

The Council's goals for bear management reflect the legislative mandate of the Department of Environmental Protection (DEP) and the Council (N.J.S.A. 13:1B-28 et seq.) and the mission and goals of DEP and the Division of Fish and Wildlife (DFW). The NJ State Legislature mandated that Council has the responsibility of protecting and conserving game birds, mammals and fish and providing an adequate supply for recreational and commercial harvest. (For more information on Council, see APPENDIX 1, Role of the Fish and Game Council.) The Mission of DFW is to protect and manage the state's fish and wildlife to maximize their long-term biological, recreational and economic values for all New Jerseyans. The Goals of DFW are:

To maintain NJ's rich variety of fish and wildlife species at stable, healthy levels and to protect and enhance the many habitats on which they depend;

To educate New Jerseyans on the values and needs of our fish and wildlife and to foster a positive human/wildlife co-existence;

To maximize the recreational and commercial use of NJ's fish and wildlife for both present and future generations.

Based upon scientific evidence presented to it by DFW, Council opens and closes seasons and sets season lengths, bag limits and manner of take to ensure long-term stable populations and to maximize and equitably distribute recreational opportunity to user groups. Additionally, with some species such as black bear, white-tailed deer (*Odocoileus virginianus*), wild turkey (*Meleagris gallopavo*) and beaver (*Castor canadensis*), hunting and trapping can be used to control populations. Historically, Council has adjusted hunting and trapping seasons to control these species in order to minimize agricultural, residential or environmental damage. The Council recognizes that the most cost effective method of population control for these species is provided through regulated hunting and trapping seasons.

Council has directed that DFW manage black bears to assure their continued survival in NJ, while addressing the property damage and safety concerns of residents and farmers. In addition, Council recognizes that, although instances of black bears injuring or killing humans are rare and no person in NJ has been killed by a black bear since 1852, human safety concerns must be considered as part of black bear management decisions. With careful management, the black bear can be a benefit for the citizens of NJ in the form of wildlife appreciation, observation and hunting.

Council notes that it is generally recognized that responsible management, not passive preservation, is necessary when managing agricultural and natural resources, or protecting property and human health and safety (USDA WS WI 2002). Council also notes that DFW uses Integrated Wildlife Damage Management (IWDM), which seeks to prevent, reduce or stop wildlife damage by integrating a combination

of methods sequentially or concurrently (USDA WS WI 2002).

II. DECISION MAKING

Council's current and future management decisions regarding black bears have been and will continue to be based upon the best available scientific data. Based upon scientific evidence presented to it by DFW, Council opens and closes seasons, and sets season lengths, bag limits and manner of take to ensure long-term stable populations and to maximize and equitably distribute recreational opportunity to user groups. In addition, the Council, subject to the approval of the commissioner, formulates comprehensive policies for the protection and propagation of fish, birds and game animals (N.J.S.A. 13:1B-28). It is this statutory framework that provides the basis for the CBBMP.

New Jersey Court Order and Decision on Bear Management

On February 28, 2005, the NJ Supreme Court held that a black bear hunt must conform to a comprehensive black bear management policy developed by the Council and approved by the DEP Commissioner (U.S. Sportsmen's Alliance vs. NJ Dept. of Env. Protect. 182 NJ. 461 (2005)). The opinion indicated that comprehensive policies should include: 1) black bear management objectives, 2) a detailed outline for meeting those objectives, 3) the tools at the Council's disposal, and 4) the criteria used to determine which tools are selected.

Fish and Game Council Black Bear Management Objectives

Council has set the following objectives for management of the NJ black bear population:

- Sustain a robust black bear population as part of NJ's natural resource base.
- Advance the scientific understanding of black bears.
- Educate the public about common-sense practices that reduce the risk of negative black bear behavior on humans, their homes, their property and their communities.
- Enforce the law on bear feeding and garbage containment.
- Use lethal control on high-risk, dangerous bears.
- Utilize non-lethal aversive conditioning techniques on nuisance bears.
- Reduce and stabilize the population at a level commensurate with available habitat and consistent with reducing risk to public safety and property.
- Ensure that regulated hunting remains a safe and effective management tool to provide recreation and control NJ's black bear population.

Council recognizes that management of NJ's expanding black bear population to meet these objectives requires a

variety of measures. Council reiterates the conclusion of the 1997 Black Bear Management Plan (BBMP) (McConnell et al. 1997) that the New Jersey bear population is large enough to support a regulated recreational hunting season and that the regulated hunting seasons of 2003 and 2005 resulted in a subsequent reduction in nuisance bear incidents, providing relief to people living near black bear habitat. This policy endorses education for people living and recreating in bear country, garbage management to reduce bear access to non-natural food, lethal control for dangerous bears, non-lethal control methods for nuisance bears and a hunting season to provide recreation and control the black bear population.

Council desires to reduce high-risk bear incidences that are a threat to public safety and property damage, and so has selected a range of management tools according to criteria of consistency with current law, practicability in light of current resource constraints and demonstrated efficacy. A well-managed black bear population will require public education, proper waste management, enforcement, bear control, aversive conditioning, population control and other measures to reduce risk to people living close to black bears.

III. HISTORY

The black bear occurred statewide in NJ through the 1800's, however, by the mid-1900's less than 100 existed and these were restricted to the northern portion of the state (Lund 1980, McConnell et al. 1997). In 1953, Council classified black bears as a game animal, thereby protecting bears from indiscriminate killing. This protection stabilized the population. DFW wildlife control agents (later wildlife technicians) responded to citizen complaints to alleviate black bear damage. Limited hunting was legal in 10 seasons from 1958-1970 and resulted in a harvest of 46 black bears. Based upon data gathered through the regulated hunting seasons, DFW assessed the bear population status and Council closed the black bear hunting season in 1971 (Lund 1980). Council reinstated a limited hunting season, resulting in a harvest of 328 bears in 2003 and 298 bears in 2005.

Historically, management of black bears has been funded through the Hunters and Anglers Fund, which comes from the sale of hunting and fishing licenses. Additional funding is obtained from Federal Aid to Wildlife Restoration (Pittman-Robertson) grants. Funding for these grants is derived from a federal excise tax placed on hunting related equipment and ammunition that is passed on to State wildlife agencies for research, education and management activities. Bear management activities conducted by DFW have been supplemented with General Treasury monies in five of the last ten fiscal years.

Since the 1980's the black bear population has increased, and its range has expanded (Figure 1) due to the protection afforded it by game animal status. Also contributing to this population increase were black bear population increases in Pennsylvania and New York and improved habitat in NJ, provided by the maturation of forested areas (McConnell et

al. 1997). Because of agricultural damage attributed to black bears, DFW and Council recognized that the level of human/bear conflict had become untenable in northern NJ and the black bear population was large enough to sustain a limited, regulated hunting season (McConnell et al. 1997).

The 1997 Black Bear Management Plan (BBMP) recommended that DFW stabilize NJ's black bear population using regulated hunting seasons in bear management zones (BMZs), institute a statewide ban on feeding black bears, install bear-proof (bear-resistant) dumpsters at public campgrounds within black bear range, educate beekeepers on the use of electric fences to deter black bear depredation, institute a black bear depredation permit for landowners suffering damage to property, agricultural crops or livestock, continue to analyze NJ black bear data as new technology and data becomes available, protect critical habitat and reduce illegal killing of bears (McConnell et al. 1997). Since the release of the 1997 BBMP, DFW has instituted these recommendations with some limitations. Council believes that DFW should fully implement those recommendations and advance additional non-lethal control methodologies.

IV. INTEGRATED BLACK BEAR MANAGEMENT STRATEGY

DFW utilizes an integrated approach to managing black bears; this integrated black bear management strategy includes educating people about black bear ecology, recommending human behavioral adjustments while in bear range, enforcing laws that minimize human-bear conflicts, taking action against dangerous and nuisance bears, monitoring the bear population and implementing population control. Since 1980, the DFW has been conducting research on NJ black bears and has utilized an array of tools for managing black bears. This multi-prong approach is necessary because the bear population is increasing and expanding while the human population is also expanding through residential and commercial development. Council believes that it is imperative to have a broad, comprehensive approach in place to address the growing potential for human/bear conflicts. In November 2000, DFW instituted a more aggressive integrated black bear management strategy, implementing an enhanced educational effort, more aggressive control measures and increased research and monitoring activities. From FY01 through FY10, DFW has devoted more than \$9 million to black bear management, including \$2 million to educational, \$2 million to law enforcement, and \$5 million to control, research and monitoring activities. These funds have come from the general treasury subsidy (\$5.5 million), the Hunters' and Anglers' Fund (\$2.5 million) and the Federal Aid to Wildlife Restoration Fund (\$1 million).

A. Education

Policy:

Council believes there is a continued need to educate people living and recreating in bear habitat about methods to