

# MAINE STATE LEGISLATURE

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# Report to the Joint Standing Committee on Inland Fisheries and Wildlife

As Required by 12 MSRA Section 11552

Proposed Actions For Moose Management in Regards to the  
Number of Permits Issued, the Length and Timing of the Annual  
Moose Hunting Season



**Presented by the Department of Inland Fisheries & Wildlife  
January 2011**

In response to the requirements set forth in 12 MSRA, 11552, subsection 2, the Department of Inland Fisheries and Wildlife submits the following report on the actions taken and the actions proposed for the management of moose relative to the number of permits, season timing, and the areas open to hunting.

### **2009 Moose Season Summary**

Maine moose hunters could hunt moose for 6 days by permit within the structure of a split season framework [September/October] during 2009. The September season [Wildlife Management Districts (WMDs) 1-6, 11, and 19] ran from September 28<sup>th</sup> to Oct. 3<sup>rd</sup>, while the October season [WMDs 1-14, 17-19, 27, and 28] ran from the 12<sup>th</sup> through the 17<sup>th</sup>. In addition, 2009 marked the second November moose hunt in Department history covering southern WMDs 15, 16, 23 and 26. The southern hunt ran concurrent with the November deer season from November 2<sup>nd</sup> to November 28<sup>th</sup> and opened for Maine residents on October 31<sup>st</sup>. The Department timed this hunt to provide additional opportunity for hunters who wanted to hunt lower density moose along with deer hunting and to alleviate landowner concerns about creating another separate hunt in southern Maine.

The annual allocation of moose permits is related to the publicly-derived management goals for each WMD. Permit levels remained the same for most traditional moose hunting districts between 2008 and 2009 with the exception of downeast WMDs 19 and 28. WMD 19 had an increase of 5 bull permits, while WMD 28 had a decrease of antlerless permits by 5. The southern Maine moose hunt in WMDs 15, 16, 23, and 26, provided an additional 135 any-moose permits. An any-moose permit allows the permittee to harvest either a bull or cow. The total number of moose permits issued in 2009 was 3,015.

Overall, hunters registered 2,348 moose in 2009 [940 in September, 1,376 in October, and 32 in November]; they harvested 114 more moose during the September/October hunt than in 2008 representing a 5.1% increase [2,202 vs. 2,316 moose]; and they harvested three fewer moose during the 2009 November hunt than in 2008. Hunter success rates averaged 83% and 79% for the September and October seasons respectively in northern WMDs and 24% for the November southern Maine hunt. We expected the success rate to be low in southern districts [WMDs 15, 16, 23, and 26], since the moose density is lower. We will continue analyzing data from these 4 WMDs to make sure that prospective hunters understand the nature of this hunt as compared to hunting in more northern, eastern, and western districts [access issues, smaller landownerships, and low success rates].

### **2010 Moose Season Framework**

In 2010, there were 4 separate moose hunting periods in Maine – a September hunt, October hunt, and 2 hunts in November. The September season ran from September 27<sup>th</sup> to October 2<sup>nd</sup> in WMDs 1-6, 11 and 19; the October season from October 11<sup>th</sup> through the 16<sup>th</sup> and included WMDs 1-14, 17-19, 27, and 28. In WMDs 15, 16, 23 and 26, the

season again coincided with November's deer season running from November 1<sup>st</sup> through November 27<sup>th</sup>. Opening day for Mainers was Saturday October 30<sup>th</sup>.

New for 2010, WMDs 2, 3, 6 and 11 offered an additional moose hunt in November from the 1<sup>st</sup> through the 6<sup>th</sup>; this was due in part to a change in management strategy in WMD 2 that required an increase in permit allocations to reduce moose abundance [a result of LD 929 An Act to Expand the Moose Hunting Season]. For the third year the Department allocated a total of 135 permits for any moose [bull, cow, or calf] in WMDs 15, 16, 23, and 26. In total, the Department allocated 3,140 permits were allocated for the 2010 recreational moose hunt.

Department biologists are currently analyzing 2010 harvest and biological data.

### **Prospects for the 2011 Recreational Moose Hunt**

WMDs 22 and 25 in southern Maine will be open to moose hunting for the first time beginning in November 2011. The Department will allocate 65 permits among the 2 WMDs [20 permits in WMD 22 and 45 permits in WMD 25]. Permit allocations for all WMDs will remain the same as in 2010. A total of 3,205 permits will be available for the 2011 recreational moose hunt.

### **Controlled Moose Hunt in Eastern Aroostook County**

With public input, the Department conducted a controlled moose hunt in 9 towns in eastern Aroostook County in 2009 and 2010. The purpose of the controlled hunt was to 1) reduce the incidence of crop depredation in selected towns in Aroostook County [commercial broccoli fields] and 2) reduce the incidence of moose / vehicle collisions along the Route 1 and Route 161 corridor. **A controlled hunt is not a recreational hunt.**

Prior to implementing the controlled hunt, the Department had utilized depredation permits and had been increasing the number of recreational moose hunting permits in this area in an attempt to reduce crop depredation and moose / vehicle collisions, but with limited success. The controlled hunt provides a focused, site-specific management effort to mitigate crop depredation and to address road safety.

The controlled hunts occurred during a specified period between mid-August and the start of the September recreational moose hunt. Controlled hunts were NOT open to all hunters. Persons eligible to apply for permits [awarded via lottery] included landowners and registered Maine guides who met certain eligibility requirements.

The Department allocated 100 permits in the 2009 controlled hunt – 45 permits to eligible Registered Maine Guides and 55 permits to eligible landowners. In 2010, the Department allotted 44 permits to guides, 63 permits to landowners, and 6 permits to disabled veterans.

Each of the selected guides received three moose permits [one for each of three permittees chosen at the discretion of the guide - guides were not eligible to hunt]. Of the three issued permits, one was an any-moose permit and two were antlerless-only permits. The controlled moose hunt rule required that Registered Maine Guides who received permits must guide their permittees in agricultural areas designated by the Department within the 9 towns open to hunting; and it required that each selected Registered Maine Guide must attend a Department-sponsored training session. The rule required that landowners who received a permit must hunt on their own, eligible land, although the Commissioner could authorize a landowner to use his/her permit to hunt on other designated lands identified in the area open to hunting.

Moose taken under these permits were in addition to the statewide bag limit. Permits issued under this controlled hunt were exempt from the provisions of the moose permit point system of the recreational moose hunt. A person who received a controlled moose hunting permit was exempt from the two-year eligibility requirement of the recreational moose hunt. All other fees, laws and rules relating to moose hunting applied to the controlled hunt.

Hunters harvested a total of 81 and 72 moose in the 2009 and 2010 controlled hunts, respectively.

Following the 2010 controlled moose hunt, Department biologists and game wardens met with representatives of the Smith and Ayer broccoli farms to review the 2010 hunt and discussed possible improvements for future controlled hunts in eastern Aroostook County. The Department will take input from the debriefing under consideration when developing a rulemaking proposal for the 2011 controlled hunt.

### **Other Moose Management Issues**

MDIFW has publicly derived management goals and objectives for many of the game and nongame and endangered species it manages, including moose. Current moose management goals and objectives are to manage moose in northern, western, and downeast Maine [Recreation Management Area] at a level that would maximize both hunting and viewing opportunity. Whereas, in northeastern and several Wildlife Management Districts in central Maine [Compromise Management Area] the goal is to balance the public's concern about moose/vehicle collisions with the public's desire to hunt and view moose. The moose management goal in southern coastal Maine [Road Safety Management Area] is to reduce the moose population to the extent necessary to minimize the danger to motorists.

There are a number of moose management issues being discussed internally and with the public. In order to meet publicly-derived moose management goals and objectives, the Department needs: an accurate moose population census and to reevaluate the Department's moose population model. In addition, we have a number of research needs including the need to determine if moose populations are limited by disease rather than food and whether moose densities and climate changes are related to moose mortalities.

There is a number of promising population inventory and survey methodology [i.e. forward looking infrared technology, helicopter surveys, etc.] available to better assist MDIFW in assessing and managing populations of moose in order to meet public expectations. Last month the Department, in collaboration with helicopter pilots from the Maine Forest Service, tested a double count aerial survey method for estimating moose abundance [surveying Wildlife Management Districts 2, 3, and 6 in northern Maine]. We are hopeful this survey methodology will provide us with reliable population estimates in addition to assessing moose sex and age composition.

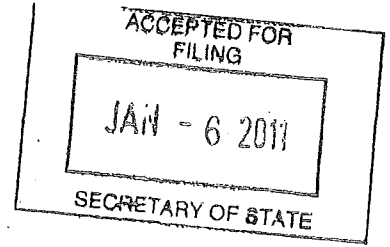
Attached are the rule proposals and supporting materials to which the Advisory Council gave their consent.

2011-10 ✓

# Rule-Making Cover Sheet

MAPA-1

TO: Secretary of State  
ATTN: Administrative Procedure Officer,  
State House Station 101, Augusta, Maine 04333.



- 1. Agency: Inland Fisheries & Wildlife
- 2. Agency umbrella and unit number: 09-137
- 3. Title of rule: Moose Hunting
- 4. Chapter number assigned to the rule: Chapter 4.05
- 5. Date(s)/method(s) of notice: 10/20/10 – See Secretary of State’s Ad List
- 6. Date(s)/place(s) of hearing(s): None held

7-A. Type: " new rule " partial amendment(s) of existing rule  
 " suspension of existing rule " repeal of rule " emergency rule  
 " repeal and replace: complete replacement of existing chapter, with former version simultaneously repealed.

8. Name/phone of agency contact person: Andrea L. Erskine, 287-5201

9. If a major substantive rule under Title 5, c. 375, sub-CII-A, check one of the following

- " Provisional adoption " Final adoption  
(prior to Legislative review)
- " emergency adoption of major-substantive rule

10. Certification Statement: I, Roland D. Martin hereby certify that the attached is a true copy of the rule(s) described above and lawfully adopted by

Department of Inland Fisheries & Wildlife on 12/9/10  
(name of agency) (date)

Signature:   
(original signature, personally signed by the head of agency)

Printed name & title: Roland D. Martin, Commissioner

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11. Approved as to form and legality by the Attorney General on 1/6/11  
(date)

Signature:   
(original signature, personally signed by an Assistant Attorney General)

Printed Name: Mark Randlett, Assistant Attorney General

EFFECTIVE DATE: JAN 11 2011

Repeal and replace Chapter 4.05, Paragraph a, Paragraph C (1) as follows:

**C. Permits**

For the purposes of this rule, the term "antlerless moose" means a moose without antlers or a moose with antlers that are shorter in size than its ears. The term "bull moose" means a moose with antlers. The term "any-moose" means a moose of either sex.

1. The number of moose hunting permits to be issued for each Wildlife Management District shall be as follows:

WMD 1 – 120 bulls / 20 antlerless  
WMD 2 – 125 bulls/ 125 antlerless  
WMD 3 – 200 bulls / 290 antlerless  
WMD 4 – 255 bulls  
WMD 5 – 125 bulls  
WMD 6 – 220 bulls / 280 antlerless  
WMD 7 – 125 bulls  
WMD 8 – 235 bulls  
WMD 9 – 50 bulls  
WMD 10 – 100 bulls / 10 antlerless  
WMD 11 – 160 bulls / 120 antlerless  
WMD 12 – 35 bulls / 20 antlerless

WMD 13 -- 35 bulls / 10 antlerless  
WMD 14 – 35 bulls  
WMD 15 – 25 any-moose  
WMD 16 – 20 any-moose  
WMD 17 – 30 bulls / 30 antlerless  
WMD 18 – 70 bulls / 20 antlerless  
WMD 19 – 80 bulls / 20 antlerless  
WMD 22 – 20 any-moose  
WMD 23 – 45 any-moose  
WMD 25 – 45 any-moose  
WMD 26 – 45 any-moose  
WMD 27 – 25 bulls  
WMD 28 – 35 bulls

**TOTAL: 2,060 bulls/945 antlerless/200 any-moose**

Ten percent of the total number of permits allocated to each Wildlife Management District shall be issued to nonresident and aliens.



# Rule-Making Fact Sheet

(5 MRS §8057-A)

AGENCY: Inland Fisheries & Wildlife

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON: Andrea L. Erskine, 284 State Street, Augusta, ME 04333-0041; 287-5201

CHAPTER NUMBER AND RULE TITLE: Chapter 4 – Moose hunting

STATUTORY AUTHORITY: 12 MRS Section 11551

DATE AND PLACE OF PUBLIC HEARING: None scheduled.

COMMENT DEADLINE: November 19, 2010

PRINCIPAL REASON OR PURPOSE FOR PROPOSING THIS RULE: This rule is being adopted to establish the number of moose hunting permits to be issued for each Wildlife Management District for the 2011 season. This year's proposal allocates permits in WMDs 22 and 25 (20 any-moose for WMD 22 and 45 any-moose in WMD 25); these 2 districts were opened for the November season – to occur at the same time as the deer season -- as a result of a public petition.

## ANALYSIS AND EXPECTED OPERATION OF THE RULE:

The Department has established population objectives for wildlife management districts within the state. The structure and number of permits issued is designed to regulate the harvest in a manner that will cause an appropriate population response. The harvest objectives for the majority of districts are similar to the 2010 hunt. Permit designations (bull-only, antlerless-only, and any-moose) must be complied with and violating the condition subjects the holder to a rule violation penalty (Class E crime).

FISCAL IMPACT OF THE RULE: None anticipated.

**FOR RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:**

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:

INDIVIDUALS OR GROUPS AFFECTED AND HOW THEY WILL BE AFFECTED:

BENEFITS OF THE RULE:

*Note: If necessary, additional pages may be used.*

**BASIS STATEMENT**

**UNIT NUMBER: 09-137**

**AGENCY: Inland Fisheries & Wildlife**

**RULE TITLE: Chapter 4 -- Hunting and Trapping**

(4.05 -- Moose)

This rule establishes the permit allocations by Wildlife Management Districts (WMDs) for the annual moose hunting season. This proposal includes additional permits in WMDs 22 and 25, which were opened under a separate rulemaking proceeding. Permit allocations for all other WMDs remained the same as last year.

The Advisory Council met on December 9, 2010 and consented to the rule as adopted by the commissioner.

No adverse economic impact is anticipated as a result of the adoption of this rule change.