



# PUBLIC COMMENT SUMMARY

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2022 Comprehensive Black Bear Management Policy  
Proposed Game Code Amendments

# BACKGROUND

- An approved CBBMP, signed by both the DEP Commissioner and NJ Fish & Game Council Chair, is required to authorize the bear hunting season within the State Game Code.
- In 2021, the 2015 CBBMP expired resulting in closing of the bear hunt.
- November 15, 2022, Emergency (Imminent Peril) and Concurrent Rule filed due to a significant upward trend in human-bear interactions despite increased outreach efforts in spring 2022.
  - Governor and NJ Fish & Game Council Chair both signed 2022 CBBMP
  - NJ Fish & Game Council also approved three bear related amendments to the Game Code
- Emergency Rule provided a temporary 120-day implementation of the 2022 CBBMP and three related amendments to the Game Code. Emergency rule expired on February 3, 2023.
- The Emergency Rule allowed a Bear Hunt to occur in December 2022.
- 60-day comment period for the Concurrent Rule (formal rulemaking) of the 2022 CBBMP and Game Code Amendments started on December 5, 2022.

# 2022 DECEMBER HUNT

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- **December 5 – December 10**
  - Overlaps six-day firearm for deer
  - **Court Stay closed the hunt for the first day and most of the second day of the hunt**
    - First day is the most productive
    - First day was the best weather of the entire week
    - Off again/on due to Stay affects participation
- **Extended December 14 – December 17**
- **Total of 114 bears harvested**



# PERMIT AND LICENSE SALES

Total Bear Permits Sold by Zone and Distinct Customer Count 2016-2022

Item Sub-Category	Hunt Code	License Count (Count All)						Customer Count					
		2016	2017	2018	2019	2020	2022	2016	2017	2018	2019	2020	2022
Bear	B1	2,000	2,001	1,427	1,319	1,488	1,743	1,908	1,945	1,389	1,278	1,441	1,740
	B2	2,996	2,885	1,856	1,947	2,227	2,172	2,888	2,813	1,813	1,881	2,157	2,170
	B3	2,578	1,782	882	970	1,156	1,130	2,426	1,733	849	931	1,118	1,123
	B4	2,000	1,797	1,340	1,330	1,464	1,599	1,929	1,749	1,318	1,298	1,423	1,592
	B5	385	325	262	284	344	451	381	317	259	274	339	451
	<b>Totals</b>	<b>9,959</b>	<b>8,790</b>	<b>5,767</b>	<b>5,850</b>	<b>6,679</b>	<b>7,095</b>	<b>7,583</b>	<b>6,562</b>	<b>4,502</b>	<b>4,544</b>	<b>5,026</b>	<b>5,195</b>
Farmer Bear	B1				1	80	37	0	0	0	1	80	37
	B2				3	118	63	0	0	0	3	118	63
	B3					15	6	0	0	0	0	15	6
	B4				5	188	76	0	0	0	5	188	76
	B5				1	78	10	0	0	0	1	78	10
	<b>Totals</b>				<b>10</b>	<b>479</b>	<b>192</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>479</b>	<b>192</b>
<b>Totals</b>	<b>Totals</b>	<b>9,959</b>	<b>8,790</b>	<b>5,767</b>	<b>5,860</b>	<b>7,158</b>	<b>7,287</b>	<b>7,583</b>	<b>6,562</b>	<b>4,502</b>	<b>4,550</b>	<b>5,461</b>	<b>5,361</b>

Revenue ranged from \$ 19,918 to \$ 14,190

**\$ 2 Permit**  
**Free Farmers**

# 2022 Comprehensive Black Bear Management Policy

Multi-faceted strategy that utilizes both non-lethal and lethal methods

## Objectives for the management of the New Jersey black bear population:

- Manage the bear population at a level commensurate with available habitat and consistent with reducing risk to public safety and property.
- Sustain a robust black bear population as part of New Jersey's natural resource base.
- Continue to 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 properties, and their communities.
- Ensure that regulated hunting remains a safe and effective management tool to provide recreation and control New Jersey's black bear population.
- Strengthen and 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.



# PROPOSED AMENDMENTS

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1. One bear of either sex and any age **with a live weight greater than 75 pounds or a dressed weight greater than 50 pounds** may be harvested per permit.
2. **No adults accompanying cubs under 75 pounds may be taken.**
3. No person shall attempt to take or kill a black bear or have in their possession or control any firearm, or other weapon of any kind **within 300 feet of a baited area.**



# Public Comment Concurrent Rule

- **60-day Public Comment Period December 5, 2022 through February 3, 2023**
  - Council voted to extend comment period to 60-days (Nov. 15, 2022)
- **Public Hearing held January 18, 2023, 1 pm to 8 pm**
- **Multiple ways to provide comment:**
  - Email
  - Online form (links to rulemaking page and FW page)
    - attachment option
  - Written (letters, postcards etc..)
  - Verbal (public hearing)





# PUBLIC COMMENTS

Online	1,846
Email	2,773
Written Letter	26
Public Hearing	36
Post Cards	<u>4,857</u>
<b>TOTAL</b>	<b>9,538</b>

**DUPLICATE Submissions      769**

**SECONDARY Submissions      247**



**Over the past month all Fish & Game Council members have received electronic and/or printed copies of all comments.**

**Two Game Committee meetings were held prior to the July 11, 2023 NJ Fish & Game Council meeting to review and discuss comments received.**

**Photos and videos that were included as attachments were also viewed and discussed at the Committee meetings**



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11/29/2022 2:16PM BOTTOM STREAM - 0



844E

TRAIL CAM01

10:02







Postcards  
4,857 received

PUBLIC COMMENTS REGARDING

2022 COMPREHENSIVE BLACK BEAR MANAGEMENT POLICY (CBBMP)

I oppose both the emergency adoption and concurrent CBBMP proposal in its entirety. There is no imminent peril. I oppose the following amendments:

1. N.J.A.C. 7:25-5.6(a)2, ...limit the harvest of any bear with a live weight greater than 75 pounds or a dressed weight greater than 50 pounds. ...the harvest of any adult bear accompanying a bear under 75 pounds...
2. N.J.A.C. 7:25-5.6(a)5 ...disallows the take or kill of a black bear, or possession or control of a firearm or other weapon while hunting for black bears within 300 feet of a baited area...

*I want nonlethal black bear management, which keeps bears away from unnatural food sources, lowers complaints and incidents, and further reduces the black bear fertility rate. Bear hunts do none of this. An agency so concerned with "public safety" should require the use of bear-resistant cans, ban baiting statewide, and support the new feeding ban legislation. The NJDEP/FGC consistently violates the public trust, fails to implement real solutions, and then lies about it.*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_



# CBBMP - SUPPORT

**1,620** comments support the policy

NO REASON GIVEN	945
Support scientific management	232
Need to manage the population (too many bears)	231
Hunting is cost-effective	156
Human, pet, and livestock safety	145
Non-lethal does not control population	83
Too many, increasing bear complaints	72
CBBMP is multi-faceted and comprehensive	71
Damage/nuisance complaints are correlated with population	66
Need to manage population at healthy/safe levels (good for bears/humans)	47

**40** commenters indicated they had close calls, safety concerns with bears



# CBBMP - OPPOSED

**2,067** comments oppose the policy (+ **4,857** post cards)

NO REASON GIVEN	186
No proof that hunting reduces population or incidents; hunt is not scientific and does not reduce complaints/incidents	603
"Sport" hunting, not management, just a trophy hunt	596
Hunting is done to appease hunters, gun lobby that represent a tiny minority	536
Non-lethal keeps bears away from unnatural food, lowers complaints and incidents, & reduces fertility rates. DEP should require the use of bear-resistant cans, ban bear baiting statewide, & support the new feeding ban legislation.	391
Baiting is ecologically harmful, and causes conflict	334
Need more public education and modification of human behavior. Issues are caused by people not bears.	242
No emergency, no imminent peril	234
Hunting is mass killing, cruel, inhumane, and unethical	220
Philosophically opposed to lethal mgmt	199

# CBBMP - OPPOSED

**2,067** comments opposing the CBBMP (+ **4,857** post cards)

Protect habitat. Bears are spreading because of reduced habitat due to development.	183
Need garbage control, mandate bear proof containers, and provide financial support for communities; <b>deliberate lack of a garbage program</b>	171
Only more and improved non-lethal should be used	168
Bears play a vital role in the ecosystem, spread seeds, and are a keystone species	121
Hunt is unnecessary, there is no bear overpopulation or a problem	77
Bears are frightened of, and avoid people and are not aggressive	48
Bears should be relocated to a sanctuary/zoo/ "open range"/wilderness	42

# 2022 Comprehensive Black Bear Management Plan

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## DISCUSSION



# 2022 Comprehensive Black Bear Management Plan

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## **PUBLIC COMMENT**



# 2022 Comprehensive Black Bear Management Plan

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## **MOTION**





# PROPOSED AMENDMENTS

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2. **No adults accompanying cubs under 75 pounds may be taken.**
3. No person shall attempt to take or kill a black bear or have in their possession or control any firearm, or other weapon of any kind **within 300 feet of a baited area.**



# Prohibit the taking of a bear less than 75 lbs.\* - SUPPORT

**1,004** comments support the restriction

NO REASON	867
No need to harvest babies	49
Hunters should only harvest mature bears	17
Management hunt so all bears should be legal	17
Difficult to determine weight/size/age	16
Opposed to any killing/hunt	14
Agree for appearances sake (shooting cubs looks bad)	10
Support if it controls the population	6
It is within the state's right to regulate size	5
Reasonable compromise	5

**\* 50 pounds dressed**

# Prohibit the taking of a bear less than 75 lbs.\* - OPPOSED

**925 comments opposed (bear of any size should be open to harvest)**

NO REASON	672
Any bear should be legal to harvest	124
Management hunt, to reduce population, not a trophy hunt	114
Too difficult to determine weight	75
No biological reason (political/appease artis)	25
If you don't restrict taking of fawns, shouldn't restrict taking of cubs	18
No cubs should be killed	13
Oppose killing of bears of any size	10
Unenforceable	8

**\* 50 pounds dressed**

Prohibit the taking  
of a bear less than  
75 lbs\*

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## DISCUSSION

\*50 pound dressed weight



# Prohibit the taking of an adult bear accompanied by cubs\* - SUPPORT

**949** comments support the restriction

NO REASON GIVEN	819
Concern for cub's survival/need sow	30
Oppose the killing of bears	20
Management hunt	17
Listen to biologists	10
Cubs can survive on their own	8
Common practice, other states don't allow	7
Unethical	6
Good PR	6
Difficult to determine weight	5
Hunter may not see cubs	5

\* Cubs – less than 75 pounds live weight or 50 pounds dressed



# Prohibit the taking of an adult bear accompanied by cubs\* - OPPOSED

**613** comments oppose the restriction (+ 4,857 postcards)

NO REASON GIVEN	411
Cubs can survive without their mothers by the time of the hunt	40
Any bear should be legal to harvest, purpose is to manage /control the population.	28
This is a management hunt, population control not a trophy hunt	26
The breeders are exactly the bears that should be targeted	18
Population needs to managed, too many bears	16
No biological, scientific reason for this	14
Adults are not always accompanying the cubs and can be harvested without that being known and appear after the shot, sets up hunter for potential violation	14
Very hard to enforce	13
Opposed to hunting of any bears	10

\* Cubs – less than 75 pounds live weight or 50 pounds dressed

Prohibit the taking of  
an adult bear  
accompanied by  
cubs\*

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## DISCUSSION

\* Cubs – less than 75 pounds live weight or 50 pounds dressed



# Prohibit taking of a bear within 300 ft. of a baited area - **SUPPORT**

**676** comments support the restriction

No Reason Given	560
Cleaner ethical shots	37
Bait is an effective hunting method to reduce/manage population	19
Easier to determine size of bear and if it is with cubs	14
Opposed to baiting	13
Bait is necessary for selective harvests	13
Management hunt therefore no restrictions on bait	9
Opposed to hunt	8
Bait is allowed for other wildlife, why not bear?	5
Other states allow hunting over bait, why not NJ?	5

# Prohibit taking of a bear within 300 ft. of a baited area - **OPPOSED**

**1,440** comments oppose the restriction (+ **4,857** postcards)

No Reason Given	955
Baiting allows for closer proximity to bear for safer, cleaner, more ethical, and more humane shot (fewer wounded)	164
Restriction will reduce effectiveness of hunt, bait necessary for management	145
Successful tool/ proven strategy	117
Difficult to judge age and size of bear, or if the adult is with cubs (counter productive to other restrictions)	103
Should be consistent with deer baiting	55
Allowed in other states/provinces	28
Oppose all baiting and hunting	22
Why restrict a management, conservation, population reduction hunt	20
All prior hunts used bait within 300 ft with no adverse effects. It is ethical and poses no risks.	18
Archery concern	18


**Prohibit** taking of a black bear or have in their possession or control any firearm, or other weapon of any kind **within 300 feet of a baited area.**

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## **DISCUSSION**





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- A black bear is shown in a forest setting, looking towards the camera. The background is filled with green and yellow foliage, suggesting an autumn or early spring environment. The bear is standing on a path or clearing, with its body angled slightly to the right but its head turned back to look at the viewer.
- Prohibit the taking of bears under 75 pounds
  - Prohibit the taking of adult bear accompanied by cubs
  - Prohibit the taking of a bear within 300 ft. of a baited area
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**PUBLIC COMMENT**

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- A black bear is shown in a forest setting with autumn foliage. The bear is standing and looking towards the camera. The background is filled with trees and plants in shades of green, yellow, and orange.
- Prohibit the taking a bear less than 75 pounds.
  - Prohibit the taking of an adult bear accompanying cubs (under 75 pounds).
  - Prohibit the taking of a black bear or have in their possession or control any firearm, or other weapon of any kind within 300 feet of a baited area.
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## MOTIONS

Prohibit the taking  
of a bear less than  
75 lbs\*

**MOTION**

\*50 pound dressed weight



Prohibit the taking of  
an adult bear  
accompanied by  
cubs\*

## **MOTION**



\* Cubs – less than 75 pounds live weight or 50 pounds dressed



Prohibit the taking of a black bear or have in their possession or control any firearm, or other weapon of any kind within 300 feet of a baited area.

## **MOTION**



# OUTSIDE THE SCOPE

Early season/archery season	17	CBBMP should be valid for 10 years	1
Spring hunt	12	Open for entire state, not just special zones	1
Extend Season	4	Give 1 bear tag per season	1
Run concurrent with Deer	4	CBBMP should not be allowed to expire	1
Allow hunting over bait	4	Reduce bait distance restriction possible 100 ft. due to light harvest	1
Spring hunt w/muzzleloader	3	Compensate butchers to butcher bears and provide to the hungry	1
Legalize bear spray	3	Would like to see bear hunting expanded to Fairfield	1
Extend Archery Season	2	Increase cost of permit to \$50 then reduce number of permits - put back in mgmt., habitat and education	1
Permit Valid Oct thru Six-day firearm	1	Hunt in October and November when bears are out	1
Large caliber rifle	1	Straight-walled cartridges should be allowed for taking of bear and deer	1
Should be unlimited harvest	1	December hunt should be one week earlier	1

# NJ REGISTER RULEMAKING SCHEDULE

Publication Day	Adoption Deadline
August 21	July 28 (Friday)
September 5 (Tuesday)	August 11 (Friday)
September 18	August 24 (Thursday)
October 2	September 8 (Friday)
October 16	September 21 (Thursday)
November 6	October 13 (Friday)
November 20	October 25 (Wednesday)
December 4	November 9 (Thursday)