



**To:** Maine Department of Inland Fisheries and Wildlife  
Attn: Becky Orff  
284 State Street  
Augusta, ME 04333

**Re:** Proposed Amendments to Chapter 16.09 – Bear Hunting.

**Position:** Oppose

**Date:** June 2, 2020

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Secretary Specialist Becky Orff,

My name is Joseph Mullin and I am the New England States Senior Coordinator for the Congressional Sportsmen's Foundation (CSF). As an avid sportsman, and regular non-resident license purchaser, who enjoys participating in the many outdoor opportunities that Maine has to offer, I write to you today on behalf of myself and CSF in opposition to the proposed amendments to *Chapter 16.09 – Bear Hunting* of the Maine Department of Inland Fisheries and Wildlife (MDIFW) Rules. This proposal unduly hinders Maine's sportsmen and women from using bait while bear hunting, while ultimately seeking a sunset on the practice by 2029. This proposal would also eliminate baiting as a management tool for the Department in relying on hunting to control the bear population and reduce human-wildlife conflicts, while simultaneously negatively impacting rural economies and the contributions of sportsmen and women to the American System of Conservation Funding (ASCF). Therefore, I respectfully urge you oppose these amendments, and in so doing, protect Maine's science-based wildlife management practices and the hunting community from this affront against their sporting heritage.

Sportsmen and women in the New England region understandably consider Maine to be somewhat of a paradise – where opportunities to hunt, fish, trap, and recreationally shoot are seemingly endless. I, myself, have enjoyed much of what Maine has to offer, taking my 6-weight fly rod into some premier streams, hiking up vast hillsides with my rifle, and waiting in a stand for a black bear to walk before bait. Each time I make the quick drive up to Maine, I end up stopping at various landmark locations, such as Kittery Trading Post and the L.L. Bean flagship store, spending more money than I initially anticipated. This was especially evidenced as I geared-up for last year's Maine bear season. Through employing a member of the Maine Professional Guides Association, I was fortunate enough to spend five full-days in treestand over bait, awaiting the opportunity to harvest a mature black bear. While I was unsuccessful in this venture, I did have the opportunity to see a younger bear approach the bait site, and was left with an insatiable desire to return as often as possible. I have already booked my hunt for 2020 and am in the process of preparing for the trip.

Pursuing black bear in Maine is a long-standing hunting tradition enjoyed by Mainers and non-Mainers alike. In fact, numerous sportsmen and women travel from across the nation each year just for the opportunity to participate in this experience. For both resident and nonresident license-holders, the use of bait is a key element in the hunting of bears, as it is one of the more widely-accepted and practiced methods of take. In 2019, 65% of the bears harvested in Maine were taken over bait, reflecting the efficacy of this technique.<sup>1</sup> As the MDIFW is more than aware, hunting and trapping harvest reports are a primary driving force behind state fish and wildlife management decisions. With this consideration, public emotion and misinformation must not be a factor that leads to the mismanagement of a species. The undeniable success of bear hunting over bait further demonstrates the irrationality of the proposed amendments to *Chapter 16.09*, which pose to ban the practice by 2029. The MDIFW understands that “too many bears can create problems for the bears and the people who live with them,” and it therefore rightfully relies on hunting and trapping opportunities to “stabilize the bear population.”<sup>2</sup> When the preferred method of take proves its efficiency and resourcefulness as a wildlife management practice, it would be nonsensical to implement a plan that seeks its ultimate demise.

One of the amendments proposed to *Chapter 16.09* would limit the “intentional feeding” of bears, otherwise known as baiting, by prohibiting the use of “products containing refined sugar,” which is an ingredient included in most, if not all, attractants preferred by hunters and guides. Some of the ideal sources of bear bait contain some form of refined sugar. This roundabout method of cutting down the available options for sportsmen and women is meant to put a choke hold on the practice of baiting by going after the key, essential element – the lure. Through banning the use of refined sugar, the State would be implementing a measure that frustrates the likelihood of success for Maine’s bear hunting community, which will undoubtedly be reflected as a reduced number of bears taken in Maine’s harvest report, and in time shown through reduced hunting license revenue.

Another one of the proposed rule changes burdens hunters by stating that “Anyone who wishes to bait bears for the purpose of hunting them, without feeding them, . . . shall place all bait in a bear-proof container that prevents bears from coming into physical contact with the bait under all conditions.” The outdoor community is well-aware that bear-proof devices carry expensive price tags, and their effectiveness is questionable at best. Requiring such devices to prevent bears from accessing the bait so as to not intentionally “feed” them is not only irrational, but it would make this method of hunting cost-prohibitive. Furthermore, hunters believing themselves to be using bear-proof containers that prove to not be bear resistant would find themselves in violation of this proposed ban on “intentional feeding” and would be subject to fines and penalties – a situation that is likely to reduce participation among those who are risk-averse. It’s apparent that the purpose of these two amendments is to make bear baiting as close to an impossibility as is possible, which is a likely response to the devastating loss that the anti-hunting community experienced following the 2014 ballot referendum where they sought to ban bear hunting with the use of bait, hounds, and trapping state-wide.

The proposed amendments to *Chapter 16.09* will also have a detrimental effect on Maine’s guiding community, which relies heavily upon nonresident hunters coming into the State in search of black bear. The MDIFW’s *2019 Maine Black Bear Harvest* reported that “guides assisted 240 residents (27%) and 1,343 non-residents (92%) with their successful hunts,” of which a total of 68% were taken over bait.<sup>3</sup> When looking at nonresident hunters more specifically, roughly 66% of the bears harvested were through the use of bait.<sup>4</sup> These statistics reflect the significance of this method to the guiding community and to the

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<sup>1</sup> *2019 Maine Black Bear Harvest*. Accessed on May 28, 2020. <https://www.maine.gov/ifw/docs/2019-Bear-Harvest.pdf>.

<sup>2</sup> <https://www.maine.gov/ifw/fish-wildlife/wildlife/species-information/mammals/bear.html>.

<sup>3</sup> IBID.

<sup>4</sup> IBID.

sustainability of their businesses, which in many instances are some of the key economic drivers in rural areas of the State.

Limiting the abilities of guides to implement effective baits containing refined sugar, and/or requiring restrictive, bear-proof baiting devices will most certainly handcuff the guiding community and have a detrimental effect on the success of their clients. Lower success rates will result in lost business – a crippling outcome for not only the guiding community, but for the State in general. Maine’s sportsmen and women support around \$321 million in salaries and wages, \$71 million in state and local taxes, and have a ripple effect of approximately \$977 million on the State’s economy.<sup>5</sup> The professional guides must be credited as a staple in recruiting and supporting nonresident sportsmen and women into the state in pursuit of a variety of hunting and fishing opportunities. Placing unnecessary restrictions on the guiding community has the absolute likelihood of lowering success rates for bear hunters, resulting in fewer trips made into the State by nonresident license holders. Rejecting the proposed amendments to *Chapter 16.09* is the first step towards protecting Maine’s hunting guides – a group of professionals that serve as the keystone for the State’s hunting community.

Beyond the impacts on the State’s hunting culture and economy, these proposals will also have a negative effect on the conservation funding generated by sportsmen and women. Combining all of the pillars of the ASCF, which you already know to be revenue from sporting licenses and excise tax revenue from both the Federal Aid in Wildlife Restoration Act (Pittman-Robertson Act) and the Federal Aid in Sport Fish Restoration Act (Dingell-Johnson Act), Maine’s sportsmen and women generated over \$26 million dollars for conservation in 2019 alone. According to the U.S. Fish and Wildlife Service’s 2019 National Hunting License Data, the total hunting license, tags, permits, and stamps sold in Maine came to a resounding 245,392 – of which 34,087 were to nonresident hunters.<sup>6</sup> When nonresidents wish to hunt bear over bait, they must first purchase a big game hunting license, which has a base cost of \$115. The gross sum raised for conservation through the sale of nonresident hunting license, tags, permits, and stamps was over \$3.1 million. For illustrative purposes, if Maine were to approve the proposed amendments to *Chapter 16.09* and saw a 25% decrease in nonresident license holders, almost \$800,000 would be lost. When considering a 25% decrease in resident hunting license, tags, permits, and stamps, of which \$4.6 million were raised last year, the State would be looking at a loss of \$1.1 million. While these figures are speculative, the proposed amendments have the absolute potential to have significant and detrimental effects on the Department’s ability to fund conservation efforts, not to mention the money that the MDIFW can leverage from the federal government through the Wildlife and Sport Fish Restoration (WSFR) Program. Maine charges nonresident hunters significantly more for licenses, but it also has a plethora of resident hunters. Losses on both ends (residents and nonresidents) would threaten to cause profound damages to the State’s ability to come up with the necessary state-side match to secure funds through the WSFR Program.

In consideration of the above arguments, it also goes without saying that the past two decades have evidenced the anti-sportsmen community’s failures towards eliminating bear hunting in Maine. As was most recently displayed in the 2014 “Maine Question 1” ballot referendum, the majority of voters in the State, or over 320,000 individuals, did not support the proposed restrictions on this time-honored tradition. While the proposed amendments to *Chapter 16.09* pertain solely to the use of bait, it stands to reason that this is likely a first step in an outright offensive which targets bear hunting as a whole.

The amendments that have been brought forth to *Chapter 16.09* lack an understanding and appreciation for

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<sup>5</sup> *Maine Sportsmen & Women*. Accessed on May 28, 2020.

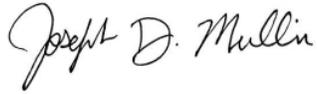
[http://congressionalsportsmen.org/uploads/page/EIR\\_Maine\\_final\\_low.pdf](http://congressionalsportsmen.org/uploads/page/EIR_Maine_final_low.pdf).

<sup>6</sup> *Black Bears*. Accessed on May 29, 2020.

<https://www.fws.gov/wsfrprograms/subpages/licenseinfo/Natl%20Hunting%20License%20Report%202019.pdf>.

baiting as an effective method of hunting in Maine, and provide no consideration for the consequences that the restrictions and ultimate ban on the practice will have for the guiding community, conservation funding, and the Maine economy. I therefore implore the MDIFW to reject these proposed amendments, which serve no purpose other than to undermine bear hunting in Maine. In so doing, you will ensure that an emotional appeal by a vocal minority does not trump more than a century of sound, science-based management which has resulted in burgeoning wildlife populations throughout the State.

Sincerely,

A handwritten signature in cursive script that reads "Joseph D. Mullin". The signature is written in black ink and is positioned below the word "Sincerely,".

Joseph Mullin  
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