



# CITY OF ANN ARBOR, MICHIGAN

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## Frequently Asked Questions: City of Ann Arbor Deer Management Program

### 1. Why was a City of Ann Arbor deer management program created?

During the spring of 2014, City Council directed Ann Arbor's City Administrator to develop a deer management options report. The directive from Council arose as a result of residents reporting deer damaging landscaping and concerns about vehicle/deer collisions and deer-borne diseases.

On Aug. 14, 2014, the [Deer Management Options Report](#) was provided to Council, which outlined the need to develop a community-endorsed deer management plan built upon community input and management options approved by the Michigan Department of Natural Resources Wildlife Division.

The May 2015 [Ann Arbor Deer Management Plan](#) recommended decreasing the deer population to reduce deer-human negative interactions. The recommended methods identified in the report were options allowed by the Michigan Department of Natural Resources, the public agency responsible for managing Michigan's deer.

On August 17, 2015, City Council approved the establishment of a deer management program for the next four years, including culls on City of Ann Arbor parks or natural areas beginning in the winter of 2016.

### 2. What is the goal of Ann Arbor's deer management program?

The goal of Ann Arbor's deer management program is to decrease the deer population in Ann Arbor in order to reduce deer-human negative interactions and support biological diversity in natural areas.

### 3. What does the deer management program include?

The approved program utilizes both lethal and nonlethal deer management methods and includes:

- City Council approval of a Cooperative Service Agreement between the City of Ann Arbor and the United States Department of Agriculture Animal and Plant Health Inspection Service, Wildlife Services (USDA-APHIS) in the amount of \$35,000.
- City Council passage of Resolution to Impose a Temporary Moratorium on Enforcement of the Prohibition Regarding the Possession and Discharge of Weapons in Public Places, which suspends the restriction in City Code Chapter 115, Weapons and Explosives, thereby allowing the city, by and through its proposed agent, the United States Department of Agriculture Animal and Plant Health Inspection Service, Wildlife Services USDA-APHIS, to conduct a cull on city parks or natural areas in the winter of 2016.
- A special Michigan Department of Natural Resources (MDNR) permit for USDA-APHIS marksmen to cull and remove up to 100 deer in designated City of Ann Arbor parks or natural areas only January 2 – March 1, 2016.
- Providing deer management education materials to the public including deer-resistant gardening techniques, "Don't Veer for Deer" tips for motorists and Lyme-disease prevention resources online at [www.a2gov.org/deermanagement](http://www.a2gov.org/deermanagement).
- A Deer Feeding Ban Ordinance, which makes it a civil infraction to feed deer on private property. This ordinance is not intended to ban the use of bird feeders, but rather to ban the feeding of deer on private property. The proposed ordinance states, "No person may place or permit to be placed on the ground, or less than five feet above the ground surface, any grain, fodder, salt licks, fruit, vegetables, nuts, hay or other edible materials (including feed for birds) which may reasonably be



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expected to result in deer feeding, unless such items are screened or protected in a manner that prevents deer from feeding on them. Living fruit trees and other live vegetation shall not be considered as deer feeding."

- Continued exploration of a deer fertility control program via the Humane Society of the United States. The exploration of such a program will begin in 2016. Per Council resolution, "the City will work with local stakeholders, MDNR, willing institutions of higher education, and/or the Humane Society of the United States to design and, if practical and cost-effective, implement a doe sterilization and/or contraceptive program in areas where a deer cull is impermissible, unsafe, or ineffective, beginning in winter FY2017."

#### 4. What does the deer management program not include?

The City of Ann Arbor wants to note specifically that the Deer Management Program:

- Will not include culling more than 100 deer during the winter of 2016.
- Will not include culling deer on private property.
- Will not include allowing the discharge of firearms by hunters, residents or visitors at any time within city limits.

#### 5. Why did city staff recommend contracting with USDA-APHIS to conduct the cull?

Exceptional safety standards: USDA-APHIS has trained marksmen on staff, who also serve as instructors to train others. In fact, a number of organizations model their culling safety program on USDA-APHIS's safety program, such as the Federal Aviation Administration. They are an extremely professional and safe organization with the latest technologies available for carrying out a safe and effective cull, such as night-vision and thermal-imaging scopes.

Experience: The USDA-APHIS is experienced in performing safe culls in urban environments. They currently are performing culls in Meridian Township under contract with the MDNR to reduce the spread of Chronic Wasting Disease. USDA-APHIS staff has performed culls in several Michigan communities, including Big Rapids, Mount Pleasant, Grand Haven, Manistee, and Barton Hills. They also assisted the Huron Clinton Metro Parks in culling in their first year.

Cost effective: As a governmental agency, their financial goals are not to make a profit, but simply to cover their costs. They are also self-insured. All USDA-APHIS marksmen are USDA-APHIS employees, and most are biologists or specialists and are given rigorous special safety training on conducting the culls.

Experienced: USDA-APHIS is experienced in developing work plans that will meet Ann Arbor's deer management program needs. In addition, these work plans must comply with National Environmental Policy Act, Endangered Species Act and other applicable federal statutes. The USDA-APHIS will provide the City with an after-action report and any other information requested or required by the MDNR as part of the issued permit. This information will allow the City to better estimate the conditions and necessary budget for future culls if private marksmen are used in successive years.

#### 6. Where and when will culls be conducted?

Culls will be conducted by trained USDA-APHIS marksmen in designated parks in Wards 1 and 2 between Jan. 2 and March 1, 2016. The following parks and nature areas have been identified as sites and will be closed for all purposes Monday through Friday evenings from 4 p.m. to 7 a.m. the



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following morning until March 1, 2016. All parks will remain open during regular hours on Saturdays and Sundays, which means parks are open all day Saturday and all day Sunday. Designated parks do not close until Monday at 4 p.m.

1. Barton Nature Area
2. Bird Hills Nature Area
3. Black Pond Woods Nature Area
4. Bluffs Nature Area
5. Cedar Bend Nature Area
6. Furstenberg Nature Area
7. Huron Parkway Nature Area
8. Kuebler Langford Nature Area
9. Leslie Park Golf Course
10. Leslie Woods Nature Area
11. Olson Park [The dog park will remain open during regular hours.]
12. Ruthven Nature Area
13. South Pond Nature Area
14. Stapp Nature Area

USDA and city staff worked together to identify cull sites based upon specific criteria including:

- Public safety
- Size and shape of the city-owned property
- Terrain
- Surrounding land-use and housing density
- Proximity to neighbors
- Ease of access
- Attractiveness of the location for deer

## **7. When are the designated parks closed?**

Due to these deer cull activities and to ensure safety, 14 City of Ann Arbor parks and nature areas are closed for all purposes Monday through Friday evenings from 4 p.m. to 7 a.m. the following morning until March 1, 2016. All parks will remain open during regular hours on Saturdays and Sundays, which means parks are open all day Saturday and all day Sunday. Designated parks do not close until Monday at 4 p.m.

## **8. What is a cull?**

Culling refers to the act of killing wildlife by firearm or bow. Per the MDNR permit, deer culls will be conducted in Ann Arbor in designated parks and nature areas using firearms.

## **9. How were citizens notified of cull locations?**

It's important to note that safety is our top priority. The deer will be culled by highly experienced USDA-APHIS marksmen who are specially trained to conduct culls in urban settings with precision, accuracy



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and safety as their top priorities. The city has informed residents of potential cull locations in parks and nature areas via a variety of communication channels including:

- Signage, including Spanish and Chinese, at the identified park and nature area entrances
- Postcards to residents located near the identified parks and nature areas
- Media Releases
- Ads in print media
- Resident newsletter articles
- Email notifications (subscribe at [www.a2gov.org/deermanagement](http://www.a2gov.org/deermanagement), “email notifications” section)
- Social Media
- City of Ann Arbor website and deer management project webpage updates
- Community Television Network
- Direct email to all registered neighborhood associations
- AAPS and UM notifications

## 10. Why will the cull be conducted in Wards 1 and 2 only?

The City of Ann Arbor completed two aerial surveys of the deer population on February 10, 2015, and March 6, 2015. The first survey counted 116 deer and the second survey counted 168 deer. Deer aerial surveys should not be considered a census or indicator of heard density, but simply a count that occurs at one moment in time and the estimate of how many deer were not seen is unknown. The aerial survey findings were consistent between the two surveys, which indicated the majority of deer in Ann Arbor are largely located in Wards 1 and 2. The population concentration of deer in Wards 1 and 2 also was corroborated by A2 Open City Hall survey results, resident public comments during two public meetings and numerous resident emails and photos submitted to city staff noting an increase in deer sightings and garden and property damage in those wards.

## 11. How will safety be ensured during City of Ann Arbor culls?

Safety is the top priority. The deer cull will be performed by highly experienced USDA-APHIS marksmen who are specially trained to conduct a cull in an urban setting with precision, accuracy and safety as top priorities.

USDA-APHIS personnel:

- Practice a principle of “SHE” – safe, humane, effective
- Are experienced in a wide variety of wildlife damage and disease issues, including deer removal in urban and other sensitive areas
- Must pass stringent firearms safety and proficiency qualifications before using firearms, and re-qualify regularly
- Are trained and equipped with the latest tools and techniques to reduce disturbance and allow for efficient and safe deer removal
- Can commit full time and attention to accomplishing established goals
- Are trained on proper single shot selection to effectively and humanely take deer



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- Are trained Wildlife Biologists and Wildlife Specialists, most with educational backgrounds in Wildlife or Natural Resources management
- Must complete comprehensive background checks and drug testing prior to employment

## 12. What happens to the venison?

Per the MDNR special permit, the deer must be processed and the venison donated to a local food bank. The 1,817 pounds of venison donated to Food Gatherers is equivalent to 1,514 meals.

## 13. How was public input sought before the approval of Ann Arbor's deer management program?

From November 2014 to August 2015, numerous deer management outreach methods were utilized by City staff, including an A2 Open City Hall online survey, three public meetings, numerous stakeholder interviews, Community Television Network cablecasts, media releases, social media posts, email notifications and public hearings. These outreach methods helped city staff to learn more about the deer population and residents' experiences to develop a recommended deer management plan for City Council consideration in August 2015. The plan aimed to answer the following questions:

- What should be the goal of the deer management program?
- What would be the deer management area?
- What is the preferred deer management method(s)?

The Ann Arbor Deer Management Plan recommends decreasing the deer population in Wards 1 and 2 to reduce deer-human negative interactions and support biological diversity in natural areas. The recommended methods included in the deer management recommendation report were among options allowed by the Michigan Department of Natural Resources, the public agency responsible for managing Michigan's deer.

## 14. When will nonlethal deer management options be implemented?

The approved deer management program utilizes both lethal and nonlethal deer management methods. Per Council direction, city staff will continue to explore a deer fertility control program via the Humane Society of the United States. The exploration of such a program will begin in 2016. Per Council resolution, "the City will work with local stakeholders, MDNR, willing institutions of higher education, and/or the Humane Society of the United States to design and, if practical and cost-effective, implement a doe sterilization and/or contraceptive program in areas where a deer cull is impermissible, unsafe, or ineffective, beginning in winter FY2017." Any nonlethal deer management plan would need MDNR approval prior to implementation.

## 15. What happens if someone disregards a park's closure?

Violations of park rules are evaluated on a case by case basis. In the case of deer management activities, safety is the city's No. 1 priority and Ann Arbor Police will respond accordingly to individuals who violate park closures. Designated parks and nature areas are closed for all purposes Monday through Friday evenings from 4 p.m. to 7 a.m. the following morning Jan. 2 - March 1, 2016. All parks will remain open during regular hours on Saturdays and Sundays, which means parks are open all day Saturday and all day Sunday. Designated parks do not close until Monday at 4 p.m.



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## 16. Who authorized the park closures?

Chapter 39 of the Ann Arbor City Code, Section 3:3 authorizes park closures by the Community Services Area Administrator, Public Services Area Administrator or designee. The Community Services Area Administrator authorized designated parks to be closed for all purposes during specific times from Jan. 2 to March 1, 2016 to ensure safety during deer management activities.

## 17. Will walking and biking trails be closed in designated parks?

Safety is the city's No. 1 priority during deer management activities. All walking and biking trails will be closed within designated parks however, per Council resolution all parks through which the border-to-border trail is constructed will remain open, which includes Argo and Bandemer Parks.

## 18. Will the border-to-border trail remain open?

Yes, per Council resolution "all parks through which the boarder-to-border trail is constructed will remain open, and a deer cull will not be conducted in those parks. That certain parks shall not be used for a cull because of their value to the community for unduplicatable transit and recreation (Olson dog park, Argo park and Argo cascades and Bandemer Park."

## 19. Did the MDNR approve the city's permit application?

Yes, the MDNR issued the city a permit on Dec. 23, 2015. The permit is available on the [City's Deer Management website](#). The permit was issued for Jan. 2 – March 1, 2016 and includes the restriction that shooting may not occur within 150 yards (450 feet) of an occupied dwelling unless written consent is obtained.

## 20. Was a lawsuit filed against the city related to deer cull activities?

Yes, two lawsuits have been filed. One lawsuit was filed in federal court against federal, state and local officials. On January 11, 2016, a U.S. District Court Judge denied a request for an injunction, which would have temporarily halted the City of Ann Arbor's planned cull during litigation proceedings. While the Judge did not dismiss the lawsuit, he did order the plaintiffs to amend their complaint within a week and articulate the basis for federal jurisdiction. Thereafter, the City Attorney's Office and the attorneys for the state and federal officials will have 21 days to respond to the amended complaint. After the city, state and federal officials respond, likely with requests to dismiss the lawsuit, the plaintiffs will have 14 days to respond. During this process, Ann Arbor can legally proceed with cull operations as planned.

On Monday, January 25, 2016, a second lawsuit was filed against the City in Washtenaw County Circuit Court- *Daniels –v- City of Ann Arbor*. As part of this lawsuit, the plaintiff sought a preliminary injunction against the City to stop the deer cull, and the Court ordered the parties to appear for a hearing on that request on Thursday, January 28, 2016. The City filed a response to the court in writing opposing the preliminary injunction, and thereafter plaintiff withdrew her request late on Wednesday, January 27, 2016. In February, the lawsuit was dismissed.



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## **21. Will the USDA be shooting near homes?**

The MDNR permit, which was issued for Jan. 2 – March 1, 2016, includes the restriction that shooting may not occur within 150 yards (450 feet) of an occupied dwelling unless written consent is obtained. The city will abide by all MDNR permit guidelines.

## **22. Is signage posted at designated parks to notify visitors of reduced hours?**

Yes, signage has been printed in English, Spanish and Chinese and is posted at all entrances to designated parks and nature areas. To ensure safety, it is important that signs are not tampered with or removed. Pursuant to City Code 9:62(20) it is a misdemeanor punishable by up to \$500 and/or 90 days in jail for any person to knowingly destroy, damage, deface or remove any public property or other property not his or her own. Violators will be prosecuted.

## **23. When will residents be notified the cull has begun?**

Public safety is the city's top priority and in order to make this action as safe as possible, information specific to reduction activities will not be provided. However, USDA and local law enforcement are in coordination and are working with state and local officials to ensure public safety. Information will be provided when cull activities are completed.

## **24. What happens if I hear gunshots during cull operations?**

USDA personnel will be conducting cull operations using sound-suppression equipment on their firearms. However, any citizen who hears gunfire and is concerned should call 9-1-1 directly to report it. AAPD and USDA personnel are working closely to coordinate communications throughout all cull operations.

## **25. How many deer have been culled?**

As of March 1, 2016, 63 deer were removed from designated City of Ann Arbor parks and nature areas.

## **26. Who do I contact to answer deer management questions?**

The most frequently asked questions are answered in the FAQs document online, which is frequently updated. For questions that aren't answered in the FAQs, please email [deermanagement@a2gov.org](mailto:deermanagement@a2gov.org) or call the deer hotline at (734) 794-6295.

## **27. What were the results of the cull?**

As of March 1, 2016, all cull activities were completed and the 14 designated parks and nature areas were re-opened to normal operating hours. Sixty-three deer were removed by United States Department of Agriculture Animal and Plant Health Inspection Service, Wildlife Services (USDA-APHIS) marksmen. More than 1,000 pounds of venison was donated to a local food bank. All cull activities were completed with zero safety incidences. A Deer Management Update Report will be sent to City Council in May, 2016.