



CITY OF IOWA CITY MEMORANDUM

DATE: ~~FEBRUARY 14, 2018~~
TO: CITY COUNCIL
FROM: GEOFF FRUIN, CITY MANAGER
RE: DEER MANAGEMENT UPDATE

3-6-19

Date should read
March 6, 2019.

Sue Dulek

This is to update you on our efforts on deer management.

Natural Resources Commission and Department of Natural Resources.

Before getting into the details, I thought it best to distinguish between the role of the Iowa Natural Resources Commission (NRC) and the Iowa Department of Natural Resources (DNR) with respect to deer management. The NRC is a 7-person statewide board that approves deer management in urban areas. The members are appointed to 6-year terms by the Governor and confirmed by the Senate. The DNR is the staff support to the NRC.

Previous NRC Action/Historical Background.

The City began its deer management just over twenty (20) years ago with discussions in 1996 with the DNR. Beginning the winter of 1999-2000 and continuing annually through 2009-2010 (with the exception of the winter of 2002-2003), the City contracted with White Buffalo, Inc. to sharp shoot. In each of those winters the City applied for authorization from the NRC to shoot, and in each year, the NRC granted the application. Because the numbers of deer were at a reasonable population level, the City notified the NRC in May 2010 that it was not seeking authorization to sharp shoot the following winter. The City did not request to sharp shoot again until the spring of 2018.

May 2018 Request to NRC to Sharp Shoot.

Following your direction last February, I submitted a written request to allow sharp shooting during the winter of 2018-2019. Captain Bill Campbell, Animal Services Supervisor Liz Ford, and Ass't. City Attorney Sue Dulek appeared at the NRC meeting on May 10, 2018, and the NRC denied the request by a vote of 6-1. At the meeting, NRC members suggested that the City have additional discussion with its residents and submit a 5-year plan (a/k/a, "long term plan").

December 2018 Request to NRC to Sharp Shoot.

After listening to the NRC comments at the May 2018 meeting, City staff took a variety of actions. First, a web page was created to provide the public with information on deer management. Second, a committee was formed consisting of City residents and staff to organize a forum. Third, the committee hosted a public forum on deer management on August 14. The forum was recorded and is available on the City's website. Fourth, the deer committee issued a memo to the City Council, which the Council discussed at its work session meeting on October 2, and Council directed staff to make a second request to sharp shoot this upcoming winter.

I submitted a second request to the NRC with a 5-year plan calling for sharp shooting to lower the density to 25 deer per square mile followed by annual counts, and attached is a copy of my November 28 letter. At the December 13, 2018 meeting, Captain Bill Campbell and Ass't. City Attorney appeared on behalf of the City, and the NRC again denied the request by a vote of 3-2 (with 2 members absent; the 2 absent members voted against the May request).

Letter from NRC Chairperson.

I received an unsolicited letter from the NRC Chairperson dated January 4, 2019, and I have attached a copy. In it the Chairperson states that the NRC is agreeable to all the City's requests contained in my November 28 letter except for the deer density level. Because the City's request was to manage our deer population solely by means of sharpshooting and because the NRC had twice denied that request, staff and I determined that we needed clarification. As a result, I wrote to the NRC Chairperson seeking clarification, and I have attached a copy of my February 7, 2019 letter.

I have not received a response to my letter but staff has had communication with senior DNR staff. It is our understanding that the NRC will approve professionally contracted sharp shooting for one year to decrease the number to the NRC approved density level but then some form of a public hunt must be utilized to maintain the numbers for the remainder of the 5-year plan.

Sterilization as an Option.

Residents have suggested sterilization as an option to manage our deer population. Section 481A.40 of the Iowa Code prohibits anyone from administering a drug to control fertility without the written authorization from the DNR Director or designee. This includes a dart to tranquilize a deer as part of a trap, neuter, and release (or TNR) program. Currently the DNR has an acting director, and City staff has inquired of senior DNR staff of the possibility that the Acting Director or a new Director would approve such an initiative. While DNR legal counsel could not speak definitively for Acting Director Trautman, it is counsel's understanding that he is unlikely to approve a plan that seeks to manage an urban deer population solely through fertility treatments or surgical sterilization.

Next Steps.

It is staff's belief that the NRC will not approve a request to manage our deer population solely by means of professional sharp shooting, but that there is a possibility of the NRC approving a 5-year plan that consists of sharpshooting in year 1 followed by public hunts in years 2-5. The 5-year plan will also need to consist of educating the public and doing annual counts, but it is the issue of a hunt that needs to be discussed.

I look forward to discussing this with you at your March 12 work session.

Enc.

Copy w/enc. to:
Eleanor M. Dilkes, City Attorney
Kellie K. Fruehling, City Clerk
Jody Matherly, Police Chief
Bill Campbell, Capt. ICPD
Sue Dulek, Ass't. City Attorney