



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
Phone: 908-204-3001; Fax: 908-204-3015; Website: www.bernards.org

Resolution #090335

Authorizing Submission of the Bernards Township 2009-2010 Application for Approval of a Community Based Deer Management Permit and Submission of the Final Report on Results of the 2008-2009 Bernards Township Deer Management Program to the New Jersey Division of Fish and Wildlife

WHEREAS, the Bernards Township Deer Management Advisory Committee has submitted to the Township Committee, Township of Bernards, a proposed Application for a Community Based Deer Management Permit for the 2009-2010 Season, and therewith a Final Report on the 2008-2009 Bernards Township deer management program, a portion of which was conducted under a Community Based Deer Management Permit, and

WHEREAS, the Township Committee, Township of Bernards, has reviewed and hereby endorses and approves said Application and Final Report.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the Application for a Community Based Deer Management Permit for the 2009-2010 Season, and the Final Report for the 2008-2009 Bernards Township deer management program, are hereby authorized for submission to the New Jersey Division of Fish and Wildlife.

Agenda and Date Voted: 08/25/2009

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 08/25/2009.

Denise Szabo, Municipal Clerk

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Application for Approval of a Community Based Deer Management Permit

1. *Municipality (Municipalities), Airport, County Board of Agriculture, or State governing body making application.*

Bernards Township, Somerset County, New Jersey

Date of application: [insert]

Copy of Resolution #XXXXX of the Township Committee of the Township of Bernards (dated August XX, 2009) is attached.

Please note this application seeks permission to continue with the eighth year of an ongoing multi-year deer management program to be conducted in part (as was the 2008-2009 season) under a Community Based Deer Management Permit.

Summary

This year's application is essentially the same as last year's in that it requests a CBDM Permit for an extension beyond the February 20, 2010 conclusion of the 2009-2010 Winter deer hunting seasons, through March 31, 2010, excepting Sundays.

Last season's six-week extension was productive, yielding 33 of the total 302 deer harvested, or 11%. As the Township's deer population is reduced, extending the culling season via CBDM Permit continues to be an important part of the Township's deer management program.

Other features of the program are:

Inclusion of one additional municipal hunting tract (new Tract 38, also called The Sons of Liberty Farm), and expansion of existing Tract 19 by adding additional acreage formerly known as the Ross Farm.

Exclusive utilization of controlled hunts by two Township based sport hunting groups, Whitetail Solution and Bernards Township Protective Association, via bow and arrow by both groups, and via firearm, as permitted by State regulations, by the latter.

Controlled hunting on designated municipal and Somerset County properties, the latter subject to the approval of county authorities. The Bernards Deer Management Administrator, who is delegated the operational and safety oversight of the CBDMP program by the Township

Committee, Township of Bernards, will, with county approval where needed, determine which designated hunting tracts will be used for hunting via archery and which via firearm, and when, subject to State regulations governing the methods used.

Commencement of the CBDMP program February 22, 2010, i.e., following the conclusion of the regular Winter deer hunting seasons. (Note that from September 12, 2009 through February 20, 2010 an otherwise-identical municipal deer management program will be conducted under Bernards Township authority.)

The final report of the 2008-2009 Bernards Township deer management program, including that portion conducted from February 23, 2009 through March 31, 2009 under a Community Based Deer Management Permit, is provided as Appendix A.

Efforts will continue as before to encourage private property owners to volunteer their lands for sport hunting by invitation under the State's September 12, 2009 to February 20, 2010 seasons and rules. The success of these efforts to date is demonstrated by the fact that such hunting accounted for more than one-third (37%) of the total deer harvest last season in Bernards Township.

(Note that such private activities take place separately from and are independent of the Township's deer management program.)

2. ***Please describe the nature and extent of property damage in the proposed special deer management area. Be specific. If possible, include the estimated monetary loss due to deer depredating on gardens or crops. Include photographs of deer damage, if possible.***

In response to a DFW request a Township wide survey of residential property damage and related costs was conducted during 2003.

To the question: "Has your property sustained deer damage to foundation or landscape plantings in the past three years?" 86% of households responded: "Yes." And to the question: "Has the damage been minor, or significant?" 73% judged it: "Significant."

From the survey responses, foundation planting and landscaping damage for the three year period queried by the survey, extrapolated Township wide, totaled \$13,487,000, not including condo association, etc. costs for damages to communal property.

Projected damages to vegetable gardens, plus costs for deer fencing/netting, deer repellents, and deer tick insecticide spraying, added \$5,270,000 to the total. Anti-deer fencing and netting costs contributed \$3,422,000 to the total, and deer repellent costs as projected also totaled over one million dollars (\$1,165,000). Vegetable garden damage estimates totaled over \$683,000, and deer tick insecticide costs were \$653,000.

The total projected cost for the previous three years queried by the survey was \$19,410,000, or \$6,470,000 per year, not including communal living properties, for which the data could not be obtained.

The survey results reflected a much more serious economic impact of the deer overpopulation problem in Bernards Township than anticipated.

After the last five seasons numerous anecdotal reports of reduced property damage have been received, coincident with the continuing reduction of the Township's deer population (see below), although it is still too early to consider a follow-up survey.

3. *Please estimate the number of vehicle collisions caused by deer in the proposed Community Based Deer Management Plan area and estimate of costs to motorists caused by deer – vehicle accidents.*

The estimated total for the latest Deer Biological Year, or "bioyear" (April 1, 2008 through March 31, 2009, or DBY 2009) was significantly lower than the previous DBY, down to 157 from 191. This includes a 15% allowance for off-road kills plus an estimated 40 killed on the 15.2 miles of Interstate highways within Bernards Township. Road kills on municipal and county roads within Bernards Township by actual police log count fell from an unusually high 131 in DBY 2008 to 102 in DBY 2009.

The reduction in road kills by actual police count continues to be significant and important. In the base year of DBY 2001 (ending March 31, 2001, and immediately preceding commencement of the deer management program in Bernards Township) the figure was 289, so DBY 2009's count of 102 represents a 65% reduction.

We continue to maintain detailed police logs of all road kills on municipal and county roads within the Township.

For DBY 2009 the road kill average per mile for the Township was 0.58 deer/mile. In DBY 2008 it was 0.75/mile. Both numbers are based on the actual municipal and county road kill totals within the Township.

In 2004 the Township undertook a second township wide survey. This survey asked for detailed information about the number, cost and medical consequences of deer/vehicle collisions within the Township.

At an average damage cost of \$2,166 per vehicle, based on the survey's results, the projected cost of the 157 deer/vehicle collisions estimated to have occurred in Bernards Township in DBY 2009 is \$340,062 – still too high, but much less than the \$935,700 estimated cost in DBY 2001, before the deer management program began.

4. *Please describe that portion of the Municipality (Municipalities) proposed for inclusion in the Community Based Deer Management Plan or attach a map.*

The Bernards Township CBDMP area as proposed will, as before, include the entire Township (24.5 square miles). Permission is herewith requested for approval of 35 municipal or county tracts, including the 34 that were approved last season plus one new municipal tract this season, for a total of 32 municipal tracts and three Somerset County properties. In addition, approval is sought to expand the existing Tract 19 (Lord Stirling Park North property owned by Somerset County) by 53.39 additional acres (= lands formerly known as the Ross Farm). Please see accompanying map and tract legend for details. The new tract is designated Tract 38 and comprises 23.263 acres also known as Sons of Liberty Farm

No private properties are included in this year's application.

5. *Describe the proposed alternative control methods to be used to reduce the number of deer in the special management area. Include detailed information including but not limited to the capture methodology, the type of traps and destination of the deer to be removed, or the method of euthanasia; the culling methodology, shooting methodology such as baiting, shooting from elevated platforms or detailed information on other methods to be employed.*

The program as proposed is the same as last year's and will utilize two Township authorized and based hunting groups, Whitetail Solution and Bernards Township Protective Association, at Township and/or county designated times and only with Township (and county, where applicable)

approval. It will utilize the entire series of sports hunting seasons for whitetail deer plus a four week extension being requested via a Community Based Deer Management Permit application.

Bow and arrow, and shotgun and muzzleloader, will be utilized, with archery and sometimes firearms from temporary tree stands over bait. State regulations governing archery and firearms usage will be followed.

All participants from the above two sport hunting groups will have been approved by the Bernards Township Deer Management Administrator, who is also a member of the Bernards Township Police Department. Screening and testing for proficiency with firearms will be done by the Deer Management Administrator, who is a Certified (New Jersey Division of Criminal Justice; National Rifle Association) Firearms Instructor. Screening and proficiency testing of bowhunters will be done by a Certified (New Jersey Division of Fish and Wildlife) Archery Instructor.

6. *On what dates or during what period will the alternate control methodology be employed?*

From on or after the Monday following the February 20, 2010 conclusion of the New Jersey Winter bow hunting season, and continuing through March 31, 2010, excepting Sundays, and as otherwise governed or restricted by State sport hunting regulations. Note that an identical program, under local municipal auspices and authorization, will precede the Permit period and will operate from September 12, 2009, excepting Sundays, through the conclusion of the State Winter hunting seasons.

7. *During what hours will the agent operate?*

During daylight hours only (one-half hour before sunrise to one-half hour after sunset).

8. *What type of weapon and ammunition will be used?*

Compound bows for the archery portions of the controlled hunts will be used by both sport hunting groups. Firearms will also be used as permitted by regulation by members of the Bernards Township Protective Association.

9. *Will unplugged guns be used?*

No. All controlled hunting with shotguns will utilize plugged guns.

10. Will the agent shoot from a motor vehicle?

No.

11. Will the agent shoot across closed roads?

No.

12. Will the agent carry a loaded firearm in the vehicle for culling purposes?

No. All firearms will be transported in an unloaded condition.

13. Will the agent be required to wear hunter orange?

Archery hunters will not. All controlled hunt participants using firearms must wear hunter orange.

14. Is there a number of deer culled or trapped and transferred above which will not be exceeded?

No.

15. To where will trapped deer be transferred?

Not applicable.

What is the quantitative estimate of the deer population or the deer population density in the special management area? How was this estimate obtained? What is the intended target population or density?

We estimate the current population as 20 or so per square mile. A definitive, Township-wide aerial census will be conducted when economic circumstances permit. Ground counts of both heavily hunted and inaccessible areas are currently being carried out, utilizing five motion-sensor activated cameras purchased by Bernards Township for the purpose.

In previous years we have used an assumed reproduction rate of 35% in doing our population estimates, but we now believe the actual rate is probably several percentage points higher, i.e., 36 or 37%.

The current basis for annual population estimates is the complete aerial census done in March, 2002, which yielded a population estimate, post-fawning, of 2,899 deer (118/square mile).

The Bernards Township deer management program's results continue to be encouraging, but the goal of reaching a balance between societal needs and a resident deer population has not yet been achieved. Serious property damage continues in some areas, woodlands understory recovery is happening in some but not other areas, and the Township's deer/vehicle collision rate, while significantly reduced, is still unacceptably high.

Given the results to date, we still aim for an overall Cultural Carrying Capacity of no more than 10 deer/square mile, with the added proviso that still-existing "pockets" of over-population must also still be addressed.

17. Describe the extent to which traditional hunting is currently being used to control deer numbers in the special management area, or why traditional hunting is not applicable.

The Bernards Township CBDMP program in 2009-2010 will continue to utilize traditional hunting *only*, as it did in the past four seasons.

In addition, sport hunting on private lands within the Township remains a critical co-contributor to the deer control effort. Sport hunters operating on private properties took 37%, or over one-third, of the Township's total deer harvest of 481 this past season. Of the 179 deer taken privately, 82, or 46%, were taken by hunters who were not members of Bernards Township Protective Association or Whitetail Solution.

18. Identify any organization that will participate in the implementation of the alternative control methods. Include appropriate credentials. Include documentation indicating that volunteers or employees of the cooperator or their agents which will cull deer using firearms possess a valid firearm hunting license, a valid rifle permit if required, and a valid New Jersey Firearms Purchaser Identification Card or proof that the person is in compliance with the applicable laws of the person's state of residence.

As was the case last season, two Township based sport hunting groups, Bernards Township Protective Association and Whitetail Solution, will participate. All members function as volunteers and are New Jersey licensed hunters. Whitetail Solution employs archery exclusively. BTPA

members use shotgun, muzzleloader and/or bow and arrow. All BTPA firearms users will have a valid firearm hunting license and a valid New Jersey Firearms Purchaser Identification Card or proof that the person is in compliance with the applicable laws of the person's state of residence. The Bernards Township Deer Management Administrator will verify the documentation of all proposed participants.

- 19. Describe the methods that will be used to notify the public, including residents located within and adjacent to the Community Based Deer Management Program's municipal and County hunting tracts, of the alternative control methods and the specific places when and where they will be used. Such methods shall include written notice to adjacent landowners when the control method includes shooting at night, shooting with rifles and/or shooting with silencers or suppressors.**

As was done last year, notices will be mailed to Township residents and non-resident property owners whose properties adjoin any of the 36 proposed municipal and county hunting tracts prior to the deer management program's commencement in September, 2009, and explaining the necessity for the program, the tracts that may be utilized, the control measures to be used and the safety precautions that will be taken. The local newspaper will also be utilized as before, via a published Public Notice in advance of the program's start.

In accordance with Bernards Township policy, the Township's website, which is now a principal means of communicating Township information, was also used last season to communicate advance notice of the program to Township residents and all interested others and will be utilized again this season.

In addition, the Township will again employ a telephone "hot line" (with the telephone number and its purpose included in the advance notices described above) so that Township residents and residents of adjoining communities can obtain timely information as to what public (municipal and county) hunting tracts will be utilized in the coming week.

Finally, procedures were implemented several years ago and will be continued so that routine inquirers to the Police Department can also obtain current information as to which tracts are actually in use that day.

The 35 requested public hunting tracts have previously been inspected by the Bernards Township Deer Management Administrator.

- 20. Describe the precautions that will be taken to ensure the safety of the public. Such precautions shall include the use of local police or appropriate law enforcement authority to enforce the closure of roads if necessary, and the restriction of the normal use of public land not normally open to hunting.**

The Bernards Township Deer Management Administrator has approved all proposed culling tracts and their bait site locations and will administer the controlled hunting schedules and monitor the tracts and their active bait sites. Controlled hunting at sites within Township parks and other public lands may require periodic closure or access restriction by the Township police.

Off-duty Township patrolmen can be employed if needed to provide supervision of temporarily closed areas.

All tracts to be used will be posted in advance by Bernards Township or Somerset County, as was done the last four seasons.

- 21. Document the written consent of each affected landowner for access to that person's land, if access to private property is necessary to implement the plan.**

Not applicable. No private properties are included in this application.

- 22. Describe the proposed disposition of any deer captured or harvested as part of the plan. Please use your best efforts to ensure donation of venison to the needy and describe the means of transportation of the deer carcasses to a USDA approved butcher.**

Controlled hunt participants may keep their deer. As in previous years, the Township will underwrite the cost of butchering any surplus or unwanted deer and delivery of the venison to a recognized New Jersey community food bank. Last season 113 excess deer were donated to food banks after butchering by either of two USDA approved firms. The butchering firms delivered the venison to the food banks.

As noted, Bernards Township underwrote this cost, at \$70 per deer, or a total of \$7,910. Assuming a dressed weight of 85 pounds per deer, the contribution of venison to the needy was 4.80 tons.

Deer will be field-dressed at a site or sites provided by the Township, as was the case last season, and will be transported to a USDA approved butcher in accordance with DFW requirements.

23. *Describe plans to be implemented to discourage the feeding of deer.*

A "Please don't feed" message, based on the scientific literature, will again appear on the Township website and will be mailed as part of the advance notice of the deer management program's commencement.

24. *Describe plans to support traditional hunting where practical.*

The proposed program exclusively employs traditional hunting, by local and area residents. Additionally the Deer Management Advisory Committee continues to serve as a referral resource for private property owners interested in supporting sport hunting.

CULLING TRACTS MAP -- 2009-2010 SEASON

[NB: Insert a new 35 tract Map including the new tract, Tract 38. I will ask Dan and Bill Allen to prepare an updated Map. The map Legend should be updated to include the description of new Tract 38 and a modified version of Tract 19, as shown below:]

19 1701-11,13 488.39 acres west of Passaic River. Northern half of Lord Stirling Park. (Includes 53.39 acres east of North Maple Ave. and near Madisonville Rd. = property formerly known as the Ross Farm).

38 9401—11 23.263 acres north of Allen Rd. and east of Somerville Rd.
= Property known as Sons of Liberty Farm.

CULLING TRACTS LEGEND -- 2009-2010 SEASON

[Note – Replace with the 35 tract new Legend, as noted]

[Revise footnote on Legend]

Total of 35 tracts
Township of Bernards
August 5, 2009

APPENDIX A

FINAL REPORT

2008-2009 COMMUNITY BASED DEER MANAGEMENT PLAN

To: Township Committee, Township of Bernards, New Jersey

From: Bernards Township Deer Management Advisory Committee

Subject: Final Report on 2008-2009 Community Based Deer Management Plan

Date: August 6, 2009

The following report is hereby submitted for the Township Committee's information, approval, and transmission as required by the State to the New Jersey Division of Fish and Wildlife.

The 2008-2009 Bernards Township municipal deer management program was conducted from October 1, 2008 through February 21, 2009 under regular State sport hunting rules and regulations, and thereafter to its conclusion March 31, 2009 under a CBDM Permit approved by the NJ Fish and Game Council and issued by the NJ Division of Fish and Wildlife.

Bernards Township's request for a deer check station within the Township for use by the deer management program was again granted by DFW. This permitted local check-in of all deer from the 2008-2009 program and greatly expedited the culling efforts.

Similar to the preceding five seasons, the program comprised the following elements: 1) controlled hunting via archery by qualified members of two Township-authorized and based private hunting groups, Whitetail Solution and Bernards Township Protective Association, on designated municipal or Somerset County owned tracts from October 1, 2008 through March 31, 2009, and 2) controlled hunting via firearm by the latter group on a limited number of the above tracts during the same time frame as permitted by State sport hunting regulations for firearms use. The Township Committee-approved program and the State permit authorized extensions of the Winter archery and firearms deer hunting seasons beyond February 21, 2009 for the Bernards Township deer management program. The same 34 tracts, 31 municipal and 3 on Somerset County lands, were approved for use. There were no incidents or accidents involving the program, and no shot deer went unretrieved.

The two authorized hunting groups took a total of 302 deer from Township and Somerset County lands during the 2008-2009 season, compared with 269 during the 2007-2008 season.

Of the 302 total, 33 deer, or 11%, were taken during the CBDM Permit's authorized extension of the regular sport hunting season. As the Township's deer population is reduced, extending the culling season via CBDM Permit therefore remains an important part of the Township's deer management program.

The 302 deer harvested under the program this past season represented 63% of the total number of deer taken (481) within the Township. The remaining third (179 deer) were taken by sport hunters on private lands during the regular 2008-2009 whitetail deer seasons.

The Township again agreed to cover the cost of butchering and transport to New Jersey food banks of the venison from surplus deer taken under the program. Venison from a total of 113 deer was donated to community food banks. Assuming an average dressed weight of 85 pounds per deer, this represents 4.8 tons of venison.

Although not part of the Bernards Township deer management program, both hunting groups also operated on private lands within the Township in 2008-2009, by owner invitation and during the State sport hunting season only. WS and the BTPA took an additional 97 deer on private lands in the Township, and other sport hunters took 82, or 46% of the 179 total taken from private lands.

After the last seven seasons it is evident that the Township's deer population has been significantly reduced. Our current projection is that the population density is now down to 20 or so per square mile, largely due to several large "pockets" of deer that have not been accessible to hunting. The overall deer density is clearly not yet at or near the desired figure of no more than 10 per square mile. The current situation is, however, a major improvement over the estimated 118 deer per square mile in 2002.

A full aerial census is still planned in the next few years, economics permitting. Also, ground counting of heavily harvested areas and of un-accessed population pockets is currently underway, using the five motion-activated wildlife cameras the Township has purchased for the program.

The deer control program's results continue to be encouraging, but the goal of reaching a balance between societal needs and a resident deer population has not yet been achieved. Wildlife biologists generally recommend a Biological Carrying Capacity (i.e., deer population) of no more than 20/square mile, and a maximum Cultural Carrying Capacity of no more than 10 deer/square mile. The former refers to the impact on the biosystem (the woodlands' "understory") and the latter to the effect of the deer population on vehicular accidents, property damage, and disease (most notably Lyme disease).

Moreover, whitetail deer are not migratory, and the Township still contains significant over-concentrations of deer in some areas that have not as yet been accessible to the program or other hunting.

The Deer Management Advisory Committee continues to use a Deer Biological Year standard, comprising 12-month periods from April 1 to March 31. Each DBY or bioyear thus commences just prior to the annual spring fawning season and concludes after the hunting season. We have police-logged (by date and location) road kill data from the fall of 1999 through the present.

For DBY 2009 (ending March 31, 2009) the roadkill total by actual Police Department count on municipal and county roads within the Township was 102 deer, which is a significant decrease from the previous DBY's total of 131, and a 65% reduction from DBY 2001's total of 289. We expect that the annual total of (actually counted) road kills will stay at around 100 (it was 94 in DBY 2007, before the unexpectedly high DBY 2008 total) until we can access the currently unreachable pockets of deer in the Mt. Airy Road vicinity and several other areas. This in turn will necessitate passage of the pending state legislation permitting archery hunting of deer within 150 feet of an occupied dwelling (rather than the current 450 foot minimum). The bill (S 976) has passed the NJ Assembly and the Senate Environmental Committee but has not been brought up for consideration by the full Senate by Senate President Codey.

Cost of the 2008-2009 Bernards Township deer management program was \$28,172.69, or \$93.29 per deer harvested. The previous year's final cost was \$30,323.38, and the cost per deer was \$112.73. The 2008-2009 total cost includes \$1,680.53 for training, tuition and membership fee, as well as \$7,767.13 for personnel costs (Deer Management Administrator, secretarial services). It also includes \$7,910.00 for the 113 surplus deer donated to community food banks (at \$70 per deer for butchering and transport). Bait cost was \$4,681.70. The remainder went for tract signs, legal ads and printing and mailing of notices, \$720.39; groundcount cameras, \$775.70; disposal costs, \$2,021.84; hunter cost defrayments, \$2,360.00, and miscellaneous supplies, \$255.40.

Respectfully submitted,

William R. Darrow, M.D., Ph.D.
Chair, Bernards Township Deer Management Advisory Committee