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August 15, 2007

DEP Black Bear Management Comments and
Council Bear Policy
NJ Department of Environmental Protection
PO Box 400
Trenton, NJ 08625-0400

To Whom It May Concern:

On behalf of the nearly 10 million members and constituents of The Humane Society of the United States (HSUS), over 400,000 of whom reside in New Jersey, The HSUS submits the following comments to be considered on the New Jersey Fish and Game Council's Comprehensive Black Bear Management Policy and the Department of Environmental Protection Commissioner Lisa P. Jackson's recommendations.

First, we would like to acknowledge the Department of Environmental Protection (DEP) for its progressive policy of opting for a non-lethal, humane approach to managing bears and dealing with bear-human conflicts. Just a short time ago, New Jersey's bears were hunted to the brink of extinction and their recovery is a true success story.

Trophy hunting is simply not a long-term solution to reducing negative interactions with black bears or assisting New Jersey's citizens in coexisting with these animals.

Education

The HSUS supports the plan that the DEP and Commissioner Lisa Jackson have outlined to further educate the public on how to co-exist with bears including the expansion of educational efforts to include more in-depth education as well as expanding programs to include a larger portion of the state.

Control of Human-Derived Food Sources

We support mandating the use of bear-resistant dumpsters and food boxes in campgrounds. The HSUS also agrees that legislation requiring bear-resistant dumpsters in closed communities will help address availability of human garbage as food sources.

Promoting the protection of all animals

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Human-derived food sources become an attractant to bears who may become habituated to readily and easily-obtained food, which is neither healthy for bears nor safe for either bears or human residents.

The Council document suggests that the Mid-Atlantic region does not suffer from drought or mast failure – natural events that might limit bear populations. This is arguable and does not account for environmental conditions even now in play. The statement also does not differentiate between soft and hard mast crops, where the latter (primarily acorns) might be determinative in setting the reproductive success and survival of many wildlife species, including bears.

The HSUS supports laws prohibiting the intentional feeding of bears. This reduces dependency of bears on human-derived food and reduces bear incursions into human-controlled environments. Unintentional feeding would have to be defined in a careful manner if it is to be included in legislation. Unintentional feeding due to birdfeeders can be controlled through educational programs that inform residents about the altered bear behavior resulting from such activities. Bears who obtain food from human-derived sources may eventually become habituated and accustomed to human presence and lose fear of humans. The result for bears may be avoidable mortality arising from close proximity to human-populated areas.

Research

Funding for black bear research should be made commensurate with previous FY 2001 and FY 2002 levels that provided for two full-time biologists, seven bear technicians, two education specialists and one police training officer.

The actual size of the black bear population in New Jersey is at best a good estimate, and by our argument not a major factor when considering bear-human conflicts. What matters are the conflicts themselves, their numbers and the sites at which they occur, and the immediate responses that must be made to deal with them at those times and in those places – not months later during a trophy hunting season.

Cooperative Research

Research into *Trichinella* prevalence is simply redundant in nature as Trichinosis has historically been present in wild bear populations and the consumption of bear meat is avoided for that very reason. The presence of this disease is in no way a justification for continued management by lethal methods. Wild animal diseases should be studied by veterinarians specializing in communicable disease and zoonotic disease transfer, not the DFW. While it is reasonable to have studies funded for this purpose, the rarity of disease transfer between bears and humans has little bearing on continued bear-human relationships.

Evaluation of Non-Lethal Black Bear Control

The HSUS supports the implementation of non-lethal approaches to resolving bear-human conflicts. Aversive conditioning is a highly effective tool for conflict resolution.

Humane aversive conditioning techniques, coupled with public education, are the most effective means of reducing bear-human conflicts. Hunting does not reduce bear-human conflicts because it fails to target the so-called “problem” bears who may be breaking into trashcans or trespassing near homes. These bears live in the urban-suburban interface. The bears hunters remove are usually in more remote areas and not the same bears contributing to bear-human conflicts.

Non-lethal alternatives have the ability to target specific bears and systematically condition them to avoid human confrontation. These bears maintain territories that other, naive bears would move in to if made vacant. In effect they serve as “educated” bears who may know and obey the rules of engagement with humans and serve themselves as the first line of conflict deterrence.

Aversive conditioning is also effective when combined with on-site trap and release programs. Relocation does not teach bears any lessons and bears will generally attempt to return to the territory they had established. Trap and release in the same area, combined with aversive conditioning, has been highly effective in controlling conflicts because again, the bear has learned to avoid humans.

Use of humane aversive conditioning strategies has proven enormously effective in other locations, including in national parks such as Yellowstone, Yosemite and Great Smoky Mountain. In these areas campers are in close proximity to bears much of the year and bear-human conflicts had once been a serious problem.

In an independent study conducted by Edward A. Tavss, Ph.D, at Rutgers University in 2005, bear-human conflicts dropped significantly after non-lethal strategies, such as the full use of bear-resistant garbage cans, and aversive conditioning programs including using trained dogs, pyrotechnics and rubber bullets to frighten bears.

Bears are shy animals who avoid humans when possible. Use of aversive conditioning techniques not only teaches bears to avoid humans, these bears also pass this knowledge on to their offspring, providing a long-term solution to bear-human conflicts.

Bear Control

The HSUS does not support the lethal removal of bears designated as category 1 bears under the current definition of that class. The category is extremely broad and includes a range of conflict situations that should not be considered an immediate threat or danger. Crop damage does not pose an immediate threat to human safety or life and should not be considered a reason for lethal response.

We commend the DEP for its alteration of the state’s system of bear exclusion zones and the way that nuisance animals are dealt with, allowing bears to be relocated rather than immediately killed.

Habitat Protection

Protecting and preserving habitat is critical in the survival of the bear species in New Jersey and should be promoted. Corridors should be acquired to promote free movement of bears between areas of fragmented habitat.

Regulated Hunting

The Commissioner of the DEP disapproved the 2005 CBBMP to allow the implementation of non-lethal methods of bear management which begins to widen the scope of varying public interests to include more elements of the general public. The DFW plan calls for a 30% reduction in category 1 complaints within a one year period of time to negate a further bear hunt. The agreement goes on to state that if complaints are not reduced by an additional 30% in 2009, a hunt will take place in Dec. of 2009. We find these to be arbitrary ultimatums and needlessly time constrictive. Management of bears by lethal methods has been the operative strategy in New Jersey under DFW management without significant reduction in category 1 incidents and without a time element to produce these results. The HSUS objects to any formula stipulating that if bear complaints are not reduced to a given level that a bear hunt would be initiated in 2008, as is proposed in the Council’s plan. Simply tallying contacts concerning bear sightings or perceived conflicts is not a rational measure for determining the depth or type of bear interactions.

Goals stated by the Fish and Game Council include preserving a robust bear population and yet supporting reduction in the black bear population in New Jersey to levels of biological and cultural carrying capacity. The reduction in population has less relativity to biological carrying capacity than it has to cultural capacity. A reduction in bear population does not have a direct correlation to a reduction in human/bear conflict situations. No scientific evidence exists to show a direct connection in population reduction and incidents of conflict.

Non-lethal approaches are long-term solutions to problems with bears and will benefit the human population as much as they will benefit bears. We commend the DEP and Commissioner Jackson for focusing on aversive conditioning and public education as alternatives to hunting and urge the DEP to see that these programs are adequately funded. We also commend Governor Corzine for including \$850,000 in the state budget for use in the DEP’s non-lethal bear management plans.

Thank you in advance for your consideration of these comments.

Sincerely,



Nina Austenberg
Director
Mid-Atlantic Regional Office