



To: Joint Committee on Environment, Natural Resources and Agriculture

Senate Contact
24 Beacon St.
Room 218
Boston, MA 02133

House Contact
24 Beacon St.
Room 473F
Boston, MA 02133

Re: House Bill 888

Position: Oppose

Date: November 17, 2021

Honorable Members of the Joint Committee on Environment, Natural Resources and Agriculture:

My name is Joseph Mullin, and I am the Assistant Manager, Northeastern States for the Congressional Sportsmen's Foundation (CSF). As a Massachusetts resident and an avid sportsman, I respectfully urge you to oppose House Bill 888 (HB 888) – legislation that would undermine the Massachusetts Division of Fisheries and Wildlife's (MassWildlife) wildlife management authority by requiring the Division to "limit all population management and control activities to non-lethal and contraceptive practices" in areas with "deer populations exceeding 50 deer per square mile." As the Commonwealth's preeminent experts on all matters related to fish, wildlife, and their habitats, MassWildlife is uniquely situated for determining how to set the necessary courses for how we handle instances of overpopulation. This is a determination that should and must be left to the Division and not mandated through legislation such as HB 888.

Since 1989, CSF has dedicated itself to the mission of working with Congress, governors, and state legislatures to protect and advance hunting, angling, recreational shooting and trapping. The unique and collective force of the Congressional Sportsmen's Caucus, the Governors Sportsmen's Caucus, and the National Assembly of Sportsmen's Caucuses, working closely with CSF, and with the support of major hunting, recreational fishing and shooting, and trapping organizations, serves as an unprecedented network of pro-sportsmen elected officials that advance the conservation interests of America's hunters and anglers.

It is undeniable that MassWildlife is in the best position to make sound, science-based management decisions. For over two and a half centuries, MassWildlife has been the driving force behind Massachusetts' on-the-ground efforts that have resulted in burgeoning wildlife populations. The Division employs a force of highly-educated and widely-experienced staff, which includes a legion of

The Sportsmen's Voice in the Nation's Capitols

biologists, policy experts, and support and enforcement personnel – all of whom have instrumental roles in determining the appropriate methods for managing species. MassWildlife operates under the guiding principle that it is “responsible for the conservation of freshwater fish and wildlife in the Commonwealth,”¹ and it is through this undertaking that the Division handles the exact matters that HB 888 seeks to influence. This bill goes directly against the well-established precedent through which all state fish and wildlife agencies operate – not just MassWildlife – and it would upend the current system by requiring the Division to implement non-lethal and contraceptive practices as the only methods of population management – something that removes numerous tools out of MassWildlife’s shed. Additionally, HB 888 makes the unfounded determination that at least 50 deer per square mile is what qualifies an area as being overpopulated. Decisions such as these must be left to the Division, as it is the most capable and understanding of conditions in the field, especially as they relate to the geographic displacement of deer populations. The term “overabundance,” from a biological standpoint, occurs when a species’ “population numbers exceed the carrying capacity of the habitat in a particular area”²; therefore, MassWildlife is the most capable of making this type of determination. Equally concerning is the explicit language that prohibits the Division from relying on hunting as a means for addressing overpopulation or as a part of the population management plan.

For more than 80 years, sportsmen and women have been the primary funders of state-level conservation efforts in this state and are thus an important constituency that provides benefits for all Maine residents. In 2020 alone, Massachusetts’ sportsmen and women generated over \$17 million for conservation through revenue derived from license sales and excise taxes on sporting-related goods in the unique “user pays - public benefits” structure known as the American System of Conservation Funding (ASCF). The funds collected through this program are the lifeblood of state fish and wildlife agencies (including MassWildlife) – the primary managers of our nation’s fish and wildlife resources. These critical conservation dollars fund a variety of efforts including enhanced fish and wildlife habitat and populations, recreational access to public and private lands, shooting ranges and boat access facilities, wetlands protection and its associated water filtration and flood retention functions, and improved soil and water conservation – all which benefit the public at large, not just sportsmen and women. Not only do Massachusetts hunters help fund state efforts to provide for healthy and sustainable natural resources through their license fees, they also provide numerous economic benefits by way of spending more than \$600 million in their pursuits. This supports over 9,100 jobs in the Commonwealth and generates \$70 million in state and local taxes. Directly prohibiting the use of hunting as a method for managing instances of overpopulation, despite its proven track record of being an effective means of population control which also results in positive conservation and economic benefits, is both counterintuitive and irresponsible.

Conversely, deer contraception and sterilization are expensive, labor-intensive tasks that, even when done correctly, are not entirely effective. Estimates from 2016 state that for contraception to be “successful in limiting population growth, approximately 70–90% of the does in a free-ranging population will have to be treated.”³ Additionally, “these numbers must be even higher when we consider that approximately 10% of does are not receptive to the drug.”⁴ These efforts must be doubled with “hunting or an alternative “lethal strategy” to bring the populations down to an ecologically sound

¹ Division of Fisheries and Wildlife. (2021).

² Miller, Brent. (2016). Page 3. *The Hunt for Balance: Management Techniques and Policy Recommendations for Dealing with Overabundant Deer in the Hudson Valley of New York State.*

³ Miller at 4.

⁴ IBID citing Adams, Hamilton & Ross (2010).

The Sportsmen’s Voice in the Nation’s Capitols

level.”⁵ When looking at the cost range for such a method, some estimates sit between \$500– \$1,000 per deer.⁶ When looking at deer sterilization, a whole slew of additional difficulties come into the picture. Deer must first be trapped – something that often results in the capture of non-target animals – and then surgically sterilized.⁷ This method costs roughly \$5,000 per deer and takes several years before the results of the method are realized.⁸ For these reasons, prohibiting hunting as a method for managing deer overpopulation and requiring MassWildlife to implement non-lethal and contraceptive practices is unreasonable, costly, and inconsiderate of the Division’s ability to manage the Commonwealth’s wildlife populations.

For these reasons, I urge the members of the Joint Committee on Environment, Natural Resources and Agriculture to oppose HB 888. Thank you for the opportunity to participate in this discussion. Should you require additional information on this matter please feel free to contact me at any time.

Sincerely,



Joseph Mullin
Assistant Manager, Northeastern States | Congressional Sportsmen’s Foundation
110 North Carolina Ave., SE | Washington, DC 20003
Jmullin@congressionalsportsmen.org | 202-253-6883

⁵ IBID.

⁶ IBID.

⁷ IBID.

⁸ IBID.