

Kimberley Urban Deer Advisory Committee

## Recommendations Report Managing for the Future

**Gary Glinz, Chairperson - June 2012**



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# Urban Deer Advisory Committee

## Managing for the Future

### Executive Summary

The City of Kimberley is situated in one of the most beautiful landscapes in Canada. The biogeoclimatic zones of our region support a wide variety of wildlife. This diversity, along with the unlimited outdoor recreational opportunities, attracts citizens and visitors alike to enjoy the natural beauty of the region.

Wildlife, specifically deer, has always been part of Kimberley's "natural" attraction. Many long-term residents will attest that historically there were much lower numbers of deer in town than we have today and that they did not create the safety issues we now commonly see. Multiple safety incidents have caused the majority of the community to ask the City of Kimberley to respond to these concerns. These safety issues and the associated liability created a need for a citizen group to be formed to develop ways to mitigate public safety threats. In October 2010, a citizen's group, the "Urban Deer Advisory Committee" (UDAC), was formed to examine the problem and make recommendations to council regarding deer management issues. A Terms of Reference was also developed to direct the members in their mandate.

Urban deer management is a complex political, social, economic and ecological challenge. Although it is not a new issue in many jurisdictions, it is a relatively new issue for Kimberley. The committee generated an Urban Deer Report in April 2011, which identified a number of mitigations and recommended a deer cull be undertaken to help reduce the urban deer for the fall/winter of 2011. This recommendation was one of five developed to help address public safety concerns.

The Urban Deer Committee Report, of April 2011, submitted by the UDAC investigated and summarized a number of management options and then recommended a number of actions. It is not the intention of this report to reinvestigate the findings or recommendations of the initial report. It is intended to support those recommendations by detailing activities to enhance the urban deer management in Kimberley.

In collaboration with the provincial government a successful cull was undertaken and 99 deer removed from within city limits. This cull was difficult for all involved, including city leadership, the UDAC and many of our citizens. The wide range of social and emotional factors that is associated to this action, created social issues throughout the community.

Managing deer within Kimberley is always going to be a financial, political, social, emotional and environmental challenge. Deer populations will continue to grow and create public safety issues and citizen concerns unless the numbers are managed down to a reasonable number. That number could be pre-city habitat levels, however removing that number of deer would be costly both financially and socially.

The recommendations in this report are meant to help reduce the liability and threats of having deer in our community. The UDAC will continue to help determine the best way to manage deer populations to a “tolerance” level in our community. This cannot be done without accurate data collection and feedback from our community.

The provincial government has been supportive in many ways, however more help is needed. City leadership will need to continue to collaborate with other communities’ to convince senior government to assist in a more substantive way. All of the affected communities need to pull together to develop a clear and strategic message to the province of just what that assistance should be.

As the chairperson of this committee I would like to thank the members for their, insights, patience and assistance in developing this report.

The Kimberley Urban Deer Advisory Committee thanks the City of Kimberley’s Mayor and Council for the opportunity to assist in this important matter.

## Review of Key Statements and Recommendations from the Urban Deer Report (April 2011)

This report summarizes the following about urban deer in Kimberley:

- Deer are a natural and permanent part of the Kimberley community;
- Deer are currently a public health and safety problem;
- It is recognized that in order to have a manageable population, deer numbers must be reduced;
- To achieve a reduction, lethal and non-lethal management actions are initially necessary;
- Management actions must be (1) safe, (2) humane, (3) cost effective, and (4) achievable;
- Management actions must comply with city ordinances and government regulations; and,
- Annual evaluation of management actions must include consideration for human health and safety, biological integrity, conflict resolution, cost to implement, and social /political realities.

Kimberley's Urban Deer Management Advisory Committee **recommends** the City of Kimberley take the following actions:

- Establish a permanent Urban Deer Advisory Committee;
- Create an administrative process to ensure procedures remain current;
- Implement management actions as outlined in the report which should include, but are not limited to, hiring qualified personnel/contractors to capture and cull deer; establish certified controlled hunts when and where practical; work with government ministries and private land owners, if translocation programs are to be considered;
- Review public education programs for promoting landscaping that deters deer, proper use of repellants, and effective barriers; and,
- Annually review previous actions taken and determine what future urban deer management actions are required.

(Kimberley UDAC , April 2011)

The above noted report was a summary of a comprehensive examination of the information that was available to them.

This report will examine each of the above recommendations and make further recommendations on how the City of Kimberley can take actions to support them.

A number of background documents and references were used to assist in developing recommendations. The British Columbia Urban Ungulate Conflict Analysis, prepared for the Provincial Government was one of these documents. (Hesse, March 2010). This document contains a number of excellent suggestions regarding education and outreach.

# Responding to the 2011 Urban Deer Advisory Committee Report

## Establishing an Urban Deer Advisory Committee:

Once the original deer committee completed its' report and recommendations to council a new committee was established, the Urban Deer Advisory Committee, in September of 2011. This is a "select committee established under section 142 of the Community Charter. This scope of work, as outlined in the "Terms of reference" (see attachment A) for the committee was, in most part, to "Review and enact recommendations as outlined in the Urban Deer Management Report" (City of Kimberly, Amended March 2012). A "Guiding Principles" (see attachment D) document was established "by and for" the committee. The purpose was to define how the committee would conduct their business, work with each other and the city.

As according to the Terms of Reference, the committee undertook deer counts in November of 2011, prior to the January 2012 deer cull. This count established that the deer population was continuing to grow and that the recommended cull takes place.

The committee is fully functional and committed to follow through on the recommendations as noted above. The membership on the committee currently

## Administrative Processes:

### Bylaws - Compliance and Enforcement

The *intentional feeding of deer* has been one of the key contributors to the ongoing expansion of deer in our city. The reasons this happens are well known and this report will not reexamine these factors. There is no question that this must stop if Kimberley is to manage deer numbers to a safely sustainable number.

"Deer Feeding Bylaw No. 2296, 2006" has helped tremendously and is a well worded law that gives regulators enough "Officer discretion" to be effective. The penalties seem to be high enough at this time to reduce the number of incidents significantly. The introduction of the law has already helped reduce active feeding by a large amount. Most of the citizens are "Co-operative" as defined in the RCMP Incident Management Model.(RCMP) (Incident Management Intervention Model)

It's important to note "compliance" is about getting people to obey the laws voluntarily while "enforcement" is meant to penalize the offender for disobeying the law. Enforcement Officers will often try to use compliance techniques to prevent the offence at the time of the occurrence to encourage long term compliance. If the matter comes to court, this is an important part of the legal record officers will want to show a judge, that due diligence and appropriate officer discretion has been done.

Enforcement officers will use their own judgment and it is up to their discretion if they ticket an offender or not. Often a public relations approach is more successful in the long term than writing a violation ticket. However, there comes a time in every situation where if compliance is not met, enforcement is necessary. This level of tolerance can be defined in policy.

Reports from the City Bylaw Officer have indicated that "**Passive Resistance**" (passively refuse to cooperate) feeding has declined considerably. There continues to be a smaller number of deer feeders

that are “**Active Resistance**” (actively and overtly refuse to cooperate) .(RCMP)(Incident Management Intervention Model). These people will require penalization until they comply.

Unintentional feeding, fruit trees, garbage and other attractants will continue to be a problem for the city to manage. For the most part, this type of issue must be managed with compliance strategies such as outreach and education.

The city will need to show leadership in this by managing city owned properties to showcase how to beautify the city without using plants and trees that attract deer.

Compliance can be undertaken by anyone, as compliance is about education and outreach. Education and outreach is detailed in another section of this report.

The following table outlines policy recommendations to assist in encouraging voluntary compliance while still keeping the enforcement options available to the regulators. It is not the intent to penalize incidental feeders but it is the intent to stop chronic and active feeding. It must be understood by all parties that feeding deer creates an unacceptable liability and risk of injury to our citizens as well as creates an artificial and sometimes deadly attractant for the deer.

#### Bylaw 2296, Deer Feeding - Compliance and Enforcement Matrix

Bylaw 2296 Infraction	Subject behavior	Recommendations  *VT = Violation ticket	Initiation  Timelines	Budget/  Responsibility
Feed deer (bag of fruit)	Compliant	Warn first offence  VT second Offence (\$50) Officer discretion to \$500	Immediate	Operations
Cause deer to be fed (bait yard with grains etc.)	Compliant	Warn first offence  VT second Offence (\$50) Officer discretion to \$500	Immediate	Operations
Feed Deer (bag of fruit)	Active Resistance  (repeat offenders)	VT first Offence (\$50)Officer discretion to \$500 for repeat offenses	Immediate	Operations
Continued disregard and infraction of 2296	Highly active resistance	Immediate \$500 fine  Limited Officer discretion. Officer uses all means and penalties within bylaw to prevent further occurrence  Offenders name published in media after conviction	Immediate	Operations



## Dogs running at large

Experience in this city and others, is that dogs off the leash within the community, are a nuisance as well as a safety issue. Loose dogs and deer do not mix well. Deer consider them as predators and their natural response is activated. Deer will either fight or flee depending on a number of contributing factors. It is safe to say most urban deer will fight, as they seem to know domestic dogs can be dominated. This is a factor with dogs on a leash as well; anecdotal information is that loose dogs can help create more aggressive behaviour in deer that is transferable to dogs that are on a leash.

*Bylaw 1642* gives the city enough legal powers to effectively manage this problem. The mitigating element is tolerance. During certain times of the year, such as fawning times or rutting times, deer are naturally more aggressive. Loose dogs can create a danger to the deer, to themselves and to our citizens. Less enforcement tolerance should be exercised during these times. The bylaw states:

### 4. CONTROL AND IMPOUNDMENT OF ANIMALS

*4.01 No person shall suffer or permit any animal owned, kept or harboured by him or in his care, charge or control, to run at large within the municipal boundaries of the City of Kimberley.*

There is always going to be some deer in our city and there is always going to be family dogs as well. It is the responsibility of the owner to control their dog at all times as deer cannot be controlled. The committee does not believe the bylaw should be amended however they are concerned that public perception may be that the law is not being adequately enforced during key periods. Part of this mitigation is in education and outreach however a key element is to gain compliance through escalating with a more strict enforcement matrix. This matrix can be defined in policy.

## Bylaw 1642, Dogs Running at Large - Compliance and Enforcement Matrix

Bylaw 1642 Infraction	Subject (owner) behavior	Recommendations  *VT = Violation ticket	Initiation  Timelines	Budget
Run at large	Compliant	Warn or VT first offence  VT second Offence	Immediate	Operations
Run at large and chase deer	Compliant	VT First Offence Officer discretion as to penalty	Immediate	Operations
Run at large, multiple offences	Active Resistance	VT each offence with escalating penalties Officer discretion to published offenders name in media after conviction	Immediate	Operations
Continued	Highly active	Limited Officer discretion. Officer	Immediate	Operations

disregard and infraction of Bylaw 1642	resistance and or animals displays assaultive behaviour towards deer	uses all legal means and penalties within bylaw to prevent further occurrence  Offenders name published in media after conviction		
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## Fencing

City fencing bylaws are an important part of managing social conflict and beautification of the community. A key element of the bylaw is designed to allow the citizens contain their pets and keep other animals out. There is a safety element as well, as they create a physical and psychological barrier against intruders. The city's current bylaw may not take into consideration deer management to the extent it could.

Bylaw 1850 states in part:

### **(5) Residential Zones**

*In all residential zones, the maximum height for a fence in the front yard shall be 1.0 metres (3.2 ft.), and in all other yards, 1.8 metres (6ft)*

It should also be noted that deer will seldom jump a fence they cannot see through, they want to know where they are going to land; therefore a 6 foot fence with no opportunity for deer to see through, is a strong deterrent to deer access.

The following recommendations are for back yard fencing only.

## Bylaw 1850, Residential Fencing

Bylaw 1850	Subject (deer) Behaviour	Recommendations	Initiation Timelines	Budget/ Responsibility
Residential Zone Fence Height	Accessing private property causing damage	City regulators to examine opportunities to raise maximum height to 2.15 meters (7'0" Feet)	At appropriate opportunity	Operations/ City Council
Residential Zone Fence Height	Accessing private property causing damage	City regulators to encourage closed fencing to developers	At appropriate opportunity	Operations/ City Council

## Data Management

How many deer are too many? How does the city determine the number of deer it citizens will consider appropriate for the community. This is a difficult question as it challenges the city to make a quantifiable answer to an economic, environmental and difficult social matter. Historic density, prior to human habitation could have been very few per hectare. The Kimberley area, prior to settlement, was not good winter range primarily due to high snow accumulations and lack of available forage. Humans feeding deer both intentionally and unintentionally have created a wintering opportunity that was not common in the past. Limited predator populations within the city and deer habituation created by man, make the question even more complex.

Health and safety issues, legal liability factors and the moral obligation of the City to protect its citizens are compelling elements to manage deer populations. Science based decision making requires accurate data. Conflict and social management also requires information to be collected and analyzed. Successful city budgets require predictable expense management as well as contingency planning. Managing deer is a new cost to the city. How is the best way to gather useful information to help build associated budgets? How will we know if our programs are being successful? How does council make and defend its deer management strategies?

The committee has considered safety issues, public concerns, data accuracy issues, social issues as well as costs, to develop a more comprehensive database. Information will be needed well into the future, so the process and methodology needs to be sustainable and defensible.

Information from the citizens will need to be examined with the understanding that some areas of the city may have a higher or lower tolerance to deer habituating there sections of the city. Some areas only have seasonal problems, while others have year round chronic problems.

There is one certainty about gathering information, it will be challenging. However, if the city does not begin to try and capture this data, decisions will continue to be challenged. The provincial government needs this information as well. It is the belief of many on the committee that their fiduciary responsibilities go beyond wildlife management. It also has a social conflict management role that requires data to guide its policies and decisions.

It is not the intent of this report to direct the city in how to conduct their administration however it has discussed the matter at some length and has attached a suggestion to this report. (See attachment "C")

## Data Gathering

Data	Methodology	Recommendations	Initiation Timelines	Budget/ Responsibility
Data manager	Delegated authority	Single go-to person regarding deer issues	Immediately	Operations

Serious Human/Deer Conflict/Attacks	RAPP/COS/RCMP Data systems	City continuation of gathering data from the province	Ongoing	Province/Operations to collect data from province
City Incident/Complaints	Centralization of data	City to develop centralization and data gathering method *see attachment 1	Immediately and ongoing	Operations
Carcass removal/found in city	City crew reports	City continues to gather data from work crews	Ongoing	Operations
Citizen complaints	Centralization of data	City to develop centralization and data gathering method *see attachment 1	Immediately and ongoing	Operations
Deer Counts	Structured counts	Deer counts continue as they have been for the last two years	Ongoing	Urban Deer Advisory Committee
Deer Counts on Adjacent land	Structured counts	Large, adjacent landowners encouraged to count deer as above	Immediately and ongoing	Landowner/Deer Committee to gather information
City of Kimberley website hits on deer button	Auto record hits	City develops and initiates counting system on site	Immediately and ongoing	Operations

## Public Education

### Helping People Understand the Problem and Informing Them on Solutions

Education and promotion of human deer conflict reduction strategies are critical for the success of deer management in Kimberley. In times of limited budgets, this may be one of the key elements in moving toward the objectives of people/deer management.

When a government is trying to achieve any type of compliance from its citizens, the citizens must know and understand, what is expected from them, why it is expected and what the consequences are of noncompliance. This is an ongoing strategy that requires consistent and timely messaging. Detractors from outreach and education often refer to it as a waste of time, “people know they should not be doing it but do anyway”. This is true for a certain, small segment of the population; however the majority of people will comply if they have current and intelligently developed information.

Results from education are not always instant and take time to achieve the desired goals. Continuous, consistent messaging is required both to achieve a change in public perception and paradigms and to reach new citizens.

The urban deer committee has some concerns regarding deer/human conflict management within the governance of the city. While the deer committee can and will research and advise council and make recommendations, they are not the designated decision makers for the city. There is no delegated person within the city to manage the deer file. It would be highly advantages to the city to have such a person. They would become the in house expert and manage and champion all aspects with of this important issue. The recommendation is listed above however it plays an important role in the public education as well.

### Managing Information and Leadership

Message/ education	Methodology	Recommendations	Initiation Timelines	Budget/ Responsibility
Keeping citizens informed on a general basis	City web site	City has a dedicated button for deer information on its website *see attachment B  The city installs three corporate signs dedicated to “no feeding of deer”	Immediately and ongoing	Council Administration Operations

<p>Specific messages aimed at specific issues</p> <p>example: garbage, dogs, feeding deer, warnings during fawning and rutting seasons</p>	<p>Local media</p>	<p>City dedicates spokesperson on deer matters</p> <p>The city begins to design/collect a number of information bulletins for easy distribution to the media</p> <p>The city, in collaboration with other municipalities, develops a number of “Canned messages” for radio and spot ads for local TV</p>	<p>Immediately and ongoing</p>	<p>Administration</p> <p>Operations</p> <p>UDAC</p> <p>Provincial Gov’t</p> <p>Local NGO’s</p>
<p>Children education</p>	<p>School presentations</p> <p>Web site downloads</p>	<p>City continues to support NGO’s or others to present educational programs in the schools</p> <p>City distributes safety information through its website specific to children for the use of local teachers and others</p>	<p>Immediately and ongoing</p>	
<p>Urgent or timely safety reminders</p> <p>Example: fawning season and doe aggression</p>	<p>City mail outs</p> <p>With utility bills</p>	<p>City distributes one page information bulletin on specific threats and mitigations with bill</p>	<p>Immediately and ongoing</p>	<p>Administration</p> <p>Operations</p> <p>UDAC</p>
<p>Plant management</p>	<p>Use of non-attractant species of plants</p>	<p>City to instruct gardeners to begin enhanced process to show leadership in planting non-attractant plants</p> <p>Collected data or directions to appropriate web sites on city websites</p> <p>City to begin removing domestic but growing wild, attractant trees (apple) on city owned properties</p>	<p>Immediately and ongoing</p>	<p>Administration</p> <p>Operations</p>

# Deer Removal

## Managing for optimum population density

In January 2012, 99 deer were removed through culling in Kimberley. A contractor was hired based on cost and knowledge to trap, dispatch and manage the meat management and distribution. The objectives, as far as culling the deer was concerned were met, however the process created social unrest and conflict within the community.

Culling deer is always going to be a difficult economic, ecological and social issue. Thousands of deer are taken by hunters every year in BC and many more throughout Canada, and although culling represents only a very small percentage of the overall harvest, it creates most of the public controversy. Hunting is a Canadian tradition but culling of deer is not. Ethical hunters as well as many of our citizens have concerns about culling and the city leadership must remain sensitive to these emotions and concerns. The committee understands these concerns and would like to try and address them while still reducing the overall safety concerns.

Habituated deer will continue to be a problem in Kimberley, as the city is an attractant to them as documented in the document “BC Urban Ungulate Conflict Analysis”(Hesse, March 2010)(page 4). Education and outreach, compliance and enforcement and other programs are only part of the strategy to mitigate deer/human conflict. Public safety will always be a serious and compelling motivation to remove deer to try and achieve liability objectives.

How many deer, where should they be removed from and how it will be done are difficult questions. The above-mentioned report examines a number of other ways to reduce the habituated deer herd. This report does not intend to re-examine those alternatives, however as recommended in the report the committee will continue to research alternate deer removal including non-lethal methodology if it meets all of the following standards:

- Humane
- Safe for the operator(s) and the public
- Effective
- Economically feasible
- Approved by provincial regulators.

Non-government agencies, universities and others with the educational background and expertise can be helpful in researching, developing, funding and initiating alternative methods to remove deer. These organizations need to be encouraged to continue to do so and if possible provide them an opportunity for test cases within our community.

## Deer Density

The cost of trapping deer strains both on the economic resources of Kimberley and the social structure within it. It is not a wise investment to remove 99 habituated deer, as was done in 2012 and then abandon the program, nor is it productive to ignore what we have already learned from years of hard work by the committee and city leadership. The city must have a long-term plan to address and mitigate safety threats, community concerns and a sound fiscal management strategy to address this safety issue.

Urban deer density is not a question of environmental elements such as range capacity. It is a social question about tolerance for deer and their respective impacts. This report will not go into the scientific discussion regarding historical winter/summer range capacity, nor will it try negotiating the social polarization of culling deer. It will attempt, to give the city a range of options that help to manage the financial and emotional stress of removing deer from the city.

As new information comes forward on deer management techniques or strategies, the deer committee will review it and if required, adjust our recommendations based on the new data.

## Managing Deer Populations

Animal Behaviour	Methodology	Recommendations	Time Lines	Budget/Responsibility
Aggressive/Attack on person	Immediate remove deer using firearms	RAPP for Conservation Officer attendance  If call goes to city first city to record and follow up to determine if service was provided	Immediate	Provincial COS  City operations  *citizens to use the website to coach them on deer identification
High incident /complaint rates specific to one area	Trap and bolt within area, targeting small number of animals  Investigation required by city staff to determine contributing elements	City operations tracks information and acts as required with the use of contract trappers  Education/outreach and/or Bylaw enforcement may also be required  Post area of danger  UDAC to assist as required	As required	Operations  UDAC



Habituated population meets or exceeds 2010 counts	Cull through trap method 100 <> animals	As this is above known tolerance level, action required  Deer targeted in areas that had low capture in 2011 program and/or high number of complaints (aggression)  Accelerate education and compliance programs	December or January	Operations  As budget allows
Habituated population counts 30% below 2011 counts	Trap targeted animals only within specific city zones based on data (i.e. taking 20 to 50 deer)	Use data to determine actions and where to initiate  Accelerate education and compliance programs	December or January	Operations  As budget allows
Habituated population counts 50% below 2011 counts	Trap targeted animals only within specific city zones based on data focused on complaints (i.e. taking 20 to 30 deer)	Use data to determine actions and where to initiate  Continue education and compliance programs	December or January	Operations  As budget allows
Habituated population counts 51% below 2011 counts	Trap only specific repeatedly aggressive/nuisance behaved animals, only after data supports action (10 to 20 deer)	Use data to determine actions and where to initiate  Continue education and compliance programs  Post area of danger  Inform public of cull	December or January only as required	Operations  As budget allows
Habituated population counts 51% below 2011	Attempt to retain lower numbers through education	Use data to determine ongoing	When required	Operations

counts	and compliance	trapping needs.  UDAC to reassess mitigation methods and may require city to poll citizens for tolerance levels		As budget allows
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## Emotional Effects of Culling on our Citizens

As previously mentioned the culling in Kimberley created some social unrest and concern. Much of this was from the emotional reaction some people have to having deer trapped and killed that they consider a sentient member of the community. This cannot be, nor should it be ignored when managing deer populations in our communities. Managers must be considerate of this just as they are considerate to the other citizens that are fearful of the animals, resentful of the damage they do and want them removed.

Emotion should not dictate the removal process. We need to understand the emotional effects of a cull and attempt to mitigate this response as much as possible. Culling deer is costly, difficult and controversial; however, because densities are so high primarily due to intentional and unintentional feeding, there are valid safety and liability concerns. Action is required.

How best to do this? Is it all one way or another? What is the balance of community and social tolerance for deer versus safety concerns? How will we know when we are on track? When will we know we are off track?

These questions will be answered over time, but only after sufficient data is collected to help make the correct decisions. The following recommendations are meant to help guide the city and its citizens through the data collection process, while still striving to maintain a safe community.

It needs to be noted that many of the recommendations requires data collection and analysis as per the previous recommendations. It is imperative that data is gathered, reviewed, assessed and discussed.

New or existing, effective non-lethal methods may be developed over time. These need to be examined to determine if they can be deployed in Kimberley.

## Managing Citizen Stress

Citizen Concerns	Mitigation	Recommendations	Time Lines	Budget/Responsibility
Opposed to cull on emotional /moral grounds	Education and data collection	Refer to information on the website and the health and safety issue  City to record data	Ongoing as required	Operations
Request deer to be culled as they are damaging their property or too many in town	Education and data collection	Refer to information on the website  City to record data	Ongoing as required	Operations
Emotional impacts due to location of trap	Assessment and investigation	Consider moving trap unless it is targeting specific animals  Trap on commercial or city owned property to intercept urban deer  Camouflage trap  Refer to information on the website  City to record data  Visit by Advocate NGO	Ongoing as required	Operations NGO
Insistence on trapping but not supported by data	Assessment and investigation  Education and data collection	Refer to information on the website  City to record data	Ongoing as required	Operations
Traps not in right place to maximize capture	Assessment and investigation	City to use collected data to insure traps are set in correct place by trapper	Ongoing as required	Operations Contract manager
Wrong Species Captured	Release/change location	Trapping report to include information  Trap moved	Ongoing as required	Operations Contract Manager Trapper

## The 2012 Deer Trapping Report

The deer trapping report may have a number of recommendations that will require consideration and discussion by this committee. Once this is completed, the UDAC will determine if further recommendations are required to assist the city in meeting the challenges of this important undertaking.

Some recommendations that the committee would like to bring forward now are as follows.

### Managing the Deer Cull

Concerns	Mitigation	Recommendations	Time Lines	Budget/Responsibility
Political/Social issues	Proactive Information /media release	City leadership discuss concerns with citizens using web site for common messaging	Ongoing	Operations City Council UDAC
No focal point for voicing logistic concerns about trapping issues	Responsibility and empowerment for contract management by city employee	City leadership designates “go to person” for contract management rather than elected official	Ongoing	Operations City Council UDAC
Process for placing traps	Inform citizens as to process	Develop and advertise process	Ongoing	Operations Contractor

## Conclusion

Managing deer in the city is going to be an evolving process. This process will require thoughtful discussion, respectful dialogue, and commitment from both its citizens and its leadership. This report is meant to form a proactive basis to begin to develop a sustainable policy that will become entrenched in city business and operations.

There are a number of key elements to successfully meeting this challenge:

- Public safety must be a constant and vital part of all deer management decisions
- There must be a city owned data collection method
- There must be a city employee that manages the file and works with the UDAC
- The public must have a city owned web site to go to for information

The UDAC will continue to work on behalf of the community and looks forward to the continued cooperation of the city leadership in meeting this challenging but necessary initiative.

## **Attachments**

- A. Summary of Recommendations
- B. Recommendations for “Deer Button” in City Website
- C. Terms of Reference
- D. Guiding Principles

## **References**

British Columbia Urban Ungulate Conflict Analysis – Hesse, March 2010

Kimberley Urban Deer Report – Kerr, April 2011

## Appendix A – Summary of Recommendations

### Managing Compliance and Enforcement

#### Bylaw 2296, Feeding Deer

Bylaw 2296 Infraction	Subject behavior	Recommendations  *VT = Violation ticket	Initiation  Timelines	Budget/  Responsibility
Feed deer (bag of fruit)	Compliant	Warn first offence  VT second Offence (\$50) Officer discretion to \$500	Immediate	Operations
Cause deer to be fed (bait yard with grains etc.)	Compliant	Warn first offence  VT second Offence (\$50) Officer discretion to \$500	Immediate	Operations
Feed Deer (bag of fruit)	Active Resistance  (repeat offenders)	VT first Offence (\$50) Officer discretion to \$500 for repeat offenses	Immediate	Operations
Continued disregard and infraction of 2296	Highly active resistance	Immediate \$500 fine  Limited Officer discretion. Officer uses all means and penalties within bylaw to prevent further occurrence  Offenders name published in media after conviction	Immediate	Operations

#### Bylaw 1642, Dogs at Large

Bylaw 1642 Infraction	Subject (owner) behavior	Recommendations  *VT = Violation ticket	Initiation  Timelines	Budget
Run at large	Compliant	Warn or VT first offence  VT second Offence	Immediate	Operations
Run at large and chase deer	Compliant	VT First Offence Officer discretion as to penalty	Immediate	Operations
Run at large, multiple offences	Active Resistance	VT each offence with escalating penalties Officer discretion to published offenders name in media after conviction	Immediate	Operations
Continued disregard and infraction of Bylaw 1642	Highly active resistance and or animals displays assaultive behaviour towards deer	Limited Officer discretion. Officer uses all legal means and penalties within bylaw to prevent further occurrence. Offenders name may be published in media after conviction	Immediate	Operations

## Bylaw 1850, Managing Fences

Bylaw 1850	Subject (deer) Behaviour	Recommendations	Initiation Timelines	Budget/ Responsibility
Residential Zone Fence Height	Accessing private property causing damage	City regulators to examine opportunities to raise maximum height to 2.15 meters (7'0" Feet)	At appropriate opportunity	Operations/ City Council
Residential Zone Fence Height	Accessing private property causing damage	City regulators to encourage closed fencing to developers	At appropriate opportunity	Operations/ City Council

## Data Gathering

Data	Methodology	Recommendations	Initiation Timelines	Budget/ Responsibility
Data manager	Delegated authority	Single go to person regarding deer issues	Immediately	Operations
Serious Human/Deer Conflict/Attacks	RAPP/COS/RCMP Data systems	City continuation of gathering data from the province	Ongoing	Province/Operations to collect data from province
City Incident/Complaints	Centralization of data	City to develop centralization and data gathering method <b>*see attachment B</b>	Immediately and ongoing	Operations
Carcass removal/found in city	City crew reports	City continues to gather data from work crews	Ongoing	Operations
Citizen complaints	Centralization of data	City to develop centralization and data gathering method <b>*see attachment B</b>	Immediately and ongoing	Operations
Deer Counts	Structured counts	Deer counts continue as they have been for the last two years	Ongoing	Urban Deer Advisory Committee
Deer Counts on Adjacent land	Structured counts	Large, adjacent landowners encouraged to count deer as above	Immediately and ongoing	Landowner/Deer Committee to gather information
City of Kimberley website hits on deer button	Auto record hits	City develops and initiates counting system on site	Immediately and ongoing	Operations

## Managing Information and Leadership

Message/education	Methodology	Recommendations	Initiation Timelines	Budget/ Responsibility
Keeping citizens informed on a general basis	City web site	City has a dedicated button for deer information on its website* <b>see attachment B</b>  The city installs three corporate signs dedicated to “no feeding of deer”	Immediately  and ongoing	Council  Administration  Operations
Specific messages aimed at specific issues  example: garbage, dogs feeding deer	Local media	City dedicates one counselor (Oakley) to be the spokesperson on deer matters  The city begins to design/collect a number of information bulletins for easy distribution to the media  The city, in collaboration with other municipalities, develops a number of “Canned messages” for radio and spot ads for local TV	Immediately  and ongoing	Administration  Operations  UDAC  Provincial Gov’t  Local NGO’s
Children education	School presentations  Web site downloads	City continues to support NGO’s or others to present educational programs in the schools  City distributes safety information through its website specific to children for the use of local teachers and others	Immediately  and ongoing	
Urgent or timely safety reminders  Example: fawning season and doe aggression	City mail outs  With utility bills	City distributes one page information bulletin on specific threats and mitigations with bill	Immediately  and ongoing	Administration  Operations  UDAC
Plant management	Use of non-attractant species of plants	City to instruct gardeners to begin process to change and show leadership in planting non-attractant plants  Collected data or directions to appropriate web sites on city websites City to begin removing domestic but growing wild, attractant trees (apple)	Immediately  and ongoing	Administration  Operations



## Managing Deer Populations

Animal Behaviour	Methodology	Recommendations	Time Lines	Budget/Responsibility
Aggressive/Attack on person	Immediate remove deer using firearms	RAPP for Conservation Officer attendance  If call goes to city first city to record and follow up to determine if service was provided	Immediate	Provincial COS  City operations  *citizens to use the website to coach them on deer identification
High incident /complaint rates specific to one area	Trap and bolt within area, targeting small number of animals  Investigation required by city staff to determine contributing elements	City operations tracks information and acts as required with the use of contract trappers  Education/outreach and/or Bylaw enforcement may also be required  Post area of danger  UDAC to assist as required	As required	Operations  UDAC
Habituated population meets or exceeds 2010 counts	Cull through trap method 100 <> animals	As this is above known tolerance level, action required  Deer targeted in areas that had low capture in 2011 program and/or high number of complaints (aggression)  Accelerate education and compliance programs	December or January	Operations  As budget allows
Habituated population counts 30% below 2011 counts	Trap targeted animals only within specific city zones based on data (i.e. taking 20 to 50 deer)	Use data to determine actions and where to initiate  Accelerate education and compliance programs	December or January	Operations  As budget allows
Habituated population counts 50% below 2011 counts	Trap targeted animals only within specific city zones based on data focused on complaints (i.e. taking 20 to 30 deer)	Use data to determine actions and where to initiate  Continue education and compliance programs	December or January	Operations  As budget allows
Habituated population counts 51% below 2011 counts	Trap only specific repeatedly aggressive/nuisance behaved animals, only after data supports action (10 to 20 deer)	Use data to determine actions and where to initiate  Continue education and compliance programs. Post area of danger. Inform public of cull	December or January only as required	Operations  As budget allows

Habituated population counts 51% below 2011 counts	Attempt to retain lower numbers through education and compliance	Use data to determine ongoing trapping needs.  UDAC to reassess mitigation methods and may require city to poll citizens for tolerance levels	When required	Operations  As budget allows
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## Managing Citizen Stress

Citizen Concerns	Mitigation	Recommendations	Time Lines	Budget/Responsibility
Opposed to cull on emotional /moral grounds	Education and data collection	Refer to information on the website and the health and safety issue  City to record data	Ongoing as required	Operations
Request deer to be culled as they are damaging their property or too many in town	Education and data collection	Refer to information on the website  City to record data	Ongoing as required	Operations
Emotional impacts due to location of trap	Assessment and investigation	Consider moving trap unless it is targeting specific animals  Trap on commercial property to intercept urban deer  Camouflage trap  Refer to information on the website  City to record data  Visit by Advocate NGO	Ongoing as required	Operations  NGO
Insistence on trapping but not supported by data	Assessment and investigation  Education and data collection	Refer to information on the website  City to record data	Ongoing as required	Operations
Traps not in right place to maximize capture	Assessment and investigation	City to use collected data to insure traps are set in correct place by trapper	Ongoing as required	Operations  Contract manager
Wrong Species Captured	Release/change location	Trapping report to include information  Trap moved	Ongoing as required	Operations  Contract Manager  Trapper

## Managing the Deer Cull

Concerns	Mitigation	Recommendations	Time Lines	Budget/Responsibility
Political/Social issues	Proactive Information /media release	City leadership discuss concerns with citizens using web site for common messaging	Ongoing	Operations City Council UDAC
No focal point for voicing logistic concerns about trapping issues	Responsibility and empowerment for contract management by city employee	City leadership designates “go to person” for contract management rather than elected official	Ongoing	Operations City Council UDAC
Process for placing traps	Inform citizens as to process	Develop and advertise process	Ongoing	Operations Contractor

## Appendix B

### Recommended Website Updates

The Kimberley Urban Deer Committee (KUDC) recommends the City of Kimberley Website be updated to include the following information in order that the public may have easy access to education and information on Urban Deer:

QUICK LINK: Urban Deer

- 1) To report wildlife-human interactions where there is an immediate public safety risk call 1-877-952-7277 (RAPP)
- 2) To report all other concerns call 250-427-5311
- 3) To report a dead deer on city or private property, please call Operations at 250-427-6440
- 4) To report an injured deer please call: 1-877-952-7277 (RAPP)
- 5) Urban Deer Brochure
- 6) Kimberley's Urban Deer Feeding Prohibition Bylaw
- 7) Fact Sheet, artificial and supplemental feeding of deer
- 8) Bylaw concerning dogs off leash chasing wildlife
- 9) BC law against poaching, harming, and threatening wildlife
- 10) Kimberley Urban Deer Committee Report, 2011
- 11) Kimberley Urban Deer Resident Survey and results
- 12) Ministry of Environment report on Urban Ungulate Conflict: Hesse (2010)
- 13) Deer Count Information
- 14) Methods to deter Urban Deer, Plants, Fencing, Garbage control, Motion Sprinklers

## Appendix C – Terms of Reference



### CITY OF KIMBERLEY URBAN DEER ADVISORY COMMITTEE

#### TERMS OF REFERENCE

##### MANDATE

The Urban Deer Advisory Committee is a select committee of Council established under section 142 of the Community Charter. It was formed to examine the issues related to urban deer within the boundaries of the City of Kimberley.

##### SCOPE OF WORK

The Urban Deer Advisory Committee shall:

- a) Review and enact recommendations as outlined in the Urban Deer Management Advisory Committee Report;
- b) Take an active role in urban deer counts;
- c) Specifically, participate in detail management of a cull program and restricted hunt by evaluating processes and making recommendations to Council that can enhance the success of these programs;
- d) Generally, participate in detail management of other report recommendations by evaluating processes and making recommendations to Council that can enhance the success of these programs;
- e) To examine all options for deer management referred to the Committee by Council;
- f) Provide recommendations to Council that are deemed advisable.

##### MEMBERSHIP

The Committee shall consist of six (6) members as follows:

- a) One member and an alternate from City Council;
  - b) One representative from the Ministry of Forests, Lands and Natural Resource Operations, Fish, Wildlife and Habitat Section;
  - c) Four residents of the City.
- All members of the Committee are voting members with the exception of the Ministry of Forests, Lands and Natural Resource Operations representative.

##### APPOINTMENT AND TERM

Members shall be appointed by City Council for a term of two years.

Every member shall continue to hold office until a successor is appointed, if the appointment of a successor has not been made before the expiration of the term of such member.

Any member of the Committee may resign at any time upon sending written notice to City Council.

Committee members who are absent for three consecutive meetings shall forfeit their appointment unless such absence is authorized by resolution of City Council.

Committee members shall serve voluntarily.

#### CHAIR

The Chair shall be selected by the Committee.

#### QUORUM

Quorum of the Committee is three voting members.

#### MAYOR'S ATTENDANCE

The Mayor is and ex-official voting member of the Committee and as such has the same rights as other committee members, but is not obligated to attend.

#### COUNCIL'S ATTENDANCE

Any member of Council not appointed to the Committee may attend the Committee meetings, speak if recognized by the Chair, but is not entitled to vote.

#### MEETINGS

The Committee shall meet as required in order to adequately address the Scope of Work in a timely manner. The Committee shall be responsible for minutes and a copy of the approved minutes shall be provided to the Chief Corporate Administration Officer within five days of approval.

#### VOTING

The Committee shall adhere to the procedure rules of City Council so far as may be applicable and practical.

#### REPORTING TO COUNCIL

The Chair or designate shall report to City Council on behalf of the Committee once every three months, and shall provide other reports to Council, as needed from time to time.

Recommendations of the Committee must be adopted by a majority of the voting members of the Committee prior to presentation to Council.

## Appendix D



**City of Kimberley**

**Urban Deer**

**Advisory Committee**

### Guiding Principles

The City of Kimberley is situated in one of the most beautiful landscapes in Canada. The biogeoclimatic zones that surround it are home to wide variety wildlife. This, along with the unlimited outdoor recreational opportunities, attracts citizens and visitors alike to enjoy the natural beauty of the region.

Wildlife, specifically deer, has always been part of Kimberley's "natural" attraction. Many long-term residents will attest that there were much lower numbers of deer in town than we have today and that they did not create the safety issues we now commonly see. Multiple safety incidents have caused the majority of the community to ask the City of Kimberley to respond to their concerns. This and the associated liability created a need for a citizen group to be formed to develop ways to mitigate public safety threats. The "Urban Deer Advisory Committee", was formed to examine the problem and make recommendations to council regarding deer management issues. A "Terms of Reference" was also developed to direct the members in their mandate. The committee's long term objective is to develop a safe and sustainable balance between the deer and its citizens.

Urban deer management is a complex social, economic and ecological challenge. The following are a set of principles to further guide the committee and the city leadership in engaging this difficult management issue. These principles will form the background that decisions/mitigations will be tested against to ensure they support the committee's mandate, the Terms of Reference and the Urban Deer Report.

- The committee members serve the citizens of City of Kimberley as represented by the Mayor and council.
- Committee members will not act as an affiliate or representative for any group and, based on their expertise, shall participate on the URDAC in service to the citizens of Kimberley.
- The committee members will investigate new mitigation strategies when they come forward and advise City Counsel as according to the mandate and process within the "Terms of Reference".
- The committee members will ensure that all mitigations are supported by the intent of the "Urban Deer Report" and the "Terms of Reference" for the UDAC.
- The committee members will ensure public safety has the highest priority in all mitigation strategies.
- The committee members will ensure any lethal or non-lethal mitigation activities will be done in the most humane way that is both practical and possible.
- Public education/awareness is critical to the success of all mitigations and as such all outreach will be agreed upon by committee, prior to forwarding to City Council for approval and initiation.
- All committee members will actively support and respect the committee's democratic processes and final decisions.
- Citizen member will not speak on behalf of the committee without prior authorization by the city representative.

It is expected, as condition of membership on the committee, these principles will be respected by all members. They are meant to give the committee a common voice, a common goal and common credibility to the community we serve.