
Title: **Deer Control Permits**

Policy Number:

WRD-D-001

Effective Date:

Revision Date:

Authority:

Page:

03/01/2018

Division Director

Page 1 of 5

Purpose:

The purpose of this policy is to establish well defined guidelines for the issuance of deer control permits under the authority contained in Section 27-2-18 of the Game and Fish Code and the delegated authority issued by the Commissioner to Game Management Regional Supervisors to issue and deny permits.

To establish internal procedures for the issuance of deer control permits in accordance with Rule 391-4-2-.201 of the rules of the Department of Natural Resources.

Policy:

A. Conditions Under Which Permits May be Issued

A permit may be issued to a person who:

1. Cultivates crops.
2. Is immediately responsible for their cultivation.
3. Is the principle owner of crops.

Permits shall be issued only in cases where crops are planted for the purpose of harvesting and marketing and that damage from deer reasonably can be expected.

B. Investigation of Complaint

1. Wildlife Resources Division personnel may investigate deer damage complaints before a deer control permit is issued.
2. Confirm, through observation and/or discussion with the crop owner, the acreage under cultivation.
3. Confirm, through discussion with the crop owner, that the crop cultivation is for commercial reasons.
4. Confirm, through knowledge of area, site inspection, or historical records that the owner is likely to suffer financial loss to deer.
5. Confirm, that the landowner approves of the issuance of a permit unless lessee controls disposition of wildlife also.
6. If the crop is less than three (3) acres, decide whether chemical or mechanical repellents or buffer crops would effectively control the damage. Typically permits will not be used for areas less than three (3) acres.
7. If the crop is three (3) acres or more, decide, by using empirical judgement, whether damage is severe enough to issue a deer control permit.

NOTE: Permits will not be issued during firearm deer season unless approved by the Chief of Game Management.

8. If a farmer has a history (2 years) of crop damage and the supervisor can reasonably project the necessary deer kill, a permit may be issued for the projected number, otherwise permits are limited to a maximum of 10 deer. The farmer may upon killing 10 deer, call the region and get approval for another 10 deer.
9. Considering the extent of damage and the age of the crop, decide the length of time for which the deer control permit will be valid.

NOTE: Maximum duration of a permit is length of the growing season, unless the Chief of Game approves a longer period. Permits on winter grain planted for harvest, not grazing, should be issued on after grain starts to joint.

10. The maximum number of people on a permit allowed to take deer will be three (3) plus the crop owner. Chief of Game must approve additional assistants.

C. Records Check for Game and Fish Violations

Prior to issuing a permit to the crop owner, the investigator shall determine through questioning:

1. Whether or not the crop owner has been charged of a game violation related to killing deer within the past two (2) years.
2. Whether or not the assistant(s) have been charged of a game violation related to killing deer within the past two (2) years.
3. Whether or not any conditions of a previously issued permit or any provision of Rule 391-4-2.201 of the Rules of the Department of Natural Resources have been violated.

The Law Enforcement Section should be contacted prior to issuance of a permit to check enforcement records. If circumstances prevent this check the permit may be issued.

If there is subsequent evidence of a violation of any of the above, the crop owner will be notified as soon as possible regarding the status of the permit. (See section entitled "Denial of Permit" below). If the crop owner is "cleared" but a designated assistant has been found to have violated any of the above, the crop owner will be advised that the assistant cannot be "permitted".

D. Issuance/Distribution of Permit

1. Permits (See Sample A) will be issued by the Regional Game Management Supervisor or his designated agent at the time of investigation. Law Enforcement Rangers may be designated as issuing agents when coordinated with and approved by Region LE Supervisors. Each item of the permit must be completed or marked "not applicable" as appropriate. A description of the location(s) of the crop field(s) must be included.
2. Permits will be issued for taking antlerless deer only except as follows:

- a. Damage is being caused primarily by bucks. For example, a permit will specify taking antlered bucks when antler rubbing is damaging an orchard.
- b. Follow issuance of a crop damage permit and the lethal removal of the specified number of antlerless deer, the crop owner may receive on an either sex permit if damage from antlered bucks continues. Field verification by a Division Representative of the continued damage is required before a follow-up permit allowing lethal removal of antlered deer will be issued.
3. The crop owner must mark all deer in which possession is taken with a tag indicating permit holders name, telephone number and permit number. This tag must remain on the animal until processed for consumption.
4. A minimum of four copies of the permit and any attachments will be completed and copies distributed as following:
 - a. Crop owner
 - b. Assistant(s) (for each assistant listed)
 - c. Conservation Ranger assigned to County
 - d. Regional Game Management Office
5. Survey permit holders at a 3-year interval to determine the average number of deer taken per permit issued for estimation of total deer removal through the crop damage control program.

E. Responsibilities of Law Enforcement Personnel

Upon notification from Game Management personnel that a crop damage permit has been issued, the responsible Law Enforcement Officer will:

1. Contact the crop owner and advise him of the name and telephone number of the ranger to be contacted. Ranger explains how to dispose of deer that are killed under said permit.
2. Conduct regular inspections of the field/crops for which the permit is issued to ensure compliance with the conditions of the permit.
3. Advise permittee how to dispose of deer taken which are not suitable for human consumption.

NOTE: Rule 391-4-2.201 (Amended, 1987) provides for the following: “The deer carcasses may be used by the crop owner or transmitted to a family (household) with income below the federal poverty level or handicapped or senior citizen or transmitted to the Department of Natural Resources personnel, civic groups, county sportsman club, public agencies or charitable institution for distribution to families with income below the deferral level or handicapped or senior citizens. Spoiled deer must be disposed of using standard sanitary procedures”.

F. Denial of Permit

1. Authority to deny issuance of a deer control permit by a Regional Game Management Supervisor is limited to those instances where the degree of crop damage does not

- justify issuance or if the issuance would cause a safety hazard. In such cases, the Regional Game Management Supervisor will notify the crop owner in writing stating the reasons for denial.
2. Authority to deny a permit for any reason other than that listed in “a” above is limited to the Commissioner of the Department of Natural Resources. (See Section 27-2-25 of the Game and Fish Code.) In those instances where circumstances warrant denial action by the Commissioner, the crop owner must be notified by letter (certified mail or hand-delivered) over the signature of the Commissioner. To obtain such a letter, the Regional Game Management Supervisor should notify the Chief of Game Management of his recommended action and ask that such a letter be prepared for the Commissioner’s signature. As a minimum, his request must include the name and address of the crop owner, date of investigation, crop involved and the reason(s) for recommending denial. This information needs to be telephoned to the Atlanta Office and confirmed by a letter as time permits.

G. REVOCAION OF PERMIT

The authority to revoke a previously issued permit is contained in Section 27-2-25 of the Game & Fish Code and is limited to the Commissioner, DNR. The revocation notice will be in the form of a letter of the permittee, over the Commissioner’s signature and will be delivered by certified mail or hand-delivered. To obtain such a letter, the regional Game Management Supervisor should follow the procedures outlined above for a letter of denial.

H. REGULATIONS ON USE OF PERMITS:

1. Permittee and assistant(s) must have the permit with the accompanying map on their person when the killing of deer occurs.
2. Permittee may not allow anyone to assist or accompany him/her in the killing of deer unless that person is specifically named on the permit.
3. The Wildlife Resources Division of DNR must be notified before each attempt is made to kill deer at night under this permit.
4. Firearms are limited to legal calibers for deer as listed in the Hunting Regulations of DNR. Use of vehicle, lights and shooting hours are not restricted.
5. The date and sex of each kill must be recorded on the permit. The permit with recorded kills must be retained until December 1 of the year issued.
6. Deer carcasses may be used by the permittee or transmitted to a family (household) with income below the federal poverty level or handicapped or senior citizen or transmitted to the Department of Natural Resources personnel, civic groups, county sportsman club, public agencies or charitable institution for distribution to families with income below the deferral level or handicapped or senior citizens. Spoiled deer must be disposed of using standard sanitary procedures.
7. The permittee must mark all deer in possession with permit holders name, telephone number and permit number. This tag must remain on the animal until processed for consumption.

8. The permit shall be valid until the expiration date or until the specified number of deer has been taken, whichever comes first. In cases of recurring damage, a permittee may request that additional deer be taken.
9. In no event shall attempts to locate or shoot deer from public roads be authorized.
10. Violation of any of the terms and/or conditions of a permit shall make said permit invalid and deer killed under authority of that permit may be considered killed in violation of the Rules and Regulations authorizing the killing of deer which cause damage to crops.