

TESTIMONY FOR HOUSE BILL 2083 HEARING

PLEASE VOTE IN FAVOR OF HB 2083

For

**Deer and Wildlife Management, Wildlife Habitat Enhancement,
and Game Commission Accountability**

**Prepared by:
John Eveland**

September 20, 2016

**Prepared for:
Representative Daryl Metcalfe, Chairman
State Government Committee
Pennsylvania House of Representatives
Commonwealth of Pennsylvania**

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Introduction. In the year 2000, the Pennsylvania Game Commission (PGC) began a campaign to drastically and permanently reduce the statewide deer herd – an assault on Pennsylvania's state mammal and the keystone of sport hunting in the Commonwealth. The action might be comparable to eliminating elephants from the African savannah in order to promote shrubs and wildflowers, the caribou from the Alaskan tundra to lessen impacts to permafrost, or the bison from America's Great Plains to encourage the growth of prairie grasses.

As one who has conducted forest ecosystem, wildlife ecology, and environmental research throughout North America for large government and private projects, it is an industry standard that proposed large projects are preceded by conducting an intensive cost/benefit analysis – weighing the costs (the adverse impacts) against the benefits derived from the project in order to make wise management decisions as to whether further development of the project should continue, or end. Neither PGC nor DCNR conducted such a study. Instead, the three architects of the deer-reduction program arbitrarily took a "deer-reduction-at-any-cost" approach to what was to be labeled as the greatest conservation issue in the history of the Game Commission – without an in-depth, up-front, scientific cost/benefit analysis upon which to verify, and justify, the action.

In 2000-01, John Eveland was asked by the Senate Minority Leader to assess PGC's deer-reduction program, and again was requested by the Office of the Governor and the Majority Leader of the House Game and Fisheries Committee in 2007. In 2010, members of PGC's Board of Commissioners asked Eveland to prepare a new deer management plan for them in the event that they could muster a majority of votes to halt the deer-reduction program. From Eveland's investigations, there are two over-riding conclusions: (1) that PGC's deer-reduction program is designed to serve the special interests of foresters and fringe environmentalists at the expense of sportsmen and recreational hunting, and as such is in violation of PGC's legislated mission and state law, and (2) that no significant benefits have resulted after 16 years of herd reduction—not for science, society, nor economy—while the negative impacts to the future of sport hunting and the Commonwealth have been great. Therefore, there is no reason that PGC's deer-reduction program should have been initiated in 2000 or continued to the present, and there are overwhelming reasons for the program to be immediately ended.

This testimony is presented in five parts:

- Part I. Findings of an Investigation of PGC's Deer Management Program.
- Part II. Description of House Bill 2083.
- Part III. Why We Need to Pass House Bill 2083.
- Part IV. A Million Sportsmen, Gun-Rights Advocates, Business Owners, and Camp Owners Want Legislative Deer Management Reform.
- Part V. Conclusion.

PART I. FINDINGS OF AN INVESTIGATION OF PGC'S DEER MANAGEMENT PROGRAM

PROGRAM DESCRIPTION

What Caused the Deer Reduction Program. For decades prior to 2000, Pennsylvania was recognized as one of the top deer hunting states in the nation – achieved by operating a science-based, "maximum sustained yield" (MSY) method of deer management. In order to guarantee the continued success of the program, in 1996 the Legislature passed HB 1823 – the Title 34 mission (Section 322(c)(13)) that directs the PGC "*to serve the interest of sportsmen for recreational hunting*". Only two years later, this Title 34 mission along with the deer management program was hi-jacked by forestry and environmental special interests. In 1998, DCNR entered into a Green Certification Award agreement with the German-based environmental organization, Forest Stewardship Council, toward increasing DCNR revenue from the domestic and international sales of state forest timber.

According to the agreement, DCNR's purchase of the Green Certification "Award" was intended to generate a perception in retail and wholesale lumber markets throughout America, Europe, and Asia that timber and wood products harvested from State Forest Lands were superior in quality to timber from land owners who were not Green Certified, and, therefore, would increase revenue from the increased sale of DCNR timber. In reality, however, this was not the case, in that a red oak or black cherry log from a green-certified forest is no better than a red oak or black cherry log from Farmer Brown's uncertified woodlot.

Two people were initially involved – Bryon Shissler, a Pennsylvania biologist who served as FSC's regional representative and whose livelihood was based in part on reducing deer herds for municipalities and parks; and Dan Devlin, chief of DCNR's Bureau of Forestry. In addition to being used as a revenue generator for FSC and DCNR, the Green Certification Agreement offered a unique opportunity for a radical environmentalist and a forester to dramatically and permanently reduce deer on a statewide level. Consequently, Bryon Shissler and Dan Devlin incorporated an arbitrary condition into the agreement – that receipt of the Green Certification Award depended on DCNR's ability to reduce Pennsylvania's deer herd. As stated in the first agreement in 1998, considering that DCNR lacked the authority to regulate deer harvests, FSC approval of DCNR's Green Certification Award was contingent on DCNR's ability to convince the Pennsylvania Game Commission (PGC) to reduce the statewide deer herd.

In addition, another clause was included toward eliminating the MSY method of game management that favored sportsmen and recreational hunting in favor of a new and untested ecosystem management style that favored nongame animals, songbirds, native shrubs, and wildflowers. Therefore, a deer-reduction strategy had been concocted to serve the special interests of foresters and environmentalists at the expense of sportsmen.

For decades prior to herd reduction, the MSY method had resulted in Pennsylvania being acknowledged as one of the top two deer-hunting states in the nation – without harming the health of the forest ecosystem, seedling restocking for timber production, or wildlife populations. These actions, however, represented a direct violation of PGC's chartered mission as prescribed in Title 34 State Law, Section 322(c)(13). Therefore, at the signing of the first Green Certification Agreement in 1998 and implementation of the deer-reduction program in 2000, PGC had eliminated MSY and abandoned its Title 34 State Law mission "*to serve the interest of sportsmen for recreational hunting*" in favor of an ecosystem management method that served the special interests of environmentalists and foresters. At the request of DCNR, the governor rearranged the composition of the Game Commission's board of commissioners and inserted a new executive director in order for DCNR to achieve this seemingly prestigious and financially valuable annual Green Certification Award.

Audubon and DCNR Piled On. Audubon was quick to take advantage of this opportunity to eradicate deer, and President Cindy Dunn organized a forum that included Bryon Shissler and executives from the Commission. PGC personnel were acknowledged for their assistance, including Vernon Ross, Calvin DuBrock, Chris Rosenberry, and Robert Boyd. Audubon's ecosystem management master plan called for deer reduction toward benefiting biodiversity (nongame birds and mammals, especially songbirds, native shrubs, and wildflowers). It recommended the increase of DMAP permits in order for DCNR to increase antlerless harvests on State Forest Lands, switching jurisdiction of deer management on State Forest Lands from the PGC to DCNR, and merging PGC into DCNR (a more friendly player with Audubon).

Dunn and her successor as president, Tim Schaeffer, have continued Audubon and environmental efforts to eliminate deer to the present. Along with Audubon, DCNR's Dan Devlin subsequently created an ecosystem management forum with authors that included Chris Rosenberry and other PGC personnel. It culminated in a 49-page deer-reduction manual. DCNR's deer management plan encourages the Commission to approve any means possible to eradicate deer, including concurrent buck and doe seasons, antler restrictions that are intended to frustrate hunters who would not see legal bucks and so would turn their attention on killing does, semi-automatic weapons, use of dogs, professional sharpshooters, night hunting, and unlimited DMAP and antlerless permits.

PGC complied with the request of DCNR and the directive of the Governor in order for DCNR to continue annually achieving the Green Certification Award.

Permanently Reducing Pennsylvania's Deer Herd. From 2000 through 2004, PGC increased the annual harvest from an average of about 380,000 deer per year to 480,000 – eclipsing 500,000 harvested deer in two of those years. About 2.5 million deer were killed over the five-year period. This was accomplished by greatly increasing the annual allocations of antlerless permits, and, thus, targeting pregnant does and fawns at an increased average harvest rate of over 100,000 per year. Although PGC had told sportsmen that the reduction would be temporary and limited, from 2005 to the present there has been little relief toward permitting the herd to recover. Herd reduction has continued using high antlerless allocations, a concurrent buck/doe season, more seasons (increasing the opportunity to harvest doe), the Deer Management Assistance Program (DMAP), and antler restrictions (which were designed to frustrate hunters who would not often see a legal buck to instead turn their attention on does and fawns).

The author was informed by a Game Commissioner that whereas PGC had a targeted goal in northern-tier counties of only 5-6 deer per square mile, the goal had been overshot to only 1-2 existing deer per square mile – creating a virtually unhuntable condition. A member of the deer team commented that deer had been literally exterminated in some areas, and still regeneration did not change.

During this period, each year DCNR formally requested the Commission to keep the deer reduction program in place and to even ramp up the pressure or the Green Certification Award might be at risk. The DMAP program was devised to provide DCNR with a carte blanc mechanism for eliminating deer on state forests. In a coded letter to PGC's executive director, DCNR informed the Commission that because they were eliminating deer at the expense of sportsmen and recreational hunting, that the Commission needed to address this issue in reference to Pittman-Robertson funding – considering that because this was a likely violation of Pittman-Robertson regulations, that P-R funding and/or DCNR's Green Certification program could be at risk.

Stacking the Deck. The author was asked by PGC's board of commissioners to investigate an agency rumor that PGC's three-member deer team were set-up for hire from the same university. The investigation discovered that to replace Gary Alt as head of PGC's Deer Management Section, Calvin DuBrock hired three North Carolina State University students who had all received their college-degree

deer management training at a small, five-square-mile agricultural demonstration area in Maryland called Chesapeake Farms. Whereas conventional wildlife biology degree programs at other universities view deer as a valuable natural resource and an asset for the forest ecosystem and sport hunting, at Chesapeake Farms the three students were trained in the Farms' Quality Deer Management method to reduce does and fawns in order to reduce impacts to agriculture and forests. PGC hired the three Chesapeake Farms students to expand this deer-reduction mindset to a statewide level in Pennsylvania. They have achieved this goal, and continue the assault to the present with little to no concern for sportsmen and recreational hunting.

IMPACTS OF DEER REDUCTION: BENEFITS VERSUS COSTS

Assessing the Scientific Validity of Deer Reduction. In 2006, PGC announced after-the-fact goals of the herd reduction program: (1) to improve deer health, (2) to improve forest health, and (3) to improve biodiversity. Whereas it had been a presumed and unsubstantiated notion that these goals would be met upon reducing the herd, this has not been the case. After a decade and a half of dramatic herd reduction, there has been little to no significant improvement for any of these goals.

Regarding deer health, nine years of after-the-fact studies by PGC indicated that deer had never been in poor health, but were instead in good health prior to and during the intensive deer-reduction period, and remain in good health in every one of the state's 22 Wildlife Management Units.

Regarding forest health, DCNR studies on over 47,000 plots, intensive studies by Penn State, and even forest assessments by PGC foresters indicate that there has been no improvement to forest health after 15 years of herd reduction. A decline in seedling red oak regeneration that PGC and DCNR had assumed was attributed to deer was instead found by Penn State to be the result of acid rain and increasingly acidic soils. Even the densities of three wildflowers that were monitored by the U.S. Forest Service (Indian cucumber root, Canada mayflower, and trilliums) did not change following 10 years of herd reduction.

Regarding biodiversity, although PGC claimed that all other 464 species of birds and mammals in the state were adversely impacted by high numbers of deer, at close scientific inspection it was learned that only the snowshoe hare, ruffed grouse, and 18 species of songbirds (14 of which are common to the state) "might" be adversely affected by deer, although no improvements to the populations of these few species have occurred since herd reduction. In fact, snowshoe hare and grouse populations have continued to decline along with populations of other game and nongame animals as a result of poor management practices by PGC and DCNR, declining habitat, and increasing predation by coyotes.

Economic Impact of Deer Reduction. An independent, scientific assessment of PGC's deer-management program discovered that there are few to no benefits that result from deer reduction – not for science, forest health, biodiversity, nor deer health; and especially not for sportsmen and the Commonwealth's economy. To the contrary, the costs of deer-reduction are exorbitant. A 2012 Pennsylvania Legislative Budget and Finance Committee study discovered that upwards of 100,000-200,000 sportsmen have quit hunting as a result of herd reduction with an economic loss for the Commonwealth of \$285-415 million each year and a cumulative 14-year economic loss of \$4 billion. A September 2016 publication described a Pennsylvania Lapsed Hunter Survey that was conducted by the Commission to determine why 169,000 hunters who had purchased a license before 2010 had dropped out of hunting in the 2010/11 license year. This number does not begin to reflect the actual number of sportsmen who continue to purchase a license but fail to spend many, if any, days afield due to herd reduction. Youth hunters are in decline in Pennsylvania, even though big game hunting is increasing nationally at the rate of 6% per year – placing the future of sport hunting in Pennsylvania at risk.

The LB&FC study also revealed that the deer reduction program was initiated in order for DCNR to achieve an annual Green Certification Award, and that Green Certification was based on politics, not science. The study determined that DCNR only gained about \$1.2 million in additional annual timber sales from being green certified, while the impact to the Commonwealth's economy and outdoor industry is estimated at \$285-415 million per year.

As an example, in 2013 it was reported that of 145 businesses in Potter County that belonged to the Potter County Visitors Association, over 60 were for sale because of deer reduction. This did not account for the at-risk businesses that did not belong to PCVA, and those that had already gone out of business. Bankruptcies, lost jobs, and closed family businesses cannot be justified by Green Certification and herd reduction, nor can empty hunting camps and silent woods in the fall. This circumstance prompted a taxidermist to say that he can no longer make a living from his business. He stated that he has seen overzealous deer biologists collapse herds in other areas of the country, and said that they have now destroyed Pennsylvania's herd and his business.

Therefore, based on the lack of any appreciable scientific justification and benefits for forests and wildlife, and the large and growing impacts to recreational hunting, society, and the state's economy, the deer reduction program represents the biggest conservation mistake in the over-one-hundred-year history of the Game Commission.

Another LB&FC Report. In 2015, another LB&FC study indicated that the Commission has failed in its forest regeneration goal (which is the primary reason that the Commission uses to justify its herd reduction program), stating in the report that forest seedling regeneration has not improved on any of the Commission's 22 Wildlife Management Units throughout the state. PGC complains that forests have grown too old, and that because tree canopies are fully closed which prevents sunlight from reaching the forest floor to create seedling regeneration and food and cover for wildlife, that the deer herd needed to be slashed in order to protect the forest. This policy is 180 degrees from sound forest and wildlife management practices, and certainly from a state conservation agency called the **Game** Commission. Instead of manipulating the deer herd to protect the forest, the Commission should have cut the forest in order to provide food and cover for deer, grouse, and other game and nongame animals. (Note that as a result of the habitat enhancement provisions of HB 2083, the Commission is now proposing a new program of timber cuts and is considering removing fencing from timber cuts that prevents deer and other large mammals from reaching newly created food and cover.

As a consequence of the Commission's deer-reduction-for-green-certification program, hunting camps stand empty, bankruptcies abound with the loss of countless family businesses, and forests remain virtually silent on state lands even during opening days of a concurrent season. Nevertheless, PGC continues to claim high annual harvests that have eclipsed 350,000 – a circumstance that would require an average of about 80 dpsm on all forestlands, and 50 dpsm on every square mile of land area in the state. PGC's irrationally high harvest claims, therefore, can only be explained by incompetence or deception.

Unfortunately, the Joint Legislature had entrusted PGC to honorably uphold its mission, but lacked the scientific capabilities to recognize PGC's breach of trust and violation of Title 34. To resolve the crisis and prevent such a travesty from resurfacing in the future, a permanent solution has been designed – HB 2083: for deer, grouse, and wildlife management; wildlife habitat enhancement; and PGC accountability. However, because PGC has stated that the agency will not comply with the essence of HB 2083 if enacted, it is necessary that an independent, scientific advisory service is created to provide the Joint Legislature with oversight data toward guaranteeing compliance with these pending new laws. Although PGC's Board of Commissioners and staff have successfully stonewalled passage of deer-management bills in the past by promising limited internal remedial measures, until HB 2083 is enacted and an

independent advisory service is created, there will be no permanent solution to PGC's greatest conservation mistake in its over-one-hundred-year history – and the Game Commission will continue to mismanage Pennsylvania forests and wildlife in violation of Title 34 state law and federal Pittman-Robertson regulations.

Please note that a review of the Pittman-Robertson Act indicates that HB 2083 will not affect P-R funding. In fact, when enacted the provisions of bill will likely qualify for P-R funding.

PART II. DESCRIPTION OF HOUSE BILL 2083

DESCRIPTION

House Bill 2083 represents a new, state-of-the-art, Pennsylvania forest and wildlife management policy for deer and wildlife management, wildlife habitat enhancement, and Game Commission accountability. It is designed to serve the best interests of sportsmen, foresters, environmentalists, the general public, and state conservation agencies—both PGC and DCNR. Implementation of the two-part plan would save the state economy \$415,000,000 in annual lost revenue, and end a long-standing and growing schism that exists between sportsmen and the Game Commission. It represents a Commonwealth return-on-investment of \$1,600,000 for every \$10,000 invested – a 160:1 ROI.

Seven Items of the Bill. The deer management bill includes seven (7) principal items:

- (1) Excluding public lands from the Deer Management Assistance Program (DMAP).
- (2) Ending concurrent seasons by changing the length and start date of antlerless deer seasons.
- (3) Redesigning Wildlife Management Units and issuing antlerless deer permits on a county basis.
- (4) Removal of antler restrictions for seniors.
- (5) Directing the maximum sustained yield method of game and deer management.
- (6) Establishing a Forest and Wildlife Advisory Council for accountability.
- (7) Directing broad-scale habitat enhancement on public lands for deer and other wildlife.

The first four items would not directly increase deer numbers, but are primarily of social concern that are designed to begin returning 200,000-400,000 license-buying sportsmen who have quit hunting during the past two decades. The fifth item would significantly increase the deer herd without harming the forest ecosystem, and a broad-reaching habitat enhancement initiative would improve deer, game, nongame biodiversity, and the forest ecosystem to a better condition than had ever existed in the state. However, PGC has stated that it will not comply, and knows that the Legislature lacks sufficient scientific expertise to verify compliance and to oversee the agency. Therefore, a Forest and Wildlife Advisory Council is required to assist the Legislature with the necessary scientific data and capabilities to ensure compliance.

Advisory Services. A seven-member Forest and Wildlife Advisory Council will represent the Legislature in performing the following specialized deer and wildlife management, accountability, and habitat enhancement duties:

- Forest and Wildlife Advisory Service (Item 6). To conduct independent, scientific research and monitor the health of the forest and deer population toward assuring science-based, maximum-sustained-yield (MSY) management of Pennsylvania's deer herd and the forest ecosystem. It would provide the Joint Legislature with the technical forest and wildlife data, sound-science recommendations, and scientific capabilities that are necessary to assure compliance by PGC. This, along with passage of the MSY portion (item 5) of HB 2083, would create a deer-management

condition as good as had existed in the heydays of deer hunting in Pennsylvania – prior to herd reduction – without harming the forest ecosystem.

- Wildlife Habitat Enhancement (Item 7). To improve forest ecosystem health and enhance wildlife habitat for the propagation of game and nongame animals by developing a system of Forest Management Units (FMUs) with High Density/Habitat Diversity (HD) Zones. This provision of HB 2083 would improve populations of deer, grouse, and snowshoes, nongame biodiversity, and forest management including recreational hunting to a level better than had ever existed in the Commonwealth.

GOALS

There are three basic goals of House Bill 2083:

1. Social and Economic Provisions. Five principal provisions of HB 2083 are designed to return the deer management program to serving the interests of sportsmen for recreational hunting in accordance to the Commission's Title 34 mission, to return adult and youth hunters who have left the sport due to the lack of deer, to halt the hemorrhaging of \$285-415 million per year in economic losses to the Commonwealth's outdoor industry, to refill family cabins and hunting camps that have been left empty because of the lack of deer and wildlife, and to revitalize rural economies and family businesses that have been ravaged by the deer-reduction program.

2. Scientific Provisions. State-of-the-art habitat enhancements will be conducted in cooperation with the Commission and DCNR throughout public lands on the roughly 1.5-million-acre system of State Game Lands and nearly 2.5-million-acre system of State Forest Lands in order to return our State Mammal (the white-tailed deer) and State Bird (the ruffed grouse) to responsible and huntable numbers while maintaining a healthy forest ecosystem; and to dramatically increase populations of deer, grouse, and other game and nongame animals from snowshoe hares, woodcock, whip-poor-wills, box turtles, indigo buntings, bats, and myriad other songbirds, to pollinators such as honey bees and Monarch butterflies.

In addition, the bill will assist the Commission and DCNR in achieving their forest and wildlife management goals by conducting detailed, independent, scientific surveys across the public lands system of game lands and state forests that will assess the health of the forest, determine the capacity of the forest to support deer, and determine the number of antlerless allocations that are scientifically required to balance a sustainable harvest of deer while maintaining a healthy forest ecosystem with ample food and cover for other game and nongame animals.

3. Accountability Provision. HB 2083 is designed to assist the Commission in achieving its Title 34 mission, and to provide the State Legislature with the scientific advisory services that are necessary to guarantee the responsible oversight of Game Commission policies and to assure that Commission programs are conducted in accordance to Title 34 State Law and federal Pittman-Robertson standards.

PART III. WHY WE NEED TO PASS HOUSE BILL 2083

In its entirety, HB 2083 represents one of the most broad-reaching and significant conservation bills in the history of the Commonwealth. It will revitalize wildlife and forest management, sport hunting, the outdoor industry, and the economies of rural Pennsylvania beyond anything witnessed in the past. There

is no downside to the bill. Implementation of HB 2083 will save the state economy \$415,000,000 in annual lost revenue, and end a long-standing and growing schism that exists between sportsmen and the Game Commission.

This most important bill will greatly benefit hunters, outdoor-industry businesses, gun-rights advocates, state camp owners, rural economies, and all outdoor-loving citizens of the Commonwealth for generations. Please cast your vote in favor of HB 2083 – for deer and wildlife management, wildlife habitat enhancement, and Game Commission accountability.

1. For Sportsmen and Deer Hunting. In the year 2000, the Game Commission began a five-year intensive deer reduction program that reduced the herd by 500,000 pregnant does and fawns, and since then has maintained the herd at exceedingly low numbers in many areas of the state, while continuing to decrease the herd in many northern and eastern tier regions to as few as 1-2 deer per square mile -- virtually unhuntable numbers.

HB 2083 is designed to quickly return the deer herd to scientifically responsible numbers without impairment to the forest ecosystem – deer numbers that are sensitive to the needs of sportsmen and rural Pennsylvania economies. HB 2083 will serve the interests of sportsmen for recreational hunting by returning populations of deer, grouse, snowshoes, and other game animals to a higher level than ever witnessed in the State, while preserving the health of the forest.

2. For Wildlife Health and Forest Management. Forests on public lands are aging and becoming less productive for most forest-dwelling birds and mammals. Today's century-old forests have closed canopies that are preventing sunlight from reaching the forest floor. Therefore, shrubs and seedlings cannot regenerate as food and cover for wildlife – resulting in an increasingly sterile dead-leaf-covered forest floor with few plants and wildlife. Both resident and non-resident hunters, hikers, and camp owners are lamenting not just the lack of deer, but also the absence of all forms of wildlife especially throughout our northern and eastern tier regions.

In 2015, a Pennsylvania Joint House and Senate Legislative Budget and Finance Committee report indicated that the Commission had failed to accomplish its forest regeneration goal, which was the reason that the agency had so dramatically reduced the deer herd 16 years ago and continues to the present. According to the LB&FC report, the Commission's deer-reduction policy has resulted in no improvements in forest regeneration statewide on any of the Game Commission's 22 wildlife management units.

HB 2083 is designed to aggressively enhance wildlife habitat throughout our 1.5 million acres of state game lands, and throughout the 2.5 million acres of state forestlands. A state-of-the-art habitat improvement plan will benefit game animals such as our State Mammal (white-tailed deer) and our State Bird (ruffed grouse), as well as hundreds of other game and nongame birds and mammals that continue to decline in numbers as our forests age throughout the state's public lands system. HB 2083 will increase wildlife populations and diversity, increase forest regeneration, and improve the quantity and quality of food and cover for wildlife. While the Commission's policy has been to reduce the deer herd in order to benefit the forest, HB 2083 is designed 180° from this policy – to enhance forest habitat in order to benefit deer and other game and nongame wildlife populations.

3. For Sportsmen and the Second Amendment. A 2012 Legislative Budget and Finance Committee study discovered that as of 2011 the Game Commission's deer-reduction program had caused the loss of 100,000-200,000 sportsmen as license-buying hunters. These numbers were estimated to be much higher, in that it is estimated that twice that number of sportsmen may be still buying licenses because of tradition, but are failing to spend many, if any, days afield because of the lack of deer. This is evident

from state forest and game lands that are practically absent of shots and hunters during the regular deer season. The low rate of enrollment of youth hunters cannot compensate for the high rate of decline in the ranks of hunters because of the lack of deer. Considering that sportsmen represent a first line of defense in protecting our Second Amendment rights, the continuing loss of sportsmen represents a serious threat to our right to keep and bear arms.

HB 2083 is designed to return upwards of 200,000 sportsmen and youth hunters as license-buying customers of the Commission, and to secure the future of sport hunting and our right to keep and bear arms in Pennsylvania.

4. For Game Commission Accountability. For the past 16 years, the Game Commission has disregarded its Title 34 mission to serve the interests of sportsmen and wildlife resources in favor of serving the interests of foresters and a handful of fringe environmentalists. This agenda-driven policy was arbitrarily chosen by a handful of people at their personal discretion. While a commission chief stated in private conversation that "*I get what I want, I baffle them with b---*s---"; the State Legislature does not have adequate scientific capabilities to determine the agency's degree of adherence to its chartered mission, to hold the agency accountable for failed actions, and to enforce the agency's adherence to Title 34 state law.

HB 2083 is designed to provide the Joint Legislature with the scientific capabilities and advisory services that are required to responsibly oversee the Commission and hold it accountable to its chartered mission.

5. For Family Businesses and the State's Economy. In 2012, the Legislative Budget and Finance Committee reported that the Game Commission's deer-management policy and resulting loss of sportsmen is costing the state economy \$285 million in direct losses "per year". This economic impact is most evident throughout Pennsylvania's outdoor industry, where businesses often report annual losses in sales of 50-60% at best, and at worst suffer bankruptcies and closed doors. In April 2016, the Cameron County Chamber of Commerce called the Game Commission's deer-management policy "economic suicide" for the county. Since the onset of herd reduction, the loss to the state economy is estimated to be over \$5 billion. An April 2016 telephone survey of sportsmen clubs (each ranging from roughly 1,000 to 10,000 members and more) and of outdoor-industry businesses (including five county chambers of commerce with the smallest representing 100 businesses and the largest just under 1,000 businesses) reported that of 110 contacts, 109 were in favor of legislative deer-management reform. Many organizations and businesses expressed such hatred for both the Game Commission and DCNR that their comments could not be quoted in the survey report. Organizations representing about 700,000 members were tallied as requesting legislative deer-management reform.

HB 2083 will halt the annual hemorrhaging of \$285-415 million to the Commonwealth's economy, and is projected to remedy this economic impact and more within 10-15 years. Full implementation of HB 2083 will regenerate hundreds-of-millions-of-dollars in jobs and small businesses that rely on ample deer, abundant wildlife populations, and healthy forests. The bill will create many thousands of new jobs and stimulate the development of new business opportunities in the forest industry, tourism, and outdoor recreation. HB 2083 represents an unprecedented economic boon throughout rural Pennsylvania.

6. For CWD Disease Control in Deer and Elk. Chronic Wasting Disease (CWD) is a fatal neurological disease of deer and elk that is threatening the Commonwealth's deer herd in some areas, and risks spreading throughout the state if responsible management measures are not taken. According to research in other states, PGC's management actions are not adequate to responsibly address this serious circumstance and might actually be encouraging the occurrence and spread of the disease.

HB 2083 will immediately implement policies that adhere to nationally recommended measures to control the frequency and transmission of this virulent neurological disease.

7. For the Good of the Game Commission. For over a century, the Game Commission has honorably and effectively served wildlife resources, sportsmen, and the citizens of the Commonwealth in accordance to its Title 34 mission. However, for the past 16 years the agency has strayed from its Title 34 mission. Their policies have resulted in a decreasing respect by sportsmen that borders on outright hatred in some quarters. The Commission's deer-reduction program and loss of hunters has cost the agency an estimated \$10-20 million per year in lost license sales, and a study by Penn State indicated that a "questionable" land management policy might have cost the agency hundreds-of-millions-of-dollars in revenue. The Commission is currently requesting \$20 million of hunting license-fee increases in the short-term, and upwards of \$35 million within five years. However, if the Commission had responsibly managed wildlife and game lands, there would be no need today for a license-fee increase.

HB 2083 will assist the agency in repairing its reputation with sportsmen and the public by implementing sound management actions that are today being overlooked by the agency. The bill is projected in the short term to increase the number of hunters and generate \$17 million in increased hunting license revenue, and \$39 million per year within 5-10 years. HB 2083 will assist in placing the agency's train back on its Title 34 track.

PART IV. A MILLION SPORTSMEN, GUN-RIGHTS ADVOCATES, BUSINESS OWNERS, AND CAMP OWNERS WANT LEGISLATIVE DEER MANAGEMENT REFORM

In January of this year, the Commission was asked to attend a House hearing regarding HB 2083. At the meeting, the Commission stated that most sportsmen are in favor of the Commission's deer-management program, and that the agency will not change the program.

Following the hearing, I was asked by a bipartisan group of legislators to verify the Commission's claim that "most sportsmen are in favor of their deer-management program." Toward this end, over a 72-hour period in April I conducted a telephone survey of sportsmen organizations and outdoor-industry businesses in central and northern-tier counties. I asked the presidents of sportsmen clubs, the owners of businesses, and directors of five chambers-of-commerce if they approved of the Game Commission's current deer-management program, or if they preferred change. If they preferred change, then I asked if they desired legislative involvement. Of the 110 samples, only one favored staying with the Commission's current deer-management program, and this organization had a political affiliation with the Commission. Of the remaining 109, many of their comments were so laden with hatred and expletives for the Commission and DCNR that I could not include them in the report. Most club presidents and business owners are hoping and praying for legislative action, because their only hope to end a "15-year nightmare" as some stated, was for the legislature to finally say "enough is enough" and resolve the crisis.

Please keep in mind that each phone contact accounted for only one of the 110 tallies of the survey, even though single contacts often represented sportsmen clubs ranging from about 1,000-10,000 members. Some were much larger. The five chambers-of-commerce represented about 2,000 businesses. The director of the Cameron County Chamber of Commerce referred to the Commission's deer-reduction program as "economic suicide for the county." This 72-hour survey represented only a sample – a microcosm – of the hundreds-of-thousands of sportsmen and the thousands of businesses that desire legislative deer-management reform by passing HB 2083.

PGC has rallied its allies that support its current deer-management program – primarily those groups who have a vested interest in agreeing with any policy that is proposed by the Game Commission. However, my survey demonstrated that for every single Commission affiliate that favors PGC's deer program, there are a thousand who hate the deer-management program, despise the agency, and want legislative reform. If the state legislature does not now pass HB 2083 and resolve this crisis, the impacts to sport hunting, society, and our economy will continue to worsen, and sportsmen will continue to increase their intolerance to the Commission and legislators.

Contrary to PGC and its allies, it should be understood that it is not a single organization, but a baseline coalition of organizations representing about 600,000 members that has spear-headed efforts to reform the current deer-management program and support passage of HB 2083:

- Allegheny County Sportsmen's League, the voice of 200,000 sportsmen.
- Unified Sportsmen of Pennsylvania, representing 70,000-100,000 members.
- Eastern Pennsylvania Firearms Coalition, representing 150,000-175,000 members.
- Firearm Owners Against Crime representing 28,000 members and 76,000 associates.
- Pennsylvania State Camp Association, representing 5,000 state-leased camps and over 60,000 members.

Now add those from my 72-hour survey who oppose PGC's deer-management program and who seek HB 2083 legislative reform:

- Mosquito Creek Sportsmen's Association representing 6,000 members.
- Sinnemahoning Sportsmen's Club representing 3,800 members.
- Bucktail Rod and Gun representing 800 members.
- May Hollow Sportsman's Club representing 250-300 members.
- Buffalo Valley Sportsmen's Association at 900 members.
- Union County Sportsmen's Club at 4,000 members.
- Rapid Run Rod and Gun Club at 19 members.
- Half-Way Rod and Gun Club at 18 members.
- Central Counties Concerned Sportsmen's Association representing over 10,000 members.
- American Gun Owner Alliance representing 165 groups and organizations in 48 states with 18 affiliates in Pennsylvania.

Adding businesses from the 72-hour survey boosts the known tally of sportsmen, firearms owners, and business owners who oppose the Game Commission's deer-management program to about 700,000. Undoubtedly, this is a fraction of the citizens who oppose PGC's deer-management program and seek legislative reform.

Following are direct excerpts from the survey report and some personal statements from the 109 sportsmen's organizations and businesses that were contacted during the 72-hour survey. The report is entitled "A Microcosm of Businesses and Organizations that Support Reforming the Game Commission's Deer-Management Program" (April 2016), and is available upon request.

Sportsmen Associations. The following sportsmen clubs and firearms organizations are in favor of immediate deer-management reform:

10. May Hollow Sportsman's Club (Bob Faline), Driftwood, PA (814-546-2428): 800-900 members.

Personal Statement: We definitely need more deer.

11. Bucktail Rod and Gun (President Frank Armanini), Emporium, PA (814-486-0941):
800 members.

Personal Statement: Half of our members come from around the state. Nobody up here agrees with the Game Commission's deer program. We need reform. Don't know why they did it or why it's permitted. DCNR wants the deer totally wiped out. They think deer hunters are stupid. They have a hate-the-deer attitude.

12. Mosquito Creek Sportsmen's Association (President Karen Price), Frenchville, PA (814-345-5052):
6,000 members.

Personal Statement. The high number of doe tags needs to be stopped. We need habitat improvement for deer and grouse. We need to return to the county system – nobody knows where they're hunting. We're losing our next generation of hunters. Definitely in support of the new deer management bill.

13. Sinnemahoning Sportsmen's Club (President Carol Fiedt), Sinnemahoning, PA (814-546-2594):
3,800 members.

Personal Statement. We're absolutely on board. Very much so! We walk the walk. We live it; we see it. People who don't live here don't know how bad it is. There must be reform. You have our full support (regarding the pending deer management and accountability bill).

14. West Decatur Sportsman's Club (President Mike Welder), West Decatur, PA (814-553-5909):
250-300 members.

Personal Statement. Our biggest problem is too much doe pressure. Archery season should return to its intended purpose – an opportunity to hunt in a traditional way. We strongly support deer management reform and new legislation.

15. Central Counties Concerned Sportsmen's Association. (President Frank Josefik Jr.), Morrisdale, PA
(814-577-2194): over 10,000 members.

Personal Statement: We are an umbrella organization for sportsmen in Centre, Clearfield, and Cambria Counties. We currently represent 16 clubs (see below). The Game Commission needs to know that we are losing youth hunters. Last year 100 kids signed up for our hunter education class, 67 of them showed up, and only 3 of them got hunting licenses even though we had offered to pay for their first youth license. We're in full support of the deer management reform legislation.

32. American Gun Owner Alliance (Dave Dalton), Mountainhome, PA: An alliance representing 165 groups and organizations in 48 states. There are 18 groups and organizations in Pennsylvania **that** belong to the alliance.

Mission Statement: The loss of hunters represents a significant risk to our Second Amendment rights. Our goal is to educate and inform non gun owners, bring groups together in support of constitutional law, and oversee legislative actions in support of gun ownership.

Businesses for Deer-Management Reform. The following chambers of commerce, tourism associations, and businesses are in favor of deer-management reform.

33. Lycoming County Chamber of Commerce/Lycoming County Visitors Bureau (Jason Fink, Executive Vice-President) Williamsport, PA (570-320-4213): Representing 937 businesses and organizations.

Personal Statement. There are several factors that come into play when identifying the problems surrounding deer management. Some are social in nature. However some are due to Game Commission policy. There needs to be concerned legislative involvement regarding deer management reform. Habitat improvement is an important issue.

34. Cameron County Chamber of Commerce (Executive Director Tina Solak), Emporium, PA (814-486-4314): Representing 100 businesses.

Personal Statement: The deer program has been economic suicide for Cameron County. Deer season used to represent our biggest economic generator. Now the biggest, at a distant second, is fishing, followed by bear season and elk tourism. Deer season is dead last. We don't care if the deer and racks are bigger. We care about more deer.

35. Clearfield Chamber of Commerce (Director Kim McCullough), Clearfield, PA (814-765-7567): Representing over 320 businesses and organizations.

Personal Statement: The future of hunting is at stake. Many of our hunters can't afford to spend more for a license, and will quit. Combined with the lack of deer, we will continue to lose hunters.

38. The Potter County Visitors Association could not be reached when this list was created. However, as of 2013 former association president, Jack Krafft, stated that of 145-150 businesses belonging to the PCVA, over 60 were for sale because of deer reduction. This does not count the small businesses that do not belong to the PCVA that have already closed or are now for sale.

39. First Fork Lodge (Owner Jack Krafft), Austin, PA (814-647-8644).

Personal Statement: *"On Eleven Mile Run Road I counted only 9 vehicles in 11 miles on the first day of deer season, and on the first Saturday only 1 vehicle in 11 miles. Traditionally the lodge has had the same 27 out-of-state hunters on the first week of rifle buck season. Combined, the 27 hunters saw only 10 deer during the week. Only 2 returned, representing a loss of \$60,000 for the lodge."* Jack lost 55 of 57 out-of-state bow hunters because of the lack of deer. They said that they would hunt in Wisconsin or Michigan in the future. There were nine motels for sale between Galeton and Coudersport.

40. South Park Supply (Owner Kim Artman), Emporium, PA (814-486-5815).

Personal Statement: I lost 60% of my business because of deer reduction program. The loss of hunters has resulted in removing hunting equipment from the store. Now fishing is foremost, although far behind hunting.

42. Bob's Army and Navy Store (Owner Bob Grimminger), Clearfield, PA (814-765-4652).

Personal Statement: The herd is not recovering. Hunted more this year than in past several years, and saw only 10 deer all season. Saw no quality buck in archery season. Believe antler restrictions are harming the herd. Friday before buck season used to be wall-to-wall hunters; now that's gone. Estimate hunting business down about 30%.

43. River Valley Surplus (Ralph Dussia), Ridgway, Pa (814-773-3237).

Personal Statement: PGC ruined the best tourism industry. Used to sell 50-60 boxes of shells on Friday before deer season, and now 2-3. After 35 years, business is down 50-60%.

44. Willows Inn (Jim Hetrick), Driftwood, PA (814-546-2383).

Personal Statement: Hunting season used to be a busy, busy time. Not so, now. Deer hunting is pretty much at rock bottom. There's a dramatic impact to businesses in the area. Camps are mostly unused. Business is down 25-35%.

45. Buttonwood Motel and Restaurant (Owner Bruce Bush), Driftwood, PA (814-486-0522).

Personal Statement: Makes him angry that the Game Commission now says that they overshot the deer in some areas when for years they blamed the lack of deer on hunters' inability to find them. Crossbows are not a primitive weapon, and should not be permitted during the archery season. Cross-bows will eventually hurt the bear population and are hurting rifle hunters. They say that deer are coming back in some areas, but it's not because of good management. It's because the guys have quit hunting because of the lack of deer. Business is off 50% in deer season. Shale gas drillers and the extended bear season is saving my bacon. If they don't do something, the tradition of hunting will be lost.

46. Pennsylvania Taxidermist Association (President Jason Krause), Pine Grove, PA: Over 400 members with individual taxidermy businesses, and representing about 1270 Pennsylvania taxidermists licensed under the Department of Agriculture.

Personal Statement (Jason Krause): Antler restrictions are beneficial for my business. However, the deer herd needs to be increased. Sees few deer near his camp in Lycoming County, and few deer in Schuylkill County. Concerned about the future of sport hunting. Definitely in favor of broad-scale habitat enhancement. The commission is mistakenly adjusting the deer herd to fit the habitat when they should be adjusting the habitat to help wildlife. Grouse – what are they?

Personal Statement (Robert Hutchinson, previous President of PTA, Mt. Pleasant, PA): There is a lack of deer. Hunters are fed up and not buying licenses. After 38 years in the business, I'm forced to pull in more work from Africa and North American big game because of the decline of the deer herd.

PART V. CONCLUSION

Finally, I wish to describe for you the tremendous benefits for the Commonwealth that will result from passage of HB 2083:

- Return upwards of 200,000 sportsmen who have stopped hunting because of the Commission's deer-reduction program.
- Generate youth hunters for the perpetuation of sport hunting in Pennsylvania.

- Improve the health of the forest ecosystem for not just deer, but especially for other game and nongame species from grouse and snowshoe hares to songbirds and pollinators such as bees and Monarch butterflies.
- Stop the annual loss of over \$400 million to the Commonwealth's economy, and revitalize outdoor-industry jobs and rural economies.
- Once again fill family and hunting camps that now stand empty because of the lack of deer and wildlife.
- Stop the increasing risk to our Second Amendment due to the loss of hunters.
- Improve outdoor recreation for all outdoor-loving citizens of the Commonwealth.
- Implement a new wildlife habitat enhancement program for all forest-dwelling species toward improving habitat and increasing game and nongame wildlife populations throughout 6,000 square miles of State Game Lands and State Forests.
- Implement a sustainable deer-management program that will scientifically balance deer numbers with forest food and cover toward assuring both a maximum yield of deer for sport hunting and a healthy forest ecosystem.
- Assist PGC in placing its train back on track toward accomplishing its Title 34 mission.

HB 2083 includes a provision to assist the legislature in responsibly and scientifically overseeing the Game Commission – the creation of a Forest and Wildlife Advisory Council. For nearly two decades, PGC has strayed from its mission, and the legislature has lacked the scientific expertise to hold the agency accountable. HB 2083 will provide this scientific capability to the State Legislature and represent the legislature in assuring that PGC's train remains on track, that the great impacts to society, environment, and our economy that are caused by the mismanagement of our natural resources are not repeated in the future, and that Pennsylvania will once again return to the top spot in the nation for wildlife management.

It should also be noted that HB 2083 will direct the Forest and Wildlife Advisory Council to coordinate a broad-reaching habitat enhancement program on both state game and state forest lands that will improve the populations of game as well as nongame species of wildlife. At PGC's rate of addressing habitat deficiencies, it would take the agency 100-200 years to accomplish on state game lands what HB 2083 will accomplish in 10-15 years on both state game and state forest lands.

This is one of our most important bills that will greatly affect all hunters, outdoor-industry businesses, gun-rights advocates, state camp owners, rural economies, and all outdoor-loving citizens of the Commonwealth for generations. Please cast your vote in favor of HB 2083 – for deer and wildlife management, wildlife habitat enhancement, and Game Commission accountability.

APPENDIX

About the Author. John Eveland is by education and profession a forester, wildlife biologist, and ecologist. Of the three big game mammals in Pennsylvania (white-tailed deer, black bear, and elk), he conducted original statewide research, wrote the original state management plans, and was directly involved in the successful recovery of two of these species -- black bears and elk. From his Penn State bear research (which was sponsored by the Pennsylvania Game Commission and the U.S. Fish and Wildlife Service), his management recommendations and first population estimate of only 1,600 bears in the Commonwealth were instrumental in reducing hunting pressure on bears by closing Pennsylvania's bear season in multiple years during the 1970s and in changing from a one-week to a three-day season. He created the system of bear check-stations, initiated the issuance of bear licenses, and was instrumental in their recovery to a current population of over 20,000 bears. As a scientist on the Penn State faculty, he conducted the first ecological research and population assessment of Pennsylvania's elk herd under the sponsorship of the Game Commission and Pennsylvania Department of Environmental Resources (now DCNR), discovered the brainworm disease in the elk herd, wrote the state's first elk management plan that has been instrumental in the recovery of the herd to about 1,000 elk, recommended the elk-hunting lottery system, and designed the original plan for PA Wilds and the Elk Country Visitor Center.

Eveland left the Penn State faculty to accept a position with Westinghouse Electric Corporation in Pittsburgh. There, John conducted environmental field studies and selected the sites for some of America's largest energy development projects, such as fossil fuel, nuclear, geothermal, and solar power generating stations; coal and uranium mines; energy transport systems; and the long-term impacts (to air, water, soils, and biological systems) of fossil fuel emissions.

His scientific experience includes studies for the U.S. Forest Service and the U.S. Fish and Wildlife Service, and for university, state and federal agencies, and private industries throughout North America. He has conducted scientific research on wildlife, forest ecology, natural ecosystems, endangered species, and energy/environment relationships within over 30 states and provinces of Canada, and hence is uniquely qualified as an ecologist with broad state, national, and North American expertise.

Regarding white-tailed deer (Pennsylvania's third big game mammal), Eveland was requested by the Minority Leader of the Senate, the Office of the Governor, and the Pennsylvania State Legislature's Game and Fisheries Committee to conduct a comprehensive assessment of the Pennsylvania Game Commission's deer management program. At the request of members of the Board of Game Commissioners, he prepared a new deer-management plan for Pennsylvania that was designed to resolve this long-standing conservation crisis in the best interests of all involved parties – serving sportsmen, foresters and environmentalists, the outdoor industry and state economy, and the outdoor recreational interests of Pennsylvania's citizens.

On a Personal Note. The term "environmentalist" as used in this document is not intended to disparage those who care deeply about the quality of our natural environment. There are few people who have a stronger environmental ethic than the author of this document. However, using environmentalism as a justification for extreme actions by those who promote a radical agenda at any cost is not acceptable. No increased number of Indian cucumber roots or trilliums on the forest floor can begin to justify the harm to sportsmen and the future of recreational hunting, to family businesses throughout the outdoor industry, and to the state's economy that has resulted from the Game Commission's deer-reduction program.