

Notice of Agency Rule-making Proposal

ADVERTISE: May 21, 2025

AGENCY: Inland Fisheries and Wildlife

CHAPTER NUMBER AND TITLE: Chapter 16 – Hunting (Antlerless Deer Hunting Restrictions)

PROPOSED RULE NUMBER *(leave blank; assigned by Secretary of State)*:

CONTACT PERSON FOR THIS FILING: Becky Orff, Inland Fisheries & Wildlife, 41 State House Station, 353 Water Street, Augusta, ME 04333; Tel: 207-287-5202; becky.orff@maine.gov

CONTACT PERSON FOR SMALL BUSINESS INFORMATION (if different):

PUBLIC HEARING: June 10, 2025 @ 4:00pm – Inland Fisheries & Wildlife, 353 Water Street, 3rd fl conference room, Augusta

COMMENT DEADLINE: June 20, 2025

BRIEF SUMMARY: The Commissioner of Inland Fisheries and Wildlife (IFW) is proposing to adopt antlerless deer permit (ADP) numbers for the 2025 deer hunting seasons and special muzzle-loading season by setting specific permit allocations by Wildlife Management District (WMD) or deer management subunit. New for the 2025 season, the Department is recommending designating six WMDs (WMD 21-25 and 29) as open to either-sex hunting with a hunting license. Continuing for the 2025 season, we propose that all WMDs are designated as open to the harvest of antlerless deer without a permit during the Youth and regular archery seasons. Antlerless deer permit numbers are adjusted by IFW on an annual basis by department biologists who consider deer harvest levels, biological metrics and indices, and estimates of winter severity when evaluating the status of the deer population within each wildlife management district (WMD). A complete copy of the proposed rule may be obtained from the agency contact person.

IMPACT ON MUNICIPALITIES OR COUNTIES: No fiscal impact is anticipated.

STATUTORY AUTHORITY FOR THIS RULE: 12 MRSA, Sections 10104 and 11152

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (if different):

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: Becky.Orff@maine.gov

** Check one of the following two boxes.*

☒ *The above summary is for use in both the newspaper and website notices.*

☐ *The above summary is for the newspaper notice only. A more detailed summary / basis statement is attached.*

Please approve bottom portion of this form and assign appropriate AdvantageME number.

APPROVED FOR PAYMENT _____ DATE: _____

(authorized signature)

FUND	AGENCY	ORG	APP	JOB	OBJT	AMOUNT
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RULEMAKING FACT SHEET
(5 M.R.S.A., Section 8057-A)

AGENCY: Inland Fisheries and Wildlife

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON: Becky Orff, Inland Fisheries and Wildlife, 353 Water Street, 41 State House Station, Augusta, ME 04333; Tel: 207-287-5202

CHAPTER NUMBER AND RULE TITLE: Chapter 16 – Hunting (Antlerless Deer Hunting Restrictions)

STATUTORY AUTHORITY: 12 MRSA, Sections 10104, 11152

TYPE OF RULE: ☒ Routine Technical ☐ Major Substantive

DATE AND PLACE OF PUBLIC HEARING: June 10, 2025 @ 4:00pm – Inland Fisheries & Wildlife, 353 Water Street, 3rd fl conference room, Augusta

COMMENT DEADLINE: June 20, 2025

PRINCIPAL REASON OR PURPOSE FOR PROPOSING THIS RULE: Antlerless deer permit numbers are adjusted by MDIFW on an annual basis by department biologists who consider deer harvest levels, biological metrics and indices, and estimates of winter mortality when evaluating the status of the deer population within each wildlife management district (WMD). Antlerless deer permit recommendations are based on removal rates of adult does that will stabilize, increase, or decrease deer populations. Districts' ability to support either-sex hunting has also been assessed.

ANALYSIS AND EXPECTED OPERATION OF THE RULE: For 2025, we recommend designating 6 WMDs as open to either-sex hunting with a hunting license. We believe that allowing all hunters, regardless of their permit holdings, the option to harvest an antlerless deer will slightly reduce the number of permits that we need to issue in a WMD to achieve harvest objectives. In addition to these either-sex designations in 6 WMDs, we recommend issuing 123,695 antlerless permits across 25 WMDs and one deer management subunit. By comparison, there were 128,030 antlerless deer permits issued in 2024, and no WMDs were open to either-sex hunting aside from the archery and Youth Hunt seasons.

WMDs 1, 2, 4, and 5 will be open to buck harvest only (aside from the Youth Hunt and regular archery season) as they remain under population objective, have low growth potential, and we feel the archery and Youth Hunt antlerless opportunities are adequate to satisfy demand. We recommend increasing permit numbers statewide; however, where we are recommending either-sex hunting be allowed, fewer permits will need to be issued to meet objectives, so we are recommending slightly reduced permit numbers in these districts (WMDs 21-25 and 29). Regardless, we anticipate many of these districts will still have excess permits that are not distributed. We will continue to issue additional permits in one deer management subunit in WMD 26. Deer management subunit 26a consists of portions of the towns of Brewer, Bucksport, Castine, Dedham, Holden, Orland, Orrington, Penobscot, and Verona. For subunit 26a, we are recommending 485 antlerless deer permits. Like 2024, we propose that all WMDs are designated as open to the harvest of antlerless deer without a permit during the Youth and regular archery seasons in 2025.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE (INCLUDING UP TO 3 PRIMARY SOURCES): We analyze datasets describing winter severity, hunter effort, yearling frequencies, yearling antler beam diameters, recruitment estimates, harvest density, and ages of harvested deer (among others) to develop informed recommendations for permit numbers. We hold regional meetings with regional biologists and local game wardens and a larger meeting open to all Department staff to develop and discuss recommendations and input from the deer specialist, regional biologists, and game wardens.

FISCAL IMPACT OF THE RULE: No fiscal impact anticipated.

AMEND CHAPTER 16.07 (2.) and (4.) AS FOLLOWS:

09-137 DEPARTMENT OF INLAND FISHERIES AND WILDLIFE

Chapter 16: HUNTING

16.07 Deer Hunting

2. Antlerless Deer Hunting Restrictions

- A. **Definition of Antlerless Deer:** For the purpose of these rules, the term "antlerless deer" means any deer which does not have antlers or any deer which has antlers less than three inches in length measured from the skull.
- B. **Definition of Antlerless Deer Permit:** This permit authorizes a hunter to take an antlerless deer in addition to the statewide annual bag limit of 1 deer as provided within 12 M.R.S. §11501 sub-§1. Persons who receive this permit may use the permit to take only an antlerless deer in the WMD or deer management subunit for which the permit was authorized. A permit holder may take an antlerless deer under the authority of this permit during any open deer season except expanded archery under the provisions that apply during that open season. A hunter must also possess a valid hunting license for the season in which they hunt. Antlerless deer taken under the authority of an antlerless deer permit may be taken before or after any other deer that may legally be taken.
- C. **When antlerless deer cannot be taken:** In the following circumstances a person may not take an antlerless deer:
 - (1) It shall be unlawful for any person to possess an antlerless deer taken by hunting during the regular and muzzleloading seasons on deer, except as provided within paragraph D.
 - (2) It shall be unlawful to take or attempt to take antlerless deer without a permit ~~during the regular archery season or during the youth deer hunt~~ in any WMD or deer management subunit that has not been designated as open to antlerless deer hunting without a permit during that season and on that day by the Commissioner.
 - (3) It shall be unlawful for a person who has been selected for an antlerless deer permit to take or attempt to take antlerless deer with their permit outside the WMD or deer management subunit designated on the antlerless deer permit they are assigned.
- D. **When antlerless deer can be taken:** In the following circumstances a person may take an antlerless deer:
 - (1) Within an expanded archery area with the appropriate expanded archery permits and as provided in the areas described within 16.07 (7.);
 - (2) When a person has an antlerless deer permit they may take an antlerless deer with their permit only in the WMD or deer management subunit for which the permit is authorized;
 - (3) During the regular archery season a hunter may take an antlerless deer without an antlerless deer permit but only in a WMD that has been designated as open to antlerless deer hunting without a permit during this season;
 - (4) During the regular archery season a hunter may take an antlerless deer without an antlerless deer permit in the portion of a WMD that has been designated as open to antlerless deer hunting without a permit during this season.

- (5) When a person has an antlerless deer permit, they may take an antlerless deer during the regular archery season, regular firearms deer season and muzzleloading deer hunting season, only in the WMD or deer management subunit for which the antlerless deer permit is authorized;
- (6) During the youth deer hunt a youth hunter may take an antlerless deer without an antlerless deer permit only in WMDs that are designated as open to antlerless deer hunting without a permit during this season and on that day; or
- (7) During the youth deer hunt a youth hunter may take an antlerless deer without an antlerless deer permit in the portion of a WMD that has been designated as open to antlerless deer hunting without a permit during this season and on that day.
- (8) Any qualifying landowner as described within section 16.07-4. & 5. who receives a landowner antlerless deer permit may take an antlerless deer only on land on which they are legally entitled to hunt within the WMD or deer management subunit for which the antlerless deer permit is authorized.
- (9) During all deer hunting seasons (not including expanded archery), a hunter may take an antlerless deer without an antlerless deer permit but only in a WMD that has been designated as open to antlerless deer hunting without a permit;
- (10) During all deer hunting seasons (not including expanded archery), a hunter may take an antlerless deer without an antlerless deer permit in the portion of a WMD that has been designated as open to antlerless deer hunting without a permit during this season.
- (9 11) Antlerless deer harvested without a permit in accordance with 16.07-2 (D), 3, 4, 6, and 7, 9, and 10 are not additional to the statewide annual bag limit of 1 deer.

4. Antlerless Deer Permit Allocations by WMD or portion of WMD

- A. **Number of Permits in each WMD and Exceptions Allowing for Antlerless Harvest without a Permit During the Youth Hunt and Regular Archery Seasons:** Except as otherwise provided in Sections 16.07- 1 and 6 (expanded archery area antlerless deer permits), the number of antlerless deer hunting permits to be allocated in 2024 2025 for each WMD or deer management subunit shall not exceed the numbers listed in section B below. The WMDs or deer management subunits in which antlerless harvest without a permit is allowed during the Youth Hunt and regular archery seasons and the days on which antlerless harvest without a permit is allowed during the Youth Hunt are designated below in the “Youth Hunt Antlerless w/out Permit” and “Reg. Archery Antlerless w/out Permit” table columns.

B.

WMD or Subunit	# of Permits	Youth Hunt Antlerless w/out Permit	Reg. Archery Antlerless w/out Permit	WMD or Subunit	# of Permits	Youth Hunt Antlerless w/out Permit	Reg. Archery Antlerless w/out Permit
1	0	Fri. + Sat.	Yes	17	13,870	Fri. + Sat.	Yes
2	0	Fri. + Sat.	Yes	18	380	Fri. + Sat.	Yes
3	55	Fri. + Sat.	Yes	19	25	Fri. + Sat.	Yes
4	0	Fri. + Sat.	Yes	20	7,190	Fri. + Sat.	Yes
5	0	Fri. + Sat.	Yes	21	15,700	Fri. + Sat.	Yes
6	250	Fri. + Sat.	Yes	22	13,810	Fri. + Sat.	Yes
7	980	Fri. + Sat.	Yes	23	18,990	Fri. + Sat.	Yes
8	745	Fri. + Sat.	Yes	24	10,325	Fri. + Sat.	Yes

9	175	Fri. + Sat.	Yes	25	18,470	Fri. + Sat.	Yes
10	95	Fri. + Sat.	Yes	26	3,995	Fri. + Sat.	Yes
11	120	Fri. + Sat.	Yes	27	275	Fri. + Sat.	Yes
12	675	Fri. + Sat.	Yes	28	40	Fri. + Sat.	Yes
13	1,155	Fri. + Sat.	Yes	29	2,645	Fri. + Sat.	Yes
14	640	Fri. + Sat.	Yes	26a	400	Fri. + Sat.	Yes
15	9,085	Fri. + Sat.	Yes				
16	7,940	Fri. + Sat.	Yes	Total Permits: 128,030			

WMD or Subunit	# of Permits
1	0
2	0
3	75
4	0
5	0
6	310
7	1,430
8	885
9	180
10	120
11	150
12	1,025
13	1,570
14	800
15	9,835
16	11,460
17	18,980
18	510
19	25
20	8,115
21	12,085
22	11,690
23	17,515
24	4,050
25	14,455
26	6,175
27	335
28	45
29	1,390
26a	485
Total Permits	123,695

1. Antlerless harvest without a permit will be permitted in the following WMDs during all seasons (not including expanded archery): 21-25 and 29

2. Antlerless harvest without a permit will be permitted in All WMDs during the Youth Hunt and the Regular Archery Season.