



TEMPEST IN A WOODED LOT

WRITTEN BY BRAD DEEN

PHOTOGRAPHED BY JODY DUGGINS

**BACKYARD-BROWSING,
TRAFFIC-DARING DEER ARE
LESS OF A WILDLIFE PROBLEM
THAN A HUMAN ONE.**

A DEER HEAD, ANTLERLESS, POKES OUT OF THE THICK HEMLOCK forest. Its black nose sniffs and twitches—once, twice—before the doe trots onto the sloping green lawn. The deer seems unconcerned, unalert. Its tail droops. In the open like this, even a young whitetail should cock its tail upward, exposing its namesake flash of white flank at the first sign of us humans. Something unnatural is at work in this manicured, fairwaylike backyard.

“The deer are one of the reasons we moved here,” says the Biltmore Forest homeowner, who prefers to be anonymous. “They’ll almost let you pet them.” From the back porch, we watch the doe amble amid the bordered pansy beds and blue spruces. It stops at a birdbath filled with shelled corn.

“That one’s name is Ariel,” the resident says. The name comes from the woodland sprite in Shakespeare’s play “The Tempest.” It’s fitting.

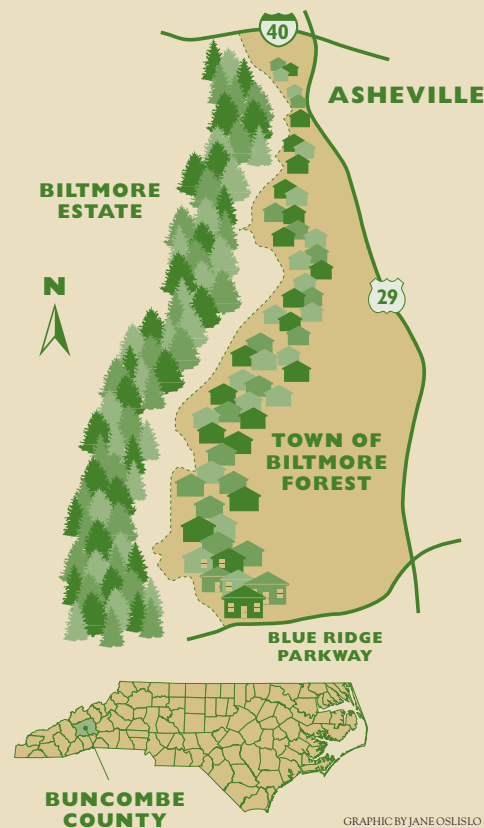
A storm has brewed for 15 years in this wealthy enclave beside Asheville. At the tempest’s center are deer. Swirling around them are the antagonistic forces of deer-baiters and deer-haters.

A few doors down from where Ariel and other deer are welcome to frolic, another Biltmore Forest resident curses them as “big, furry locusts.” Like his near neighbors, this resident speaks openly only when assured of anonymity. He says he fears reprisals from “some of the hardcore animal-rights people.” (The other side offers similar rhetoric about its opposition.) In his yard alone, he says, the deer have eaten upwards of \$50,000 worth of landscaping—roses, azaleas, rhododendron, even hemlock, maple and bay greenery as high as they can reach, which is considerable. “I’ve even seen them stand on their hind legs to eat the leaves. Not propping themselves against the trunk with their front legs, but just standing right there, under the limbs,” he says. “I had no idea they could do that. It’s surreal when you see them do that, like—what is that cartoon?—‘The Far Side.’”

The deer are a menace, he says, and not just because they prevent the wooded lots of Biltmore Forest from fully complementing the million-dollar houses. The deer bound across the narrow, winding streets, occasionally colliding with a Mercedes or Lexus. The town reported 49 deer-vehicle crashes in the past two years. And fears of disease—first Lyme and now chronic wasting disease, which has not even been reported in North Carolina—have many residents wary.

Countless times over the past decade-plus, experts from the North Carolina Wildlife Resources Commission, state Cooperative Extension Service and even private industry have spelled out to the town what it needs to do to manage the deer: Hunt some, and fence out the rest. But the town, like other deer-bedeveled communities across the nation and the state, has had to battle itself before it could take on the deer. And the Bambi Brigades have proven as intractable as the Landscape Legions.

“It’s not so much a deer problem as a people problem,” said Wildlife Commission deer biologist Evin Stanford.



POLITICAL PARALYSIS Biltmore Forest lies sandwiched between Asheville and the sprawling Biltmore Estate. Founded in 1923, Biltmore Forest was meant to be, and still is, a designed community where covenants and zoning are extremely restrictive. At the center of town is the country club and golf course, founded to provide seasonal recreation for wealthy Northeasterners, who could boast of being neighbors to the Vanderbilt family's famous country house, the Biltmore Estate. The town, in fact, was carved from the eastern side of the Biltmore Estate, which at 11,000 acres still dwarfs the town in area nearly 8 to 1.

Just a few of the properties now are seasonally inhabited, said Town Administrator Nelson Smith. The year-round citizenry includes much of Asheville's professional elite and retirees from across the world. And deer—plenty of deer.

Much of what makes the real estate attractive also attracts deer. The quiet forestland is punctuated by wooded yards; residents can enjoy the solitude yet retain sociability. The deer can browse in the open and dash to shelter. And proximity to the Biltmore Estate provides a lush backyard for many, although the private estate is also

home to many deer that wander back and forth. Most of the backyard browsing occurs in late summer and winter, when natural food sources become scarce.

In the late '90s, the Biltmore Estate offered to help barricade the town from the deer. The estate would donate a right-of-way along the town's western perimeter for a fence, which

the estate also offered to maintain. All the town had to do was build it. They balked.

Smith, the town administrator, says the fence would have had to be at least 12 feet

high. "And even that wouldn't be tall enough. Some of those deer can really jump," he said. He added that "some property owners made it known they didn't want to see a fence along their property."

Covenants dating to the town's inception have been unfriendly to fences. "Historically," said Mayor Ramona Rowe, "Biltmore Forest has shied away from fences because we wanted to maintain the philosophy of openness, of spaciousness—a natural environment without artificial boundaries."

A few property owners have defied the anti-fence ordinance. With that in mind, the town's Board of Commissioners has considered relaxing the prohibition. "Of course, some people say 'over my dead body,'" Rowe said. "If we have people putting up illegal fences, we're making them outlaws."

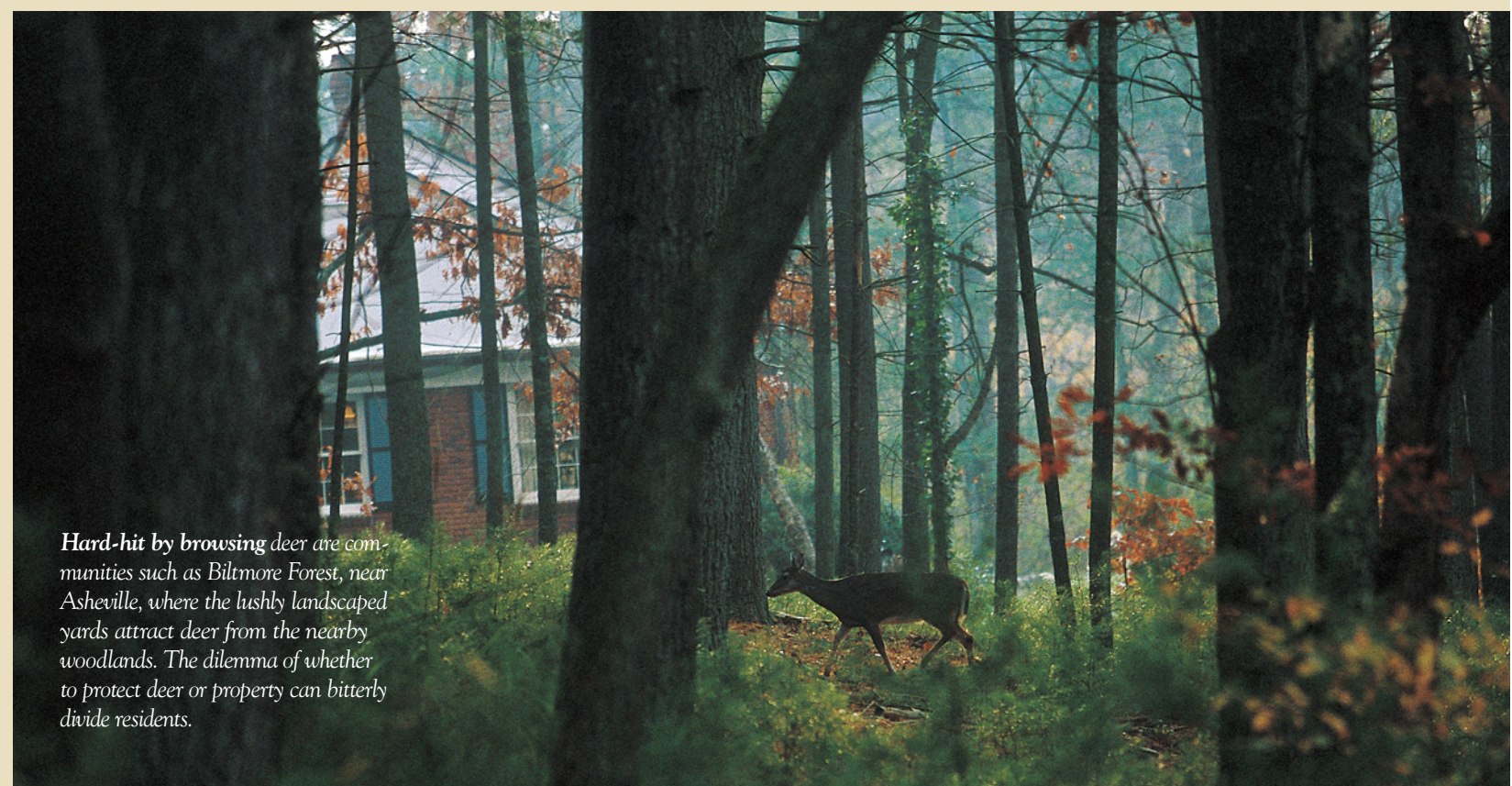
"It's not just that people here want to plant a few petunias," she added. "We have people here who are nationally recognized horticulturists. It's their passion, and between the deer and not being able to exclude them, they can't pursue it. I told some of our big golfers, if somebody told you [that] you couldn't golf, you'd move. It's the same thing. Not allowing them to put up a fence is taking away their gardening."

Consensus on any deer-related issue has been difficult to find, the affable, Boston-born mayor admitted. Yet a vast middle ground seems to exist. A town-sponsored survey last summer found 78 percent of households agreeing that the deer were "a problem," and 68 percent favored a deer-management plan that would include hunting.

The problem is one of extremism. In 2000, for instance, the town leadership thought it had everything lined up to hold an archery hunt during the regular fall season. A town resident who opposed hunting successfully sued, getting an injunction against the hunt. The legal grounds were that the town did not have the necessary legislative authority to regulate wildlife, which only the Wildlife Commission possesses. The planned hunt, however, was one of the commission's recommendations. The town did not appeal because of "financial constraints," said Smith, the town administrator.



BILL LEA



Hard-hit by browsing deer are communities such as Biltmore Forest, near Asheville, where the lushly landscaped yards attract deer from the nearby woodlands. The dilemma of whether to protect deer or property can bitterly divide residents.

DEER DILEMMAS Human-deer conflict isn't confined to Biltmore Forest, obviously. The recovery of the whitetail is a nationwide phenomenon. Numbering just a half-million in 1900, they now surpass 20 million, probably as many as were alive in 1800. But the United States has more than 20 times the population now as it did two centuries ago.

11,000 in 1996 to more than 15,500 in 2001. The rise isn't attributable to more deer; the state's herd has remained steady at 1.1 million since 1993. And the human population of North Carolina grew by 9.3 percent from 1996 to 2001, according to the Office of State Planning. What have increased are registered vehicles

Carraway has worked with officials of Biltmore Forest and other mountain communities for more than 10 years, suggesting the same measures over and over again. "What it comes down to is this: There are very few people who don't want hunting," he said. "But culling is the best, most reliable tool we have to manage the deer population."

Other methods that hunting opponents have proposed are either inefficient, useless or loaded with unintended consequences. Trapping and relocating deer, for example, requires lots of money and time; yet as soon as a few deer are taken away, "the vacuum just sucks more deer into the area," Carraway said. And that's not even considering the recent Wildlife Commission ban on transporting deer and elk as a precaution against chronic wasting disease, which has hit Midwestern states hard but, so far, has not turned up in North Carolina deer.

Birth control is not yet a feasible

option. The problem is that the technology is only in the initial stages. Wildlife researcher Allen Rutberg of Boston's Tufts University has successfully thinned herds of both deer and wild horses using contraceptive-laced darts. But for now, the technique works best on enclosed populations, such as on islands, rather than free-range animals. "We're a long way from managing the entire deer population of, say, a 10-square-mile township with immunocontraception," Rutberg said.

A former top scientist for the Humane Society, Rutberg also counsels people to be more patient with nuisance deer—who are, after all, only behaving like deer. "We're displacing them. People should get used to having deer around," he said.

(up 8.5 percent since 1996, according to the N.C. DOT) and vehicle-miles traveled (up 16.5 percent over the same period, from 78.6 billion in 1996 to 91.6 billion in 2001).

Combine those transportation figures with the millions of acres lost to development, and a portrait of sprawl-friendly development emerges—large-lot subdivisions that require a lot more driving to reach jobs and stores. And considering that these new houses generally displace woods and fields, it is plain where the deer are coming from.

"It is becoming more of a problem as more areas of the state develop," said Mike Carraway, a technical guidance biologist with the Wildlife Commission. "People move in, close hunting season and plant things deer browse on."

NIP IN THE BUD Other communities in North Carolina are grappling with the same dilemmas as Biltmore Forest. The squeakiest wheels—the ones getting the most media coverage as they demand solutions—are, like Biltmore Forest, exclusive addresses. Chapel Hill's Fearington Village has struggled to find an answer to the hunt-them/protect-them demands of divided homeowners. And on Bald Head Island, where deer were scarce until Corncake Inlet filled in a few years ago, the expanding herd threatens to ravage the rare and protected maritime forest.

Biltmore Forest's mayor Rowe has a beach house on Bald Head Island, giving her two perspectives on the dilemma. "They have an opportunity to nip it in the bud on Bald Head," she said.

Biltmore Forest tried to nip its problem through an avenue new to North Carolina—employing a Connecticut-based firm called White Buffalo, which specializes in eradicating nuisance deer. The company proposed using several techniques, from sharpshooters hunting over bait with silenced rifles, to trapping deer and killing them with the bolts used in slaughterhouses. But the Wildlife Commission chose not to allow the necessary permits.

"We'd really prefer that they try other, more conventional methods first," said Richard Hamilton, chief deputy director of the Wildlife Commission. "Look at Landfall [a gated community near Wilmington]. Every year in season, they have an archery hunt that controls the deer population. It's behind the scenes; it's quiet. Many folks there think it's a great thing."

After much wrangling, the town received its long-sought depredation permit from the commission last August, allowing the town to take up to 150 deer, preferably with bowhunters. The permit expires March 31, but as of mid-November, town officials said no deer had yet been taken.

The deer tempests continue to rage across North Carolina—indeed, across the nation. And as these local dramas play out endlessly—plant lovers refusing to compromise with nature, and deer lovers refusing to consider that some species have evolved to be prey—they begin to resemble another Shakespeare play, "Romeo and Juliet." In this one, feuding neighbors refuse to put aside their differences, spawning a tragedy not just for themselves, but for citizens caught in the middle. Will the Bambis and the Landscapers put aside their differences, or will they bring a plague on both their houses? ☒

Hunting, fencing and inedible landscaping are the methods most favored by wildlife biologists to control deer herds. But to a certain extent, property owners along the edge of forests may just have to get used to the creatures.



Not just flowers and shrubs are the victims of uncontrolled deer. Highway collisions are increasing, and the entire ecosystem can be damaged when deer gobble up the forest understory.

Changing development and transportation patterns have also made clashes between the two species inevitable, with more at stake than landscaping. According to federal transportation figures, more than 100 Americans die annually in deer-vehicle collisions.

Here in North Carolina, according to the state Department of Transportation, the number of reported vehicle collisions with animals (almost all of which are deer) has accelerated by 43 percent, from under



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