

Agenda
Joint Meeting of the
Board of Trustees and Planning Board
At the Village of Lansing Office
2405 N. Triphammer Road
September 21, 2015 @ 7:30pm

- 7:30 Call To Order & Public Comment
 - 7:35 Approve Minutes from August 10, 2015
 - 7:40 Deer Management Discussion
 - 8:00 Continue Comprehensive Plan Update
(After the Preliminary Draft is Finalized it will be on the
Village web site for public input)
- Mayors Comments
General Discussion
Adjournment

Village of Lansing

Proposed deer management activities using Deer Depredation Permits

Proposed activity period: 1 October 2015 – 31 March 2016

Prepared by:
Bernd Blossey
January 14, 2015

Background on Board of Trustees authorization for deer management activities

For the past 8 years, the Village of Lansing Board of Trustees has approved a coordinated hunting program on select properties within municipal boundaries. While these efforts have been successful in reducing the deer populations, some ecological damage and deer vehicle collisions, further population reductions are needed to achieve management goals. After review of the Village Firearm and Bow Safety Law (Village Code Chapter 67, attached as Appendix) particularly provisions under Section 67-6, specifically subsection A.(5) thereof, Village attorney David Dubow advised the Board that this subsection should sufficiently allow the Board to use its discretion to apply certain identified NYSDEC Deer Management Program provisions and thereby override certain of the provisions in subsections A.(1), (2), (3) and (4). That eliminates the need for a Local Law amendment.

Given the above determination, the Board applied for use of New York DEC approved Deer Depredation Permits (DDP; often referred to as nuisance permits) for a short period in March/April 2015. Participants harvested 28 deer on 4 properties with the vast majority (25) taken on only 2 properties. The average time investment to take a deer was 2.5 hours, a very efficient use of time and resources on behalf of the participants.

The sections below outline the operational procedures that would again be applied and enforced that would govern conduct by participants while conducting the DEC approved nuisance deer management within the municipal boundaries of the Village of Lansing (VOL).

Proposed activities during nuisance deer management program in VOL

1. Activities (if approved by NY DEC) are anticipated to occur from 1 October 2015 (or as soon as an application is submitted and approved thereafter) to 31 March 2016. DDP's are usually issued for periods outside regular hunting seasons, but discussions with the DEC, Region 7, indicated that they consider VOL hunting not an open hunting program but highly regulated due to the procedures the board implemented over the past seasons. They indicated that they would give permission to use DDP's throughout the proposed period. Both antlerless and antlered deer can be taken if similar procedures are used as in the Village of Trumansburg, but participants will need to surrender antlers to the DEC within 10 days after taking a buck.
2. Activities will only occur at locations where landowners have given their approval to this approach. The attached map shows potential locations, many of which are currently participating in the hunting program. The board should consider each location and approve it. The locations are strategically placed throughout the village to capture deer activity and sub herds. We will not consider using all locations at the same time but activities will be determined by participant availability, use of areas by deer and strategic considerations (resting periods at locations within close proximity)

3. Participants will be recruited from the current group of approx. 20 active hunters within the village program. A meeting of active hunters in late August (attended by Lynn Leopold) found unanimous support for nuisance activities and willingness to participate. Many of these individuals have participated in the Cornell nuisance deer management program; others will receive supplemental training to assure safe procedures (see below). We will likely limit access at stand locations to a single individual or small group of users. Equipment is limited to compound bows (no long bows, recurve bows, crossbows or guns). All shooting will occur from elevated positions (tree stands).
4. Each individual participant or participant group will be responsible for stand placement (as approved by landowners), baiting and scheduling of other activities (see below). Baiting will need to be continued on a daily basis to condition deer to food availability, even if no shooting is planned. We will use corn (and potentially apples, if they become available at no cost) at each location. Bait will be placed about 20 yards away from tree stands to attract deer to these locations. At most locations we will also install trail monitoring cameras to capture deer use. If needed, locations may need to be shifted slightly or will be abandoned for extended periods if no deer use occurs. Each landowner will be informed about any activities on their properties, as indicated by landowner preferences and local laws (See Appendix). After we have determined deer use at properties, shooting may begin (it usually takes deer 3-10 days to locate and persistently come to bait).
5. Activities, as permitted by DEC for DDP activities, can occur from sunrise to 11PM. Experience in the Cornell and Trumansburg nuisance programs shows that the most successful periods are evenings and early night hours. Use of supplemental red/green lights after dark is highly effective as deer will not see the red light, remain entirely relaxed at close range and are generally less “spooky” after dark. This allows safe, highly accurate shots at close range. All participants will either have experience using this approach or will be trained before being allowed to venture afield at night. Deer reporting will continue through our secure website with additional features (we will keep track of every arrow shot).
6. All participants are required to follow all village and state laws, as well as expressed landowner preferences. It is the right of each landowner to restrict the number of individuals on their property, the times or dates participants are allowed on properties, stand location, parking locations or access routes. The agreement to use properties can be terminated at any time by notifying the village clerk.
7. We cannot predict which days and stands will be used in advance, as this will depend on individual time schedules, wind direction, weather and previous use of stand locations. To prevent overuse, we will restrict stand use to max. twice per week and we will establish resting periods of sometimes 2-3 weeks (with baiting continuing) allowing deer to fall back into their usual patterns without disturbance. This has worked extremely well in other programs. We expect 80% or more of activities to occur in the evening hours.
8. Participants will be in trees using camouflage. After taking a shot, a lethally hit deer will usually travel very short distances (often <60 yards; mean distance in the Village of Trumansburg was 50yards, range 0-150 yards for 90 shot deer). Participants will remain in tree stands after the shot. They either wait for another opportunity (multiple shots are often possible at baited locations), or wait a minimum of 30 minutes before retrieving a deer. Participants will use flashlights to locate the deer or to walk out of the woods, therefore landowners may notice a slow moving flashlight. If deer can't be readily retrieved due to poor blood trails, we have approved tracking dogs available that will help in locating wounded deer. In very rare circumstances we will follow up in the morning with better light. Landowners will be alerted to any of these possibilities and will have access to cell phone numbers of participants.
9. As in regular hunting situations, occasionally a mortally wounded deer may run beyond property boundaries. All participants will have information about property boundaries when afield. This

information will include phone numbers of landowners and neighbors who need to be notified if a search extends beyond the approved properties. If necessary, hunters will call and ask permission to retrieve a deer unless we have pre-authorization to retrieve deer from a property. All immediate neighbors should also be informed of the activities, regardless of whether a deer ever leaves an approved property.

10. Hunters will need to keep track and report of all arrows shot. Arrows usually pass through deer and fall close to the spot where a deer was hit, but occasionally will remain in the deer. We will make every effort to retrieve arrows (they are expensive), where needed with the help of a metal detector.
11. All shot deer will be removed discretely and not be field dressed on properties. We will submit samples for various research projects conducted at Cornell University.
12. All harvested deer will be consumed by participants or donated. We have an approved processor (Country Harvest, Peruville Road, Groton), who will be able to process deer and deliver the venison to the Food Bank of the Southern Tier at no cost to The Village or our participants. All participants will make decisions about use of their deer but we hope to provide a significant number of animals to the Food Bank.
13. In most instances, landowners and neighbors will not even notice activities or the killing of a deer because it happens quietly and fast. However, despite all precautions and skills, deer may be wounded, may not expire immediately, collapse on neighboring properties or may not be found. We will make every attempt possible (including the use of a trained dog) to recover all animals or assure that they will be fine (superficial arrow wounds heal quickly). Over the past 8 years, we had very few problems and none in the past years. Wounding rates in the Cornell and Trumansburg nuisance programs are 5 and 15%, respectively.

Responsibilities of the participants:

1. Knowledge of all property boundaries, village laws, and participant code of conduct.
2. Delivery of any antlers to Village Office (for joint mailing or DEC drop of)
3. Retrieval of deer, field dressing at approved locations, and delivery to venison donation processor (where applicable)
4. Supply of treestands and all hunting implements
5. Upkeep of baiting at their locations in coordination with landowners
6. All reporting via website
7. Coordination among participants

Responsibilities of VOL

1. Passing of resolution to move to nuisance approach
2. Application for DDP's to DEC (Bernd will draft document to be signed by elected official)
3. Approval of treestand locations
4. Purchase of corn (\$150-160 per ton; a few tons will be needed)
5. Purchase of automated feeders (about \$120/feeder)
6. Deer population estimate using infrared surveys through contractor, population estimate using trail cams or other method

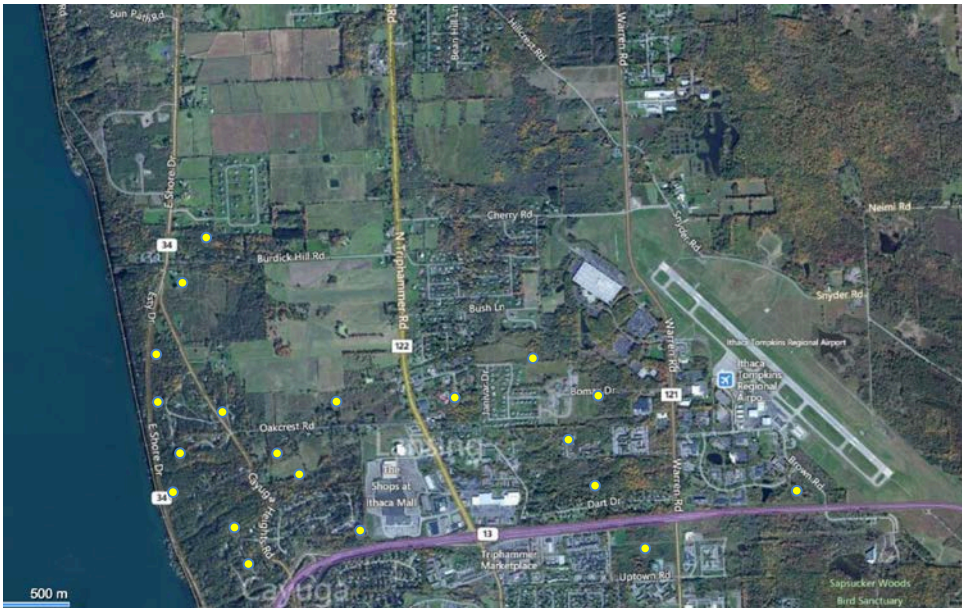


Fig. 1. Possible nuisance location (yellow circles) in VOL

Table 1: Proposed nuisance locations, property owner, participant or user group (more will be assigned as approval is received by Board), landowner approval and notes.

Property	Participant(s)	Approved	Notes
Bieri/Adelson	Blossey/Bieri		Participated in past
Bomax - Cornell			Participated in past
Butler 4			
Lempert/Uphoff	Nowitzki?		
Leopold	Guernsey		Participated in past
Autumn Ridge: Humphries	Nowitzki		

Park 1	Munson		
Park 2	Quigley/Woodward		
Route 13 (Arleo) Cornell			Participated in past
Seacord	Ruth and Harmon		
Spanswick/Travis			Participated in past
Street			Participated in past
Cornell Research Park	Joe Flint and Rob		Participated in past
Dean			
Baker	Baker		Yes
Ithaca Mall			
VOL DPW	Blossey		
Dart Drive	Mole/Toftegard		
Janivar Drive/Ayla Way Ivar Johnson properties			
Schleelein			
Miller holdings			Yes by Costello

Coordinator

Bernd Blossey

Bernd is an Associate Professor in the Department of Natural Resources at Cornell University and the chair of the Cornell deer management committee. Professionally he is interested in the impacts of invasive plants on native species and ecosystems and he has developed biological control options for purple loosestrife and is working on garlic mustard and phragmites. His research lately involves understanding the impacts of deer, invasive earthworms and slugs on rare and endangered plant and animal species. Since coming to the US in 1992 from Germany, Bernd has bow hunted for deer every year since 1993. He initially hunted the state parks around Ithaca and is now enjoying hunting on his own property in Richford. Over the years, Bernd has harvested over 400 deer (plus some turkeys, geese, grouse, rabbits and caribou) with his bow. Over the past 8 years he has coordinated the bow hunting program in VOL, he also is the chair of the Cornell University Deer Management Committee, and he has helped develop, implement and coordinate the nuisance deer program at Cornell and in the Village of Trumansburg.

Contact:

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APPENDIX 1

Chapter 67

FIREARM AND BOW SAFETY

§ 67-1. Title.

§ 67-2. Purpose and intent.

§ 67-3. Discharge of firearms or bows.

§ 67-4. Applicability of statutory definitions.

§ 67-5. Penalties for offenses.

§ 67-6. Exceptions.

[HISTORY: Adopted by the Board of Trustees of the Village of Lansing 9-18-1990 as L.L.N No. 9-1990. Amendments noted where applicable.]

§67-1. Title.

This chapter shall be known as the "Village of Lansing Firearm and Bow Safety Law."

§67-2. Purpose and intent.

This chapter is intended to promote the health, comfort, safety and welfare of all persons in the Village by restricting the discharge of firearms and the discharge of bows in certain densely populated areas of the Village where such discharge would be hazardous to the residents of the Village and to the general public.

§ 67-3. Discharge of firearms or bows. [Amended 9-17-1991 by L.L. No. 14-1991, Amended 10-15-07 by L.L.No. 7-2007]

A. Except as expressly provided to the contrary hereinafter, the discharge of a firearm, shotgun, rifle, air gun, compound bow or crossbow within the Village of Lansing is prohibited.

B. Conditions. [Added 4-19-1993 by L.L.No. 6-1993, Amended 10-15-07 by L.L.No. 7-2007]

(1) Notwithstanding the terms of Subsection A of this section, the discharge of a firearm, shotgun, rifle, air gun, compound bow or crossbow the Village be in cases that each the following are satisfied:

!f the person discharging the air gun, compound bow or crossbow is a person who holds a currently valid license from the New York State Department of Environmental Conservation and is visibly identified as a Wildlife Control Officer, such visible identification at a minimum to include such person's wearing the official uniform of a Wildlife Control Officer.

(b) The discharge is in the course of said licensed Wildlife Control Officer's official duties.

(c) Said licensed Wildlife Control Officer has received express permission to do so, whether oral or written, from the owner of the property upon which said discharge occurs.

(d) Said licensed Wildlife Control Officer has in effect at the time of said discharge a liability insurance policy issued by an insurance company licensed

to do business in the State of New York which includes not less than one million dollars (\$1,000,000.) in general liability insurance coverage.

(e) Said licensed Wildlife Control Officer shall report any such discharge, either in writing, in person or via telephone conversation, to the Village Clerk or to the Clerk Part Time by the end of the next business day following any such discharge.'

(f) Such discharge occurs in a location that would not jeopardize the safety of any person or property within the Village.

(g) Such actions are taken by said Wildlife Control Officer in accordance with all applicable provisions of New York State Law.

(h)

(2) In each case that said discharge results in the destruction of an animal, said licensed Wildlife Control Officer shall immediately remove the carcass of said animal and transport and dispose of the carcass, all in such manner as shall provide adequate and appropriate protection to the Wildlife Control Officer, the property owner and the residents of the Village against the spread of the rabies disease, and in accordance with all applicable laws, rules and regulations.

§ 67-4. Applicability of statutory definitions,

The words and phrases used in this chapter shall, for the purpose of this chapter, have the meanings ascribed to them by § 265.00 of the Penal Law of the State of New York.

§ 67-5. Penalties for offenses.

Unless statutory provisions prevail, a violation of any provision of this chapter shall be punishable by a fine not exceeding two hundred fifty dollars (\$250.) or imprisonment for not more than fifteen (15) days, or both. Each day that such violation continues shall constitute a separate violation.

§ 67-6. Exceptions. [Added 9-20-1993 by LL No. 13-1993, Amended 10-15-07 by LL No. 7-2007]

A. Notwithstanding any term or provision of this chapter to the contrary, if an owner of property within the Village meets all of the requirements and criteria described in a Deer Management Program approved by the New York State Department of Conservation ("DEC") and authorized and adopted by the Village (a 'DEC Deer Management Program"), or otherwise

establishes to the satisfaction of the Village Board of Trustees that relief from certain prohibitions, restrictions and/or requirements of this chapter shall be beneficial to the Village's and/or such property owner's efforts to manage or control the population of deer in the Village and/or on said property owner's property, then the Board of Trustees may, by resolution, grant such property owner relief from certain of the prohibitions, restrictions and/or requirements of this chapter in accordance with the following conditions. The Board of Trustees, in such circumstances, may authorize the discharge of a compound bow on such property owner's property, provided that:

- (1) The compound bow is hand-powered.
- (2) No more than a total number of persons based upon one (1) person per ten (10) acres of the property in question is permitted to engage in such discharge of compound bows at any given time; provided, however, that up to two (2) persons shall be permitted to engage in such discharge on properties of less than ten (10) acres.
- (3) Discharge of such bows may occur only during daylight hours of the legal hunting season as designated each year by the DEC, or such times and hours as may be designated by the Board of Trustees, whichever is more restrictive.
- (4) Any arrows discharged must be distinctively marked with a description of the markings provided to the landowner.
- (5) In addition to all requirements provided for in this Section 67-6, the discharge of such compound bows and all activities related thereto must conform in all respects to the requirements and criteria described in the DEC Deer Management Program governing the property in question. In the event of any conflict between the provisions of this Section 67-6. and the DEC Deer Management Program governing the property in question, the Board of Trustees, in granting the relief provided for above, shall determine which provisions apply.
- (6) Persons who seek to so discharge compound bows must park their vehicles out of view from any public roadway, and discharge of a compound bow must occur in an area not visible from any public roadway.
- (7) Such compound bow discharge may not (i) occur within one hundred and fifty (150) feet of any dwelling house, farm building or farm structure actually occupied or used, school building,

school playground, or occupied factory or church, or (ii) result in the arrow passing over a public highway or any part thereof: provided, however, that the prohibition above as to a compound bow discharge within one hundred and fifty (150) feet of a dwelling house shall not apply to the owner or lessee of the dwelling house, or members of his immediate family actually residing therein, or a person in his employ, or the guest of the owner or lessee of the dwelling house acting with the consent of the owner or lessee; provided further, however, that nothing herein shall be deemed to authorize such persons to discharge a compound bow or any other firearm within one hundred and fifty (150) feet of any other dwelling house or a farm building or farm structure actually occupied or used, school building, school playground, or occupied factory or church;

(8) The property owner or his/her/its designated agent must notify all adjacent property owners by letter (a copy of which is also to be provided to the Village Board of Trustees) as to (i) the dates and times during which such compound bow discharge may occur. (ii) the name and address of the property owner to whom complaints should be directed, and (iii) the requirement that a copy of any such complaint be sent to the Board of Trustees.

(9) In the event that such compound bow discharge results in the wounding of a deer and that deer's movement to an adjacent property, the person responsible for such wounding shall, prior to entering such adjacent property in pursuit of the wounded deer, make a good faith effort to seek and obtain permission from the adjacent property owner, and shall otherwise comply with all applicable provisions of the DEC Deer Management Program governing the activity involved.

(10) No person involved in any of the foregoing activities shall bleed or slaughter any deer on any property adjacent to the property of the owner requesting the foregoing relief from the requirements of this chapter.

B. In the event that a Village property owner has satisfied the Board of Trustees that such property owner is entitled to such relief, said property owner must enter into a written instrument confirming the property owner's agreement to abide by all the foregoing conditions, which agreement shall remain in effect and be automatically renewed and continued year to year unless either party advises the other in writing that the agreement in question shall be terminated. The terms of this section shall not amend, modify, alter or change any term or provision of this chapter other than as expressly set forth in this section.