

**TESTIMONY OF THE
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE
BEFORE THE JOINT STANDING COMMITTEE ON INLAND
FISHERIES AND WILDLIFE
IN SUPPORT OF L.D. 404
“An Act To Preserve Deer Habitat”**

SPONSORED BY: Representative JOHANSEN of Monticello.

DATE OF HEARING: May 5, 2021

Good morning Senator Dill, 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 support of **L.D. 404**.

This bill was originally a concept and has been replaced with amended language that does the following:

1. Establishes preferential consideration of deer winter areas identified by the Department of Inland Fisheries and Wildlife under the Land for Maine’s Future program and specifies that lands acquired for this purpose must be owned and managed by the department.
2. Allows Land for Maine’s Future funds to be used for the development of a management plan for a deer wintering area on lands acquired for that purpose using Land For Maine’s Future funding, as long as cost of the plan does not exceed 5% of the appraised value of the property.
3. Directs the Department of Inland Fisheries and Wildlife to identify areas that are important to the conservation of deer in northern, eastern, and western Maine, and authorizes the Department to acquire these lands, which must be designated as Wildlife Management Areas. Directs the department to ensure that appropriate deed restrictions are placed on the land acquired and to develop appropriate purchase and sale agreements to at ensure that deer habitat on land to be acquired is preserved as deer habitat prior to purchase. Beginning January 15, 2023 and annually thereafter, the department is required to report to the joint standing committee of the Legislature having jurisdiction over fisheries and wildlife on the acquisition and management of deer wintering areas.
4. Allows the Department’s Deer Management Fund to be used to acquire deer habitat.
5. Authorizes the Department of Inland Fisheries and Wildlife to prohibit or limit the feeding of deer, bear, moose or turkey as part of a plan to promote the use of wintering areas by deer.
6. Directs the Department to develop establish a position in the FY 22/23 Biennial Budget to coordinate the acquisition and management of deer wintering areas, using the Deer Management Fund and Federal Funds as a revenue source.

As noted in our previous testimony on this bill, our efforts to conserve Deer Wintering Areas (DWAs) began in the 1950’s and 1960’s through the inventory and survey of known DWAs, particularly in the northern 2/3 of the State. At the same time, the Department entered into Cooperative Agreements with industrial forestland owners to accommodate DWA protection and enhancement. This effort was reinforced in the 1970’s and 1980’s through zoning of DWAs as

protection areas under the Land Use Regulatory Commission (now LUPC) in unorganized areas of the State.

Currently, our agency does not own or directly manage any significant DWAs in northern Maine. By creating a preferential consideration in the Land for Maine's Future Program for the acquisition of DWAs to be managed by MDIFW, allowing us to use the existing Deer Management Fund to acquire deer habitat, and directing us to establish a position to coordinate the acquisition and management of DWAs, we believe that over time, we can make significant progress towards achieving deer population goals in northern Maine. This work will undoubtedly take many years to see results, but this bill is an important step forward.

Although the primary focus of this bill is on improving deer populations in northern Maine, we believe it will also have several secondary benefits that will help many other wildlife species. Dozens of songbird, mammal, amphibian, invertebrate, and fish species depend on or benefit from the mature softwood forest cover present in DWAs, so any lands acquired and managed by our agency for deer will also provide habitat for these species. In addition, lands acquired and managed as DWAs will contribute to the state's climate goals by sequestering carbon.

In closing, I will note that the bill does include a provision that would allow the Department to prohibit or limit feeding as part of a plan to promote the use of DWAs by deer. Our understanding is that the intent of this provision is to ensure that feeding does not prevent deer from using an area that contains quality winter shelter and is managed specifically for deer habitat. In practice, our approach would be to work collaboratively with individuals that feed deer to alter feeding patterns in specific areas as part of a broader community effort to return deer to using a traditional DWA. We expect that prohibiting or limiting feeding through a regulatory approach would only be used as a last resort.

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