

THE MARYLAND WILDLIFE ADVISORY COMMISSION MINUTES
NOVEMBER 17, 2021

Chairman Lou Compton called the meeting to order at 10:30 a.m. This meeting was held via teleconference and videoconference. Chairman Compton asked for a roll call of individuals who were on the “call.” Unfortunately, because of the anonymity of Google Meet callers, it was impossible to determine the identity of every participant.

2019 Conservationist of the Year Presentation

- Director Peditto thanked Mimi Wright for attending the virtual meeting. Also, Director Peditto expressed his gratitude to Eastern Region Land Manager Greg Schenck and Eastern Region Area Manager Jacob Peregrin for nominating Mimi Wright for the 2019 Conservationist of the Year.
- WHS is grateful to have Ms. Wright as a stakeholder and conservation advocate for many years.
- Director Peditto turned the presentation over to Eastern Region Land Manager Greg Schenck.
- Eastern Region Land Manager Greg Schenck has worked with Mimi Wright for most of his career. Ms. Wright has always followed through on projects and listened to advice. Ms. Wright has been a wildlife and habitat advocate. Ms. Wright is an excellent steward of the lands around her.
- Ms. Wright acknowledged that she could not have done the conservation work without the assistance of WHS staff like Mr. Schenck. WHS staff are always willing to help.
- Ms. Wright talked about her marshes that started with the assistance of Mr. Schenck.
- Ms. Wright’s farm was one of the first to have warm-season grasses in Dorchester County. For more than 20 years, these grasses have grown and provided habitat for various vital species.
- Ms. Wright thanked Director Peditto for his leadership and his can-do-it attitude implemented by WHS staff. Ms. Wright expressed that she is incredibly proud of Mr. Schenck.
- Mr. Schenck presented the 2019 Conservationist of Year Award to Ms. Wright.
- Ms. Wright requested Director Peditto to hire more staff. Director Peditto responded that with the help of the Commission, WHS is looking forward to hiring additional staff.

Welcoming a New Member to the Commission

- Chairman Compton and Director Peditto, along with the members of the Commission, welcomed T.J. Jenkins to the Commission.

Approval for November 17, 2021, Meeting Agenda

- Motion to Approve the Agenda:
 1. Commissioner Gregor moved to accept the Wildlife Advisory Commission on November 17, 2021, Meeting Agenda.
 2. Commissioner Wagner seconded.
 3. All in favor. Motion passed.

Approval for Minutes from October 20, 2021, Meeting

- Motion:
 1. Commissioner Schroyer moved to accept the October 20, 2021 meeting minutes as presented.
 2. Commissioner Gregor seconded.
 3. All in favor. Motion passed.

Game Program Update – Associate Director Karina Stonesifer gave introductory remarks.

- Game Mammal Section Leader Brian Eyler gave the Deer Cooperator Permit Presentation.

[ATTACHMENT A]

1. From 2007 through 2018, WHS issued a letter of authority for airports and training facilities that allowed them to remove deer.

2. In 2018, a review from the Attorney of General required WHS to eliminate the Letter of Authority (LOA) and transition the airports and facilities to the Deer Cooperator Permit (DCP).
 3. Subsequently, there was a substantial increase in DCPs. Unfortunately, this change more than doubled the workload for Assistant Deer Project Leader George Timko and the other staff who oversee this effort. Worth noting that this work is not reimbursable or Pittman-Robertson eligible. As a result, the staff spends months reviewing these DCP plans every year.
- Deer Cooperator Permit Q&A Section:
 1. Commissioner Jenkins asked how many deer were taken under the Agricultural Deer Cooperator Permit (ADCP).
 - a. Last year, ADCP holders took 40 deer.
 - b. One long-standing 'standard' DCP holder only does agricultural damage, and that holder took around 150 deer last year – so approximately 200 deer statewide from the ag option shooters. Several hundred hours in review to produce 200 total deer across the State.
 2. Chairman Compton asked if the DCP holder in Carroll County shoots year-round.
 - a. The DCP holder in Carroll County shoots during February and March when shooting in an ag setting.
 3. Commissioner Boyles Griffin asked of the deer killed every year, the highest portion, and the reason?
 - a. The highest are airports and national park properties. In addition, there are community areas that opt to allow DCPs instead of hunting.
 - b. Commissioner Boyles Griffin expressed surprise that there are not more deer taken for agricultural reasons under the Deer Cooperator Permit.
 - c. These permits still require someone to pull the trigger. It takes effort and time. Once they get into it, they figure out that they do not have the time or interest. For this process to be done right, a person needs to invest in tools such as a longer-range centerfire rifle with a suppressor and very good night optics – all of which are expensive and take time to learn how to use in nighttime settings.
 4. Commissioner Wagner confirmed that these permit holders took roughly 1600 deer, it does not seem to be a lot of deer, but Commissioner Wagner has received deer crop damage complaints from farmers. Is the deer crop damage a different permit from what we are discussing?
 - a. The deer crop damage permit is a different program from the ADCP or standard DCP. 'Crop Damage Permits (or DMPs) are not eligible for nighttime shooting.
 5. Commissioner Wagner asked how many deer were taken under the deer crop damage on agricultural lands.
 - a. The total is around 10,000, and that figure has slowly increased over time. The deer crop damage permits peaked during the early 2000s before the liberal seasons and bag limits. Staff members were able to wean several farmers from the deer crop permits, so the numbers dropped around 2003 and 2004, but it is increasing with crop prices and expenses.
 6. Commissioner Wagner asked if there was any way to make the process of DCP eligible for PR funding and are other states doing the same thing or something different.
 - a. There is no way to make the DCP reimbursable. Therefore, anything that staff members do that is nuisance wildlife-related cannot be billed to PR or fed reimbursable. Very few, if any, states have a similar option.
 - Game Bird Section Leader Bill Harvey gave the Eastern Woodcock Migration Research Cooperative Project Presentation. **[ATTACHMENT B]**
 1. Maryland and several other states have been involved in the Eastern Woodcock Migration Research Cooperative Project for about three years.
 2. Woodcock is a fantastic bird for upland hunters and birdwatchers, especially in the spring when woodcock do their courtship flights.

3. Woodcock need young forest habitat. Woodcock spend their day in dense young hardwood stands, usually where the soil is moist and fertile for their favorite food, earthworms. During the night, the woodcocks go to fields or openings to roost.
 4. There are two populations, Central Woodcock and Eastern Woodcock. The Eastern Woodcock has the Atlantic Flyway. The Central Woodcock includes the central states and Mississippi.
 5. There has been a long-term decline since the late 1960s when the monitoring started. It is almost certain that the decline is related to young forest and early succession habitats that have become less available over time.
 6. These birds are difficult to catch, so there is some banding, but not like waterfowl species. There have been some telemetry studies that have looked at movement over a few months.
 7. A few years ago, many states started the Eastern Woodcock Migration Research Cooperative Project.
 8. MD WHS staff marked 25 woodcocks for three years in early February. It was an old field area where woodcocks would go at night. The field slide is where staff caught the birds along with the migration pattern. These birds migrated in March.
 9. Woodcocks do not migrate as a group or leave as a group.
 10. On February 11, 2021, one marked woodcock used the same fields until March 15, 2021, then north to the western part of Pennsylvania. It crossed over to Lake Erie and Lake Michigan on March 13, 2021, proceeded to Wisconsin to the upper peninsula of Lake Michigan. The slides demonstrated the data that the staff received.
 11. There is a Woodcock Migration website at <http://www.woodcockmigration.org/> for additional information.
- The Eastern Woodcock Migration Research Cooperative Project Q&A Section:
 1. Commissioner Jenkins asked if the woodcock population data showed.
 - a. The woodcock population has decreased since the 1960s. Currently, it is about half of the population estimate in the 1960s.
 - b. In the last 10 to 15 years, the population has been stable. Hopefully, it is stable due to the young forest habitat efforts.
 2. Commissioner Boyles Griffin mentioned the only time she has encountered these birds is when they have hit a building, and she picks them up during the migration. Commissioner Boyles Griffin asked if hitting buildings is a contributing factor to the decline of the woodcock population.
 - a. This study will help the experts determine what factors impact the woodcock species.
 - b. Many of these species migrate through New York City and rest at Central Park.
 3. Commissioner Boyles Griffin asked about a location where people to see and hear these birds.
 - a. The woodcock breeding ground is primarily in Western Maryland.

Natural Resources Police Update – Lt. Charles Fawley gave a presentation.

- Lt. Fawley outlined the NRP activity for October. NRP statewide issued 353 citations and 736 warnings. In addition, there were 204 wildlife violations, 177 boating, 122 public lands, and 281 fisheries. Traffic violations total was 305. The total statewide is 1089 violations.
- Lt. Fawley was told to bring an issue to the Commission's attention. Recently, one of the officers in Anne Arundel County charged a violator with shooting or attempting to shoot at wild waterfowl from an unlicensed stationary blind site. Unfortunately, the case was lost based on the current verbiage in the regulations. It has been requested *Lt. Fawley to make the Commission aware of the terminology in the regulations and a proposal to amend the wording to alleviate the loophole. Lt. Fawley read the regulation §08.03.07.02 Shooting from Offshore Stationary Blinds or Blind Sites to the Commission, which states," A. A person may not shoot or attempt to shoot wild waterfowl from any unlicensed stationary blind or blind site in this State."
 1. NRP requests the word hunt be added to regulation §08.03.07.02.
 2. Lt. Fawley outlined the definition of a hunt from §08.03.01.01 that states, 20 Hunt. "Hunt" means to pursue, capture, catch, kill, gig, trap, shoot, or attempt to pursue, capture, catch, kill, gig, trap,

- or shoot, or in any manner reduce any bird or mammal to personal possession.”
3. The addition of the word hunt would significantly reduce the amount of evidence an officer would need to produce in court. Therefore if a hunter calls and sets up decoys etc., that would be enough evidence for court.
 4. Lt. Fawley outlined the case's particulars to the Commission to stress the need to change the wording. The officer, in this case, did not witness the person shooting at the wild waterfowl.
 5. Chairman Compton indicated that since staff are preparing concepts, this proposal should go through that stakeholder process for this change.
 6. Staff informed the NRP chain of command months ago that this proposal could be added to the concepts.
 7. Chairman Compton thanked Lt. Fawley for bringing this issue to the Commission's attention. It seems there is a plan to handle the suggested proposal with the other WHS regulation changes.

Maryland Farm Bureau Update – Presentation by Maryland Farm Bureau Director of Government & Public Relations Colby Ferguson.

- Mr. Ferguson mentioned that MFB is going through current policies. There will be a few local Sunday bills for the Legislative Session.
- Mr. Ferguson would like to see non-reimbursable staff duties funded, not by hunters' dollars.
- MFB is moving forward with the black-headed vulture depredation permit for the Maryland farmers.

2022 WAC Annual Schedule and Draft Monthly Agenda – Commission Discussion

- The members of the Commission and staff received the proposed 2022 WAC Annual Schedule and Monthly Draft Agenda.
- Since there is no December meeting, if any member wants to be Chair or Vice-Chair, they should let the Commission know because January is the Annual Election for these positions. Chairman Compton is willing to serve again but offers the opportunity for change.
- The revised 2022 WAC Annual Schedule and Draft Monthly Agenda is attached. [ATTACHMENT C]
 1. 2022-2024 Hunting Regulations Concepts added to the February 16, 2022, meeting. Associate Stonesifer agreed to provide a monthly update up to the Commission's vote.
 2. September 21, 2022, WAC Meeting Discussion as a field day or business meeting or no meeting added to June 15, 2022 meeting agenda.
- Motion
 1. Commissioner Gregor moved to accept the content of the 2022 WAC Annual Schedule and Monthly Draft Agenda.
 2. Commissioner Schroyer seconded.
 3. All in favor. Motion passed.
- Discussion ensued regarding virtual meetings and in-person meetings.
 1. Chairman Compton suggested that June 15, 2022, meeting be in-person.
 2. Commissioner Wagner pointed out that there should be more than one meeting in person because it is a lot to be gained at in-person meetings.
 3. Commissioner Boyles Griffin suggested having an in-person meeting involving a Commission's vote on a topic.
 4. Director Peditto added that staff could have the 2022-2024 Hunting Regulation Recommendation ready on March 16, 2022, for the Commission to vote. However, doing so would eliminate that topic on April 20, 2022, meeting agenda.
 5. March 16, 2022, the meeting will be listed as an in-person meeting if conditions allow.
 6. September 21, 2022, meeting will be an in-person meeting if it is a field day.
 7. The in-person meetings scheduled on March 16, 2022, and June 15, 2022, will be held at the Tawes State Office Building.
- Motion
 1. Commissioner Schroyer moved to accept the virtual and in-person meeting component of the

2022 WAC Annual Schedule and Monthly Draft Agenda.

2. Commissioner Gregor seconded.
3. All in favor. Motion passed.

Old Business – No Report.

New Business –

- Tree Stands Usage on Wildlife Management Areas Discussion – Commissioner Schroyer presented. **[ATTACHMENT D]**
 1. Commissioner Schroyer summarized that the use of tree stands on public lands came up at the Allegany-Garrett Sportsmen’s Association meeting. The discussion included pros and cons.
 2. A regulation proposal was discussed to allow season-long tree stand placement on public lands, specifically WMAs and Forest Service lands.
 3. The regulation proposal has made it to the Western Maryland Delegation. If this proposal is not brought into the concepts, Commissioner Schroyer mentioned it would go through the Legislative Session.
 4. Commissioner Schroyer informed the Commission of his desire to avoid this proposal from going through the Legislative Session process; he wanted to bring it to the attention of the Commission.
 5. Commissioner Schroyer understood that some WMAs or Forests might not allow this provision because of the size or requirements for daily reservations. The interest is for the larger, more ‘open/unregulated’ sites.
 6. Tree stands are significant to hunting success, and 40% of Maryland hunters are over 50, so carrying stands into large public tracts is becoming less popular.
 7. Commissioner Schroyer has not received information about hunter conflicts related to tree stands on public lands. Several other states allow this option.
 8. Commissioner Schroyer outlined that Allegany and Garrett Counties have so many public lands. There are 141,000 acres of public lands just in Allegany and Garrett Counties.
 9. Commissioner Schroyer expressed that the current tree stand regulations essentially encourage the use of portable climbing stands, and these are the least safe option.
- Tree Stands Usage on Public Lands Q & A Section:
 1. Commissioner Boyles Griffin asked if vandalism or theft is an issue with tree stands on public lands.
 - a. Commissioner Schroyer responded that it could be. The hunter has an option to put a locking device on a tree stand.
 2. Commissioner Wagner commented that this is a great idea. Anytime a proposal can go through the regulatory process is a plus instead of going through Legislative Session. Commissioner Wagner applauds Commissioner Schroyer for getting ahead of this proposal.
 3. Commissioner Schroyer asked if there is an issue with some WMAs that have reservations related to this proposal.
 - a. It would be tricky for some smaller WMAs where WHS has reservations for limited hunters sign-in. For example, Hugg-Thomas WMA and Gwynnbrook WMA are smaller areas that allow limited hunters. In addition, some WMAs have lottery drawings for deer hunters. WHS would not want it authorized in those smaller places.
 - b. Staff could list the areas that tree stands would be allowed.
 4. Chairman Compton voiced his concerns related to the proposal. First and foremost, it creates a potential way for someone to claim a piece of public ground; therefore, it could create conflict down the road between hunters. Chairman Compton expressed concerns about liability and safety.
 - a. Commissioner Schroyer responded that concern had been discussed. However, it is no different than someone scouting out a location, and the day that person goes out to hunt, someone else is there hunting.
 - b. Commissioner Schroyer pointed out that part of the proposal would require identification on

- the tree stand. Therefore, NRP can monitor the tree stand usage.
- c. Commissioner Schroyer reminded the Commission that other states already have a tree stand use option on public lands.
- d. Commissioner Schroyer and Chairman Compton agreed that this proposal should go through the concepts and then public comment allowing the public to decide.
- 5. Director Peditto advised the Commission that staff would need a motion to move this proposal through the concepts stage.
- 6. Commissioner Gregor asked if someone had spoken with NRP about the tree stands usage on public lands.
 - a. Commissioner Schroyer replied that he spoke to one officer in favor of it.
- Motion
 1. Commissioner Wagner moved to advance the tree stand usage on public lands to the Wildlife and Heritage Service for inclusion in the regulation proposals.
 2. Commissioner Gregor seconded.
 3. All in favor. Motion passed.
- Management Assistant Tracey Spencer displayed the pictures of the 2019 Conservationist of Year Award to Mimi Wright.
- Chairman Compton would like to have a conversation with the Commission members only, no WHS or NRP staff will be included, to discuss some topics for future legislation. For example, it has been a very long time since any fees increased. Therefore, Chairman Compton will set up this meeting directly without WHS staff. This meeting will take place in a month and will not be a formal WAC meeting. It will just be an informal discussion among some of the commissioners and other organizations or individuals and is not part of the WAC agenda topics at this time.

Adjournment

- The meeting was adjourned at 12:44 p.m.

The next meeting will be held at 10:30 a.m. on Wednesday, January 19, 2022, using Google Meet.

Attendance

Members:	L. Compton, T. Gregor, S. Boyles Griffin, E. Gulbrandsen, T.J. Jenkins, J. Schroyer, and C. Wagner
Absent:	S. Keithley and J. Michael
Guest:	C. Ferguson
Staff:	B. Eyler, C. Fawley, J. Homyack, T. Larney, J. McKnight, P. Peditto, J. Peregrim, G. Schenck, T. Spencer, H. Spiker, K. Stonesifer, G. Timko