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The Regulatory History and Status of Deer Hunting in Southern Maryland

Prepared for the 2010 Joint Chairmen's Report

**Maryland Department of Natural Resources
Wildlife and Heritage Service
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During the 2010 session of the Maryland General Assembly, the Department of Natural Resources (DNR) was directed by the Joint Chairmen's Report to submit the following reports:

It is the intent of the General Assembly that DNR evaluate potential deer hunting opportunities on public lands managed by DNR in Calvert, Charles, and St. Mary's Counties in order to minimize deer-related crop damage impacts on agricultural lands and maintain a local deer population appropriate for the natural environment.

The committees are concerned that regulated hunting remains the most cost-effective deer population control mechanism available and yet in some areas hunter access to woods and openings where white-tailed deer thrive is limited. As a result there is an escalation of deer populations in suburban areas which can lead to a greater number of negative interactions with suburban residents such as deer-vehicle collisions and vegetation damage. Therefore, DNR shall submit by January 1, 2011, a report on any regulations promulgated by January 1, 2011, concerning deer hunting in Calvert, Charles, and St. Mary's Counties as follows:

- allow individuals to hunt deer on private property from the first Sunday in October through the second Sunday in January of the following year;
- allow individuals to hunt deer with a shotgun on private property during the months of September and October; and
- create a deer management permit that DNR may not require to be renewed more than once every three years.

Introduction

Deer hunting is a long-standing tradition in Maryland, particularly in the rural parts of the state including Calvert, Charles, and St. Mary's Counties (collectively "Southern Maryland"). The number of hunters in Maryland peaked during the 1970s at more than 150,000 individuals. Hunter numbers have been in slow decline since that time period. Today, there are approximately 65,000 deer hunters in the state. Of those, approximately 7,500 hunters annually pursue deer in southern Maryland. Deer hunting offers a valuable form of recreation and a way to spend time with family and friends in the outdoors. Just as importantly, it serves as a vital management tool for helping to control deer populations and their impacts on people.

Like many wildlife species of the time, white-tailed deer were nearly extirpated in Maryland during the late 1800s. Market hunting and habitat destruction caused deer numbers to plummet and deer hunting was abolished. Protection and restocking during the early to mid-1900s resulted in a rebound of the deer population and deer hunting was reinstated in 1927 in western Maryland. Deer hunting was reopened in southern Maryland in 1954 with a buck-only season in Calvert County, followed by Charles County in 1955, and St. Mary's County in 1959. Antlerless deer (females and young of the year males) were first allowed to be harvested again in southern Maryland in 1961 in Charles and St. Mary's Counties, followed by Calvert County in 1962.

Today, deer hunters enjoy very liberal deer seasons and bag limits in Maryland and can hunt with archery equipment, muzzleloaders, and modern firearms (shotguns and rifles) during a variety of seasons from September 15 – January 31 annually. Current bag limits in Southern

Maryland permit deer hunters to take a total of 6 antlered deer and 30 antlerless deer per year. Deer Management Permits (DMPs) are readily available to farmers experiencing crop damage due to deer. DMPs enable farmers to implement year-round deer population control on their property.

The current liberal deer seasons and bag limits combined with easy access to Deer Management Permits support the Maryland Department of Natural Resources goal to reduce the deer herd in Southern Maryland. The biggest obstacles to reaching this goal are a declining trend in hunter numbers and the lack of access to private land for deer hunting.

Population Trends

Statewide, there are an estimated 231,000 white-tailed deer with approximately 28,000 located in Southern Maryland (Figures 1 & 2). Prime habitat comprised of agricultural lands, forests, and suburbs, combined with a decrease in deer hunting, have resulted in the exponential growth of deer in much of their range. Maryland’s deer population peaked in the early-to-mid 21st century but the population has been reduced by the implementation of aggressive antlerless deer seasons and bag limits, and a focus to remove female deer from the population.

Deer Hunting Trends

Hunting has long been recognized as the most effective method available to control deer numbers. In recent years, deer hunters in Maryland harvested nearly 100,000 white-tailed deer annually, including 11,000 taken in Southern Maryland alone.

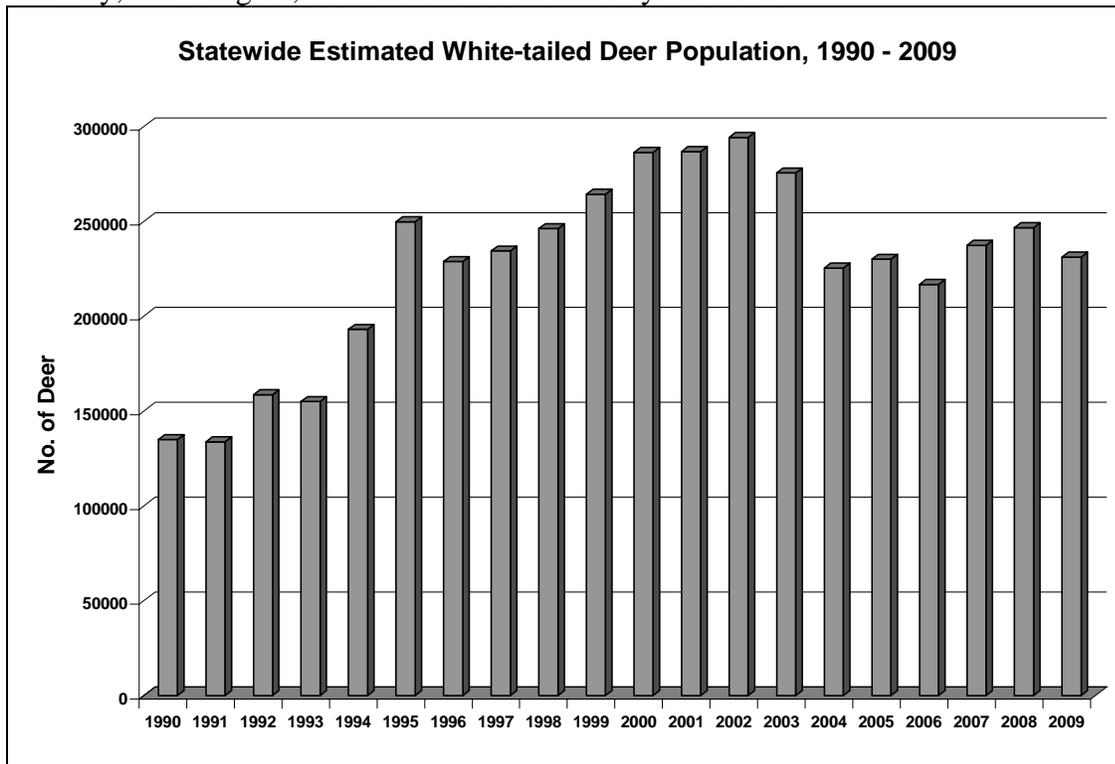


Figure 1. Statewide estimated deer population trend.

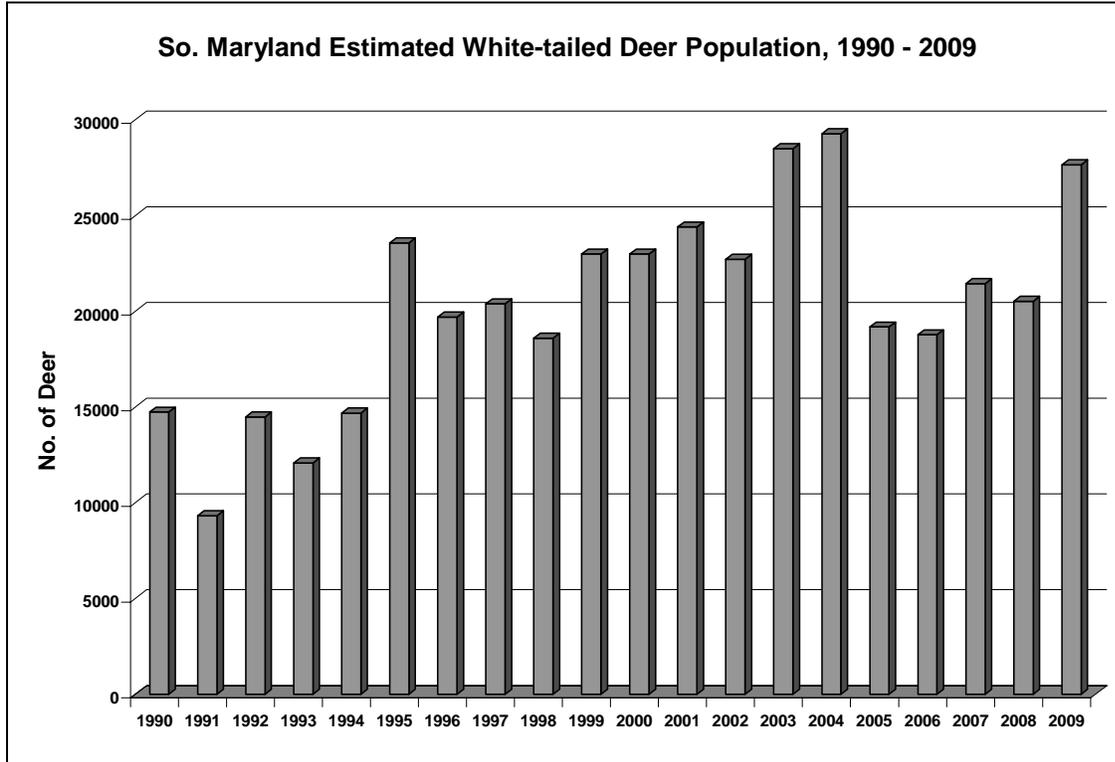


Figure 2. Southern Maryland estimated deer population trend.

Female deer represent the majority of annual deer harvest, which limits reproduction and reduces population growth (Figures 3 & 4).

Without lethal control, deer populations are capable of nearly doubling within several years. Deer hunters in 2009 harvested over 55,000 female white-tailed deer in Maryland, with nearly 7,000 coming from Southern Maryland. Conservatively, and accounting for natural mortality, those 7,000 females through reproduction would have increased to approximately 9,500 deer the following year and would have totaled 13,250 deer just three years later.

Recognizing the importance of deer hunting, and specifically female deer harvest for controlling deer numbers, DNR has significantly liberalized deer seasons and bag limits since 1999 (and to a lesser extent, did so before that date). Regulations for Southern Maryland in 1999 allowed each hunter to harvest four deer with each weapon (bow, muzzleloader, and firearm). No more than two of the four could be antlered (males), and hunters were required to harvest two antlerless deer (predominantly females and young of the year males) before taking a second antlered deer with each weapon. Hunters had to purchase bonus deer tags to take more than one deer with each weapon.

The 1999 regulations were very liberal and progressive for the time period and were implemented to reduce the deer population. Maryland's regulations requiring antlerless harvest before allowing additional antlered harvest were some of the first in the country and numerous states have since adopted similar models.

Since 1999, the regulations have been further liberalized and the requirement to purchase bonus tags to harvest antlerless deer has been abolished. Hunters today can harvest 10 antlerless deer per weapon season (30 deer total) in Southern Maryland and still must harvest two antlerless deer before taking a second antlered deer. Archery hunters now have an unlimited antlerless bag limit in the more urbanized part of the state (Anne Arundel, Baltimore, Howard, Montgomery, and Prince George’s counties) just north of Southern Maryland.

Also since 1999, additional deer seasons have been created to provide more opportunities to harvest deer. Six additional days have been added to the October muzzleloader season for hunters to harvest antlerless deer only and a two-day firearm season has been added in early January to further boost harvest numbers. Similarly, Sunday hunting is now allowed in Southern Maryland. Firearm deer hunters can hunt two of the three Sundays during the two-week firearm season. Archery hunters can hunt five Sundays in late October and early November and now may use crossbows during the entire archery season, a change which shows promise of increasing the deer harvest as well. Adding more Sunday hunting during the established deer seasons remains one of the best opportunities available to increase hunter participation and deer harvest. DNR has readily added all the Sunday opportunities afforded by the General Assembly and supports the addition of more Sundays.

DNR has also created a program that allocates one dollar from every license sale to be used to fund venison donation programs. Funding is used to pay deer butcher shops to process deer brought to them by hunters with the resulting venison donated to food banks. The program provides an outlet to encourage hunters to harvest more deer than they normally would, and at the same time serves a worthy cause by providing food to the less fortunate. Farmers and Hunters Feeding the Hungry currently is awarded the state contract.

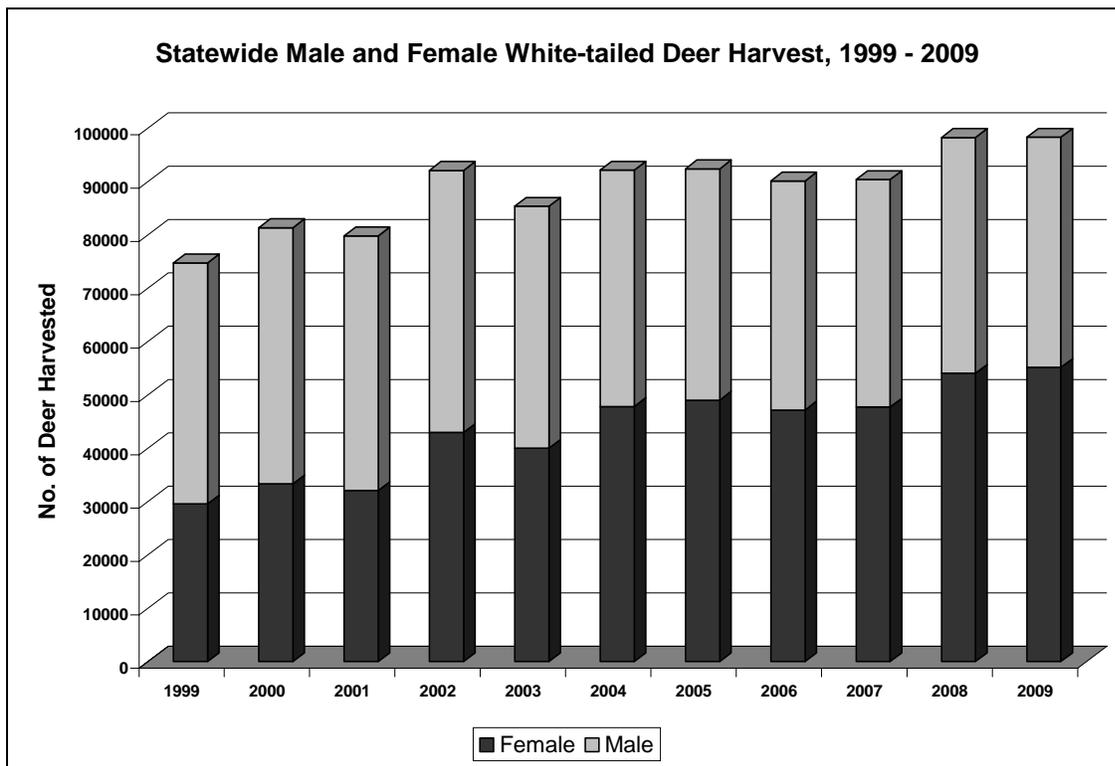


Figure 3. Statewide annual white-tailed deer harvest, 1999 – 2009.

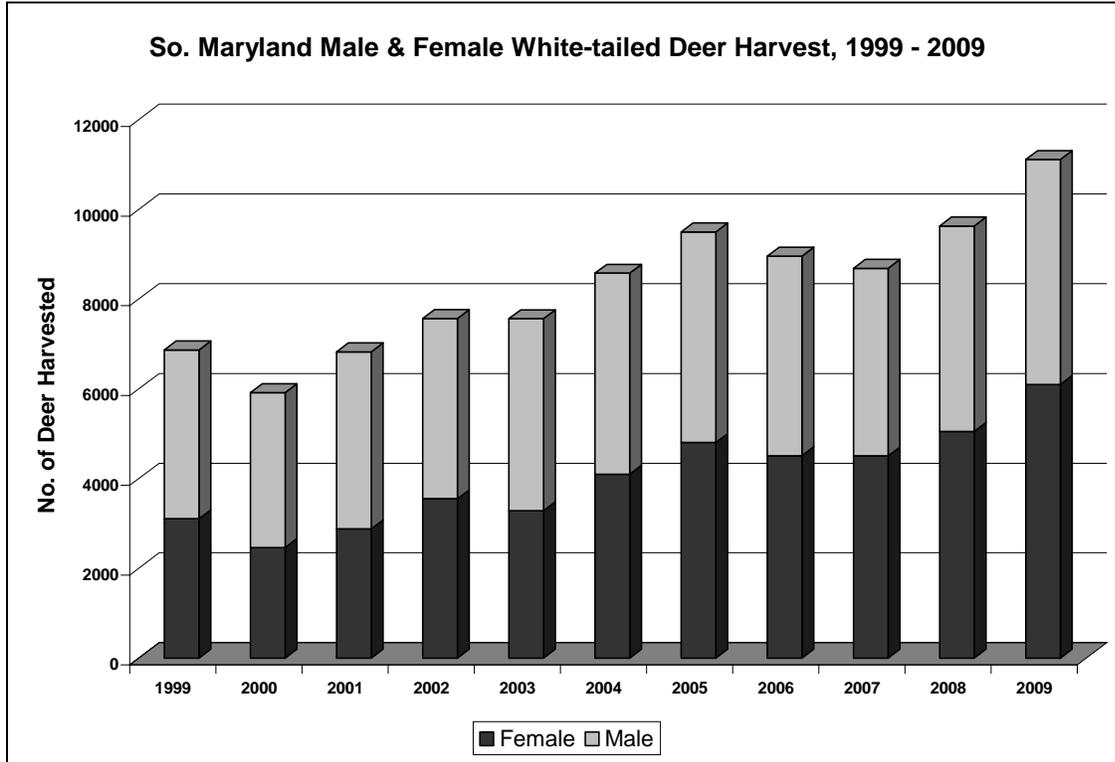


Figure 4. Southern Maryland annual white-tailed deer harvest, 1999 – 2009.

The harvest of white-tailed deer during Maryland’s regulated deer season has increased approximately 25% since 1999 while the deer population and number of deer hunters have declined. Lethal control via hunting is vital to stabilizing/reducing deer populations in Maryland, but declining numbers of deer hunters combined with significantly reduced access to private land for deer hunting makes it much more difficult to harvest enough deer to keep populations stable or reduce them.

Recent trends suggest that most private landowners, including those in Southern Maryland, do not provide access to enough hunters to effectively control deer numbers. Nor is there an appropriate focus on harvesting female deer at the rate needed to adequately reduce the deer population. Landowners and hunters who harvest primarily male deer without harvesting sufficient numbers of female deer make little impact the deer population. New strategies must be developed that specifically address hunter recruitment and improve access to private land to effectively control deer in Southern Maryland.

Deer Management Permits (DMPs)

Farmers and landowners can obtain a Deer Management Permit (DMP) from DNR when deer cause damage to commercial crops, orchards, nurseries, or woodlots under an approved forest management plan. DMPs allow landowners to harvest antlerless deer on their property outside of the regular state hunting seasons and bag limits. In 2009, 7,858 deer were taken statewide with DMPs compared to 6,722 deer in 2008, an increase of about 17% (Figure 5). In Southern

Maryland, the DMP harvest increased 40% from 614 deer in 2008 to 861 deer in 2009 (Figure 6). Improved market prices for crops and significantly higher planting costs have inspired farmers to control deer more intensely than they have in the past. While regulated hunting remains the most effective way to control deer, DMPs are a valuable tool for farmers protecting their livelihood.

The number of deer harvested with DMPs peaked in 2003 at 13,327 deer statewide (Figure 5). It has since declined significantly as liberal antlerless hunting seasons and bag limits were implemented for much of the state and shifted a portion of the DMP harvest to the regular hunting season harvest. In Southern Maryland, the DMP harvest has followed similar trends and peaked in 2004 at 1,082 deer before dropping significantly (Figure 6). However, the recent economic downturn has caused a renewed focus on crop losses to deer and DMP harvest in Southern Maryland is increasing again.

A survey to all DMP permits holders in 2009 and found that 85% of the survey respondents were satisfied, or very satisfied with the program. Despite that high approval rating, DNR has made several key changes to make DMPs more efficient for producers. One recent change has been to increase the time when firearms may be used by all persons shooting on a DMP. Landowners and farm lease holders may use a firearm year round, but other shooters had to use bows or muzzleloaders when the deer seasons for those weapons were open (most of the time from mid-September through January 31). Now all shooters may use firearms during the month of January even though the bow season is open. DNR is also trying a pilot program in St Mary's County by allowing all shooters to use a firearm from January 1 until October 31, greatly reducing the time some DMP agents are restricted from using firearms. DNR will continue to explore ways to aid DMP holders to maximize the use of issued permits.

According to the National Agricultural Statistics Service (NASS), there are approximately 1,300 active farms in Southern Maryland. DNR issues DMPs to approximately 12% of these farms (150 DMPs annually). Combined, the 150 permits authorize the harvest of nearly 5,000 deer annually. However, only 17% of the 5,000 tags allocated were filled in 2009 (861 deer).

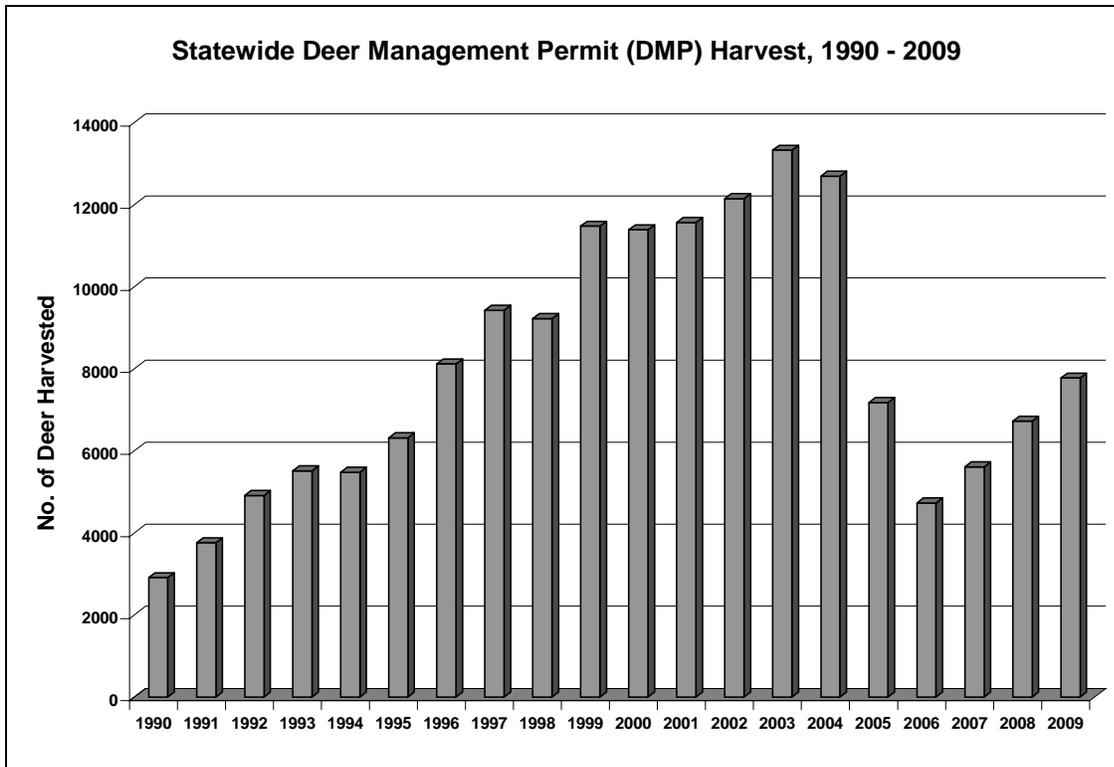


Figure 5. Statewide Maryland Deer Management Permit (DMP) harvest, 1990 – 2009.

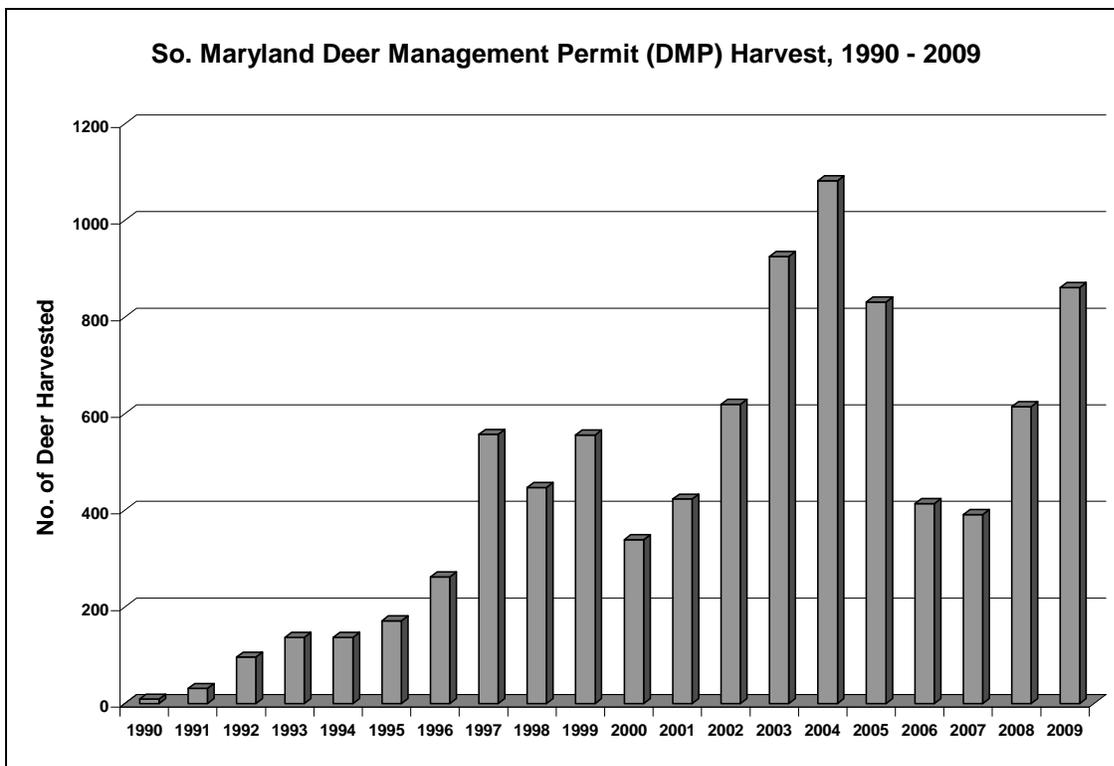


Figure 6. Southern Maryland Deer Management Permit (DMP) harvest, 1990 – 2009.

Deer Hunting on Public Lands Managed by DNR

From an administrative standpoint, DNR recognizes 28 land tracts, or land complexes that are owned and managed by the Department in Southern Maryland. Many of these holdings encompass several tracts that may not be contiguous but are managed under a single name. The formal designations of the DNR tracts in Southern Maryland include natural environment area, natural resources management area, state forest, state park, wildlife management area and wildlife sanctuary.

Deer hunting is permitted on at least some portion of 21 of those 28 areas throughout Calvert, Charles and St Mary's Counties (see Table 1). The reasons for not permitting deer hunting on certain tracts are varied and include: the area has been designated as a wildlife sanctuary, poor public access, the area is highly developed, the area is used by the county as a park or the tract was recently acquired. It is fairly common to offer deer hunting on certain portions of a given area or complex, such as undeveloped tracts of a state park, and not permit it in others. When deer hunting is allowed on at least one tract of a complex it is presented as open to deer hunting in Table 1.

DNR also executes agreements with other landowners to manage the hunting on their property. These areas are designated as a Cooperative Wildlife Management Area (CWMA) and are scattered throughout Southern Maryland. CWMAs may have an agreement as short as one year and thus are subject to changes in the hunting program depending on the conditions and status of the CWMA agreement. The CWMAs in Southern Maryland are not included in Table 1 for this reason.

Deer hunting programs on these properties vary widely due to the diverse nature of the tracts and the need to keep hunting compatible with other uses. Some areas, such as wildlife management areas, consider public hunting the primary use of the tract. Other areas, such as state parks, consider deer hunting to be a secondary use and thus manage hunting in a way that is compatible with the more traditional park uses such as camping or hiking.

The most liberal approach to deer hunting access on DNR lands is used on the larger, more rural tracts and includes areas that are open to all licensed hunters for all deer seasons. Some areas require daily sign-in by licensed hunters for those tracts that are open to deer hunting. The most restrictive approach requires hunters to obtain a free annual permit and a daily reservation. None of the DNR owned areas in southern Maryland charge an additional fee for hunting access.

DNR has aggressively sought to permit deer hunting wherever feasible and safe on the lands it owns and controls. Deer hunting is viewed as both a source of outdoor recreation for hunters as well as the key management tool to keep populations in balance with their habitat and surrounding land use. Discussions that occurred during the 2009 and 2010 legislative sessions of the Maryland General Assembly prompted DNR to review the status of deer hunting on its land holdings in Southern Maryland and subsequently expand those opportunities where possible. The addition of new deer hunting opportunities continues as DNR acquires new tracts and opens them to public access, including hunting.

Changes to Deer Management Regulations in Southern Maryland

Currently deer hunting is permitted on certain Sundays in Southern Maryland. Having more Sundays open to deer hunting would nearly double the available days for the average deer hunter since the average deer hunter is only available to hunt during weekend days. Currently, DNR allows deer hunting on every Sunday permitted by Maryland law and harvest records show hunter participation is excellent and harvest increases on those dates are significant relative to the few Sundays actually available to hunters. DNR supports increasing Sunday hunting opportunities with the goal of increasing harvest to control the deer population.

DNR recently liberalized the use of crossbows for hunting in Maryland. Previously limited to certain weeks of the bow season, crossbows are now legal for deer hunting from mid-September until the end of January. It is far easier to become proficient at shooting a crossbow compared to a vertical bow. Crossbows are not as efficient for taking deer as shotguns, but this new opportunity should allow a significant number of hunters to make use of the generous archery season and liberal bag limits.

Although not yet finalized, DNR is committed to extending the period for which a Deer Management Permit (DMP) is valid. Currently, most DMPs are valid for one year. DNR is working to extend this period to at least five years with reduced reporting demands on the part of the producer during this period. A longer term DMP will save farmers time, avoid periods when the permit is invalid during renewal and reduce the administrative demands on DNR staff. The Department expects to have an extended reporting period in place in late winter of 2011 before the DMP renewal period.

DNR will continue to explore ways to increase the overall harvest of deer in Southern Maryland while recognizing the safety, interests and opinions of all citizens. Adding hunting opportunities will be of foremost concern since hunting harvest accounted for well over 90% of the nearly 12,000 deer reported taken in Southern Maryland during the 2009-2010 season. Nevertheless, the use of DMPs allows producers to focus on deer that are causing crop damage and DNR remains committed to a DMP process that is both straightforward and effective.

Table 1. Status of deer hunting on public lands managed by DNR.

| County | DNR Area Name | Deer Hunting Allowed* | Comments |
|---------|--------------------------------|-----------------------|--------------------------|
| Calvert | Calvert Cliffs State Park | Yes | |
| Calvert | Hall Creek NRMA | Yes | |
| Calvert | Kings Landing NRMA | Yes | |
| Calvert | Merkle Wildlife Sanctuary | No | Managed as sanctuary. |
| Calvert | Parkers Creek NRMA | Yes | |
| Charles | Cedar Point WMA | Yes | |
| Charles | Cedarville State Forest | Yes | |
| Charles | Chapel Point State Park | Yes | |
| Charles | Chapman State Park | Yes | |
| Charles | Chicamuxen WMA | Yes | |
| Charles | Doncaster Demonstration Forest | Yes | |
| Charles | Fachinna Acquisition | No | Recently acquired tract. |
| Charles | Grove Property | No | No public access. |

| County | DNR Area Name | Deer Hunting Allowed* | Comments |
|-----------|--------------------------------|-----------------------|----------------------------|
| Charles | Indian Creek NRMA | Yes | |
| Charles | Mattawoman NEA | Yes | |
| Charles | Maxwell Hall NRMA | No | Used by county as a park. |
| Charles | Myrtle Grove WMA | Yes | |
| Charles | Nanjemoy NRMA | Yes | |
| Charles | Smallwood State Park | No | Area is mostly developed. |
| Charles | Zekiah Swamp NEA | No | |
| St Mary's | Elm's Property | Yes | Managed by DNR and county |
| St Mary's | Greenwell State Park | Yes | |
| St Mary's | Newtowne Neck State Park | Yes | |
| St Mary's | Point Lookout State Park | Yes | |
| St Mary's | Salem Tract | Yes | |
| St Mary's | St Clement's Island State Park | No | Is a Potomac River island. |
| St Mary's | St Inigoes State Forest | Yes | |
| St Mary's | St Mary's River State Park | Yes | |

Conclusion

DNR has an aggressive and nearly comprehensive program to allow deer hunting on the public lands managed by the Department in Southern Maryland. Additional tracts are being reviewed for inclusion in the deer hunting program on a continual basis. Some DNR lands allow deer hunting during all the current seasons while others limit it to certain tracts. As new properties are acquired, deer hunting will be allowed where feasible.

Over the past ten years, hunting and DMP harvest have been, and are likely to remain, the only effective methods for controlling deer in Southern Maryland. Of those two, hunting is by far the most effective, accounting for around 93% of the deer taken in Southern Maryland. Over this time, DNR has dramatically increased the deer bag limits as well as added numerous days to the seasons. The DMP process is constantly being reviewed and changed at the request of producers to make the process more streamlined and thus more effective. The addition of Sunday deer hunting has doubled hunter opportunity in many cases and is resulting in increased harvest. The deer donation program is limited, but working well and provides a much needed outlet for hunters willing to hunt after taking all the deer they personally can use. DNR will continue to explore ways to increase the deer harvest in the region, while at the same time educating hunters on the importance of harvesting female deer. Likewise, landowners must be made aware of the need to provide access for deer hunting and how to effectively manage hunters on their land. Lastly, DNR will continue to develop hunter recruitment and retention programs in an effort to stabilize or reverse our declining hunter numbers.