



Allegheny County Sportsmen's League, Inc.

Pennsylvania Deer Management

Audit History and Stakeholder Input

Review and Analysis

Members of the Legislative Budget and Finance Committee:

We have watched with growing concern the continuing controversy over Pennsylvania Deer/Wildlife management practices. During this time representatives of the ACSL have made every effort possible to participate, at virtually every available opportunity, in hearings and committees that involved the issues of wildlife management. Our experiences, thus far, can best be described as bittersweet.

When the Pennsylvania Game Commission revamped the Deer harvesting and management approach and Gary Alt conducted a series of seminars across the state (which we attended) we were dismayed to find that there was a lack of adequate research available to show the justification for these changes. On April 30, 2001 Kim Stolfer (ACSL Legislative Chairman) visited the PGC headquarters in Harrisburg attempting to obtain the background material and studies that supported the newly introduced deer management policies. We discovered that nothing was available and Kim Stolfer left with a deepening sense of concern as to the direction and reasoning behind these new deer management policies.

On May 10th 2007 we joined with the Pennsylvania Federation of Sportsmen's Clubs and 15 other groups to call for an 'independent' audit of the deer management program in order to provide all stakeholders with the best available information to make informed decisions. We collectively called for, in a communication with the legislature and the PGC, an 'examination' of this program and 'all' the factors involved in coming up with appropriate deer/wildlife management policy (as the excerpt below represents):

. . .we suggest that you call for a transparent examination of the methods and data used by the Game Commission to measure and make decisions on harvest reports and the three factors of habitat condition, deer health, and deer-human conflicts.

Sportsmen and women and their representatives have a vested interest in being able to examine and evaluate **all** information that is used to develop policy on hunting issues. This air of transparency benefits not only a better understanding of these issues but could lead to innovative concepts from the 'true' stakeholders-hunters.

In the course of our investigation into these issues we have communicated with a diverse collection of individuals, outdoor writers, and government entities, elected representatives and sportsmen and women. We have discovered a wide array of information and documents that paint a troubling picture. Above we referenced a letter to the legislature from 17 Pennsylvania groups soliciting an independent audit of the deer management program, and yet when the Legislative Budget and Finance Committee sent a letter out to stakeholder groups, December 6, 2007, soliciting input, the Allegheny County Sportsmen's League was not contacted. Considering the list of groups that were contacted, we find it difficult to accept that this was an oversight.

Now our review is leading us to the possibility that Wildlife Management Institute (WMI), a group that is not, in our view, independent and is connected to the current controversial deer management policies, may be the front runner in examining deer management policies. The history of WMI is replete with proposals and conferences calling for drastic cuts in the Pennsylvania deer herd. This, we believe, presents a conflict of interest for them that violates the call for independence by the PFSC, ACSL and 15 other Pennsylvania groups.

It is our position that this audit must be based on a sound, thorough scientific approach that provides for a review of not only current data but also field work and habitat analysis as well. We will review this call for an audit in three separate sections below:

Section 1: Audit Proposals

The timeline below illustrates the evolution of events to this day regarding the Audit Proposals.

- **March 2007.** Deer Management Audit Proposal presented by Mr. Eveland to Governor's office and PHG&FC Chairman Rep. Staback.
- **July 26, 2007.** Rep. Levdansky presents Rep. Staback with a proposal, requesting that it represent PHG&FC's official audit of PGC's deer management program. Levdansky's RFP was rejected.
- **October 3, 2007.** Dr. Tim Schaeffer (Audubon) submits a proposal for a deer audit to Rep. Staback. This RFP is identical to Rep. Levdansky's July proposal.
- **December 6, 2007.** Rep. Levdansky (House Finance Committee Chair and Treasurer of the Joint Legislative Budget and Finance Committee) sends a letter to deer management stakeholders (ACSL not included) announcing that LB&FC was planning to conduct their own deer audit starting early in the new year, and that comments were requested of stakeholders by Dec. 31.
- **January 2008.** The staff of LB&FC (Phil Durgin) prepare a request-for-proposal sponsoring an audit of the PGC's deer management program and soliciting bids from prospective "out-of-state" auditors.
- **February-April 2008.** Concerns over the LB&FC's RFP prompt action by the PHG&FC. HR 642 is approved and passed.
- **April-May 2008.** LB&FC staff prepare final RFP presumably solely from the text of HR 642, and released it for bid. One bid was received on May 13. It was learned that for the most part out-of-state experts did not consider themselves to be expert enough to conduct both deer portions and forest-survey portions of the study. Also, unlike the original Eveland/Staback study which included in-depth deer, forest, and socioeconomic investigations; the LB&FC's RFP did not include a socioeconomic study.
- **Note:** A review of the final LB&FC's RFP (*that was required to be the same as the PHG&FC-approved HR 642*) indicated that the RFP used HR 642 as the introductory text of the final LB&FC's RFP, and then switched the Scope of Work by inserting the **July 2007 Levdansky/RFP** as the scope of work in this final LB&FC RFP (Please see below). This is the same RFP that had been rejected twice by PHG&FC as being inadequate.

- **May 2008.** The previous December 2007 letters sent to stakeholders asking for their comments to be included in the final LB&FC RFP were missing thus questioning the reasoning and sincerity for the request for comment.

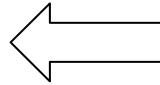
Section 2: Audit Independence Questioned

We have obtained all of the audit proposals submitted since 2007 to first the House Game and Fish Committee and following that the Legislative Budget and Finance Committee. We are inserting selected unaltered sections directly from each of these proposals for examination and review.

Scope of Work: The successful Consultant is to produce a report that thoroughly addresses the following questions:

1. What model is used to estimate deer populations at the WMU level in Pennsylvania? The structure and functionality of this model should be described for the PHGFC.
2. How well does the model perform and compare to past models used in Pennsylvania? The model should be applied to historical data back to 1982 so that long-term trends can be understood by the PHGFC.
3. What are the deer population estimates for each WMU since their adoption, including 2005, 2006 and 2007? How do these trends compare to approximate historical county-based trends back to 1998?
4. What are the deer population trends for the past 20 years by WMU or their approximate equivalent?
5. What is the scientific merit for using embryo count data to assess deer herd health and is it an appropriate index for that purpose?
6. What is the scientific basis for using embryo count data as an indicator to understand the relationship between deer numbers in a particular WMU and availability of food/habitat to support those deer in a sustainable fashion? It should be determined if those data are appropriate for that purpose.

The '**Scope of Work**' to the left is directly from the **Rep. Levdansky** original RFP Proposal to the PHG&FC that was rejected.

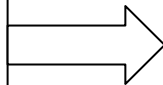


These two proposals (Levdansky & Schaeffer) from two different sources are absolutely identical in wording and the rest of the RFP for both follows suit!

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The '**Scope of Work**' to the **RIGHT** is directly from the **Dr. Tim Schaeffer** RFP Proposal to the PHG&FC that was rejected.



The section below is directly from the Legislative Budget & Finance Committee 'Request for Proposal' (RFP #2008-3) that was reissued on June 16, 2008.

(It is plainly apparent that the language within the 'Scope of Work' [below] is only reworded slightly from the 'Scope of Work' in the Levdansky and Schaeffer sections identified above.)

Scope of Work: The issues to be addressed by the study include, but are not limited to, the following:

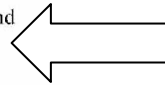
Population Estimates

- 1.) Identify and explain the model PGC uses to estimate the deer population;
- 2.) Determine the current deer population estimates for each Wildlife Management Unit, including estimates of the sex and age of the deer within each Unit;
- 3.) Determine deer population trends for the past 12 years, including estimates of the sex and age of the deer;

Healthy Deer

- 4.) Evaluate the scientific bases for using embryo data to assess deer herd health;
- 5.) Evaluate the scientific bases for using embryo data as an indicator of the balance between deer numbers in a given WMU and the available food to support those deer;
- 6.) Evaluate PGC embryo data sample size, and therefore usefulness in making management recommendations;
- 7.) Clarify the bases for PGC definitions of deer in poor health, fair health, and good health;

The '**Scope of Work**' to the left is directly from the **LBFC RFP (2008-3)** that was reissued on June 16, 2008



The sections shown above are of great concern because it is plain to see that a common source for this language indicates the possibility of collusion among the parties involved in drawing up these documents.

Next we examine the **Wildlife Management Institute Proposal:**

We believe that this audit proposal is only intended to address the questions of the Rep. Levdansky original audit RFP. This is apparent due to the, once again, slightly reworded but virtually identical language in the 'Scope of Work'. Even the order of the points is virtually identical and this demonstrates a familiarity with other documents and submissions that cannot be ignored.

Once again we refer back to the calls of the 17 groups to the legislature for an **independent review and audit**. In addition there is nothing in this organizational request that even hints at 'only' out of state agencies, and we are at a loss as to the source of this requirement especially considering the paucity of proposal submissions.

WMI has built a reputation as, basically, bio-CPAs who certify the programs of state and federal conservation agencies. Their proposal does not include any field work and we are perplexed as to how this Proposal, along with the Levdansky, Schaeffer and AES Proposals, purport to deliver on the needs of the public, the PGC, and sportsmen and women to understand and analyze wildlife management concerns.

In fact, it is our understanding that WMI will utilize numbers derived from the Pennsylvania Game Commission and with their input and review simply compare these figures for an end product that will, in all likelihood, rubber stamp the status quo of deer management here in PA. The sportsmen and women who have built this heritage and maintained the game lands system deserve better.

Below is the exact page (#4) from the WMI proposal dealing with the 'Scope of Work' and, as you can see, other than exchanging letters for numbers for each subsection and a minor tweaking of the

language, this 'Scope of Work' is virtually identical to the Levdansky and Schaeffer sections identified above.

analysis of our findings, conclusions and recommendations. Products and services from the review will include:

- a) An explanation of the model PGC uses to estimate the deer population including evaluation of assumptions, data inputs, data interpretation and use of model outputs.
- b) If data are suitable to the estimation, an estimate for each Wildlife Management Unit of the size of the fall deer population, fall adult sex composition and fall herd age structure. At a minimum, deer population estimates may be derived, if possible within the realm of scientific confidence, by expansion of harvest statistics by the all-cause mortality rate, as indexed by the yearling buck harvest ratio.
- c) If data are suitable to the estimation, deer population trends including estimates of the sex and age of the deer. The RFP's request for an estimation of the previous 12 year's population trends may be impossible because of the changes in harvest restrictions implemented by the PGC. Most jurisdictions believe antlered male harvest is the most reliable index to population trend and commonly used population models expand antlered male harvest as the basis for deer population estimates. Because the PGC has inserted in a regulatory constraint to antlered male harvest (i.e. antler restrictions), the trend line can only be estimated for those years without regulatory constraints. WMI will include, therefore, as a minimum, trends in harvest and population size by WMU for the period 1990 - 2001. For the years 2002 to 2007, the period of regulatory antler restrictions, WMI will evaluate the feasibility of producing population estimates and will produce those estimates if possible.
- d) An evaluation of the scientific basis for using embryo data to assess deer herd health
- e) An evaluation of the scientific bases for using embryo data as an indicator of the balance between deer numbers in a given WMU and the available food to support those deer.

As has been shown above, there are significant issues that need to be addressed about the autonomy of this process. If trust and respect is to be regained from hunters then 'any' hint of impropriety or dishonesty 'must' be eliminated.

Section 3: Questions and Concerns

We believe it is imperative to ‘not’ waste this opportunity to implement an audit that can adequately and authoritatively address the major concerns of sportsmen and women.

Hunting is a multi-billion dollar industry in Pennsylvania and in these tough economic times we can ill afford to be ignoring the signs of trouble and dissatisfaction within the hunting community. Many among us can tell of a general sense of feeling powerless within the outdoor community and resignation to the fact that no one is listening. The comments below from members of the House Game and Fisheries Committee meeting is illustrative of our experiences and concerns as well:

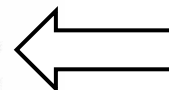
- Chairman **Ed Staback** (D-Lackawanna): "...there are a great number of frustrated hunters who think they are not being heard..."
- Minority Chairman Sam Rohrer (R - Berks): "...we've gone too far on what we've done to the deer herd."
 - "...asked if PGC knows the size of the deer herd on PA."
 - After Roe answered, responded, "So we're not sure if we have ten healthy deer or one million?"
- Rep. Dan Surra: "For 16 years I've been saying the PGC doesn't know how many deer there are, and today he finally admitted that"
 - "...Hunting in northern PA used to be a huge event where people came from both in and out of state. That brought in revenue to the local economy, such as to restaurants and hotels."

HOUSE GAME AND FISHERIES COMMITTEE REPORT
(Harrisburg 3-5-07 Between Carl Roe and Committee)

Additionally the perspective and motivations of the **Wildlife Management Institute** is of **great concern** when one examines their past and how it is carried forward into present day. The section below is directly from the 2nd WMI proposal and reflects a perspective on hunting that will put us on a course that rejects the rights of hunters in favor of a multi-cultural attitude, that ignores our heritage and the vast level of support provided by hunters to maintain the structure of wildlife and game lands here in PA.

In addition, the WMI Proposal refers to concepts embodied in their document that concern us greatly and which ‘must’ be defined before allowing an entity to perform work that already borders on impropriety. For instance what do the following terms have in relation to the proposed ‘Audit’ – ‘sustainable harvests’ – ‘specific population goals’ (how can this be determined without field work) – and ‘societal goals’ (established by whom).

3. Notwithstanding the relationship between hunter’s financial support and agency governance described above, the foundation of the continent’s wildlife conservation programs rests on sound science. In modern times, when a super-majority of citizens do not hunt, continued support for deer management programs arises from citizen beliefs that such programs result in sustainable harvests which are designed to obtain specific population goals that are complementary to societal goals.



Conclusions:

The RFP's do not contain **any input** that we have found, **from solicited stakeholders**. It appears to us that both proposals submitted by WMI are virtually identical and do not provide for field analysis of habitat, forest regeneration or surveys of deer population. Instead the WMI proposals, and indeed all of the proposals except the Eveland proposals, rely on data gathered and submitted by the Pennsylvania Game Commission with 'zero' field work. This negates the spirit and intent of calls for an independent study of this issue.

If it is the intent of the audit to simply answer questions regarding the 'scientific' nature of certain concepts then 'all' of the submitted proposals will accomplish that. However 'if' it is the desire of the legislature to address the concerns of their constituents, sportsmen and women and our heritage of hunting, then there is only one study submitted thus far, Mr. Eveland's, that will accomplish these goals.

In addition, the Levdansky, Schaeffer, WMI Audits use PGC data with PGC assistance, PGC personnel will accompany the auditor, the audit will not involve scientific field studies, PGC will be presented with the draft prior to legislators, and PGC will make comments and changes to the audit. This is not our view of independence and autonomy on the part of auditors reviewing the conduct and actions of others.

Having waited for over a decade for these concerns to be addressed we implore this committee to hold hearings for stakeholders to testify on these proposals. At a minimum, to allow each entity submitting proposals to be offered the opportunity to present open testimony to the Legislative Budget and Finance Committee that will be a matter of public record.

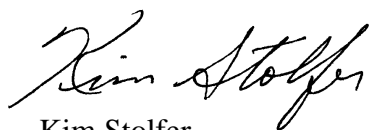
To restate the desires and requests of the 17 groups/organizations (May/2007 letter) involved in calling for an audit we insert the selected sections below as a reminder:

. . . Instead, we suggest that you call for a **transparent examination** of the methods and data used by the Game Commission to measure and make decisions on harvest reports and the three factors of **habitat condition, deer health, and deer-human conflicts**.

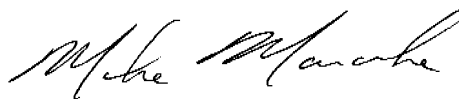
. . . We also suggest **expanding this analysis to the field to examine actual habitat conditions** on Game Lands and **other representative properties** within select Wildlife Management Units so that legislators and the public can **better understand deer densities and habitat conditions**.

A rush to judgment and implementation of a proposal that does not adequately address the concerns of all will only worsen the divide and distrust for the entire process. This we cannot afford!

Respectfully submitted,



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