing of season being moved.

Question: When you make a lot of management changes, from a biological standpoint it's impossible to pinpoint a cause. Are the changes in hunting this year due to COVID and how will that be factored into pinpointing management change effects? Way too many changes were made to determine what happened.

Fish & Wildlife Response: Deer hunting regulations work collectively, with each individual season or regulation affected by every other one. The effect of any one regulation by itself, if it could be implemented separately from everything else, may be very different from the effect of that same regulation working in combination with others. What matters most is how all the regulations work together. While it may not be possible to determine how much of the increase in the archery harvest is due to the longer season, versus the allowance of crossbows, versus the increased bag limit, that is okay. What matters is the total change. That said, by analyzing harvest and license data the Department should be able to infer which changes had the greatest impacts and which had only minor impacts. Importantly, the Department is confident it will be able to identify any significant issues that may need to be addressed. The increase in hunting participation during the COVID-19 pandemic has complicated interpretation of 2020 data, but the next few years should provide a clearer picture.

Young forest is huge issue, where are we going to draw a line between subsidized taxes and land access? It needs to be changed. Land use programs need to be followed up on more rigorously.

Also wonders what wounding rates and poaching rates are? Thinks it was significantly increased this year with crossbows for everyone.

Fish & Wildlife Response: The Department uses a non-reporting rate of 10% to account for deer that are killed by hunters and not recovered, and deer that are otherwise legally harvested but not reported (typically a lost report or other error by the reporting station). This means that for every 10 deer that are reported, one additional deer is assumed to have been killed but not accounted for. This rate is based on scientific research on wounding loss during various hunting seasons and Department data on harvest reporting rates in Vermont. Given that the archery harvest increased by 65 percent in 2020, the non-reported mortality related to that season is also assumed to have increased by 65 percent.

It is important to note that “wounding rate” and “wounding loss” are not the same. Wounding rate is the proportion of deer that hunters shoot at and believe they hit, but do not recover. Wounding loss is the proportion of deer that hunters shoot at and believe they hit, but are not recovered and actually die. Research has shown that wounding loss is almost always less than 10 percent, often much less. Wounding rates can be higher. Importantly, no state has documented an increase in wounding rate or wounding loss following the legalization of crossbows.

Poaching rates (or the number of deer that die from poaching) are difficult to estimate. However, poaching mortality is included in the total non-hunting mortality, which can be

reliably estimated from age structure data. While poaching can potentially impact deer populations in a local area, it has little or no effect on deer populations over large areas.

Comment: this year was a challenge, strange weather in a lot of seasons. Saw fewer deer this year. 4 deer limits are effective. Likes the idea of staying with 1 buck. Likes early muzzleloader season. Rifle was very tough, weather was cold, governor's stay at home order was Friday before season so many hunters didn't go to deer camps.

Young forests are the most critical area that needs the most work on. Tax credit for landowners to create more habitat. There are a lot of plans by all agencies, we need to meet the cutting requirements for these, both private and public agencies like VTFW, FPR.

Comment: Used to see a lot of moose and a lot of deer prior to last year. Thinks it's the mountain biking trails (lives in East Burke). Thinks the wardens are doing a great job.

Comment: Larger parcels can get tax incentives but there are more and more smaller parcels. Would like to see smaller parcels that can be grouped together to get the tax incentives. We recently had Ethan Tapper out and he was very helpful. Could the state invest in more foresters? County foresters are spread pretty thin so getting more county foresters on the ground would be helpful.

Comment: Decline in young forests is primary concern and many people in current use don't follow through with the forest management plan. Maybe they can be penalized or thrown out.

May 11, 2021

Question: When you establish WSI, how many samples do you take? Is there a reason for where or how many places you sample?

Fish and Wildlife Response: The Department has traditionally maintained 35-40 Winter Severity Index (WSI) stations around Vermont. These stations are maintained by volunteers (primarily ANR staff) at their homes, and the Department attempts to maintain a good distribution of those stations around the state. In order to reliably estimate WSI for each WMU, in recent years the Department has also incorporated data from NOAA weather stations around the state. In 2021, this brought the total number of stations up to 71 and gave us 3-6 stations in most WMUs. Values from each station are averaged to calculate the WSI for each WMU, and WMU values are averaged to calculate the statewide WSI.

Generally, the Department avoids establishing or using stations that are at higher elevations where deer are not present in the winter, or stations that are too close to existing stations.

Comment: Current Use: Allow people to do more early successional work on their land; mandate people have 5-10% of early successional forest in their forest plans.

Properly disposing of wildlife: Nothing goes to waste in the woods, right down to the hair. It's crazy for legislatures to be wasting their time on this.

Comment: The questions {used for discussion} are off. Look at the status and health of the forest, not the status and health of deer.

Focus should be on reducing the deer population. I don't think creating more habitat is a good idea as it will create more deer that will impact the deer population and regeneration.

Question: How are we measuring early successional forest?

Fish and Wildlife Response: As shown in the presentation, the amount of young forest, or early successional forest is derived from US Forest Service Forest Inventory and Analysis (FIA) data. This is the best available dataset to track forest composition at the landscape scale.

Comment: There is grant money to do studies on regeneration and deer impacts to regeneration.

Question: How are Fish and Wildlife Board members selected? What percentage of foresters are on the board? How do you apply to be a board member?

Fish and Wildlife Response: Fish and Wildlife Board members are appointed by the Governor for 6-year terms. There are no specific requirements for being on the Board and there are currently no practicing foresters on the Board.

A list of Board members and their terms is available at vtfishandwildlife.com/about-us/fish-and-wildlife-board/board-members

Information on applying for vacant positions is available at governor.vermont.gov/boards-commissions

Question: Why are there no antlerless permits during the regular season?

Fish and Wildlife Response: Antlerless deer harvest during the regular November rifle season was prohibited by the Vermont Legislature in the mid-1980s. That authority was returned to the Department and Fish and Wildlife Board in 2015, and the option was considered during development of the regulation changes that took effect in 2020. However, it remains unpopular among most hunters. It also may not be an effective tool to address current deer management challenges, such as abundant deer in developed areas. In the future, the Department will continue to consider options that provide antlerless harvest opportunities to a broader range of hunters, while also improving our ability to harvest enough antlerless deer when and where it is needed.

Comment: Overall, I think the plan is excellent. The ingrained Vermont desire not to hunt does is hurting us.

Question: Have you considered Earn-A-Buck?

Fish and Wildlife Response: Yes, the Department considered earn-a-buck options (e.g., where a hunter must harvest an antlerless deer before they can harvest a buck) during development of the regulation changes that took effect in 2020. It was deemed unnecessary at this time, but it will be considered in the future if antlerless harvest objectives are not being met.

Question: I work for UVM and promote the use of food plots and do a lot with QDMA. UVA is specifically designed for timber management, not wildlife, particularly small openings. Will the department promote food plots, small openings and a change in UVA?

Fish and Wildlife Response: The Department supports all activities that improve habitat quality for wildlife, including food plots. However, while food plots can be an excellent tool, they are not without issues. For example, they often coincide with land being posted and restricted hunter access, which can exacerbate deer management challenges.

Food plots are currently allowed on land enrolled in the Use Value Appraisal program (UVA; also called "current use" or "land use") but may need to be categorized as open or agricultural land instead of forestland.

May 13, 2021

Comment: Put out cameras from July up until bow season and saw numerous deer. But after archery season started, saw one deer and then nothing. Hunted ¾ of all seasons, but couldn't understand it that all of a sudden the deer seemed to disappear. The deer he saw in archery season had forked antlers but too far. Very disheartening.

Also, youth season has seemed to take off for both deer and turkey. Why is there not archery season for youth? Would like to see that. It might get young people more interested in archery hunting and increase the archery hunter numbers. It's sad to see archery hunter numbers decline, even with the bump from COVID and maybe a little bit of an increase from crossbow legalization for all.

Fish and Wildlife Response: There is no evidence that archery hunter numbers are declining. The figure below is taken from the 2020 White-tailed Deer Harvest Report. Determining actual hunter numbers from license and permit sales is confounded by the increasing percentage of hunters with lifetime or permanent licenses.

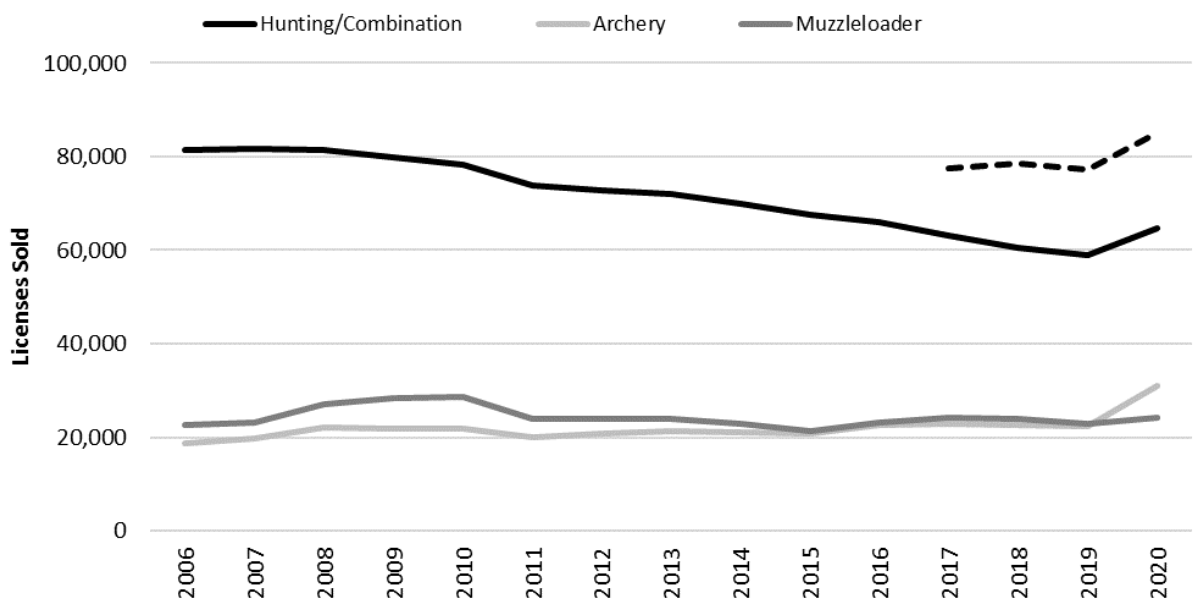


Figure 12. Hunting license sales during 2006-2020. The dotted line represents the total number of licensed hunters, including people who renewed their lifetime or permanent license. Figures include both resident and non-resident licenses.

Comment: Deer seemed to pull a disappearing act last season. Got a deer with early muzzleloader but otherwise was low on buck sightings. Highlight info available for landowners on VTFW website. Making this info easier to find would be better. Vermont Woodlands and NRCS folks' info would be great to see highlighted more clearly too. Having maps of the WMA's at future meetings would be good and even having some NRCS attendees at meetings would be helpful.