

The Good News: New Jersey Bear Smart Legislation (S687)



A Bear Smart Community in Ontario, Canada.

The good news is that efforts to reduce the availability of anthropogenic food to bears can be quite successful at reducing bear-human conflict, as evidenced by some of our case studies. An important message from the New Mexico case study is that when food was made unavailable, bears were capable of living in close proximity to humans without conflict.

- Wildlife Conservation Society (2008)



Plastic garbage bags on County Road, West Milford, New Jersey, April 2009.



Mason Dixon (2010): 74 Percent of New Jersey Voters Prefer Non-Lethal Methods of Solving Conflicts Between Bears and Humans

According to an April, 2010 statewide survey conducted by Mason-Dixon Polling & Research, Inc., for the Humane Society of the United States:

- 74 percent of registered voters prefer that the state prioritize non-lethal methods of solving conflicts between humans and bears.
- The survey results were consistent in every geographic region of the state, with a 10 percent majority opposed to hunting bears.

Registered voters strongly oppose:

- Hunting bear cubs under one-year of age, some of whom are still nursing, killing mother bears, or sows, with cubs, and
- use of bait to lure bears to locations where hunters shoot the animals while they are feeding.

The New Jersey Division of Fish and Wildlife permits all of the above practices.

Wildlife Conservation Society Management Recommendations (2008)

- Educating the public about keep human food from bears,
- requiring the public to, and providing the means to, secure food and garbage, enforcing requirements and laws, and
- land use decisions and other strategies to keep people and bears apart.



Bear-resistant trash cans are Available in stores and online.



Bear-resistant commercial dumpsters.

NBC NEWS: "Overflowing" Dumpsters, Bins

NBC NewYork spotted dozens of trash cans Monday morning in Allamuchy, Independence and Liberty Townships that were not 'bear proof' and in fact could be opened with a pinkie finger. Many of them were not even closed because there was so much trash in them.

Likewise, a pizza restaurant in Liberty had an open dumpster overflowing with food packaging.

- NBC NewYork: "Christie Considers Cutting Bear Hunt Short," December 7, 2010.

The Good News: Bear Smart Legislation



The four closed bins on the left are bear-resistant; the fifth, an open can, is not.



County Road, West Milford, April 2009.

Bear Smart legislation corrects the state's signal failure to implement and enforce non-lethal solutions preferred by 74% of New Jersey voters.

Access to Unsecured Bins, dumpsters, and bait

Easy access to garbage and bait changes black bear behavior and foraging habits. Feeding can lead to food conditioning, habituation to humans, conflicts, and property damage. Researchers attributed 35 percent of human-bear conflicts in Yosemite National Park to conditioned bears. The majority of other incidents are due to human error (improperly stored food and trash). Feeding, via trash or bait, also leads to increased reproductive rates, physical size and numbers, and reduced bear range.

In the U.S. and Canada, Bear Towns are Getting Serious About Trash

In the United States, the governments of Teton County, Wyoming; Teton County, Idaho, Aspen, Colorado; and Juneau, Alaska among others have mandated bear resistant bins and dumpsters. Aspen officials advise that the ordinances are in place “to ensure your safety and the safety of our wildlife. When wildlife has access to trash, it brings them closer to our homes, creating a potentially dangerous situation for animals and people.”

New Jersey Bear Smart Legislation

Legislation introduced by Senator Raymond Lesniak (D-20) incorporates practical, socially sustainable solutions as recommended by the leading experts in reducing human-wildlife conflicts.

Free Market – As with Other Types of Trash Bins

Generally trash haulers purchase the carts in bulk. Haulers may lease the cans for \$2-7 per month and after three years net a profit. Or customers may purchase their own bins. Clearly, with so many programs already in play, Bear Smart is doable and being done across a wide swath of country and towns. Bearicuda manufactures a “single driver” or automated bin. The driver need not leave the truck.

New Jersey Bear Smart Legislation:

- Requires the use of bear-resistant containers in campgrounds, closed communities, and municipalities located in bear habitat.
- Directs the state to provide a list of municipalities located in bear habitat within 90 days of enactment.
- Requires the state to adopt amendments to the State Sanitary Code setting appropriate standards and specifications for bear-resistant dumpsters and garbage bins.
- Addresses the intentional baiting of bear and deer in bear habitat.



A cub killed at Whittingham WMA MA, December, 2010. Photo: M. Chichy.

In Wisconsin, researchers analyzed 10 years of data to assess the efficacy of hunting in reducing complaints. Age and sex profiles of bears killed by hunters “differed significantly from those of bears trapped at nuisance and complaint sites.” Hunters took “significantly younger bears and a lower proportion of males.” Finally, “the most common method (shooting over bait) produced age-sex profiles most different from bears live-trapped after nuisance complaints.”

Baiting has a significant, negative impact on a wide range of non-target species. The practice contributes to forest degeneration, predation on ground-nesting birds, the spread of disease and invasive plants, increased illegal activity, and increased automobile-deer collisions (Canadian Cooperative Wildlife Health Centre 2003; Alabama Department of Natural Resources 2011). In New Jersey, millions of pounds of supplemental food, or bait, has been available to bears for over a decade, and for white-tailed deer (and bears), since 1998.

New Jersey Division of Fish and Wildlife enforcement of the 2002 Bear Feeding Law remains poor. The legislation is riddled with loopholes and, arguably, unclear language. By extension, local ordinances, where they exist, are vague and unenforced. In front-country townships, many residents still use black plastic trash bags – *sans* bins. Throughout front country parks, campgrounds, and communities, open dumpsters and bins are in plain sight.

The Central Focus: “Human Behavior”

Although in reality black bears pose little threat to human safety, they are sometimes feared.

The species’ power in the public eye can lead to intense public safety concerns and, thus, extreme management reactions.

In this discussion, however, it is important to recognize that humans are a root cause of many of these issues, and that focusing on bears as a public safety threat or as an economic nuisance is largely counterproductive. To solve these problems, the central focus needs to be human behavior.

- Wildlife Conservation Society, 2008

Beckmann, J. P., Karasin, L., Costello, C., Matthews, S. and Smith, Z. (2008) Coexisting with Black Bears: Perspectives from Four Case Studies Across North America, WCS Working Paper No. 33. New York: Beckman et al. 53, 13.

Alabama Department of Conservation and Natural Resources, Black Bear Sightings Increase in South Alabama, 2008.

“In a letter to the U.S. Fish and Wildlife Service, the director of the Pacific Northwest Region of the National Park Service stated his opposition to baiting on national forest lands abutting Crater Lake National Park.” In, HSUS, 2009.

Matthews, S.M., Greenleaf, S.S., Leithead, H.M., Beecham, J.J., and H.B. Quigley. 2003. Final Report: Bear Element Assessment Focused on Human-Bear Conflicts in Yosemite National Park. Conducted for the Hornocker Wildlife Institute. 17.

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(Matthews et al., Human-Bear Interaction Assessment, Yosemite National Park, 2003.