

New York State Department of Environmental Conservation

Division of Fish, Wildlife & Marine Resources

Bureau of Wildlife

625 Broadway

Albany, NY 12233-4754

Website: www.dec.ny.gov

List-serve: <http://www.dec.ny.gov/about/63801.html>



October 27, 2010

Honorable Kate Supron
Mayor, Village of Cayuga Heights
Marcham Hall
836 Hanshaw Road
Ithaca, NY 14850

Dear Mayor Supron:

I am writing to confirm the options available to the Village of Cayuga Heights pursuant to the New York State Environmental Conservation Law (ECL) for the purposes of managing the deer herd within the Village.

Specifically, these options are authorized by ECL §11-0521, the law that governs the taking (pursuant to permit) of “destructive wildlife.”

The Department of Environmental Conservation (DEC) would base a decision on issuing a permit pursuant to ECL §11-0521 on our confirmation that damage caused by deer is occurring, and that a reduction in deer numbers would serve to mitigate the negative consequences of that damage. Our regional personnel based out of our Cortland, NY office are responsible for confirming those conditions and issuing a permit.

We are very mindful of the necessity of developing permit conditions that best meet the needs of your community, while supporting your broad deer management goals as described by the recommendations of the Village’s Deer Remediation Advisory Committee, and as subsequently outlined in documents developed pursuant to the State Environmental Quality Review Act.

To that end, the following are potential permit conditions authorized pursuant to the ECL. However, following an official request from you for the issuance of a permit and confirmation of damage as noted above, DEC would coordinate with the Village to develop the specific conditions for the actual permit. In particular, we would want to work closely with law enforcement personnel from both DEC’s regional law enforcement office, and the Village to ensure that any field activities pursuant to a permit would be done in the safest manner possible.

The management options (i.e., potential permit conditions) available to you include the following:

- Shooting of deer with either a firearm or bowhunting equipment.
- Shooting at night, including the use of lights to illuminate deer.
- Shooting from a motorized vehicle. (The specific circumstances of allowing this would be reviewed and approved by our Division of Law Enforcement in consultation with your police department.)
- Use of food to attract deer as a means of enhancing both the safety and effectiveness of shooting operations.
- Use of nets or livestock corral systems to confine deer, allowing the use of normal livestock slaughter procedures for euthanizing deer.
- Surgical sterilization of female deer, as a component of a comprehensive deer management strategy.

To safely implement a deer control program under a DEC permit, as well as to make good use of deer meat, we would also include the following as permit conditions:

- Deer would need to be euthanized without the use of chemical agents. This is needed to make sure that the meat is suitable for human consumption.
- Deer carcasses would need to be made available to venison donation programs so that all meat is put to good use.
- If anyone is hired to conduct the actual deer removal operations, s/he would need to be licensed pursuant to ECL §11-0524 (Nuisance wildlife control operators).
- The permit would only be valid for use on property where the landowner has granted permission for its use.
- Shooting within 500 feet of occupied buildings would not be allowed, unless the property owner has granted permission to do so.

I recognize the need for immediate action to begin controlling the deer herd within your Village, and we stand ready to assist you in implementing a sensible approach to managing this herd. For a long term solution, however, we also strongly advocate using a carefully managed deer hunting program under an appropriate regulatory regime to provide a sustained effort to control the deer herd within the Village boundaries. An approach similar to Cornell University's "Earn-a-Buck" program, for example, may serve as a model that could be adapted to the Village of Cayuga Heights. We stand ready to help you design a community-appropriate deer hunting program now or in the future.

The Department of Environmental Conservation is fully prepared to assist you in developing sensible solutions to managing the Village's deer herd. I hope that this brief description of available options assists you in crafting a community solution to managing deer.

Please let me know if you have any questions.

Thank you.

Sincerely,

Gordon R. Batcheller
(electronic signature)

Gordon R. Batcheller
Chief Wildlife Biologist

c: Regional Wildlife Manager
Regional Captain of Law Enforcement