



# BLACK BEARS IN NEW JERSEY

## A

# TICKING TIME BOMB

August 2021

## History

First let me start with a short history of black bears in New Jersey.

In 1953 the black bear was elevated to game animal status affording it protection under Title 23 laws and the hunting of bears was now controlled by the Fish and Game Council (Council). In 1958 the Council opened the season in order to collect data on the population. After a review of the seasons results and the data collected, the scientific recommendation of the biologists within the Division of Fish and Wildlife (Division) was to close the season because of the declining population in New Jersey.

In 1971 sportsmen supported the Council's science-based decision to close all bear hunting in New Jersey.

The season remained closed for the next 33 years. With sound management and great habitat, the bear population grew, expanded and has been increasing its range ever since. Today bears have been reported in all 21 of New Jersey's Counties.

With the excellent habitat and abundant food sources the State's black bears have some of the largest litters and highest cub survival rates in the nation. The black bears in the North Jersey bear range have the highest densities per square mile in the northeast.

## This Century

Since 2000 the Division has spent more than \$15 million dollars on black bear management and research. That research has supported the recommendations found within the Comprehensive Black Bear Management Policy which was first authored in 1997. The policy has been subject to peer review by some of the foremost black bear biologists in North America. Beginning in 1997, all policies have recommended a regulated hunting season to control the increasing bear population and to mitigate an increasing level of damage to agriculture, livestock, pets and personal property.

On February 28, 2005 the New Jersey Supreme Court found that the Fish and Game Council has the sole authority to set seasons, size limits and bag limits for game animals, plus there must be a Comprehensive Black Bear Management Policy (CBBMP) adopted by council and approved by



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the DEP Commissioner. The policy must include a recommendation for a bear season before one can be held. The Council works with the Division of Fish and Wildlife to ensure the policy is based upon the best available science. Once adopted by Council it goes to the DEP Commissioner for final approval. The plan is then published as a regulation. The Policy expires every seven years and must be updated as necessary, adopted and re-approved. The current Policy expired in June of 2021. In following the court's 2005 order, a season cannot take place without a Policy approved by the Commissioner in place.

Division of Fish and Wildlife biologists have reviewed the current bear population data and recommended that the updated Policy contain a bear hunt to manage the population. The Council adopted the 2021 Policy and sent it to the Commissioner for his approval in March of this year. Council has already included a bear season with season dates and bag limits as part of the current Game Code.

When candidate Murphy ran for office, four years ago, one of his platform issues, if elected, was to close the bear season in New Jersey. Once King Philip was elected, he realized that while he was very powerful there were some things he could not do. One of those things was to close the bear season. His legal team studied State regulations and found that the DEP Commissioner had the authority to close lands administered by the Department. Two years ago, all DEP lands, 40% of New Jersey's bear habitat, were closed by the Commissioner. That closure was not enough to placate the Governors anti-hunting animal rights followers and they openly attacked him for not keeping his campaign promise to close the bear season. He finally realized that all he had to do was wait and allow the CBBMP to expire and advise the Commissioner not to approve the new updated plan.

What troubles me most about this issue is that for the last 18 months I have listened to my Governor tell me time and time again on television, radio and in the press, that he relies on science to make his decisions. I agree with him that the best science available should be relied upon to drive the issues and set policy. If I am correct there should be a caveat added to his statement, I will rely on the best science available unless it disagrees with my political agenda. All of the biologists involved with New Jersey's bear research recommend a bear season to harvest the excess animals in a healthy expanding population.

I have to ask you what the future of the bear population looks like? After the closure of the bear season in 2020, the state bear population was estimated to be 3,043 bears, up almost 1,000 bears from the 2019 estimate of 2,054. That increase was driven by the closure of 40% of the bear range contained on the properties closed by the Commissioner. The population estimate in 2020 is currently higher than the population that existed in 2014 when we experienced our only black bear human fatality in West Milford, Passaic County. If the trend



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continues, we are currently looking at an estimated black bear population approaching 4,000 bears in 2021 with no population controls in place. If you don't live in bear country breathe a deep sigh of relief, if you do live in bear country, batten down the hatches, you're in for a rough Fall with 4,000 hungry bears looking for food before hibernation.

The blame for putting the residents of New Jersey at risk from an out-of-control bear population must be placed squarely where it belongs, on the shoulders of the Governor and his DEP Commissioner who have put politics before science and public safety when managing black bears.

Edward Markowski  
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