



THE MARYLAND GENERAL ASSEMBLY
ANNAPOLIS, MARYLAND 21401

MEMORANDUM

TO: Montgomery County House Delegation

FROM: Montgomery County House Delegation Deer Management Work Group

SUBJECT: Policy Recommendations

DATE: November 23rd, 2020

During the 2020 Legislative Session, Montgomery County House Delegation Chair Marc Korman created the Deer Management Work Group and charged its members with studying the impacts of deer overpopulation in Montgomery County's Agricultural Reserve and neighboring areas and recommending policy interventions to address the issue.

The Work Group was chaired by Delegate Eric Luedtke and members included Delegate Lorig Charkoudian, Delegate David Fraser-Hidalgo, Caroline Taylor (Executive Director, Montgomery Countryside Alliance), Mark Eakin (Director, Animal Connection Deer Management Team), Jane Siegler (Chair, Legislative Committee of the Maryland Horse Council), Bob Cissel (Director, Montgomery Agricultural Producers), and Anne Davies (Sugarloaf Riding Club). The Work Group met remotely four times during the 2020 interim.

In addition to the official members, a group of stakeholders and regulators on the county and state level participated in each of the four meetings. These included representatives of the Maryland Department of Natural Resources, the Maryland-National Capital Park and Planning Commission, the Montgomery County Office of Intergovernmental Relations, and the Montgomery County Office of Agricultural Services.

The Work Group studied and discussed a range of topics, including deer management permitting processes, liability and insurance issues, data collection, incentives for deer hunting and donations, commercial sales of wild caught venison. The Workgroup also conducted a survey of farmers in the county to gauge the severity of the issue and to receive their recommendations on how to address it.

Following these discussions, the Work Group voted to recommend that the Montgomery County House Delegation advocate for legislation to:

1. Update the venison donation tax credit to ensure that it applies to the donation of venison where a county government bears the cost of venison processing, as is the case in Montgomery County. Currently, hunters that donate venison through the Montgomery County Office of Agricultural Services are not eligible for the credit because the county bears the costs of processing the deer.
2. Develop a pilot program for commercial wild-caught venison sales, modeled on similar programs in Texas. By creating opportunities to sell wild-caught venison, such a program would create new incentives for better deer management. Federal meat processing laws require the presence of an inspector when an animal is slaughtered, which has been the limiting factor preventing such markets from developing. But in Texas, the state has piloted a program where a state inspector travels with the hunters and thereby provides the necessary oversight.
3. Clarify that liability protections for hunting in state law apply to farmers who limit access to their property in addition to those who allow open access to their property. Lack of clarity about liability protections is a factor in some farmers not allowing hunting on their property.

In addition, the Work Group recommended that the Montgomery County House Delegation work with state and local elected officials and agencies to:

4. Secure funding for the reopening of a venison donation storage locker on the eastern side of the Agricultural Reserve.
5. Identify solutions to the challenge of finding liability insurance that is affordable in areas with a large number of small properties, such as a residential area.
6. Develop and distribute documents describing best practices for landowners in establishing hunting leases or other agreements with hunters or hunting groups.
7. Urge appropriate state and local agencies to hold annual fora to update the agricultural community on changes to laws and regulations related to deer management, including any changes to hunting laws, liability protections, or other issues of interest.
8. Urge the Department of Natural Resources to accelerate the process for moving the deer management permitting system entirely online.
9. Discuss with DNR the possibility of streamlining the deer management permit application process to allow for multi-year permits and thereby reduce paperwork for participating agricultural producers.
10. Review regulations regarding the trapping and hunting of potential wild predators of deer, such as coyotes.

11. Establish incentives for current holders of deer management permits to harvest greater numbers of deer.