

**TESTIMONY OF THE
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE**

**BEFORE THE JOINT STANDING COMMITTEE ON INLAND FISHERIES AND
WILDLIFE**

IN OPPOSITION TO L.D. 763

“An Act to Provide Antlerless Deer Permits to Certain Landowners”

Presented by Senator GUERIN of Penobscot.

Cosponsored by Senators: BLACK of Franklin, LYFORD of Penobscot.

DATE OF HEARING: March 20, 2023

Good afternoon Senator LaFountain, Representative Landry, and members of the Inland Fisheries and Wildlife Committee. I am Nate Webb, Wildlife Division Director at the Department of Inland Fisheries and Wildlife, speaking on behalf of the Department, in opposition to **L.D. 763**.

This bill seeks to amend the law governing the landowner consideration for the antlerless deer permit lottery system, providing an antlerless deer permit to all eligible landowners who apply for a permit and keep their lands open to hunting by the public. This bill defines an eligible landowner as a landowner who owns at least 10 acres of contiguous land and does not post their land to prohibit hunting by others. This bill would remove the current provision of 25% of permits allotted to landowners and instead guarantee a permit to all qualifying landowners. This bill is very similar to L.D. 614.

The opportunity to hunt antlerless deer during the firearms season is managed through a lottery system, which provides a fair and predictable way to allocate hunting opportunity. Most WMDs have more interested hunters than available hunting opportunity. Currently, qualifying landowners are eligible for up to 25% of the available antlerless deer permits in open districts before the general lottery takes place for that district. If they fail to get an antlerless deer permit from the allotted landowner permits in that district, they will be placed in the general lottery and afforded an additional opportunity to be awarded a permit. The current eligibility criteria for landowners are defined in rule 09-137 CMR 16.07: the landowner must have 25 contiguous acres that are primarily agriculture, forested, or undeveloped and open to hunting. The current provision of 25% of permits for landowners in each district as well as the opportunity for a landowner applicant to be selected as a regular applicant if they are not selected as a landowner applicant already provide very significant advantages for landowners

applying for permits. Under the current framework in the 2022 antlerless permit lottery, there were 8 central and southern Maine WMDs where 100% of qualifying landowners received an antlerless deer permit, and there were an additional 4 WMDs where greater than 90% of qualifying landowners were awarded a permit.

If this bill were to pass, in most years there would be no antlerless deer permits available for regular hunters (including youth) in many WMDs across the state because all available hunting opportunity in those districts would go to landowners. For example, in the 2022 lottery, under the current acreage requirements and with qualifying landowners guaranteed a permit as per this bill, antlerless permits would have gone solely to landowners in 5 WMDs. In another 4 WMDs, over 70% of the permits would have gone to landowners. The number of WMDs where all or most of the available permits are given to landowners will increase even further if the acreage requirement is lowered to 10 acres. There were no permits available in WMDs 1, 2, 4, 5, and 28 in 2022, but it is likely that most of the permits in these areas would be allocated to landowners as well under the eligibility requirements in this bill. Most of the antlerless permits available to non-landowning hunters would be in southern and central Maine under the eligibility requirements in this bill, and in much of northern, eastern, and western Maine, limited or no antlerless permits would be available for non-landowner hunters.

In WMDs where the number of qualifying landowners exceeds the number of allocated permits, the amount of antlerless harvest opportunity given to landowners alone would result in antlerless harvests in excess of Department objectives. These situations would primarily arise in the WMDs with limited permit numbers, which are in northern, western, and eastern Maine where our deer populations are the most vulnerable.

I would be glad to answer any questions at this time or during the work session.