

A person wearing a dark winter hat and coat is walking through a snowy forest. The ground is covered in snow, and the trees are bare and thin, suggesting a winter setting. The person is walking towards the right side of the frame.

Deer Wintering Area Workshop

Munsungan Series
Center for Research on
Sustainable Forests

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Deer Wintering Area Workshop

Mark Stadler, Director
Wildlife Division
Maine Dept. of Inland
Fisheries & Wildlife

Certified Wildlife Biologist
Licensed Professional Forester



A person wearing a dark winter hat and coat is walking through a snowy forest. The ground is covered in snow, and the trees are bare and thin, creating a dense network of branches against a light background. The person is walking from left to right, slightly out of focus.

Deer Wintering Area Background

“Problem Statement”

The Problem

- The deer population in northern and eastern Maine is low
- The hunting public is frustrated and demands improving deer numbers
- MDIFW contends that the key to increasing deer numbers is through the establishment and management of quality deer wintering areas [DWAs]
- The majority of DWAs are privately owned

The Problem

- The quantity / quality of mature, closed-canopy softwood stands has been greatly diminished by budworm, old age, and demand for mature softwoods
- It is difficult to meet LURC P-FW zoning standards given both current deer numbers and forest stand conditions
- Both DWA zoning and cooperative DWA agreements have had “mixed” results

The Problem

- MDIFW's publicly derived deer management goals and objectives may negatively affect landowner goals and objectives
- Conversely, landowner goals and objectives may negatively affect MDIFW's publicly derived deer management goals and objectives

Background

- North American model of wildlife conservation
- Public trust / Public involvement
- Private property rights
- MDIFW's publicly derived deer management goals and objectives

North American Model of Wildlife Conservation

Consists of seven principles; three of these are applicable to this discussion:

- Wildlife is a public resource
 - the public trust
- Democratic rule of law
- Scientific management

The Public Trust

- Wildlife is not owned by individuals
- Wildlife belongs to everyone
- The state and federal governments are responsible for managing wildlife for the public
- The public trust gives everyone the opportunity for view, hunt, and enjoy wildlife

The Public Trust

- In 1842, the U.S. Supreme Court affirmed the American ideal that wildlife belongs to everyone
- The Court set the legal precedent that wildlife was held in common ownership by the state for the benefit of all people

The Democratic Rule of Law

- The allocation and use of wildlife is directed by law, not market pressures, land ownership, or special privilege
- The public has the right to create laws to conserve and manage wildlife and their habitats
- Citizens can participate in ballot measures that direct or redirect wildlife management

The Democratic Rule of Law

- Public involvement
 - MDIFW's species planning process
 - Public participation and comment in MDIFW rule-making / Administrative Procedures Act
 - Public participation and comment in Legislative law-making
 - Submit legislation via Representative or Senator
 - Ballot initiatives
 - Freedom of Access Act

Scientific Management

- Scientific research – and applying that research – is essential to managing and sustaining North America's wildlife and habitats



A person wearing a dark winter hat and coat is walking through a snowy forest. The ground is covered in snow, and the trees are bare and thin, creating a dense network of branches against a light sky. The overall scene is quiet and wintry.

And now...

**The “tension” between public
resources and private resources**

Public

- Wildlife is owned by everyone
- The Public Trust

Private

- Wildlife habitat is owned by private landowners
- Private Property Rights



Private Property Rights

- Ownership conveys certain rights
- The rights associated with ownership are granted and protected by the public [via the state]
- This public also owns the wildlife; and its management is entrusted to the state
- The public may choose to grant rights or to restrict rights consistent with law and legal precedent

Private Property Rights

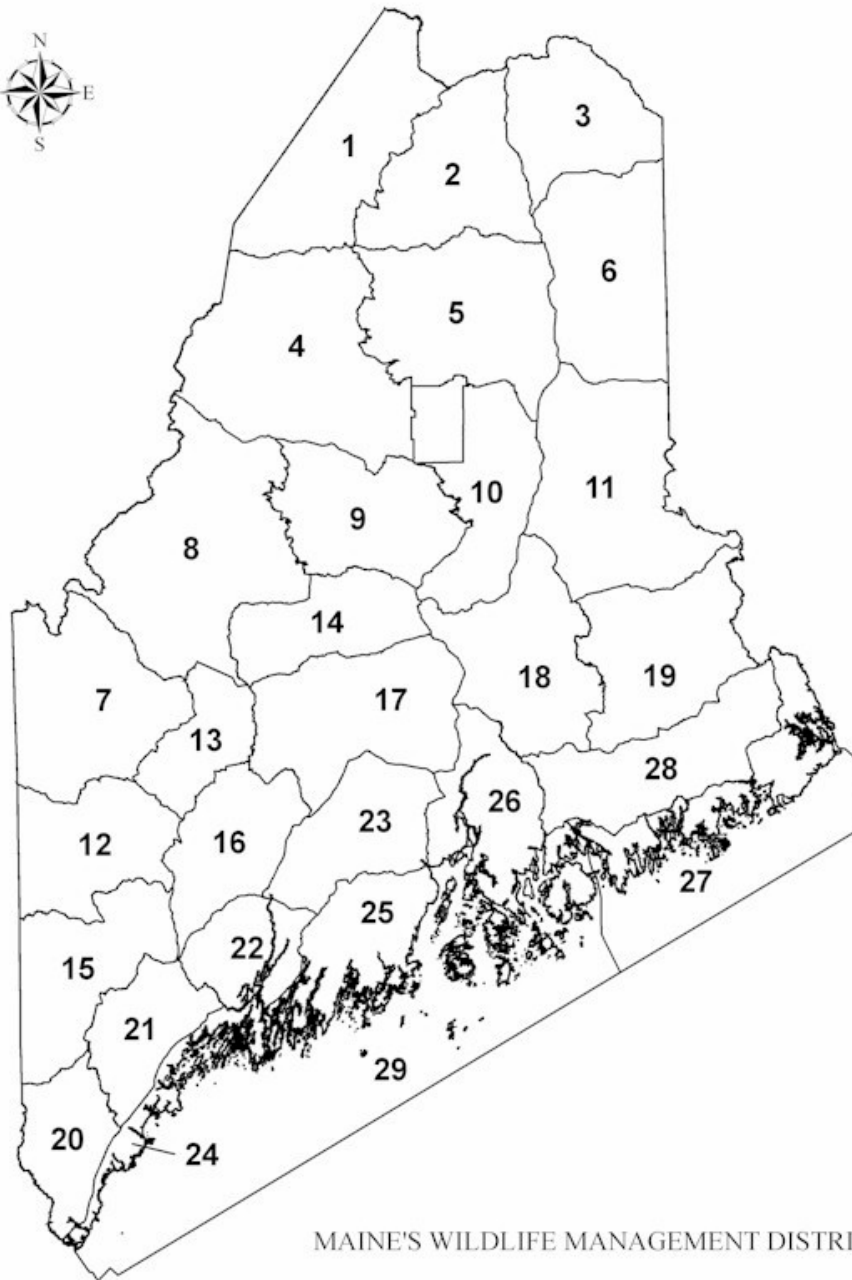
- The public / state have established that private landowners have a “responsibility” for the stewardship of public resources, such as wildlife and its habitat
- Ownership rights may be restricted to achieve this stewardship when deemed necessary
- There is abundant legal precedent demonstrating this

Private Property Rights

- Private landowners bear a level of “responsibility” for the stewardship of wildlife habitat:
 - How broad and deep?
 - At what cost?
 - What “responsibility” does the public and the state bear?

Public Desires Deer Management G&Os

- Wildlife Management Districts 1-11
 - Increase deer wintering habitat to 8% of the land base to ensure sufficient wintering habitat to accommodate a post hunt population of 10 deer/mi² by the year 2030 (or sooner), and then maintain as for the short-term objective

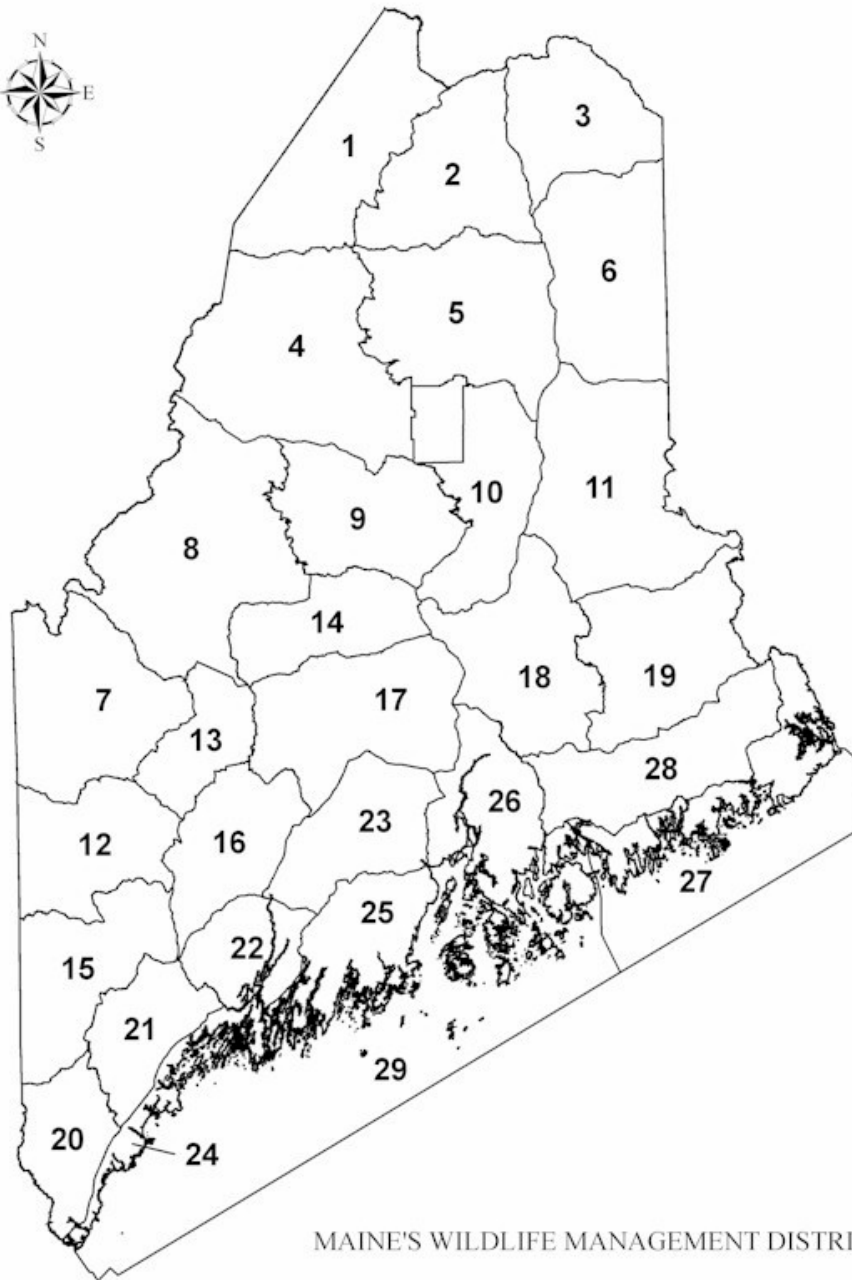


MAINE'S WILDLIFE MANAGEMENT DISTRICTS

May 2006

Public Desires Deer Management G&Os

- Wildlife Management Districts 12, 13, 14 and 18
 - Increase deer wintering habitat to 9 to 10% of the land base to ensure sufficient wintering habitat to accommodate a post hunt population of 15 deer/mi² (when on summer range) by the year 2030 (or sooner), and then maintain as for the short-term objective.

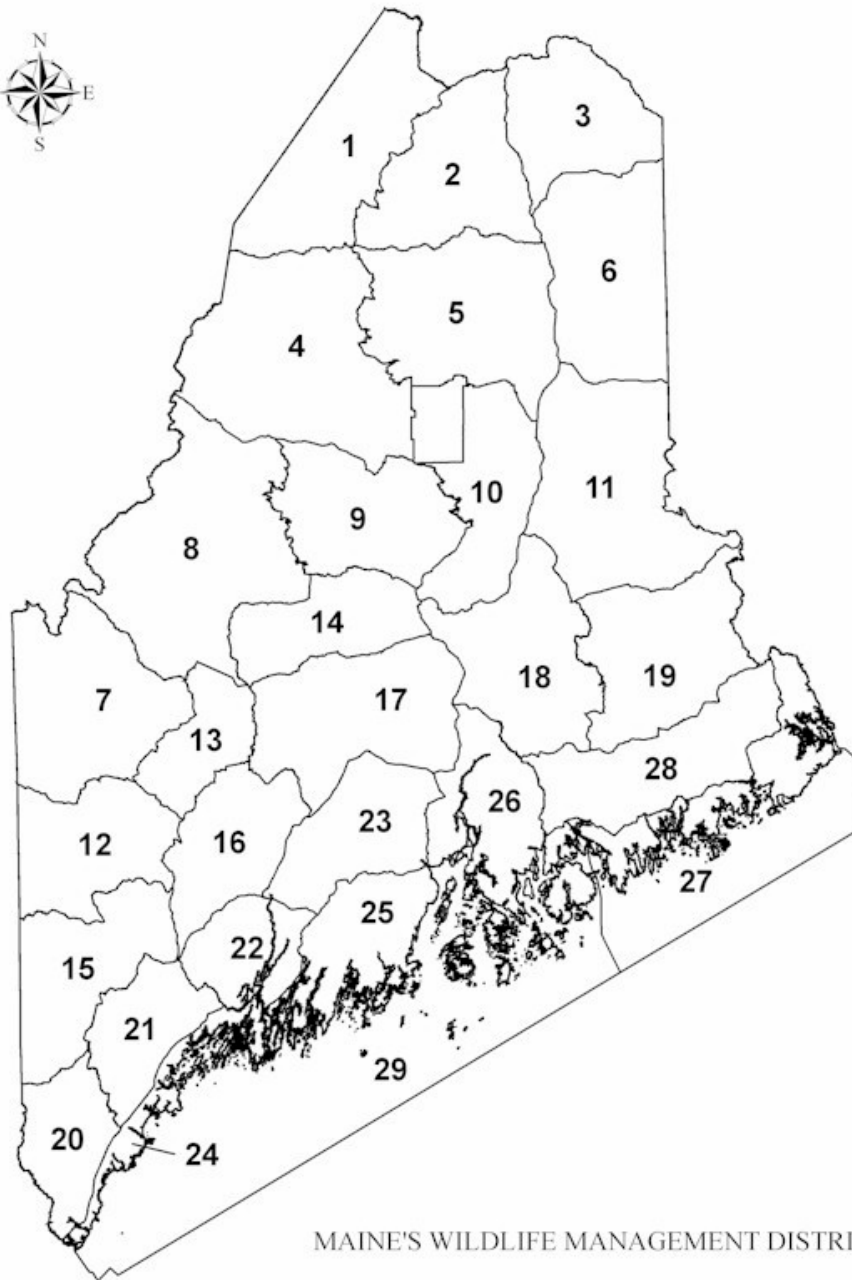


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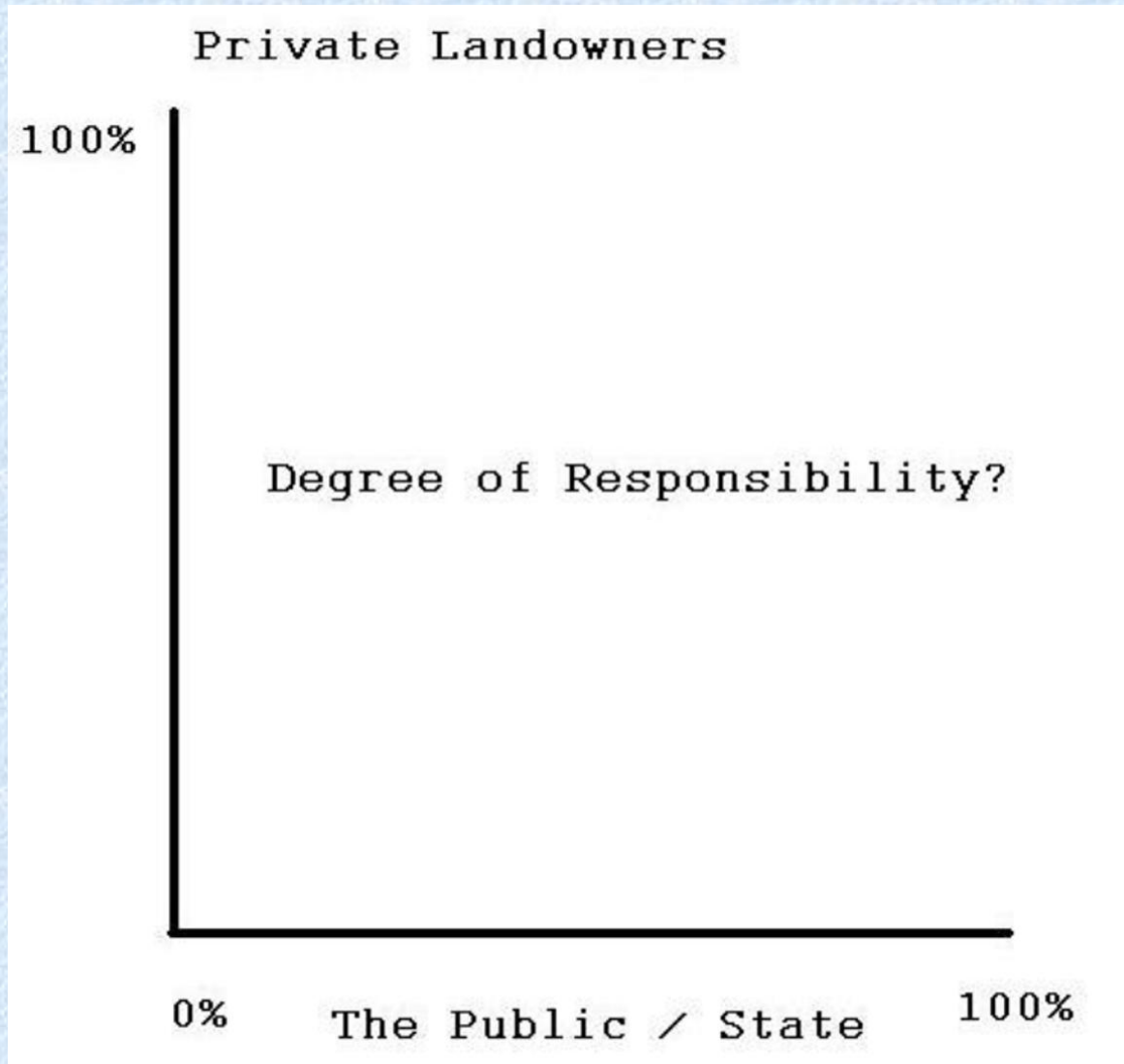
- Wildlife Management Districts 19, 27, 28 and 29
 - Increase deer wintering habitat to 9 to 10% of the land base to ensure sufficient wintering habitat to accommodate a post hunt population of 15 deer/mi² (when on summer range) by the year 2030 (or sooner), and then maintain as for the short-term objective.



MAINE'S WILDLIFE MANAGEMENT DISTRICTS

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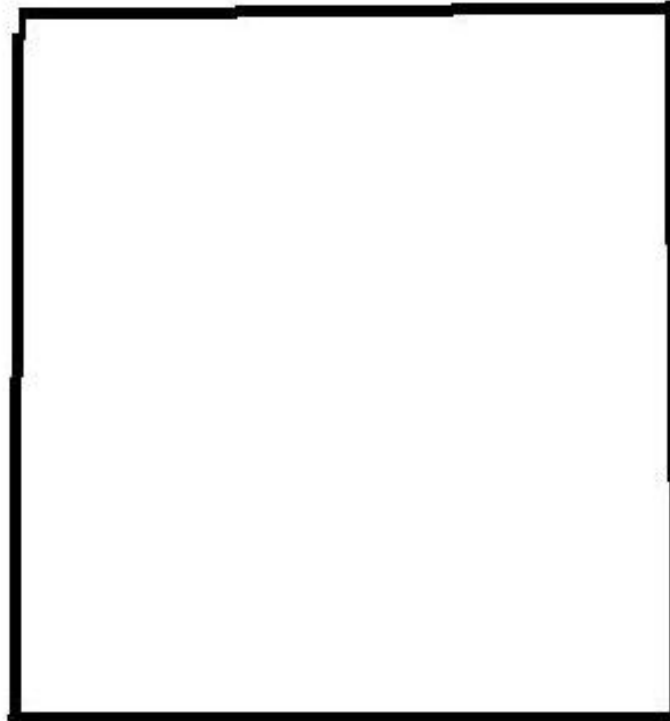
Whose Responsibility?



The Proper Tools? What's the Right Mix?

Incentives

Land Acquisition



Cooperative
Management

Land-use Zoning

Recurring DWA Problems

- How will the public / state and landowners address the differences that exist between their mutual desires?
- Is there a proper “mix” of responsibility for DWA conservation? If so, what is it?
- What are the appropriate DWA conservation tools?
- What is the best “mix” of these tools?

The Challenge

- All of us working together to develop appropriate public policy for the establishment and conservation of DWAs that is mindful of public desires and of the legitimate rights of private landowners

A photograph of a snowy forest with several deer. The deer are scattered across the snow-covered ground, some standing and some partially obscured by trees. The trees are mostly bare, suggesting a winter setting. The overall scene is bright due to the snow and sunlight filtering through the trees.

The End

Thank you