



MT. LEBANON
PENNSYLVANIA

October 29, 2016

Dr. Anthony DeNicola
White Buffalo, Inc.
26 Davison Road
Moodus, CT. 06469

MUNICIPAL BUILDING
710 WASHINGTON ROAD
PITTSBURGH, PA 15228
PHONE: (412) 343-3400
www.mtlebanon.org

RE: Deer Management Sharpshooting Contract

Dear Dr. DeNicola:

At a public meeting on October 28, 2016, the Mt. Lebanon Commission authorized the proper municipal officials to authorize the White-tailed Deer Management Program Utilizing Sharpshooting within the Municipality of Mt. Lebanon, with conditions as more fully described in the attached contract dated November 30, 2016.

Please consider this letter as authorization to proceed with the activities identified in the contract following the conditions set forth in the Game Commission Special Use Permit. The Contractor must provide the Municipality with certificates of general liability insurance, automobile insurance, and workers compensation and liability insurance. The Municipality of Mt. Lebanon, its elected officials and employees should be listed as additional insured. Please provide this documentation to the municipality

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Keith A. McGill".

Keith A. McGill, AICP
Municipal Manager

Enc.

cc: Phil Weis
Commission
Ian McMeans
Mike Gallagher

File

AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement made and entered into this 30th day of November, 2016, by and between the Municipality of Mt. Lebanon, Allegheny County, Pennsylvania, a municipal corporation, hereinafter referred to as "Municipality of Mt. Lebanon" or "the Municipality," and White Buffalo, Inc., hereinafter referred to as the "Firm."

WHEREAS, the Municipality desires to have certain one-time professional services for the Municipality involving deer management; and

WHEREAS, the Firm desires to provide services to the Municipality of Mt. Lebanon based on the formal proposal submitted, said proposal made a part of this Agreement, included herein by specific reference and attached as Appendix A to this Agreement; and

WHEREAS, the parties to this Agreement have further negotiated changes or additions to Appendix A and have set forth these changes or additions as Appendix B to this Agreement, said Appendix B made a part of this Agreement and included herein by specific reference; and

NOW THEREFORE, intending to be legally bound, the parties mutually agree as follows:

TERMS AND CONDITIONS

THE FIRM WILL:

Provide professional services as specified in the RFP and accepted by the Firm's proposal and amended by any Appendix listed herein and attached hereto.

Assign the following individuals to do the Municipality's required work at the minimum number of hours as indicated:

<u>NAME</u>	<u>POSITION</u>	<u>MINIMUM HOURS</u>
[As set forth on the attached proposal.]		

Any changes to the staffing proposed above shall be subject to the approval of the Municipality, however, staff changes by the Firm will not be denied where the staff replacement is of equal ability or experience to the predecessor.

THE MUNICIPALITY WILL:

Compensate the Firm based on the actual hours worked and actual reimbursable expenses for a total amount not to exceed \$83,477.

Provide reasonable access to all Municipality personnel, facilities and information necessary to properly conduct and complete the work required under this Agreement.

Make payments to the Firm within thirty (30) days after receipt of a properly prepared invoice for work satisfactorily completed.

Make final payment to the Firm within thirty (30) days after final invoice is received by the Municipality for work satisfactorily completed.

FURTHER, IT IS AGREED BY BOTH PARTIES THAT:

Any written product produced by the work of the Firm pursuant to this Agreement, including any report, maps, drawings and other documents prepared by the Firm shall be owned by the Municipality.

In witness thereof, the parties hereto have executed this Agreement on the day and date set forth above.

WITNESS:



WITNESS:

THE MUNICIPALITY OF
MT. LEBANON



TITLE: MUNICIPAL MANAGER

WHITE BUFFALO, INC.

TITLE: _____

Make payments to the Firm within thirty (30) days after receipt of a properly prepared invoice for work satisfactorily completed.

Make final payment to the Firm within thirty (30) days after final invoice is received by the Municipality for work satisfactorily completed.

FURTHER, IT IS AGREED BY BOTH PARTIES THAT:

Any written product produced by the work of the Firm pursuant to this Agreement, including any report, maps, drawings and other documents prepared by the Firm shall be owned by the Municipality.

In witness thereof, the parties hereto have executed this Agreement on the day and date set forth above.

WITNESS:

June J. Garnebbas

WITNESS:

Dave [Signature]

THE MUNICIPALITY OF
MT. LEBANON

Keith McGil

TITLE: MUNICIPAL MANAGER

WHITE BUFFALO, INC.

Anthony J. Co. [Signature]

TITLE: President

APPENDIX A - PROPOSAL

Mt Lebanon, Pennsylvania

REQUEST FOR PROPOSAL

FOR

DEER MANAGEMENT/SHARPSHOOTING SERVICES

19 September 2016

Proposal By:

**Dr. Anthony J. DeNicola
White Buffalo, Inc.**

Introduction

Communities and parks often employ two different types of lethal management programs when they decide to reduce local deer populations; hunting or professional sharpshooting. Hunting has the advantage of using volunteer participants to harvest deer, reducing program costs. However, it has been shown that there are limits to the level of deer reduction that is attainable when using recreational hunters (Williams et al. 2013). Sharpshooting, as defined by the use of trained professionals using culling techniques outside of permitted recreational hunting methods, can reduce local deer populations lower than what has been achieved historically using recreational hunters. Professional sharpshooting programs have been implemented throughout the US over the past 2 decades without a public safety incident.

Mt Lebanon wishes to decrease the annual Deer-Vehicle Collisions (DVCs) by 50% over the next 5 years. This will require an approximate 50% reduction in the local deer population (DeNicola and Williams 2008). Sharpshooting efforts in 2007-08 demonstrated a measured reduction in DVCs. We believe that a similar impact can be accomplished using sharpshooting methods presently.

Population Control - Sharpshooting

White Buffalo Inc.'s (WBI) strategic approach to urban deer management is specifically designed to address and avoid the most common cause of failure; creating an "educated" population that is skilled in avoiding deer management activities. Well before the first deer is euthanized, we focus on how to meet the final objective. The defining strategic characteristic of every population control effort is the management team's singular focus on preventing the remaining deer from being educated to avoid humans even as the population is rapidly reduced. An urban deer management team must remove a high percentage of a population and repeat this process for years into the future, so maintaining the naïveté of the select population is strategically paramount, and is the most important means of reducing risk of failure and minimizing long-term costs. For this standard to be met, the team must possess superior technical ability (e.g., to shoot with precision in suboptimal conditions), field intuition (e.g., to determine whether animals encountered should be engaged), and discipline (e.g., to refrain from engaging if conditions are not conducive). In summary, the behavioral characteristics of the deer at low density, and the ability to subsequently harvest them, will be shaped by events unfolding from the first day of the management activities.

WBI's methods are humane and address concerns for animal welfare by following the American Veterinary Medical Association's stringent guidelines for humane euthanasia of animals (AVMA 2013). We have spent the last 20 years committed to improving both technology and techniques to maximize safety and efficiency for the management of white-tailed deer (i.e., ballistics testing, bullet development, baiting techniques, adaptation of other technologies for use in deer management, including night vision scopes and suppressors). We have the best available equipment with numerous hours of hands-on use to ensure precise shot placement. This results in safe use of equipment and humane treatment of target animals. We have thoroughly tested

and selected bullets, in addition to having developed specialized bullets. As a result of our extensive testing, we have found that no bullet fragments with significant size or inertia exit the target animal, therefore ensuring public safety. We have extensive experience in both lethally removing (>10,000 deer) and capturing deer (>2,000 deer) in a variety of human occupied environments without incident. We have used our discretion in the selection of shooting sites with complete satisfaction of both local/state officials and property owners. Finally, we have trained 6 law enforcement agencies how to professionally sharpshooting deer as part of State authorized deer management programs. In conclusion, although safety is the primary issue to be considered when implementing a program to reduce deer numbers, with the above precautionary measures and the expertise of White Buffalo, Inc., it need not be a concern.

In summary, the management of deer in Mt Lebanon Township will require a comprehensive effort by a very skilled and experienced group of wildlife control professionals. A strategic use of methods will be necessary to ensure that the deer are removed in a timely, safe, and humane manner. This initiative also will require full support from Municipal Administration through the authorization of diverse field methods and flexible timing of deer removal activities. Moreover, the plan will have to be adaptive to allow for methodological adjustments as deemed necessary during the project tenure.

Planning and Permitting

We will work closely with Municipal staff to coordinate public and private property access to minimize inconveniences to residents. Private property access throughout the community will be critical to the success of this program given the limited amount of public land. It would be beneficial to have access to: 1) the Municipal Golf Course, 2) McNeilly Park, 3) Rob Hollow Park, and 4) Hoodridge Park.

We will facilitate obtaining a Political Subdivision Permit application from the Pennsylvania Game Commission.

Methods

Pre-baiting and Site Selection

Because of high human activity and fragmented private property access throughout much of the community, deer should be drawn to select areas using bait for sharpshooting for both discretionary and safety purposes. We will need ~3 bait sites (i.e., shooting locations)/square mile to ensure thorough access to the entire local deer population. This equates to ~20 well distributed points of access; preferably on private property to limit impacts on public land users.

Bait should be placed out 3 weeks in advance of anticipated removal efforts. All baiting should be done daily from the same vehicle at a consistent time in the late afternoon/evening. This acts as positive conditioning for the deer; they recognize the vehicle and person baiting and associate it with the appearance of food. Some vegetation that may obstruct shooting opportunities, if present, it will be thinned or pruned to ensure optimal removal conditions.

Sharpshooting

We will use suppressed .223 caliber rifles or .22 caliber rimfire rifles for sharpshooting applications. All rifles are match-grade and specially designed for sharpshooting deer. We will shoot from elevated positions to ensure a steep angle of trajectory. All deer will be shot in the center of the brain (~95%) or the cervical spine (~5%). Cervical spine shots are taken only when there is an obstruction between the shooter and the deer's brain.

We have all the necessary equipment with years of hands-on use including several ATF registered, suppressed, match-grade firearms (using highly frangible projectiles), all necessary vehicles (including ATVs), and accessories (e.g., night-vision, spotlights, rangefinders, tree stands to create safe, elevated shooting positions, etc.).

Sharpshooting protocol

Subsequent to a decision by the Community and the State wildlife management agency to implement a controlled deer reduction using White Buffalo, Inc. the following procedures are used:

- 1) Prior to initiating any field activities the target area/s and surrounding properties are thoroughly surveyed using digital aerial images followed by field confirmation. By knowing the location of every occupied structure and areas of human use we are better able to work safely, discretely, and efficiently;
- 2) Bait sites are selected with the involvement of the landowner/s, local law enforcement, and the cooperating state agency. Each site is selected based on safety concerns, discretion, and deer activity;
- 3) We conduct field operations during hours of lowest human activity. In addition, during the removal operation we search intensively for people and non-target animals to avoid mishaps;
- 4) Deer of all ages and sexes are harvested, however, adult does are prioritized. Deer are shot over bait from an elevated position with a rifle during the day or at night. Night-vision equipment and suppressed firearms (only in states where they are legal to possess) are used to expedite field procedures and to ensure discrete operations;
- 5) During suburban deer reductions there will be continuous open communication between community members, municipality officials, and White Buffalo, Inc. to keep people well informed regarding field activities to avoid conflicts;
- 6) When in doubt, never shoot;
- 7) All deer carcasses are transported and dressed with the highest degree of discretion;

- 8) When desired, we are willing to be responsible for the disposal of all by-products and transport of deer carcasses to a USDA-inspected facility for processing and subsequent donation to the needy.
- 9) We collect all pertinent data related to herd health, advancements in management techniques, and other aspects of each removal program which will be included in scientific journals, professional conferences, or written reports submitted to the community/landowner and cooperating state agency.

Personnel

Four White Buffalo, Inc. employees will be allocated to the project. These may include:

Dr. Anthony DeNicola – Senior Scientist, President, White Buffalo, Inc. (see attached CV and Business Portfolio)

Ryan Rodts – Wildlife Biologist/Project Manager, White Buffalo, Inc. Ryan has work on nearly all projects summarized in our attached Business Portfolio. He has extensive experience conducting urban sharpshooting projects (see attached resume), and worked last year in Mt Lebanon. PA NWCO Licensed.

Jason Reger – Nuisance Wildlife Control Technician, White Buffalo, Inc. Jason has worked with WBI since 2004 and has gone through our intensive firearm training course. Jason manages the Roanoke, VA deer sharpshooting program and worked last year in Mt Lebanon. PA NWCO Licensed.

Carl Melillo – Nuisance Wildlife Control Technician, White Buffalo, Inc. Carl has worked with WBI since 2008, has gone through our intensive firearm training course, been involved in several WBI sharpshooting projects, and worked last year in Mt Lebanon. PA NWCO Licensed.

Jared Hudson – Nuisance Wildlife Control Technician, White Buffalo, Inc. Jared has worked with WBI since 2012, has gone through our intensive firearm training course, and has been involved in several WBI sharpshooting projects across the country. He will obtain a PA NWCO License this fall.

Conclusion

Of primary importance and recognition is that field methods are only as good as the personnel implementing them. This is not an expression of arrogance, but a point of clarity and great significance. It is critical for success to have extensive experience to make day to day decisions and adjustments beyond the established general guidelines and protocols. White Buffalo, Inc. has been actively involved in wildlife population control programs for 20 years. With our experience, we are confident that our proposed methods/strategy will provide the greatest likelihood of a successful management program. Our approach will be the safest, most efficient, and humane solution to this management challenge.

Literature Cited

DeNicola, A. J., and S. C. Williams. 2008. Sharpshooting suburban white-tailed deer reduces deer-vehicle collisions. *Human-Wildlife Conflicts* 2:28-33.

Williams, S. C., A. J. DeNicola, T. Almendinger, and J. Maddock. 2013. Evaluation of organized hunting as a management technique for overabundant white-tailed deer in suburban landscapes. *Wildlife Society Bulletin* 37:137-145.

**Mt. Lebanon Budget January/February 2017
(100 Deer)**

WHITE BUFFALO, INC. EXPENSES

PERSONNEL

Wildlife Biologist/Technicians

Baiting and site preparation

1 person X 6 hr/day 22 days X \$65/hr \$8,580

Sharpshooting

1 person X 10 hr/day 12 days X \$110/hr \$13,200

3 person X 10 hr/day 12 days X \$95/hr \$34,200

TRAVEL

1 person X 10 hr/day X 2 days X \$110/hr \$2,200

3 people X 10 hr/day X 2 days X \$95/hr \$5,700

1 person X 10 hr/day X 2 days X \$65/hr \$1,300

Hotel (14 nights @ \$150 X 2) \$4,200

Per diem (56 days X \$60.00/day) \$3,360

Vehicle mileage (4,100 X \$0.57/mile) \$2,337

MISCELLANEOUS

Supplies (ammunition, containment bags, zip ties, batteries, etc.)
\$4.00/deer X 100 \$400

CARCASS PROCESSING

\$80/deer X 100 \$8,000

TOTAL **\$83,477**

**Mt. Lebanon Budget January/February 2017
(150 Deer)**

WHITE BUFFALO, INC. EXPENSES

PERSONNEL

Wildlife Biologist/Technicians

Baiting and site preparation

1 person X 6 hr/day 31 days X \$65/hr \$12,090

Sharpshooting

1 person X 10 hr/day 21 days X \$110/hr \$23,100
3 person X 10 hr/day 21 days X \$95/hr \$59,850

TRAVEL

1 person X 10 hr/day X 2 days X \$110/hr \$2,200
3 persons X 10 hr/day X 2 days X \$95/hr \$5,700
1 person X 10 hr/day X 2 days X \$65/hr \$1,300
Hotel (22 nights @ \$150 X 2) \$6,600
Per diem (92 days X \$60/day) \$5,520
Vehicle mileage (5,400 X \$0.57/mile) \$3,078

MISCELLANEOUS

Supplies (ammunition, containment bags, zip ties, batteries, etc.)
\$4.00/deer X 150 \$600

CARCASS PROCESSING

\$80/deer X 150 \$12,000

TOTAL **\$132,038**

APPENDIX B - CHANGES AND ADDITIONS

The Agreement was approved by the Commission subject to the following changes, which shall control over any inconsistent provision in the Agreement or any other Appendix to the Agreement:

All safety protocols and other requirements observed in the November 8, 2015 contract between the parties will be observed in this contract as well, including the following:

1. All shooting will be done from an elevated fixed location platform or deck (providing an earthen backdrop at all times), and that shooting cannot be done from vehicles.
2. Only frangible bullets designed to prevent ricochets will be used.
3. No culling will take place near schools or safe walking routes.
4. The protocols developed with the Mt. Lebanon Police will be followed, which protocols addressed site inspection and operational oversight.
5. The other requirements listed in the Request for Proposals issued by the Municipality in 2015 (which were incorporated into the November 8, 2015 contract) will be followed, including requirements relating to insurance, reporting and compliance with all applicable law.



PENNSYLVANIA GAME COMMISSION
COMMONWEALTH OF PENNSYLVANIA
 2001 ELMERTON AVENUE
 HARRISBURG PA 17110

SPECIAL USE PERMIT

PERMIT TYPE DEER CONTROL - POLITICAL
 SUBDIVISION
PERMIT # 39038

3

DESCRIPTION DEER CONTROL- POLITICAL SUBDIVISION, HOMEOWNERS ASSOCIATIONS AND NONPROFIT
 LAND HOLDING ORGANIZATIONS

PERMITTEE

KEITH A MCGILL
 710 WASHINGTON RD
 PITTSBURGH PA 15228 - 2018

DOB 6/18/1961
PHONE 412-343-3684

BUSINESS MUNICIPALITY OF MOUNT LEBANON

DISTRICT 2-02-1
COUNTY ALLEGHENY

WILDLIFE CONSERVATION OFFICER

DOUGLAS E BERGMAN
 917 MARS HILL RD
 SUTERSVILLE PA 15083

EFFECTIVE DATE 2/1/2017 - 3/31/2017
FEE \$ 0

REPORT REQUIRED AS SPECIFIED
RENEWABLE NO
PITTMAN-ROBERTSON NO

SPECIES WHITE-TAILED DEER(100)

SUBPERMITTEE ANTHONY DENICOLA PERMIT 20640 , JASON REGER PERMIT 37076 , CARL MELILLO PERMIT
 37115 , RYAN RODTS 20639

CONDITIONS

- 1 THE VALIDITY OF THIS PERMIT IS CONDITIONED UPON THE RECEIPT AND MAINTENANCE OF ANY OTHER APPLICABLE FEDERAL, STATE OR LOCAL PERMITS REQUIRED BY LAW.
- 2 A COPY OF THIS PERMIT SHALL BE CARRIED AND PRESENTED UPON REQUEST OF ANY DULY AUTHORIZED OFFICER OR REPRESENTATIVE OF THE COMMISSION.
- 3 ALL PERMITTED ACTIVITIES SHALL AT ALL TIMES BE CONDUCTED IN CONFORMANCE WITH ALL APPLICABLE REQUIREMENTS OF THE GAME AND WILDLIFE CODE (34 PA.C.S. § 101 ET SEQ.) AND ITS ATTENDANT REGULATIONS (58 PA. CODE § 1311 ET SEQ.).
- 4 VALID AS PER ATTACHED TITLE 58, SUBCHAPTER R, DEER CONTROL REGULATIONS (SECTION 147.321-147.329). PERMITTEE AND ALL SUBPERMITTEES SHALL ABIDE BY ALL THESE REGULATIONS THAT SHALL BE MADE PART OF THIS PERMIT. THE EXCEPTION TO THIS CONDITION WILL BE THAT THE SUBPERMITTEE MAY USE 22 CALIBER SUBSONIC RIFLES WITH THE APPROPRIATE AMMUNITION IN THE INTEREST OF PUBLIC SAFETY AND PER THE EXPLANATION SUPPLIED BY THE PERMITTEE VIA EMAIL ON 12/20/2015.
- 5 LISTED SUB-PERMITTEES, ACTING UNDER CONTRACT WITH THE TOWNSHIP MAY REMOVE DEER FROM THE PROJECT AREA BY SHOOTING.
- 6 THE PERMITTEE WILL BE REQUIRED TO CONTINUE TO UTILIZE AN ACTIVE HUNTING PROGRAM TO BE IN COMPLIANCE WITH THE AFOREMENTIONED REGULATIONS.



PENNSYLVANIA GAME COMMISSION
COMMONWEALTH OF PENNSYLVANIA
2001 ELMERTON AVENUE
HARRISBURG PA 17110

SPECIAL USE PERMIT

PERMIT TYPE DEER CONTROL - POLITICAL
SUBDIVISION
PERMIT # 39038

- 7 REPORTS TO BE SUBMITTED ON A MONTHLY BASIS AS REQUIRED IN SECTION 147327 TO THE BUREAU OF WILDLIFE PROTECTION, 2001 ELMERTON AVENUE, HARRISBURG, PA 17110-9797 USING THE FORMS PROVIDED BY THE COMMISSION.
- 8 EACH DEER TAKEN MUST BE TAGGED BY THE SUB-PERMITTEE WITH A TAG SUPPLIED BY THE COMMISSION PRIOR TO REMOVAL FROM THE PROJECT AREA. UNUSED TAGS SHALL BE RETURNED TO THE LOCAL WILDLIFE CONSERVATION OFFICER WITHIN 30 DAYS OF THE EXPIRATION OF THE PERMIT UNLESS DIRECTED OTHERWISE BY THE BUREAU OF WILDLIFE PROTECTION.
- 9 EACH DEER KILLED SHALL HAVE THE ENTRAILS REMOVED AND CARE TAKEN TO PRESERVE THE MEAT FOR CONSUMPTION. CARCASSES SHALL BE TRANSFERRED TO THE ORGANIZATION HUNTERS SHARING THE HARVEST OR ITS AGENTS OR AS DIRECTED BY THE PENNSYLVANIA GAME COMMISSION. ENTRAILS AND INEDIBLE PARTS OF DEER MUST BE DISPOSED OF PROPERLY. ANTLERS FROM ANTLERED DEER WILL BE SURRENDERED TO THE PENNSYLVANIA GAME COMMISSION.
- 10 THE LOCAL WILDLIFE CONSERVATION OFFICER SHALL BE NOTIFIED OF THE DATES AND TIMES OF ANTICIPATED DEER REMOVAL.
- 11 A DAILY REPORT OF DEER KILLED BY NUMBER, SEX AND AGE WILL BE KEPT AND BE AVAILABLE FOR EXAMINATION BY OFFICERS AND EMPLOYEES OF THE PGC.
- 12 TAGS ISSUED AND AUTHORIZED FOR USE UNDER THE AUTHORITY GRANTED BY THIS PERMIT ARE DEER CONTROL MUN 1020451 TO DEER CONTROL MUN 1020550.
- 13 BAIT MAY BE PLACED AND USED BY SUB-PERMITTEE FOR THE PURPOSE OF ORIENTING DEER TO A SAFE LINE OF FIRE. THE PLACEMENT OF BAIT MAY OCCUR STARTING JANUARY 29, 2017, HOWEVER, NO DEER MAY BE TAKEN UNTIL FEBRUARY 1, 2017.

PERMITTEE SIGNATURE

DATE



Thomas P. Heibel

DIRECTOR, BUREAU OF
WILDLIFE PROTECTION