NATURAL AND HISTORIC RESOURCES

DIVISION OF FISH AND WILDLIFE

FISH AND GAME COUNCIL

Game Code

Black Bear (Ursus americanus)

Adopted Amendments: N.J.A.C. 7:25-5.6 and 5.24

Proposed: May 18, 2015, at 47 N.J.R. 929(a).

Adopted: October 20, 2015, by the Fish and Game Council, Dave Burke, Acting Chair.

Approved: October 20, 2015, by Bob Martin, Commissioner, Department of Environmental

Protection.

Filed: October 21, 2015, as R.2015 d.173, with non-substantial changes not requiring

additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 13:1B-28, 13:1B-29 et seq., and 23:1-1 et seq.

DEP Docket Number: 04-15-04.

Effective Date: November 16, 2015.

Operative Date: November 21, 2015.

Expiration Date: June 12, 2021.

The Fish and Game Council (Council) is adopting amendments at N.J.A.C. 7:25-5.6 and 5.24. The Council is also adopting a new New Jersey Comprehensive Black Bear Management

NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. Policy (CBBMP) at N.J.A.C. 7:25-5.6 Appendix, which the Commissioner of the Department of Environmental Protection (Department) has approved.

The Game Code (Game Code or Code), N.J.A.C. 7:25-5, states when, under what circumstances, in what locations, by what means, and in what amounts and numbers, game birds, game animals, and fur-bearing animals may be pursued, taken, killed, or had in possession. Since the early 1900s, the Game Code has provided a system for the protection, propagation, increase, control, and conservation of game birds, game animals, and fur-bearing animals in this State, and for their use and development for public recreation and food supply. Biennial revision of season opening and closing dates, bag limits, and other regulations based on scientific investigation and research ensures the greatest likelihood of success in reaching these goals.

The CBBMP is a compilation of the Council's black bear preservation and management goals, the various means by which the preservation and management goals may be accomplished, and the factors to be considered in determining which means should be implemented to achieve those goals. The CBBMP includes several integrated tools to accomplish these goals, such as research and monitoring, non-lethal and lethal control of problem bears, public education on coexisting with bears, law enforcement to reduce human/bear conflicts, and a controlled hunt.

The proposed amendments were published in the New Jersey Register at 47 N.J.R. 929(a) on May 18, 2015. The comment period closed July 17, 2015. Additional notice was sent by email to the news media maintaining a press office in the State House Complex as well as to a Statewide list of newspapers and news outlets. Notice of the proposal and the proposal itself was posted on the Department and the Division of Fish and Wildlife (Division) websites, and sent out NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. through Department and Division listservs. Additional notice was also provided by posting copies of the rule proposal, including summaries of the amendments and notice of the public hearing, in five Division field offices, mailing copies of the rule proposal to interested organizations and persons upon request, and reviewing the proposed amendments at county and State meetings of the Federation of Sportsman's Clubs.

Summary of Hearing Officer's Recommendation and Agency Response:

The Council held a public hearing on June 2, 2015, at the New Jersey State Museum, 205 West State Street, Trenton, New Jersey. A total of 29 individuals registered and 21 people presented oral comments. Carole Stanko, Acting Chief of the Bureau of Wildlife Management, Division of Fish and Wildlife, acted as hearing officer. The hearing officer recommended that the Council and the Department adopt the proposed amendments to the Game Code and the CBBMP with non-substantial changes as summarized below.

A public meeting was held on August 11, 2015, at the Division's Central Region Office, One Eldridge Road, Robbinsville, New Jersey, at which time the Council, after having considered the testimony from the June 2, 2015, hearing and written comments received during the comment period, adopted the Game Code and the CBBMP. The CBBMP has been approved by Department Commissioner Bob Martin. A copy of the record of the public hearing is available for inspection in accordance with applicable law by contacting:

Office of Legal Affairs

ATTENTION: DEP Docket Number: 04-15-04

Department of Environmental Protection

401 East State Street, 7th Floor

Mail Code 401-04L

PO Box 402

Trenton, New Jersey 08625-0402

Summary of Public Comments and Agency Responses:

The following 1,734 commenters submitted comments, either written, oral, or through the

Division's website, concerning the Game Code and the CBBMP at N.J.A.C. 7:25-5.6 and 5.24:

- 1. Rena
- 2. William Abbott
- 3. Samer Abraham
- 4. Rebecca Abrishami
- 5. Ed Ackerman
- 6. Shelley Adams
- 7. Seth Adler
- 8. Alisa Adobajor
- 9. Vilya Ageeva
- 10. William Ahern
- 11. Loretta Aja
- 12. Wale Akande
- 13. Dawn Albanese
- 14. Nicole Albert
- 15. Sherri Albrecht
- 16. Grant Aleksander
- 17. Diane Ali
- 18. Carole Allamand
- 19. Jennifer Allegretto
- 20. Susan Allen
- 21. Diane Allex
- 22. Rae Ann Allex
- 23. Barbara Allison
- 24. Irene Almeida
- 25. Les Alpaugh, Society of American Foresters
- 26. Ingrid Alpha
- 27. Anthony Altamura
- 28. Suja Alum
- 29. Michael Amberger

- 30. Richard Amon
- 31. Maria Amsden
- 32. Gretchen Andersen
- 33. Bev Anderson
- 34. Randall Anderson
- 35. Theresa Anderson
- 36. Yvonne Anderson
- 37. Raksha Andreassen
- 38. Michael Angelone
- 39. Laura Anise
- 40. Karan Anton
- 41. Patty Antonucci
- 42. Gary Anzelmo, Sr.
- 43. Kathy Aprile
- 44. Anthony Aquino
- 45. Jill Aquino
- 46. Maria Aquino
- 47. Donna C. Arcaro
- 48. Leigh Archambeau
- 49. Janet Arendas
- 50. Sandra Arthur, All Wildlife Conservations Groups
- 51. Thomas Artin
- 52. Phyllis Asay
- 53. Mary Asbury
- 54. Krys Ash
- 55. Marianne Ashe
- 56. Holly Ashenfelter, Sierra Club, New Jersey Chapter
- 57. David Ashton
- 58. Debra Ashton
- 59. Denise Assante
- 60. Arlene Aughey
- 61. Sean Augustyn
- 62. Gerry Aungst, United Bow Hunters of NJ
- 63. Candi Ausman
- 64. Jose Avetikyan
- 65. Peter B.
- 66. Rose B.
- 67. Scott L. Bach
- 68. Mir Bahmanyar
- 69. Kathleen Bahri
- 70. Lisa Bailey
- 71. Irena Baird
- 72. Robert Balance

- 73. Susan Balik
- 74. Bruce Bamond, United Bow Hunters of NJ
- 75. Sandra Bandov
- 76. Leo Bankowski
- 77. Mark Bankowski
- 78. Elizabeth Banwell
- 79. Eric Baratta
- 80. Sherrill Barbary
- 81. Randy Barclay
- 82. Brett Barkman
- 83. Erika Barkman
- 84. Ruth Barron
- 85. Debbie Barry
- 86. Todd Bartolomeo
- 87. Louise Barton
- 88. Maria Basham
- 89. J. Basile
- 90. Beth Ann Bates
- 91. Tom Beatini
- 92. Carol Beauparlant
- 93. Elisabeth Bechmann
- 94. William Bechtel
- 95. Elaine Becker
- 96. Renee Becker
- 97. Gladys Bedford
- 98. Carol Bene
- 99. Carol & William Bene
- 100. Gina Benevento
- 101. Scott Benintente
- 102. James Benko
- 103. Martha Bennett
- 104. Robert Bennett
- 105. Kristin Bentzen
- 106. Debbie Benvenuto
- 107. Tammy Benvenuto
- 108. Maria Benz
- 109. Lisa Berg
- 110. Wendy Berg
- 111. Cynthia Bergstein
- 112. Gary Berkowicz
- 113. Karen Berman
- 114. Ellen Bernardino
- 115. Beth Berniker

- 116. David Bernosky
- 117. Doug Bertrand
- 118. William Betar
- 119. Gary Bettum
- 120. Liliane Beutin
- 121. Brooke Biedermann
- 122. Annie Bien
- 123. Raymond Bilar
- 124. Deborah Binns
- 125. Kut Biroc
- 126. Maryjo Birrittieri
- 127. Mary Bissell
- 128. Christine Bistis
- 129. Jack Bitz
- 130. Sue Black
- 131. A Blackstock
- 132. Mary Blackstock
- 133. Donna Blair
- 134. Julian Blau
- 135. Ellen Bloom
- 136. Timothy Blum, NJ Chapter NWTF
- 137. Ross Bockbrader
- 138. Paul Bogacki
- 139. Michael Bogan
- 140. John Boily
- 141. Janet Bolasci
- 142. Brian Boles
- 143. Constance Bolzan
- 144. Joseph J. Bonadio II
- 145. Maureen Bonner
- 146. Jane Books
- 147. Jennifer Books
- 148. Judy Books
- 149. Carol Borazza
- 150. Fred Borchert
- 151. Janet Borinsky
- 152. Ruth Boroshok
- 153. Martha Borowyk
- 154. Marty Bostic
- 155. Gail Boterus
- 156. Ricky Botti
- 157. Patricia Boud
- 158. Robert Bowden

159. Mike Bowie

- 160. Joann Bowman
- 161. Sharon Boxley
- 162. John Boyce
- 163. Chris Bozowski
- 164. Lorraine Brabham
- 165. Ann Bradley
- 166. Julia Bramwell
- 167. Paula Brandino
- 168. Mike Brandt
- 169. Randy Brehne
- 170. Gene Brennan
- 171. Jared Brenner
- 172. Lynn Brenner
- 173. Karen Breny
- 174. Judy Brizzolara
- 175. Stacy Brockbrader
- 176. Andrea Brodde
- 177. Thomas A. Brodhecker, Farmer
- 178. Debra Broski
- 179. Christine Brown
- 180. Diane Brown
- 181. Jackie Brown
- 182. John Brown
- 183. Matthew Brown
- 184. Geoff Browne
- 185. Barbara Brusco
- 186. Joyce Bryson
- 187. Shelley Bubis
- 188. Cynthia Buchanan
- 189. Helen Buchanan
- 190. Caroline Bucquet
- 191. Jean Bucquet
- 192. Beverly Budz
- 193. Stacy Bueno
- 194. Peter R. Buist
- 195. Eric Bunk
- 196. James Burg
- 197. Patricia Burke
- 198. Michelle Burns
- 199. Ross Burns
- 200. Sue Burns
- 201. Phoebe Burnstein

202. Jane Buscemi

- 203. Anouk Busch
- 204. M. Busch
- 205. Taylor Bush
- 206. Betty Butler
- 207. David Butler
- 208. Michael Buynie
- 209. Ken Bzik
- 210. S. C.
- 211. Sylvie C.
- 212. Stephanie Cabrera
- 213. Angel Cadme
- 214. Debbie Caggiano
- 215. Andrea Cahill
- 216. Lynne Cahill
- 217. Heather Calhoun
- 218. Jonna Cali
- 219. Christopher Calise
- 220. Sharon Callahan
- 221. Donna Callegari
- 222. Wayne Callow
- 223. Marc Calman
- 224. Heather Cammisa, St. Huberts Animal Welfare Center
- 225. Caitlyn Campbell
- 226. Annamarie Camporeale
- 227. Jessica Caneal
- 228. Shirley Cannella
- 229. Valerie Capezzuto
- 230. Sharon Cappuccio
- 231. Odelta Carbonell Renna
- 232. Frank Carey
- 233. Eric Carlson
- 234. Rita Carney
- 235. Dolores Carpenter
- 236. Linda Carroll
- 237. Debbie Carson
- 238. Glenn Carson
- 239. Elizabeth Carter
- 240. Lauren Carucci
- 241. Jim Caruso
- 242. Jim Caruso
- 243. Janell Casciano
- 244. Jeanette Casciano

- 245. Sandra L. Cassetta
- 246. Rachel Castelino
- 247. Dana Castro
- 248. Peggy Catalina
- 249. Paul Catania
- 250. Mary Ann Cavallaro
- 251. June April Cavana
- 252. Courtney Cavanaugh
- 253. Figen Ceceli
- 254. Joan Cehak
- 255. Michele Celebre
- 256. Andrew Cerria
- 257. Pat Cerria
- 258. Kim Cervino
- 259. Deborah Chaiken
- 260. John Chan
- 261. Karen Charette
- 262. Tiffany Charinskas
- 263. Tara Chase
- 264. Theresa A. Chepurny
- 265. Gary Cheski
- 266. Michael Cheski
- 267. Rita Chesterton
- 268. Chembo Chi
- 269. Angelojohn Chianese
- 270. Miriam Chisholm
- 271. Maryanne Christiano-Mistretta
- 272. Bruce Christman
- 273. Sean Christopher
- 274. Winnie Chung
- 275. Jeri-Ann Ciampa
- 276. Denise Ciardi
- 277. Steven & Jennifer Cicardo
- 278. Merrilee Cichy
- 279. Sal Ciurleo
- 280. Douglas Clark
- 281. Tammie Clark
- 282. Denise Clarke
- 283. Billie Close
- 284. Diana Cluff
- 285. Christine Coari
- 286. Esther Cochrane
- 287. Dorothy Cohen

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331. Mike Crane

- 332. J. C. Cranford
- 333. Jennifer Crecelius
- 334. Fran Crivellone
- 335. Mel Crowther
- 336. Anthony Cudmo
- 337. Ivan Cuevas
- 338. Karen Cummings
- 339. Joyce Cuomo
- 340. Rick Curley
- 341. Thomas Curran
- 342. Dorothy Cuthbertson
- 343. Elaine Cuttler
- 344. Ewa Czyzewska
- 345. Cheri D.
- 346. Liz D.
- 347. Joshuah Dacosta
- 348. Assad Daibes
- 349. Michelle Dail
- 350. Melanie Daleo
- 351. Mike D'Angelica
- 352. Marie D'Anna
- 353. E. Dantuono
- 354. Antonella Dasilva
- 355. William Davis, Jefferson Sportsmen Club
- 356. Dee Dawson
- 357. Jilene Day
- 358. Eric De Jong, UBNJ, NRA, NJSFSC
- 359. Maria De Stefano
- 360. Ron De Stefano
- 361. Phyllis Deal
- 362. Linnea Dearing
- 363. Steve Debeus
- 364. Alicia Deblasio
- 365. Christopher Deblasio
- 366. Donald Deblock
- 367. Kevin Decie
- 368. Kim Decore
- 369. Marybeth Decostanzo
- 370. Regina Defalco Lippert
- 371. John Defilippo
- 372. Laura Dehaven
- 373. Nick Del Sontro

- 374. Denise Deleo
- 375. Diana Delgado
- 376. Michael Delozier
- 377. Mathew Delrusso
- 378. Megan Deluca
- 379. Gennaro Delucia
- 380. Marie Demarais
- 381. Carolyn Demarco
- 382. Joseph Demarco
- 383. Nick Demos, California Artists Agency
- 384. Tara Dente
- 385. Bruce & Maureen Denunzio
- 386. Jenny Depalt
- 387. Michael Depompe
- 388. Mary Derengowski
- 389. Susan Derise
- 390. Karen Derringer
- 391. Paul Desics
- 392. Sandra Desiderio
- 393. Sarah Desousa
- 394. James Destephano
- 395. Linda Deutsch
- 396. Kathleen Devereaux
- 397. Gary Devine, Field & Stream Website
- 398. Jeffery Devine
- 399. Valerie Devine
- 400. William J. Devine, Carpenter Millwright
- 401. Jeane Devries
- 402. Maria Dewey
- 403. Lynn Diakogiannakis
- 404. Nichole Diamond
- 405. Leticia Diaz
- 406. Laura Dickey
- 407. Robert Dickman
- 408. Nick Diguilio
- 409. Carmine Dileo
- 410. George Dimitrakakis
- 411. Marayah Dimondi
- 412. Mariel Dimondi
- 413. Carmen Dinescu
- 414. Vanessa Dinuzzo
- 415. Diane Diorio
- 416. Edward Ditolla

- 417. Erika Divivo
- 418. Eric Dlugosz
- 419. William Doan
- 420. Graham Docwra
- 421. Archana Doddi
- 422. Gene Doebley
- 423. Brian Dolch
- 424. Sean Donovan, UBNJ
- 425. Edward Dooling
- 426. Dawn Dooriss
- 427. Darren Doran
- 428. Leverne Doran
- 429. Sean Dorward
- 430. Pat Dosky
- 431. Lisa Douglass
- 432. Chris Dowling
- 433. Jennifer Downing
- 434. Paris Downing
- 435. Cheryl M. Drach
- 436. Mark Dreyfus
- 437. Susan Dubin
- 438. Reed Dubow
- 439. Patrice Duffy
- 440. Kris Dufosse
- 441. Kristin Dufosse
- 442. Anne Duhaime, Former Mayor
- 443. Shirl Dujack
- 444. Lorraine Dumas
- 445. Donna Duncan
- 446. Elaine Dunn
- 447. Donna Duran
- 448. Darlene Dynega
- 449. Brian Eastman
- 450. Margaret Eberbach
- 451. Gonenc Eddy
- 452. Kenneth S. Eder
- 453. Mike Edley
- 454. Debbie Efron
- 455. Helen Egan
- 456. Robert Egan
- 457. Robin Egbert-Kohere
- 458. Lisa Ehrhart
- 459. Karen Eicholtz

- 460. Richard Einstein
- 461. Lola Elliott
- 462. Joyce Ellis
- 463. Lynne Elson
- 464. Steve Ember
- 465. Walter Endlicher
- 466. Aimee Eng
- 467. Erin Engenhart
- 468. Sarah Englestein
- 469. Daniel English
- 470. Jesse Eriksen
- 471. Raymond Eriksen
- 472. Robert Eriksen
- 473. Susan Eriksen
- 474. Kevin Eskow
- 475. Robert Eskow, United Bowhunters of New Jersey
- 476. Rita Esposito
- 477. Tiina Esposito
- 478. Nicole Evaul
- 479. Paul Ezzo
- 480. Alex Faber
- 481. Clara Fahy
- 482. Diana Fair
- 483. David Falandys
- 484. Nicole Falkowitz
- 485. Fred Fall
- 486. Gabriele Fall
- 487. Karen Fanale
- 488. Susan Fanning
- 489. Linda Fante
- 490. Danielle Faraldo
- 491. Leslie J. Farer
- 492. Selma Farer
- 493. Linda C. Farrell
- 494. Timothy Farrell
- 495. Beau Fazio
- 496. Dino Fazio
- 497. Kevin Fee
- 498. Linda Feitell
- 499. Patricia Felice
- 500. Adam Felton
- 501. Laura Fennimore, B.E.A.R
- 502. Steven Fenster

- 503. Robert Fentzlaff
- 504. Kari Ferguson
- 505. Pauline Ferguson
- 506. Franklin Ferrara
- 507. Robert Ferrara, Timberline Outdoorsman
- 508. Luis Ferreira, United Bow Hunters
- 509. Jeanne Ferrell
- 510. Elena Marie Fetch
- 511. Donna Feuss
- 512. Paul R. Fibraio
- 513. Paul Fibraio, Jr.
- 514. Suzanne Ficara
- 515. Carrie Fichat
- 516. David Fier
- 517. Ronald Finch
- 518. Robert Findlay
- 519. Anthony Finno
- 520. Maureen Fiore
- 521. Amy Fischer
- 522. Dara Fischer
- 523. Janice Fisher
- 524. Sydney Fisher
- 525. Tim Fisher
- 526. Robert Fitch
- 527. Deborah Fitzgerald
- 528. Michael Fleetwood
- 529. Julie Fleiser
- 530. Al Florio
- 531. Cathy Flum
- 532. Sally Flynn
- 533. Vanessa Folleco
- 534. Laura Fonde
- 535. Joanne Forbes
- 536. Denise Force-McElheron, Advocated for Animal Rights
- 537. Stella Formanek
- 538. Tiffany Formilan
- 539. Rebeca Four
- 540. Alvaro E. Fouves
- 541. Jeanne Fox
- 542. Stephen Fox, UBNJ Member
- 543. Dawna Francis
- 544. Elizabeth R. Franck
- 545. Matthew Franck

546. Janice Fredericks, God's Creatures Ministry

- 547. Doreen Frega
- 548. Joy Fregonese
- 549. Michael Fremgen
- 550. Michelle French
- 551. Kenneth Frenette
- 552. Frank Freschet
- 553. Wilma Frey
- 554. Adria Friedman
- 555. Bruce Fritzges
- 556. John Fromholtz
- 557. Elissa Fudim
- 558. Randolph Fulgham
- 559. Randy Fulgham
- 560. Laura Furman
- 561. John Gaines
- 562. Edwina Gaiser-Marchev
- 563. Barbara Galek
- 564. Marybeth Galfo
- 565. Apolinia Galie, NJ State Federation of Sportsmens Clubs
- 566. Jill Gallager
- 567. Ana Galvan
- 568. Linda Galvan Nonw
- 569. John Galvin
- 570. Janet Garay
- 571. Phylene Garbasz
- 572. Julie Garber
- 573. Santos Garcia, Jr.
- 574. Erika Gardner
- 575. Jeffrey Gardner
- 576. John Gardner
- 577. Brooks Garrison, NJOA
- 578. Jennifer Gatto
- 579. Louis Gauci
- 580. Phyllis Gaudenzi
- 581. Stephen Gaughan
- 582. Janine Gavin
- 583. Yun Ge
- 584. Peter Geidel
- 585. Yvonne Gerber
- 586. Nicholas Giacobe
- 587. Lauren Gibbs
- 588. Patricia Gibson

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674. Kate Hart

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717. Cheryl Hopkins

- 718. Sarah Horan
- 719. Gurdon Hornor
- 720. Deanna Horton
- 721. M. Horton
- 722. George Horvath, Sierra Club
- 723. Cathleen Hothersall, Animal Protection League of NJ
- 724. Don Howering, NJ Bowhunters
- 725. Mark Hrab
- 726. Donna Huber
- 727. John Hudzina
- 728. Dawn Huff
- 729. Bryce Hugelmeyer
- 730. George Hugerich
- 731. Janet Hunter
- 732. Jeffrey Hunter
- 733. Linda Hurd
- 734. Florence Iannantuano
- 735. Eileen Ingoglia
- 736. Ray Ippolito
- 737. Jim Ipsale
- 738. Teresa Ipsale
- 739. Sheela S. Iyer
- 740. Mark Jackson
- 741. Shannon Jacobs
- 742. Carol Jagiello
- 743. Anne Jamieson
- 744. Roberta Janasz-Nagle
- 745. Kelly Janocko
- 746. Gayle Janzen
- 747. Rosiland Jaussi
- 748. Dot & Ted Jedzeniak
- 749. Donna Jenkins
- 750. Stanley Jermanowski
- 751. Harriet Jernquist
- 752. Mike Jessie
- 753. William Jimeno
- 754. Lois Jobeless
- 755. Erica Johanson
- 756. Kenneth Johanson
- 757. Karol Johnson
- 758. Scott Johnson
- 759. Wayne Johnson, Ph.D.
- 760. Laura Jolliffe

- 761. Elizabeth Jonach
- 762. Kenneth Jonach
- 763. Clarissa Jonas
- 764. Robert Jonas
- 765. Dale Jones
- 766. Eileen Jones
- 767. Karen Jones
- 768. Laurie Jordan
- 769. Ann K.
- 770. Anna K.
- 771. Brigitta Kahn
- 772. Chris Kailath
- 773. John Kalantsis
- 774. Max Kaliczynski
- 775. Steven Kallesser
- 776. Anne Kaminski
- 777. Joseph Kaminski
- 778. Ashley Kantor
- 779. Isabelle Kaplan
- 780. Michael Kaplan
- 781. Gerri Kappler
- 782. Lourdes Karatz
- 783. Ed Karecki, Middlesex County Federation
- 784. Edward Karecki
- 785. Edward Karecki, Jr.
- 786. France Karras
- 787. Carol Kaslander
- 788. Janet Katz, NJ Beekeepers Association
- 789. Linda Kay
- 790. Virginia Kay
- 791. Joan Kayser
- 792. Bill Kazawic
- 793. Lisa Kazmier
- 794. Kathy Keating
- 795. Kayleigh Keating
- 796. Vicki Keehner
- 797. Dyana Keen
- 798. Janis Keller
- 799. Lauren Kelley
- 800. Kris Kelly
- 801. J. C. Kemmerer
- 802. Erin Kemsuzian
- 803. Bob Kennedy

804. Lisa Kennedy 805. Terance Kenny 806. Mary Ann Kent 807. Wendy Kerekes 808. Kym Kerstein 809. Igor Khomyakov 810. Nicholas Kides 811. Donna Kiely 812. Jerry Killeen 813. Daniel Kim 814. William Kim 815. Gene King 816. Peggy King 817. Eva Kiraga 818. Max Kirchner 819. Julie Kirsh 820. Elizabeth Klapacz 821. Elizabeth Klapacz 822. Eugene Klapacz 823. Steven Knebl, Jr. 824. Andrei Knight 825. Emma Kobes 826. L. Koch 827. Anna Kolovou 828. Tatyana Komin 829. Eddie Konczal 830. Konrad Kondratowicz 831. Maureen Koplow 832. Linda G. Koske 833. John Kotys 834. Dan Koval 835. Daniel Koval 836. Peter Krabashian, NJOA, NJ Federation of Sportsman 837. Mark Kramarz 838. Urszula Kraszenska 839. Doug Krause 840. Lynn Krause 841. Michael Krawchuk 842. Karen Krieger 843. Jacqui Krimsky 844. Juli Kring 845. Danielle Krukas

846. Linda Kruzelnick

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889. Rich Lepes

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946. Julie Madsen 947. Kaya Maggio

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953. Sally Malanga

954. Heather Mallery

955. Barbara Mallon

956. Don Mamchur

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958. Jerome M. Mandel

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963. Dennis Marchioni

964. Dorothy Marciano

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966. Ellen Margraff

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968. Sharon Marienski

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1019. William Meima

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- 1022. Keith Mela
- 1023. Mary Ellen Meli
- 1024. Dennis Melillo
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- 1026. Richard Melton
- 1027. Ellen Mendelsohn
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- 1029. Eduardo Menegazzo
- 1030. Billie Mercandante
- 1031. Rosario Mercandante
- 1032. Ani Merci
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- 1034. Ryan Messina
- 1035. Angi Metler, Bear Education And Resource, League of Humane Voters
- 1036. Megan Metzelaar
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- 1038. Barbara Metzler
- 1039. Gottfried Metzler
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- 1107. Gerard Natale
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- 1112. Shawn Nelson
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- 1116. William Newsome, United Bowhunters of NJ
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- 1119. Esther Niedweske
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- 1122. Susan Nimchick
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- 1124. Elizabeth Noren
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- 1130. Rick O'Brien
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- 1140. Ludmilla Olesnicky
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- 1145. Louis Onori, Goose Pond Sportsman Club, Burlington Federation
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- 1147. Erica Oppenheim

1148. Lizette Ord 1149. Harriet Ordan

1150. Ryan Ordemann, U.S. Army

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- 1156. Carla Ortiz
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- 1158. Catherine Ottilio Maggio
- 1159. Jeanne Out
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- 1161. Robert Oxfurth
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- 1175. P. J. Parker, Franklin Reporter & Advocate
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- 1209. Wayne Picun
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- 1211. Anna Pinadella
- 1212. Annamaria Pinadella
- 1213. Jill Piperno
- 1214. Janet Piszar, Public Trust Wildlife Management
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- 1216. Eric Plath
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- 1219. Beth Polera
- 1220. Karen Poli
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- 1231. Al Porter
- 1232. Patricia Porter
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- 1234. Alison Potenzone
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- 1236. Chad Potenzone
- 1237. Joanne Potenzone
- 1238. Kathy Potenzone
- 1239. Mary Jean M. Potenzone
- 1240. O. Potenzone
- 1241. Kyle Potten
- 1242. Marie Potter
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- 1244. Melissa A. Prescott
- 1245. George Prevete
- 1246. Steve Preziosi
- 1247. Suzanne Prezioso
- 1248. Amy Priest
- 1249. Bob & Carol Primiano
- 1250. Thomas Prisk
- 1251. Inna Prodan
- 1252. Brian Prudden
- 1253. Irene Przybysz
- 1254. Fernando Pueblo
- 1255. Loretta Puleo
- 1256. Elissa Pulizotto
- 1257. Robert Purn
- 1258. Geraldine Puso
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- 1260. Joseph Quinn
- 1261. Mike Quinn
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- 1265. John Rancich
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- 1267. Mary Rangesola
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- 1270. Steven Rasimowicz
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- 1272. Justin Rauch
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- 1275. Janet Redyke
- 1276. Janet & Wayne Redyke

- 1277. Ella Reeves
- 1278. Robin Regenburgh
- 1279. Catherine Reilly
- 1280. Mike Reilly
- 1281. Deborah Rein
- 1282. Rose Reina Rosenbaum
- 1283. Rose Reina-Rosenbaum, Coalition for Animals
- 1284. John Reiner
- 1285. Anthony Renna
- 1286. Bruce Revesz
- 1287. Jesse Reyes
- 1288. Maritza Reyes
- 1289. Sandra Reynolds
- 1290. Kim Riccardi
- 1291. Stephen Richter
- 1292. Sandra Riddick
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- 1295. Jay Riesenman
- 1296. Noelle Riesenman
- 1297. Alex Riley
- 1298. Holly Rist
- 1299. Randy Ritzer
- 1300. Gail Rivell
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- 1302. Carol Rivielle, The League of Humane Voters
- 1303. Schulz Robert
- 1304. Anne Roberts
- 1305. Erik Roberts
- 1306. Bert Robinson
- 1307. Joyce Robinson
- 1308. Loren Robinson
- 1309. Jessica Rocheleau
- 1310. Erin Rodema
- 1311. Cory Rodrigues
- 1312. Anthony Rodriguez
- 1313. Ron Roedema
- 1314. Donna Roff
- 1315. John J. Rogalo, Picatinny Rod & Gun
- 1316. John R. Rogalo, NJSFSC
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- 1318. Mike Roman
- 1319. Bruce Roop

- 1320. Sharon M. Rose
- 1321. Samantha Rosenbaum
- 1322. Anthony Roskowsky
- 1323. Kevin Ross
- 1324. Joan Rossignol
- 1325. Linda Rossin
- 1326. Susan R. Rothermel, UBNJ
- 1327. Nicole Rousseau
- 1328. Gary Roussos
- 1329. June Roussos
- 1330. Jim Rowley
- 1331. Robert Roy
- 1332. Patricia Ruby Bachmann
- 1333. Da Ruderman
- 1334. Paul Ruderman
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- 1337. Kirk Russell
- 1338. Arthur Russo
- 1339. Marcella Russo
- 1340. Mari Rust
- 1341. Maria Rutkowski
- 1342. Michael Ruts
- 1343. M. Diane Ryan
- 1344. Nicole Sabatello
- 1345. Jennie Sabato
- 1346. John Sabin
- 1347. Julie Sacco
- 1348. Brooke Sachar
- 1349. Barbara Sachau
- 1350. Thomas Saley
- 1351. Marylis A. Saltzmann
- 1352. Jennifer Sammut
- 1353. Linda Sampson
- 1354. Henry Sanchez
- 1355. Ashley Sands
- 1356. Nicholas Sands
- 1357. Mary Sanfilippo
- 1358. Jacqueline Sanson
- 1359. Daimon Santa Maria
- 1360. Maggie Santiago
- 1361. Frank Santora
- 1362. Nancy Santorella

- 1363. Neil Santorella
- 1364. Ilda Santos
- 1365. Phyllis Sargentelli
- 1366. Raymond Sarinelli
- 1367. Judy Sarnicola
- 1368. Karen Sarrow
- 1369. Marion Satterthwaite
- 1370. David Sauder
- 1371. Bonnie J. Sauter
- 1372. Harold Scaff
- 1373. James Scaglione
- 1374. Lauren Sceusi
- 1375. George Schaberg
- 1376. Janine Schaeffer
- 1377. William Schaper, UBNJ
- 1378. Kathleen Schatzmann, Humane Society of the United States
- 1379. Clifford Schauble
- 1380. Laura Schauble
- 1381. John Scheri
- 1382. Jessie Scherr
- 1383. Maureen Schiener, info@animalswny.org
- 1384. Elise Schlosser
- 1385. Carol Schluter
- 1386. Krista Schmid
- 1387. Kelley Schofield
- 1388. Karen Schraeger
- 1389. Judy Schreiber
- 1390. June Schreiber
- 1391. Vera Schreuders
- 1392. Linda Schroeder
- 1393. Robert P. Schroeder
- 1394. Joseph Schwab
- 1395. Ariel Schwalb
- 1396. Jack Schwartz
- 1397. Jan Schwartz
- 1398. Jessica Schwarz
- 1399. Louis Schwarz
- 1400. Anita Schweizer
- 1401. Glenn Schweizer
- 1402. Pat Scillia
- 1403. Joseph Scillieri, NJOA, Pheasants Forever, NRA
- 1404. George Scott
- 1405. Roger W. Sedmont, Independent

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1448. Andrey Slutskiy

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- 1494. Michael Stewart
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- 1496. Stephen Stewart
- 1497. Robert L. Stickel
- 1498. Judith Stier
- 1499. Gail Stock
- 1500. John Stone
- 1501. Gail Stoughton
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- 1503. Deborah Strano
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- 1506. Pamela Sturt
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- 1511. Judith Sullivan, Ramapough Conservancy, Inc.
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1576. John Turanyi

1577. Antoinette Turi

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- 1621. Margaret Vietri
- 1622. Sam Vigorito
- 1623. Donna Violini
- 1624. Jeff Voorhees
- 1625. Victoria Voorhees
- 1626. Jeannette Vreeland
- 1627. Mollie Vreeland
- 1628. Tracey Waddelow
- 1629. Aamod Wagh
- 1630. Gitu Wagh
- 1631. Rhea Wagh
- 1632. Ttisha Wagh
- 1633. Bonnie Wagner-Westbrook
- 1634. Melissa Waite Stamps
- 1635. Gilbert Wald, President, Somerset Naturalists
- 1636. Stacey Walder
- 1637. Donna Waliky
- 1638. Janet Walker
- 1639. Brigitte Wallace
- 1640. Frank Wallace
- 1641. Debbie Walters
- 1642. Ryan Walters
- 1643. William Walters
- 1644. Kathleen Walton
- 1645. Cynthia Ward
- 1646. Aaron Warren
- 1647. Kim Washam
- 1648. Timothy Washer
- 1649. Bill Wasley
- 1650. Abby Wasseman
- 1651. Jeff Wasserman
- 1652. Anita Watkins
- 1653. Maryann Webber
- 1654. Kayla Weber
- 1655. Margaret Weber
- 1656. Marion Weber
- 1657. Marissa Weber
- 1658. Mary Weber
- 1659. Melissa Weber
- 1660. Kathy Wedral
- 1661. Peter Weeks
- 1662. Marilyn Wehnert
- 1663. Wendy Weiner

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1664. Marc Weiss 1665. Brooke Welch 1666. Nancy B. Welch 1667. Stacey Welsh 1668. Derek West 1669. John & Bonnie Westbrook 1670. Pat Westerfer 1671. Susan R. Westervelt 1672. Wendy Westgate 1673. Beverly Wetzel 1674. Diane Wexler 1675. Jonathan Wexler 1676. Shari Wexler 1677. Valerie White 1678. Scott Whitener 1679. Ruth Whitley 1680. Keith Wilkins 1681. Andrienne Williams 1682. Sharon Williams 1683. Sue Williams 1684. David Williamson 1685. Elizabeth Wilson 1686. Matt Wilson 1687. Loretta Windas 1688. Carla Winger 1689. E. Scott Wingerter, NJ Outdoor Alliance 1690. Brian Winkler 1691. Jess Winstanley 1692. Gary Wissen, UBNJ 1693. Victor Wittmann 1694. Greg Wlazlowski 1695. Mary Woerner 1696. Celia Wolf 1697. Jeff Wolf 1698. Roxanne Wolf 1699. Stacey Wolfe 1700. Leonard Wolgast, Rutgers, Professor Emeritus 1701. Linda Wondoloski 1702. Stacey Wood 1703. Stephanie Wood 1704. Susan Wooster 1705. Veronica Worman

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1735. The following 426 commenters submitted form letters in support of the entire CBBMP and

specifically in support of the bear hunting season at N.J.A.C. 7:25-5.6 and 5.24 indicating that: a

bear hunting season was an effective tool to control the bear population and should include

extended dates, additional weapons, and an increased bag limit; other states such as New York

and Pennsylvania have earlier-timed bear hunting seasons and utilize archery:

Kathleen Abisiconer Amir Abiskaroon Brendan Abiskarron Leanne Adams

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John P. Bruseo, Jr.

Peter Brunda

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Richard J. Culp Lisa Curiotto

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Peter Fedaczynsky David Festa

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John Hopper

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James R. Lodema

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Robert Middleton Ed Mierzejewski John E. Miller Brian Mills

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Mike Pier

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David Sapp

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Rich Tiberio

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1736. The following 5,005 commenters submitted post cards or submitted an e-mail through the Division's website with the same verbiage as the post card opposing the CBBMP and an extended bear hunting season. These commenters were generally opposed to bear hunting and

Victor Zembruski

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also indicated that: hunting would not resolve human/bear interactions; the Division's Category

system for bear behavior is flawed; non-lethal means of reducing human/bear encounters are the

only effective solution and they have never been implemented in a serious manner by the

Division:

E. A. Camila Abarca Judith Abate Lois Abate Stephen Abate Janet Abbott Michelle Abdinoor Andrew Abdul Florinne Abramowitz Jesse Abramowitz **Taylor Abrams** Gian Accetta Jerard Aceado Gloria Acevedo Martha Acevedo Katarina Acosta Virginia Adair Anna Adam Heidi Adam Mk Adams Jodi Adel Yvette Adessa Natalie Adis Cindy Aeelisio Nitin Agarwal Jamie Agens Ricardo Aguayo Manuela Agudelo Velasco Antorio Aguilar Michael Aguilar Elianna Aguirre Rawan Ahau Deborah Ahern Lorena Ahmadi Jayme Ahmed

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Cheryllene Allen William Allen

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Erika Arias Ashley Arires

Amy Armstrong

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Janet Armstrong Susan Armstrong Elizabeth Arnold Caleigh Arosky Hilda Arroyo **Bill Artinger** Isaac Asare Dawn Asbjorn Evelyn Ascencio April Asher Renee Ashley Mae Aspinall Dell Barbara Aster Mary Asterith Jessica Atehortua Sandra Atehortua Susan Aubin Chuck Augello Alex Auld Jennifer Aumick John Aumick Vanessa Aurtado Patrick Austin Cyndi Avedon Jesse Averhart Michele Avignone Isabel Avila George Avrov Susan Avrov Polar Ayala Gayle Baarck Jaymie Babcock Brooke Bacchetta Al Bachman Peter Backer, Jr. Lauren Baer Antonio Baez Jessica Baez Lisa Bagwell Kathy Bainfield Alexander Baker I. Baker Kyara Baker

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Sophia Barricella

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D. Bell Denise Bell

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David Blauvelt

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Chanel Borduin

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Patricia Broyer Mary Bruel

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Joseph Burkhard Mary Burkhardt Cindy Burmasta

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Brooke Calva

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Marion Carbone Harriet Carchman

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Dura Castellos Elsa Castillo

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Todd Chaillet Peggy Chambers Isabel Chan

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A. Lyne Ciccarelli Jamie Cicchetti Kristine Cierny Nadine Cifarelli Tina Cillo

Anthony Cinams

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E. Cole

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Melissa Cook

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Keisha Cotto Valerie Coulson Debbie Coulston

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Camille Cullen Barbara A. Cullinan

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Gina D'Arrigo Alanout Darweegh

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Christine Decker

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Sharon Demarco

Mary Demartin

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Donna Demartino **Emily Demartino** Hilde Demartino Sharon Demeola Madelene Demesa James Demetz **Richard Demmin** Lorraine Denatale Jorothy Jeanne Denes Carin Deninan Jeanine Denitto Patti Denn **Gudrun Dennis Rick Dennis** Susan Depasquale Kenneth Depew, Jr. Timothy Depuy Elaine Derise Frank Derise **Colleen** Derobertis Pat Derosa Loretta Derosso Jenny Derry Samantha Dervitz Maria Des Guiros **Darlene** Desantis Joanne Desantis Joseph Desantis Mary Desantis Carmine Desantis, Jr. Loretta Desanto Marisa Desanto Rosemarie Desaro Michael Desenzo Barbara Desera Ashley Desevo John Desilvio John Desimone Teri Desorbo Chet Destefano June Dester Maryann Deutsch Brenna Devaney

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Carol Dixon Rosella Dizuzio

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Jacqueline Dubosky

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Hope Edelman

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Peter Erikson Robin Ervin

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Gloria Farnon Eugene Farrell Tamie Farrell NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. Maryellen Farrelly Laura Faulkner Ron Faulkner Susan Faulkner Candice Faust **Emily Faust** Lillian Faust Paula Favorito Leona Fazio Lorilynn Fearon Walter Featherall Barbara Fedge Diane Fee Mary Feenly Chase Fehrenbacher Megan Feibusch Gary Feinstein Myrna Feldman Beyne Feliciano Vera Fell Diane Fellenz Dave Felton Laura Felton Michael Felton Rachel Felton Helene Fendelander Victoria Fenentino Patricia Fenty **Dennis** Ferdham Miranda Fergenson Carlos Fernandez Jayden Fernandez Jessie Fernandez Lindsay Fernandez Robin Fernandez Stacy Fernandez Karen Fernley Ashley Ferrante Anne Ferrara Marisa Ferrara

Chris Ferrarese Loren Ferraro

Victoria Ferraro

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Shayla Fisher Mike Fiske

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Jennifer Fraley

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Rosa Funcheon

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Marybeth Ganning

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Joan Gengaro Roger Gengaro

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Adrienne Gloeser

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Maria Gonzalez Roberto Gonzalez Victoria Gonzalez

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Robert Gray

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Ed Grusczynski Natasha Guandabasco

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Edward Hamilton

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Catherine Herbert Harold Herbert

Melissa Heritier

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Chris Ho

Dorothy Hobson

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Julie Hovis Shane Howell

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Angela Imparato Dawn Marie Imparato

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Tania Jannuzzi

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Lauren Januszewski Olivia Januszewski Ryszard Januszewski Stephen Janzekovich Rick Japel Daniel Jaramillo Jen Jarmark Lauren Jarmel Robert Jaroszewski Linda Jaske Jann Jasper Danoja Jayaratuns Anita Jeffries **Robert Jeffries** Kate Jelly **Beverly Jenkins** Jesse Jenkins Rhianna Jennings Harold Jenssen Wendy Jeran Daniel Jerez Michelle Jespersen Alsia Jesslyn Sarah Jewell Edgar Jimenez Julie Jimenez Heidy Jodee Cheryl Johansen Jerry Johns Amy Johnson Amy Johnson Angela Johnson Christine Johnson **Debbie Johnson** Gabriella Johnson Jason Johnson Karin Johnson Liam Johnson Oscar Johnson Ray Johnson Shari Johnson Sydney Johnson Thomas Johnson

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J. Keller

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Barbara La Rocco

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Alice Laplaca Joe Laplaca

Nona Lapolla

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Lenor Ledoux Hannah Lee

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Sandy Lessuck

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Ronnie Lissner Colleen Litee

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Susan Ludwig

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Ron Machuga, Jr. Breana Maciejunes

Lee Ann Mackin Martin Mackin Kenneth Maclure Dawn Macmillan Margaret Macmurren Jayne Macquesten Barbara Maddalena Laura Maders Ellen Madrid Dana Maffei Martin Mager Michelle Magie Carolyn Mahalay Nairene Mahgoub Peter Mahleybreu Courtney Mahoney John Mahoney Greg Maida Maggie Maione Anthony Maiorino David Mair Donna Maiuro Renee Major Lacey Majors Edra Makbuli Alexa Maldonado Kathleen Maldonado Manuel Maldonado Irish Maliborski **Beverly Maline** Cynthia Malinoski Gordon Malkowski Ester Mallach Kathleen Mallen John Malone Roberta Malone Dana Maloney Gloria D. Maloney Maryann Malorgio William Malson Jessie Malvolta Ori Manahan Michelle Manapodi

Stephanie Mancebo Barbara Mancini Charlotte Mancino Theresa Manconi Anne Mandanayake Donna Manderino Richard Manero **Ronald Mangan** Solveig Mangan Aloyah Mangein Lorraine Mangiapane Jessica Mangrum Stephanie Maniaci Bonnie L. Maniscalco Michael Maniscalco Ryan Maniscalco Joseph Maniscaleo Shail Mankad Anthony Mann Asia Mann Drew Manning Dawn Manos Hope Mansfield Melanie Mantenieks Brian Mantilla Antoinette Manzini **Gregory Manzione** Patricia Manzione Carol Maraghi Kirby Maragulia Caroline Maranzani Vincent Marceca George Marchant Nancy Marchuk T. Marcinkiewicz Melanie Jean Marcols **Ronald Marcols** Heidi Marcotte Myrna Marearian Rhonda Marford Mary Margaret Charlotte Marggraff **Rita Margiasso**

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Mike Martinez Placido Martinez Rafael Martinez

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Joshua McCoy

Mike McCoy Melinda McCoy-Miller

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Janet McKeon

Amanda McKernan Alyson McKimm Carol McLaughlin Catherine McLaughlin Ellen McLaughlin Patrick McLaughlin Virginia McLaughlin Laura McLean **Rich McLeod** Lori McLoughlin Lisette McLynch Paul McMahon Barbara McMaster Raylor McNamara Samantha McNamara Jen McNeil James McVeigh Bryan Meadows Ken Meadows Sarah Mealand Michael Mecarter Ada Medina Evelyn Medina Elizabeth Meditz Kristina Mefford Jeffrey Meier Annette Meisner Denise Meisnest Ray Meisnest **Debbie Meiss Charles Meissner** Maureen Melchiorre Frank Mele Elizabeth Melendez Lyah Melendez Oscar Melendez Yocelyn Melendez Zaria Melendez Lisa Melian Lynne Melillo Michael Melillo Manuel Mella Paola Mella

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Victor Meza

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Eric Mintz

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Barbara Montelbano Ronald Montelbano

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Dwayne Morris Jay Morris

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Sherry Murray

Laurie Muscatella Willie Muschichin Judith Musicant Vincent Mustacchio Kathleen Muzelli Jack Myatt Pamelia Myers Christine Nadell Howard Nadell Sherry Nady Cole Nagle Charles Nagy Lynne Nagy Nancy Nahvi Ronald Naldi Sam Namendorf Margot Nappo Kate Nardon Carolyn Narepecha Risa Narreri Thomas Nascarella Frank Naso Marthur Anne Nataro Lucy Natoli Marina Natoli Ana Navarno Debra Nayak Ilyas Nazir Louise Neate Robert Nebbia Janice Nebus Linda Needleman Angela Neely Ed Neffinger Susie Neffinger Ernesto Negron Adrianne Neidle Brittany Nelson Jana Nelson Jennifer Nelson Ken Nelson Kraig Nelson Lihan Nelson

Lorrie Nelson Stephen Nelson Nicole Nemblard Sarah Nemeh Charlotte Nemeth Gladys J. Nemirow Monica Neufang Ann Neuhs Gunter K. Neumann Wayne Neumann Mary Jane Neville Kelly Newkirk Alex Newman Melissa Newman Michelle Newman Ryan Newman Va Nguyen Nikki Nichols June Nicholson Kristine Nicholson **Dennis Nick Richard Nicolas** Carole Nicolich Ken Nicolich Phyllis Nicolich Stephan Nielson **Robin Niemis** Noemi Nieng Lori Nienstedt-Talley Kirsten Nieradka Ana Nieves **Daniel Nieves** Glenda Nieves Leonilda Nieves Miguel Nieves Catherine Nigri Margrit Nigro Michelle Niland Gerry Niraldi Kunikazu Nishimura Argent No Last Name Chris No Last Name Felina No Last Name

Jonathan No Last Name Maggie No Last Name Nydia No Last Name Celesta Nobles Jerry Noce Gerri Noeding Eleanor Nolan Kathleen Noland **David Nordfors** Gina Nordfors Marie Norell Wilson Norieart Wilson Noritj Anita Norris **Brian Norris** Christine Novak Jim Novak Lisa Novak Barbara Novak Gonzales Caroline Novobilski **Beverly Novrit** Roger Novrit Regina Nowinski Glenn Nozek Ina Nozek **Denise Nugent** Michelle Nugent **Reynaldo Nunex** Jennifer Nunez Megan Nungesser Lesley Nurick Stephen Nurick Sharon Nussbaum Joann Nussman Eric Oakley Gail Oakley Janene Oakley Gisela Oboyski John Obrian Dorothy Obrien Belinda O'Brien Marie O'Brien Mark O'Brien

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Mary O'Neill Richard O'Neill Daniel O'Neill

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Jeanne Padakis

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Marvin Parker Chris Parmigiano

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Mae Pedoto

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Donato Perti Terry Pessagne

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Laurie Pillus Victoria Pimentel

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Allie Potter Peg Potter

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Charlene Quarno

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Bonnie Randall Patricia Rango Mary Ransegnola John Rapaceioli

Austin Rappold Tiffany Raschka Mercedes Rashkow

Roger Rashkow Daniel Raslowsky Denise Raslowsky

Shahrooz Rassaghi Amy Ratleff

Dennis Ratzker

Phyllis Reale Salvatore Reale Oria Reber Wayne Redyke Dan Reese **Cheryl Reheis** Cindy Reid Desiree A. Reid Mary B. Reidy Jack Reilly Kathy Reilly **Rob Reilly** Susan Reilly Theresa Reilly Corinne Reina Melissa Reinauer Amanda Reinoso

John Reitte

Amanda Ravensbergen Carl Ravensbergen Derek Ravensbergen

Karen Ravensbergen Neil Ravensbergen

Manshi Rawal Lucia Real

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Kaitlyn Rico

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Ieshia Roach

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Kesha Rodriguez Liliana Rodriguez

Miguel Rodriguez Pastor Rodriguez Santalee Rodriguez Sonia Rodriguez Tiffany Rodriguez **Tony Rodriguez** Adrienne Roe Gwendolyn Roe Stephen Roe Maria Roeder Arnold Roeland Marion Roeland Gary Roemer Marsha Roemer Tara Roetman Bette Rogazzi Rory Rogel Donna Rogers Michelle Rogers Randi Rogers Maria Rojas Ray Rokichi, Jr. Catherine Rokosz Dr. Marion Rollings Jamal Rollins Edward Rolon Barbara Rolph Mark Romain Beth Romanelli Sammi Romanelli Thomas Romanelli Elizabeth Romano Janet Romano Jennifer Romano Martha Romano Ravi Romano Jessica Romauldo Mauricio Romauldo Shriley Rome Joe Romen Juanita Romen Deborah Romero Rosa Romero

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Todd Roth Carole Roth Sullivan Jack Roughardon

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Dawn Russo Jon Russomanno

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Andrew Salkind Claudia Salomon Vera Saluemini NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN.

Victor Salvadore Sampath Samaraturff Briana Samman Gina Sampaio Alec Sampson Diane San Roman Michelle Sanabria Niko Sanabria Frank Sanchez Jessica Sanchez Lucio Sanchez Natalie Sanchez Penelope Sanchez Paul Sand Irene Sandborg Melinda Sanderson Mike Sandler Cecile A. Sandoli **Bethann Sands** Justin Sangani Carol Sangeorge Theresa Santalla Luis Santana Elaine Santiago Jack Santiago Julia Santiago Lou Santiago Melissa Santiago Natalia Santiago Cherryl Santianna Cheryl Santillo **Charles Santois** Christopher Santorella Teresa Santorella Janet Santos Nereida Santos Vicky Santos Valerie Santucci Jaime Sanzone Bill Saphen Lisa Sapp Heather Saraceni Angela Sarcone, Animal Protection League of NJ

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Robert Schmelz

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Nancy Schmitz Allyson Schneider Amanda Schneider **Edward Schneider** John Schneider Karen Schneider Laura Schneider Gerti Schoen Holly Scholz Nancy Schomburg Marilyn Schreiber Joanne Schrievge Kimberley Schrodi Ann Schroeder **Corinne Schroeder** Valerie Schroeder **Rachel Schudrich** Mike Schuld Jennifer Schulz Philip Schwartz **Rockwell Schwartz Christine Schwarz** Joe Schweizer James Scott Luann Scott Ryan Scott Rachel Scrofani A. Scuerr Ed Scullion Leilani May Scurti Theo Seavert Joseph Sedita Pamela Sedlar Roger Sedmont Radika Seelay **Claire Sefiane Diane Segaviano** Laura Segaviano Theresa Seifert Allen & Diane Sek Danuta Sekula Michelle Selitto Carol Selman

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Alice Shenusay Saa Sheola Enka Shepard Fred Shepard Virginia Shepard

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Randolph Sinahon Robert Sinawa

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Jacob Smith Jaime Smith

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Alfred Spilotras

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Edith Stehwein Steve Stehwein Elygh Stein

Harris Steinberg

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Jess Strause L. Strauss

Schuyler Strauss Stacy Strohmenger Steve Strohmenger

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Bruce Switzer Scott Syanovitz

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Robert Tedone Rudor Teich

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Kari Timmons Lila Timpson

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Craig Trautweiler Glen Trautweiler

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Palmer Uhl

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Ann Vanhentenryck

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Tyler Vedale Lori Vedvik Frank Vega Olga Vega Sheila Velardo Alejandra Velasco

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Joe Villano Iveth Villanueva

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Mary Blehl Walsh Matthew Walsh Virginia Walsh Cathi Walsh Haehle

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Joe Wells Linda Wells

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Kaitlin Wilkes George Wilkie NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. Phyllis Wilkie Laura Wilkins Ticia Will **Coral Williams Doremus Williams Elizabeth Williams Eric Williams** Felicia Williams Janette Williams Joette Williams Kristy Williams Melissa Williams Monica Williams Nataki Williams **Rob Williams Thomas Williams** Harry Williams, Jr. Jennifer Williamson Shakeeta Willis Spring Wills Barbara Wilson John Wilson Lisa Wilson Kristine Wilsusen Howard Winch Candace Winder Nicole Wines **Bernadette Winters** Zach Wisher Aaron Wishik Robert Wisniewski **Bogumila Witek** John Witermann, Jr. David Witkowski **Ronald Witzal** Susan Witzal John Wnek Gretchen Woehr David Wolf Jaime Wolf Jiro Wolf Michael Wolf

Valerie Wolf

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Marika Zherenolsky

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1737. The following 25 commenters submitted a form letter opposing the entire CBBMP stating

that the policy is cruel, inhumane, and not necessary and that accurate studies should be

conducted to ascertain the number of bears in New Jersey:

Daniel Arcaro Donna Arcaro Michele Arcaro Heidi Borroto-Pulver Kristine Cappiello Joseph Damion Costa Melanie Costa Alisha Davlin Elaine Dolsky Ken Dolsky Gabriella Gangala NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. Gregg Gangala Lisa Gangala Gregorie Gongala Brandie Kuber Patty Kuber Alyssa Pulver Suzanne Pulver **Constance Read** Gary Read James Romano Maryellen Romano Christine Wallace Joseph Wallace Patricia Wierzbicki

1738. The following 902 commenters submitted form e-mails opposing expansion of black bear

hunting and suggested that non-lethal methods should be used; bears should be humanely

regulated and not hunted for trophies; Conservation Officers and "bear wardens" should address

bear complaints and educate the public; a bear management plan should include public education

and habitat protection; the bear hunt is not sustainable:

Bonnie Abbate John Adsit Gerard Adubato **Constance** Agostini Karin Ahmed Rosemary Aja Mike Albar Patricia Alessandrini Elizabeth Alexander Nancy Alexander Steven Alho Salim Ali Jackee Allen Michael Allen Jan-Paul Alon Kaileen Alston Sue Altman Christopher Altobelli

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Elizabeth Benjamin Rosanne Benson Nickk Berezansky

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Monika Burke Patricia R. Burke

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Josephine Ciraolo

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Diana Davies Louise Davies

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Jacquie Dunn

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Elaine Fitzpatrick

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Jon Goordman Kathleen Gordon

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Stephen Hirsch

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C. Keating Mariellen Keefe

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Antoinette Meale

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Abdullah Ibn Musa Islam Tzuriyah Musah Camillo Musumeci NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. Frank Naclerio Tomoko Nakamura P. Naprstek Dave Narasimhan Nancy Nehama Nina Nemeth Paul Netusil Gunter Neumann Sandra Newman Donna Nina Chuck Nissley Helen Noto Chris Noyes Noris Nunez Denise Nyman Michele O'Brien Maria O'Connor Shannon O'Connor Joel Ogonowski Karen Olden Caroline Oliveira **Robert Oliveto Rosemary Oliveto** Krystyna Olsiewicz Rhoda Ondov Peg O'Neil Kevin O'Neill Pamela Opdyke Barry Orr Jodie Ottilie Kathleen Owens **Bonnie Packer** Beth Pajak Thomas Palazzo Michele Palermo **Robert Palmer** David Papa Deborah Parker Dave Pashman S. Pasricha Bina Paul

Mary W. Pearson Anton F. Pecha, III

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Jamie Rawlins Sg Re

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Maria Sanchez Kyle Sangiovanni NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN.

Frank Santangelo Marilynn Saunders Melissa Saunders George Sauvain Helen Savastano Christian Sawyer Donald Scafuri Patrick Scanlon Jennifer Scheuerle Darvin Schild Lizzi Schippert **Gregory Schneider** Douglas Schneller Chris Scholl Denise Scholz Csw Schorr John Schreiber S. Schreier Janet Schubert Andrea Schwartz **Brian Schwartz Bonnie Schweinler** Cheryl Schwendel Lynn Scott P. Scoville Patricia Sebastiano Martin Seigel Diane Sek Susanna Senti Marilyn Sergent Stephanie Seymour William Shadel Carolyn Shafer Susen Shapiro Kimberly Shaub **Dennis Shaw** Carolyn Shea James Shea **Diana Sheffield** Jill Shell Victoria Shields Anna Sidorova James Sigler

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E. Sto Kurt Stofko

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Ingrid Van Beeck William Van Bel

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1739. The following 1,090 commenters submitted form letters opposing expansion of black bear

hunting and a maximum harvest rate of 30 percent; opposing the hunting of female bears and

cubs; opposing baiting of bears; suggesting that non-lethal conflict prevention methods will stop

human-bear conflict; recommending enforcement of trash management:

Steven Abbott Arlene Abrams Nancy Acosta Farred Adams James Adams Susan Addelston Theresa Adjan-Vallen Dolores Alimi Gatte Aline Jennifer Allen Gabriela Almeida

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Sue Bavineau Terry Bayer Deborah Beaton

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Debra Broadman Megan Brodbeck

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Ilona Colon

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Leslie Darman Lisa Dasteel

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Mary Drody Mark Drude Lucia Drumgould Ch Duclos

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Richard Ferraro

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Marcia Gaeta

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Cariln Greenfield Jamie Greer

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Paul Hirschfield Doug Hockstra NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. Michael Hodanish Constance Hoffman Gerald Hoffman Miloslav Hojer Maryann Holtsclaw Carrie Horan Shelly Hothouse Jennifer Hsu Elda Hubbard Jill Hume **Christine Humphris** Laura Huntsman Susan Hurwitz Angela Iannelli Barbara Iannitelli Lynn Ingemi Kelly Inman Karen Inserra Marie Inzeo Savannah Irwin Tammy Isabelle Carol Isairis Anthony Ivankovic Shelly J. Lisa Jacik Melissa Jacobs Chantal Jaffe Ira Jahre Jacqueline Jakubik Katherine Jakubik Debra Johnson Katrene Johnson Mandy Johnson Mike Johnson Laurie Jones Michele Jones Nancy Jones Natalie Jones Leslie Jones-Wentz Pam Jorlett M. Juhasz

Judith Julian Gina Juliano

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Daniel Kurz Barbara Kwasnik

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B. Lord Jorge Losch Sara Losch

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Joanne Martino

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Jessica Martucci Angela Marvel Larry Maskin Karen Mason Peggy Massler Sheila Massoni **Deborah Mathews** Patricia Mathis Barry Matiez Jane Maughan **Denise Maurer** Lauren Mayer Anne Mayhew Linda Mazzone Tracey Mazzone Lisa McCaulley **Bobbie McClain** Meredith McClatchy Krys McConville Lois McDonald Partrick McDonnell Maureen McDowall Lynn McGimsey Joy McGinty Pamela McGowan Cindy McGrath Bernadette McGroarty Brian McHugh Phyllis McIntyre Susan McKinnon Jp Rc McPadden Janice McShane Mary Carmen Medina Nancy Meister Jill Melveger Myah Mena Rosa Mena Ellen Mendelsohm **Dominique Menear** Joyce Mentzer Stacey Merrill Judy Merten Amanda Mesa

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Linda Nathans Jo-Anne Navarro Linda Nemeth

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Varina Paone

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Nikki Procopio

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Mike Rossa

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Helen Schafer Karin Schaftlein

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Jeff Sikora

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Sanford Stein Dusty Stepanski

Jessica Starkman

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Faye Timmer Jeff Tisman Leslie Toal

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Kristin Zangrilli Caroline Zapata NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. Sue Zeilnhofer Sharon Ziemian Marc Zito Diane Zsombik Gabrielle Zuccaro

1740. The following 136 commenters submitted form letters opposing the entire CBBMP,

stating that only non-lethal components should be adopted:

Alex Abitante Allan Abraham Amuchie Amanda Kassandra Ann Astorias Piedad Avendallo George Azar Joshua Bandstra Patricia Berry Vanesa Biba Angela Biscardi Tarik Boke Christopher Borst Marcus Brown Hilda Buitriago Darian Burch Joshua Cabrera Ashley Caceves Matthew Cahill **Brendan Campbell** Skylur Caravelli George Chimarios Steffan Chirichello Alexander Collas Jacqueline Cueros Johann Deborja Charles Delvalle Delia Vanessa Diaz **Emmanuel Diaz** Francois Dugue, III William Dunn Patrick Durein Parsa Ebrahimi Katherine Ellenberg

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Ryan Mckinley Mekel Mclean

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Nick Stone

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1741. The following 214 commenters submitted form letters opposing the entire CBBMP. These

commenters opposed the expansion of the season and the hunting area, the use of bows and

muzzleloaders, and the increase in the bag limit:

Alexa Abel Chris Aelenlinger G. Alfano Haifa Alhaw Anthony Altadonna Zhreida Aquino Lily Bahlander Mike Baladi Jeanne Balsam Carol Barry Janet Bastien E. Beckford Randol Benites Anthony Berger Donna Binder Cassandra Bockhorn Cat Bodner Chuckie Bodner Mary Bodner

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Deborah Frasca

Gail G.

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Dean Galasso Stacey Galasso Jodi Garbarino Lisa Garliareno Andrew Giesman E. Giordano Liliana Gonzalez Cherie Grampp Carol Granpp Audrey Griffin Karen Grimaldi John Grisbacher **Danielle Grossfeld** Paige Grossfeld **Tiffany Grossfeld** Howard Grossford Janet Grote Dave Grotti Scott Gunther Sheldon Gurr Janet Gygax Morgan Hammond Christine Han Robert Haschah, Jr. Enza Helwani Barbara Henderson Cesa Hernandez Pam Hiller Luljeta Hugi Deborah Huyles Aaron Jackson Victoria Jade Kevin Jakimas Patricia Jameison Diane Johnson Gordon Johnson Peter Karpov Sarah Kithusi Rene Kolb Jane Laforge A. Lass Linda Lembo Robert Liebold

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Lina Pasen

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Renee Stanko Irizarry Stella Anita Stensberg NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. Brandy Stowe **Diane Strandsten** Darlene Tanagil Hector Tavares Fred Taylor Michael Toledo **Ivette Torres** Niki Trivedi Maria Trosky Lucille V. Rebecca Van Dien Kim Van Dien Perez **Robin Vanderbilt** Mary Ann Vanderwall Brian Walker Melissa Walker Todd Weakley Jill Wilkins George Williams Judy Witt Suzanne Yorowitz-Ragan Karen Zelenski Sandra Zelga Jelena Ziukovic

1742. The following 363 commenters submitted form letters opposing the entire CBBMP,

stating that New Jersey's hunts are entirely recreational and have no impact in reducing human/

bear interactions. These commenters also call for elimination of the category system:

Avery Abad Carlos Acevedo Alicia Acosta Randy Adjetey Flavia Aerta Reyniel Afuang Milagros Agostini Samantha Agosto Dina Ahmed Douca Ala'Aldin Claudette Alcober II Hwa An

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Jason Carter

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Joe Duskin Daniela Echavarria Roger Echegogen

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Nitya Harakandi

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Danielle Livingston

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Graig Muhlhahn Anastasia Murray Senia Murray Natalie Nadoban Justyna Nagorska Latief Nicolas

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Jhust Angelo Ramos Amanda Ramppen NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN.

Joyce Randolph Dylan Reddick Victor Reinoro Maria Restrepo Jennifer Rickety Vincent Ridon Kaitlyn Rifici Josh Rivera Andres Rodriguez Frank Rojacta Genessi Rosario Michael Rosenberg David Rozenshlegne Matt Russell Raquel Russell Cecilia Russo Antorella Sabatini Phil Sabbagh **Coralys Saez** Corinne Sakala **David Lee Samuels** Ibelmi Sanchez Katlyn Sanchez Cathleene Sanpedro **Carlos Santos** Leanna Santucci Ahelelkader Sardena Christopher Sasso Lucie Scarvaglione Samantha Scherm Usama Shafi Melissa Shea Alexander Sheng Derrick Shepherd, II Ashley Sherise Ryan Shim Hyowon Shin Hyuna Shin Taylor Siebel Xavier Siguenza Matthew Silvestre Jason Sims Chris Singharath

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Alexandra Yaldonsky

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1743. The following 15 commenters submitted form letters opposing the entire CBBMP:

Daniel Arcaro Michael Arcaro Brian Cannici Cynthia Cannici Trish Ketelsen Joseph Leone Nina Leone Sylvia Leone Fredy Lopez Alma Mendez Deborah Nawotka Matthew Nawotka Alexis Nawotka, Sr. Louis Paterno Dianne Schaller

1744. The following six commenters submitted form letters opposing the entire CBBMP:

Bryan Fiorella Omauri Isaac Kenyaei-Rah Rodney Anashiot Shanma Puja Shrestha Sarah Tufts

1745. The following 218 commenters signed a petition opposing portions of the CBBMP:

Goran Abramic Praesens Absens Winn Adams Amy Alexander Anita Andela Phillip Anderton

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Evelyn Depypere

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Andrea Johnson Claudette Johnson Kathy Johnson

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Corrina Parker

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Maryann Staron Mark Stewart

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Karin Zimmermann Angelika Zintel NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN.

A summary of the comments and the Council's and/or the Department's responses, as appropriate, follows. The number(s) in parentheses after each comment identifies the respective commenter(s) listed above.

General

1. COMMENT: The proposed amendments to the CBBMP are supported in their entirety (67, 72, 101, 136, 158, 195, 249, 394, 470, 472, 473, 577, 632, 687, 695, 701, 705, 725, 774, 783, 785, 866, 985, 991, 1007, 1033, 1067, 1079, 1107, 1270, 1316, 1318, 1326, 1372, 1377, 1414, 1467, 1500, 1505, 1518, 1573, 1578, 1624, 1626, 1700, 1735).

RESPONSE: The Council and the Department acknowledge the comments in support of the CBBMP.

2. COMMENT: Commenters oppose the entire proposal and indicate that they are opposed to the killing of black bears, to the black bear hunting season, and/or to the recreational hunting of bears (4, 5, 7, 10, 14, 17 - 22, 26 - 28, 30 - 33, 35, 37 - 41, 44, 45, 49 - 51, 55, 57, 58, 60, 61, 65, 66, 69, 70, 71, 73, 79, 80, 81, 84, 85, 87, 88 - 90, 92, 96, 99, 100, 102, 105 - 111, 113, 114, 117 - 119, 121, 122, 124, 125, 128, 129, 130 - 135, 138, 140, 141, 145 - 149, 151, 153 - 156, 159, 161, 166, 169 - 172, 174, 178, 181, 185, 189, 190, 191, 192, 196, 197, 200, 202 - 207, 210, 211, 213 - 215, 217 - 219, 223 - 225, 227, 229 - 232, 234, 235, 238, 240 - 242, 246, 247, 250 - 252, 255 - 258, 262, 265, 266, 271, 275 - 278, 281, 284 - 289, 294, 295, 298, 300, 305, 307, 309, 313, 314, 321, 323, 329, 330, 331, 335, 336, 338, 339, 343 - 348, 350, 352 - 354, 357,

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RESPONSE: The Council is authorized and required by N.J.S.A. 13:1B-29 et seq. to manage wildlife throughout the State of New Jersey as a renewable resource and to maximize the benefits derived from this resource, including the taking of bears, while utilizing a flexible system of protection, propagation, increase, control, and conservation of wildlife populations. The Council periodically promulgates amendments to the Game Code to meet its responsibilities by adjusting seasons, bag limits and methods of take on the basis of scientific information. The Council recognizes that comments received in opposition to hunting represent the philosophy of people who may be opposed to the killing and/or use of bears, including recreational hunting as a management tool. However, this rulemaking represents the Council's best efforts to fulfill its statutory mandate to manage the State's game and furbearing animals. The Council and the Department have concluded that the CBBMP should include a regulated black bear hunt as part of a comprehensive approach to black bear management.

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As discussed in Section H of the CBBMP, Division bear population monitoring has shown growth and range expansion of the State's black bear population, which has produced high levels of negative human/bear interactions, despite the Division's expanded non-lethal management initiatives. Thus, the CBBMP finds that the bear population should be decreased and stabilized at a level consistent with available habitat and cultural carrying capacity, and no other proven method of population control other than hunting is available. Regulated hunting seasons in 2003, 2005, and 2010 - 2014 demonstrated that bears could be harvested safely. Thus, the Council and the Department support regulated hunting as a safe and effective management tool to reduce negative bear-human interactions, provide recreation and to control the State's black bear population in a cost-effective manner and support the continuation and expansion of a regulated black bear hunting season, which includes Bear Management Zones (BMZs) 1 through 5, to direct hunting pressure as appropriate. The Council and the Department also support the development of a more liberal season structure for bear hunting to reduce and then stabilize the bear population at a level compatible with the availability and quality of habitat, which is consistent with public safety and residential and agricultural concerns.

In 2005, the New Jersey Supreme Court (U.S. Sportsmen's Alliance Found. v. N.J. Dep't. Envtl. Prot., 182 N.J. 461 (2005)) explained that the CBBMP should take into consideration the management tools available for management of the State's black bear population. The Council and the Department have examined the management of black bears in other states and note that the 29 states with viable bear populations use hunting as the means to control their black bear populations. No alternative method is used. The Council and the Department further recognize that regulated hunting is a legitimate and effective means to control and manage the bear NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. population, can slow the rate of population growth, and can reduce associated problems (for example, vehicle collisions, home entries, livestock kills, pet kills, property damage, and agricultural damage) in a cost effective manner. Thus, regulated hunting is an important component of the CBBMP.

The Council and the Department also acknowledge the benefit of an integrated wildlife management approach for the State's black bear population, which is consistent with the black bear management efforts that the Division has undertaken for many years. That is why the CBBMP reflects an integrated wildlife management plan, incorporating the following components: education; control of human–derived food; research and analysis of the State's black bear population; analysis of the State's available black bear habitat; cooperative research with other states, academic institutions, and other entities engaged in research on black bear management; control of bears that threaten human safety, agricultural crops, or property, or nuisance bears, by lethal and non-lethal means; habitat protection; and bear population management.

The Council and the Department note that many of the commenters opposed to a black bear hunt support other aspects of the CBBMP, often suggesting that an expansion of non-lethal population control efforts would eliminate the need for a black bear hunt. As explained in the CBBMP, however, an integrated approach to black bear management should utilize all available, practicable methods for the management of the State's black bear population, while taking into account the best scientific information and the fiscal and personnel resources of State and local agencies. Thus, as detailed in the CBBMP, based on the Division's extensive experience with black bear management, as well as the fiscal and other constraints present, the Council and the NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. Department have concluded that the State's comprehensive approach to black bear management

should include a regulated hunt.

3. COMMENT: The proposed amendments to the Game Code in N.J.A.C. 7:25-5.6 and 5.24, and the black bear hunting season are supported in their entirety (2, 3, 42, 62, 74, 76, 77, 136, 137, 139, 150, 162, 168, 175, 177, 249, 291, 322, 324, 355, 358, 363, 377, 391, 398, 400, 410, 416, 418, 424, 427, 429, 436, 470, 471, 473, 494, 516, 517, 530, 534, 556, 558, 565, 575, 583, 599, 606, 617, 618, 626, 634, 643, 644, 659, 664, 666, 669, 671, 684, 695, 704, 716, 718, 732, 740, 775, 780, 788, 792, 815, 823, 830, 833, 834, 835, 841, 866, 868, 903, 963, 976, 978, 987, 995, 996, 1002, 1004, 1006, 1014, 1024, 1028, 1029, 1053, 1055, 1056, 1062, 1063, 1064, 1075, 1079, 1082, 1084, 1086, 1096, 1101, 1107, 1109, 1116, 1132, 1145, 1150, 1162, 1164, 1166, 1167, 1171, 1172, 1183, 1241, 1246, 1252, 1260, 1268, 1270, 1272, 1280, 1284, 1291, 1305, 1308, 1316, 1337, 1350, 1354, 1355, 1356, 1361, 1366, 1399, 1404, 1422, 1441, 1453, 1460, 1474, 1478, 1485, 1507, 1508, 1518, 1532, 1548, 1551, 1578, 1584, 1590, 1611, 1619, 1626, 1640, 1646, 1648, 1653, 1661, 1664, 1692, 1700, 1708, 1718, 1719, 1721, 1723, 1724).

RESPONSE: The Council and the Department acknowledge the comments in support of all the provisions of Game Code sections N.J.A.C. 7:25-5.6 and 5.24 and the entire CBBMP.

4. COMMENT: Commenters indicated that hunting was the best management tool available to control the black bear population (67, 116, 136, 249, 394, 428, 701, 705, 725, 778,

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RESPONSE: The Council and the Department acknowledge the comments in support of the Game Code sections N.J.A.C. 7:25-5.6 and 5.24 and the CBBMP.

5. COMMENT: Commenters expressed support for the black bear hunting season and support of the CBBMP because it was based on sound science and/or management (3, 25, 34, 72, 101, 116, 194, 316, 391, 422, 471, 472, 551, 556, 565, 569, 695, 701, 705, 775, 836, 921, 990, 1007, 1025, 1026, 1033, 1142, 1188, 1241, 1270, 1294, 1403, 1434, 1460, 1500, 1584, 1588, 1626, 1723).

RESPONSE: The Council and the Department acknowledge the comments in support of the Game Code sections N.J.A.C. 7:25-5.6 and 5.24 and the CBBMP.

 COMMENT: Commenters indicated that an earlier and expanded hunting season was necessary to control the black bear population (72, 76, 77, 142, 194, 195, 233, 249, 316, 324, 337, 340, 358, 371, 373, 387, 394, 395, 397, 400, 423, 474, 495, 503, 513, 532, 559, 565, 586, 606, 629, 633, 658, 663, 667, 671, 691, 701, 714, 722, 724, 725, 753, 758, 773, 778, 780, 788, 848, 865, 921, 985, 989, 991, 993, 1001, 1003, 1006, 1021, 1033, 1064, 1067, 1082, 1107, 1173, 1180, 1188, 1216, 1252, 1270, 1280, 1294, 1303, 1315, 1316, 1318, 1338, 1344, 1373, 1403, 1453, 1460, 1478, 1479, 1505, 1518, 1521, 1525, 1573, 1637, 1689, 1690, 1705, 1719, 1735). NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN.

RESPONSE: The Council and the Department acknowledge the comments in support of the Game Code sections N.J.A.C. 7:25-5.6 and 5.24 and the CBBMP.

7. COMMENT: Commenters indicated that the hunting season should be continued to further reduce nuisance bear behavior (3, 77, 324, 340, 712, 753, 778, 820, 822, 991, 1028, 1067, 1166, 1308, 1318, 1396, 1453, 1530, 1705, 1708).

RESPONSE: The Council and the Department acknowledge the comments in support of the Game Code sections N.J.A.C. 7:25-5.6 and 5.24 and the CBBMP.

8. COMMENT: Commenters indicated support for the use of archery hunting to control the black bear population (76, 162, 194, 233, 302, 324, 337, 358, 423, 475, 495, 503, 507, 508, 512, 528, 542, 603, 606, 633, 634, 667, 671, 701, 708, 758, 773, 780, 810, 848, 865, 881, 956, 971, 1007, 1010, 1115, 1131, 1171, 1176, 1180, 1221, 1250, 1270, 1280, 1315, 1316, 1323, 1326, 1338, 1344, 1346, 1356, 1366, 1373, 1410, 1411, 1422, 1478, 1479, 1518, 1521, 1573, 1590, 1619, 1637, 1690, 1705, 1734, 1735).

RESPONSE: The Council and the Department acknowledge the comments in support of the Game Code sections N.J.A.C. 7:25-5.6 and 5.24 and the CBBMP.

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9. COMMENT: Commenters indicated that the season was necessary because bears are a threat to human safety (34, 67, 316, 337, 341, 358, 373, 391, 400, 556, 583, 606, 629, 691, 778, 780, 820, 822, 993, 1003, 1026, 1164, 1171, 1303, 1403, 1478, 1723).

RESPONSE: The Council and the Department acknowledge the comments in support of the Game Code sections N.J.A.C. 7:25-5.6 and 5.24 and the CBBMP.

10. COMMENT: Commenters indicated that the season would reduce agricultural damage incidents for the farming community (712, 820, 822, 1308, 1441).

RESPONSE: The Council and the Department acknowledge the comments in support of the Game Code sections N.J.A.C. 7:25-5.6 and 5.24 and the CBBMP.

11. COMMENT: Commenters stated that lethal methodologies are unnecessary as bear problems can be resolved through garbage management and through enforcement of the feeding statute (15, 18, 36, 63, 75, 92, 99, 108, 133, 140, 190, 191, 200, 221, 224, 256, 257, 278, 309, 320, 351, 392, 433, 439, 450, 463, 484, 486, 553, 563, 579, 594, 613, 734, 743, 761, 762, 765, 776, 786, 791, 831, 859, 882, 888, 897, 914, 922, 951, 953, 962, 968, 974, 988, 1008, 1020, 1032, 1035, 1052, 1094, 1098, 1108, 1114, 1135, 1196, 1214, 1223, 1247, 1275, 1299, 1332, 1343, 1349, 1369, 1378, 1384, 1416, 1419, 1425, 1444, 1448, 1451, 1470, 1484, 1518, 1528, 1557, 1573, 1625, 1628, 1657, 1659, 1698, 1714, 1722, 1730); commenters stated that bears without access to unnatural foods will not gain as much weight and will have lower reproductive

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1332, 1378, 1425).

RESPONSE: The Council and the Department disagree that better garbage control alone would resolve human/bear conflicts, although the Council and the Department have included garbage control as a necessary part of the CBBMP. The Department has had several meetings with garbage haulers, municipalities, and private communities to discuss the issue of providing bear resistant garbage cans and dumpsters to the general public. Both haulers and communities have indicated that technological and economic constraints make implementing these devices very difficult.

While large-scale implementation of bear resistant garbage cans and dumpsters remains a goal, efforts to reduce access to garbage continues to be an important part of the plan. In 2004, the Division received 282 complaints of bears getting into garbage as opposed to 503 garbage complaints in 2003; the Division received 288 garbage complaints in 2006 compared to the 358 garbage complaints in 2005. The decrease in garbage related complaints from 2003 to 2004 and again from 2005 to 2006 is in part due to increased enforcement of the statute banning the intentional feeding of black bears, N.J.S.A. 23:2A-14, and the harvest of nuisance bears during the 2003 and 2005 bear hunting seasons. Similarly, from 2010 to 2013, the number of bear garbage complaints dropped 38 percent from 481 complaints in 2010 to 298 complaints in 2013, as a result of the 2010 through 2012 bear hunting seasons.

The Council and the Division supported the ban on the intentional feeding of black bears enacted in November 2002 which provides for a civil penalty of up to \$1,000 for each offense.

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The Division's Bureau of Law Enforcement (BLE) investigates bear feeding complaints and issues warnings and citations when warranted. The Division has long recommended that trash be controlled so that it is not available to bears. For example, trash should not be put out for disposal until the morning of pickup and should be stored at other times in areas inaccessible to bears.

Council and the Department recognize that bear-resistant garbage containers can be successful at keeping bears out of garbage, but they do not prevent the bears from remaining in the area and utilizing containers that are not bear-resistant. The benefits and limitations of garbage management are discussed in detail in the CBBMP at section B, Control of Human Derived Food. Bear-resistant containers also do not decrease or stabilize the bear population. The State and Federal park systems in bear country have implemented bear-resistant garbage cans and dumpsters at their facilities. Bear-resistant garbage cans and food storage containers were installed at several State parks in northern New Jersey. These food storage containers and garbage cans have been effective in mitigating some nuisance bear behavior within the park system. Even though these bear-resistant garbage cans and dumpsters have been effective at minimizing garbage related incidents within the parks, they have not reduced the number of bears in the area nor have they eliminated nuisance bear behavior within the parks or recreational areas.

The Division has been working cooperatively with the Division of Parks and Forestry to develop educational programs, signage, and regulations that preclude bear feeding, maintain clean picnic and camp sites, and keep food inaccessible to bears in State parks and forests (see, for example, N.J.A.C. 7:2-2.7 and 6.1). The Council and the Department believe that

enforcement of State and local ordinances banning the feeding of bears should help reduce human/bear conflicts. However, human/bear conflicts are increasing as the bear population grows and expands its range into new and inadequate habitats, including urban and suburban areas. Black bears are attacking and killing livestock and pets, damaging agricultural crops, damaging and entering homes, and directly threatening humans. Black bears are also involved in a high number of collisions with motor vehicles (703 since 2010). The feeding ban does nothing to control the number of black bears. The Council notes that there is no evidence to support claims that bears in New Jersey produce more cubs due to the availability of unnatural foods or that human supplied food sources increase fecundity, or that the absence of such supplemental foods would result in a decrease in reproductive rates, but note that the high habitat quality and consistent natural food resources in the mid-Atlantic region of the country already place bears at their maximum reproductive potential. Studies which suggest human-derived food increases bear litter sizes have taken place in some central and western states, where natural food resources are varied and unpredictable.

The law enforcement effort regarding this feeding ban is discussed in Section B of the CBBMP, Control of Human-Derived Food. The CBBMP acknowledges the difficulty in enforcing this law and recommends that the definition of "unintentional feeding" at N.J.S.A. 23:2A-14 be amended to clarify what actions constitute unintentional feeding. The Council and the Department note that intensive sweeps of neighborhoods in bear country show that greater than 90 percent of households inspected are complying with this statute and are making a genuine effort to prevent bears from feeding on household garbage and other human derived food sources. The BLE has received 243 complaints from citizens reporting violations of the

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12. COMMENT: Commenters stated that the Division has never implemented non-lethal techniques in any serious manner, and that non-lethal techniques should be increased as they are the only effective solution for proper bear management (1, 5, 6, 8, 9, 11, 12, 15 - 18, 20, 23, 24, 26, 30, 32, 35, 41, 43, 49, 52, 54, 56 - 60, 63 - 65, 73, 78 - 80, 82, 83, 87, 90, 91, 93 - 97, 100, 102, 103, 106, 107, 111 - 113, 115, 117, 123, 126, 127, 133, 135, 138, 141, 145 - 148, 151, 152, 157, 161, 163 - 165, 173, 174, 176, 178, 180, 181, 182, 184 - 187, 190, 193, 196 - 202, 204, 206, 209, 212 - 214, 216, 218 - 231, 234, 236 - 239, 241, 244, 245, 247, 248, 250, 251, 253, 256 -259, 261 - 264, 266, 267 - 270, 272 - 274, 276 - 278, 280 - 283, 285, 286, 288 - 290, 292, 294, 296, 297, 299, 301, 303, 306, 310 - 312, 315, 317, 319, 320, 323, 325 - 328, 330, 333, 334, 336, 342, 343, 346, 349, 352, 356, 357, 359, 360, 361, 364, 365 - 368, 372, 374 - 376, 379, 380, 382, 385, 386, 388, 392, 393, 403 - 406, 409, 411 - 415, 426, 430 - 432, 435, 437 - 443, 448 - 450, 452, 454, 455, 458 - 463, 466, 468, 476 - 478, 480, 481, 484 - 493, 496, 497, 499, 502, 506, 510, 511, 514, 515, 518 - 523, 525 - 527, 529, 531, 533, 538, 540, 544, 545, 547, 550, 552, 554, 555, 557, 560, 562, 566, 568, 570, 572 - 574, 578, 579, 582, 584, 587, 588, 591, 592, 594, 596 - 598, 600, 602, 605, 607, 609 - 615, 620 - 622, 624, 627, 636, 638, 639, 645 - 648, 651 - 653, 661,

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RESPONSE: As stated in the CBBMP, the Council and the Department recognize the importance of a multi-faceted approach to black bear management which includes the use of non-lethal techniques. The Council and the Department recognize that the use of non-lethal techniques is widely accepted to mitigate nuisance behavior in black bears, especially within communities and park environments, and the CBBMP recommends the continued use of non-lethal techniques when appropriate. The Division and properly trained law enforcement agencies will continue to use non-lethal rubber projectiles and pyrotechnics as a means of aversive conditioning to mitigate nuisance bear behavior. The Council and the Department note that since 2005, Division personnel have used aversive conditioning on nuisance bears 416 times, and law enforcement officers trained by the Division have used aversive conditioning on nuisance bears 997 times, using on average two rounds of rubber projectiles and 1.7 pyrotechnic rounds before the bear ran out of range.

The Council and the Division disagree that aversive conditioning alone would adequately resolve human/black bear conflicts, but the Council and the Department have specified that non-lethal control, including aversive conditioning, is an important component of the CBBMP (see CBBMP at F, Bear Control: Lethal and Non-Lethal). However, non-lethal techniques are not effective at controlling black bear population numbers. The Division has determined, as have other state and Federal agencies and institutions, that aversive conditioning can deter a bear from

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13. COMMENT: One commenter felt that only bears that are not afraid of humans should be killed (160).

RESPONSE: Determining which bears are unafraid of humans can only be done after the bear has had a negative interaction with people, and then it is not always likely that the problem bear can be located and caught. Additionally, the low success rate of captures on these bears means this methodology would not significantly contribute to controlling New Jersey's growing black bear population.

14. COMMENT: Commenters opposed the black bear hunting season and indicated that the black bear season would not solve nor alleviate damage/nuisance problems or conflicts caused by bears (1, 5, 6, 8, 9, 11, 12, 16, 23, 24, 32, 35, 41, 49, 52, 56 - 58, 60, 64, 79, 80, 82, 83, 90, 91, 94, 95, 97, 99, 100, 102, 103, 106, 107, 111, 126, 133, 135, 138, 141, 146 - 148, 151, 161, 176, 180, 181, 185 - 187, 193, 197 - 201, 204, 206, 212, 214, 216, 218, 219, 221, 225, 228 -230, 235 - 237, 241, 244, 245, 251, 259, 263, 264, 266, 267, 269, 273, 280, 281, 285, 286, 289, NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY **REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND** THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. 290, 292, 296, 297, 299, 303, 310, 311, 312, 317, 319, 320, 323, 325, 326 - 328, 330, 342, 343, 349, 357, 364, 365, 367, 372, 374, 375, 385, 386, 393, 411 - 414, 426, 431, 432, 435, 437, 440, 441, 443, 448, 449, 452, 454, 455, 458, 460, 461, 466, 468, 477, 478, 480, 481, 487, 488, 491 -493, 496, 497, 506, 510, 511, 514, 515, 520, 522, 527, 529, 531, 533, 538, 540, 544, 547, 550, 554, 555, 557, 570, 572, 573, 579, 587, 592, 596, 597, 600, 602, 605, 607, 609, 611, 612, 614, 621, 624, 627, 636, 638, 639, 645, 646 - 649, 651, 653, 673, 676, 678, 679, 683, 685, 686, 688, 690, 692, 693, 696, 703, 723, 728, 729, 730, 736, 739, 741, 743 - 746, 754, 755, 757, 760, 766, 767, 769, 770, 786, 787, 790, 793, 795, 797, 808, 809, 812, 825, 827, 832, 839, 844, 850, 857, 858, 861, 864, 873, 874, 877, 882 - 885, 887, 890, 893, 897, 902, 906, 908 - 910, 913, 917, 922, 924, 927, 929, 930, 932, 935, 936, 938, 941, 952, 954, 955, 961, 964, 965, 970, 974, 977, 983, 984, 998 - 1000, 1013, 1018, 1035, 1040, 1043, 1044, 1045, 1047, 1048, 1051, 1052, 1058, 1059, 1065, 1070, 1074, 1078, 1081, 1088, 1091, 1093, 1095, 1099, 1102, 1103, 1105, 1106, 1111, 1112, 1117 - 1119, 1121, 1127, 1130, 1140, 1144, 1146, 1147, 1155, 1159, 1160, 1163, 1168, 1169, 1175, 1177, 1189, 1190, 1195, 1200 - 1202, 1217, 1219, 1228, 1230, 1231, 1232, 1234 - 1240, 1243, 1247 - 1249, 1253, 1258, 1262, 1264, 1265, 1273, 1275, 1286, 1287, 1289, 1290, 1295, 1296, 1300, 1301, 1311, 1312, 1324, 1325, 1327, 1331, 1332, 1334, 1339, 1340, 1341, 1342, 1347, 1349, 1351, 1357, 1358, 1362, 1363, 1365, 1367, 1371, 1374, 1375, 1376, 1378 - 1380, 1385, 1386, 1392, 1394, 1395, 1400, 1401, 1407, 1412 - 1414, 1416, 1418, 1420, 1424 - 1426, 1430, 1431, 1433, 1438, 1444, 1446, 1458, 1463, 1464, 1465, 1468, 1475, 1481, 1483, 1484, 1487, 1489, 1492 - 1499, 1501, 1504, 1506, 1510, 1512, 1513, 1515, 1519, 1527, 1531, 1534, 1539, 1540, 1544 - 1546, 1550, 1552 - 1558, 1561, 1562, 1566, 1568, 1571, 1572, 1575, 1586, 1591, 1593, 1594, 1596, 1597, 1601 - 1606, 1608 - 1610, 1613, 1617, 1621, 1622,

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RESPONSE: The Council and the Division disagree with the assertion that a regulated hunting season will not alleviate damage and nuisance problems caused by bears because the evidence indicates that regulated hunting encourages bears to avoid humans. The Black Bear Management Handbook (Black Bear Conservation Committee, 1996. Black bear management handbook for Louisiana, Mississippi, southern Arkansas and east Texas. BBCC, Baton Rouge, LA. 28 pp.), the product of a broad-based cooperative effort by representatives from state and Federal agencies; private conservation groups; and the forestry, agricultural, and academic communities, states that hunting is commonly recommended as a damage control tool because it reduces bear populations and associated problems to acceptable levels and elicits humanavoiding behavior. According to a report commissioned by the International Association of Fish and Wildlife Agencies (IAFWA, 2005. Potential Costs of Losing Hunting and Trapping as Wildlife Management Methods, 444 North Capitol Street, NW Suite 725, Washington, DC. 55 pp., http://www.fishwildlife.org/pdfs/Costs_of_Losing_HuntingandTrapping_US-Canada.pdf), in areas without hunting (for example, national parks and jurisdictions which ban hunting), bears can lose their wariness of people, resulting in unfortunate encounters and negative human/bear interactions.

15. COMMENT: One commenter offered that hunting seasons increase public tolerance of black bears since the public does not like to see bears killed. This individual states that when hunting seasons occur, any subsequent decrease in bear complaints is due to the public refraining from calling the Division to report nuisance activity by bears (897).

RESPONSE: While public tolerance of black bears can affect complaint numbers, the most significant factor affecting bear complaint numbers is the bear population. After the 2003 and 2005 bear hunting seasons, bear complaints in 2004 and 2006 fell consistent with the decrease in the bear population. However, after the 2004 decrease in complaints, levels in 2005 increased before the impending 2005 season occurred. If public sentiment about hunting drove complaint numbers down in 2004, a drop in complaints would be expected again in 2005. Similarly, complaint levels dropped between 2011 and 2013 as a result of the 2010 through 2012 bear seasons. After the 2013 bear season, complaint numbers rose significantly in 2014 consistent with the increase in the bear population. If public tolerance following hunting seasons caused a decrease in complaints, the complaint total would not have again risen to such a degree in 2014.

16. COMMENT: Some commenters felt that bear hunts would only eliminate "woodland" or "deep woods" bears, implying that nuisance bears would not be accounted for in the harvest (750, 1547, 1557). One commenter referenced a 2014 study by Obbard et al., which "found no significant correlations between harvest and subsequent human-bear conflict." (1378)

RESPONSE: Hunting has been proven to be an effective method to reduce negative human/bear interactions. Each year approximately 20 percent of the tagged bears in the 2003, 2005, and 2010 to 2014 harvests were known nuisance bears or bears that were previously captured at nuisance locations. Because not all nuisance bears are tagged, it is likely that some portion of the 70 and 79 percent of the harvested bears that were untagged during these seasons were nuisance bears, with the actual percentage of harvest attributable to nuisance bears being greater than 20 percent.

Based on tag returns, nuisance bears, which includes daytime-active, food-conditioned, and human-habituated bears, were harvested during the 2003, 2005, and 2010 to 2014 New Jersey seasons. The home range of bears in New Jersey averages approximately two square miles for females and approximately 60 square miles for males. Daily movements confirmed by radio-telemetry reveal that black bears can travel between three and 15 miles in circuitous or linear routes throughout their home range. Bears living in close proximity to people also travel through woodlands and forested wetlands surrounding and adjacent to human developed areas. Many of these adjacent areas are open to hunting. Therefore, it is anticipated that these problem bears will be available for harvest by hunters.

It is acknowledged that bears not causing damage will also be harvested. The reduced densities of bears that will result from the harvest of non-problem bears will slow the emigration of bears from suitable habitat into non-suitable habitat, thereby further reducing bear associated problems.

After the 2003 season, damage and nuisance calls to the Division decreased by 40 percent and Category I (Category I are bears posing a threat to human safety by house entries or coming NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. within 10 feet of a person, vehicle entries, killing pets or livestock, or causing property damage in excess of \$1,000) reports to the Division decreased by 37 percent in 2004; after the 2005 season, damage and nuisance calls to the Division decreased by 13 percent and Category I reports to the Division decreased by seven percent in 2006. Similarly, damage and nuisance calls to the Division declined 40 percent between 2010 through 2013 after several consecutive hunting seasons.

It is important to note however that after the 2010 through 2012 bear seasons, both Category I and Category II (Category II bears are defined as "nuisance" bears, which cause minor damage, such as knocking over bird feeders or getting into garbage) incident reports decreased at the same rate, 40 percent. While many Category II complaints such as garbage and birdfeeder incidents may go unreported due to their less serious nature, Category I incidents are not likely to be tolerated or go unreported by the public. Consequently, if bear incidents in general went under-reported due to greater public tolerance, it would be expected that nonreporting of Category II nuisance complaints would occur at a higher rate than with more serious Category I incidents, but this was not the case. The fact that reports of both Category I and II incidents have decreased at the same rate following New Jersey's hunting seasons argues against public tolerance contributing significantly to the decline.

Some commenters made reference to the Tavss report

(http://www.aplnj.org/assets/pdf/TavssReport.pdf;

<u>http://www.bearsmartnj.org/images/Nonlethal%20Report%20-%202010%20Tavss.pdf</u>), which concluded that the hunting approach had no effect in reducing the human complaints/conflicts but, the non-lethal approach was "markedly effective in reducing human complaints/conflicts

...." The Council and the Department have determined that the Tavss report ignored various factors which may influence the relationship between management options and human/bear interactions, such as the effects on nuisance complaints of natural food availability, human population increases, differences in human habitat/wildlife habitat interfaces, and management protocols in populated areas such as New Jersey versus national parks. Also, the report discounted data that did not fit Tavss' theory, such as the decrease in bear complaints after the 2003 and 2005 bear hunting seasons in New Jersey and the reduction in bear complaints in northeastern Pennsylvania after implementation of extended bear hunting in Pennsylvania during 2002.

Biologists across the eastern North American continent have documented an increase in bear populations concurrent with an increase in the human population, which, along with other factors such as food availability, can account for an increase in bear complaints. States with increasing bear populations have also experienced an increase in human/bear conflict. In an effort to reduce human-bear conflicts, many states have liberalized regulations, allowing for the legal harvest of more bears, with a resulting decrease in the number of nuisance bear complaints.

The Tavss investigation mentions Virginia harvests and complaints up to 1998, but fails to continue the analysis for later, more current, years. Biologists from Virginia reported that, after a record bear harvest in 2003, the number of bear complaints decreased from over 600 to less than 200 in 2004. Regarding the northeastern region of Pennsylvania, this area had high bear densities, high human densities, and a very high numbers of conflicts. Starting in the fall of 2002, bear hunting seasons in the northeast Pennsylvania region were extended to include the first week of Pennsylvania's rifle deer season with the goal of increasing bear harvest and

reducing bear densities. Human/bear conflicts that had increased 95 percent between 1998 and 2002, before extended hunting seasons were put in place, declined 70 percent between 2002 and 2005, after extended bear seasons were implemented. A similar result has been seen in New Jersey where it was documented that damage and nuisance calls to the Division decreased by 40 percent in 2004, after the 2003 season; damage and nuisance calls to the Division decreased by 13 percent in 2006, after the 2005 season; damage and nuisance calls decreased by 40 percent between 2010 and 2013, after the 2010 through 2012 hunting seasons.

In reference to the 2014 study by Obbard et al., Relationships among Food Availability, Harvest, and Human-Bear Conflict at Landscape Scales in Ontario, Canada. *Ursus* 25(2):98-110, which "found no significant correlations between harvest and subsequent [human-bear conflict]." It is important to note, however, that this study taking place throughout the province of Ontario, Canada, is not relevant to New Jersey for two reasons. First, the study noted that human-bear conflicts were negatively correlated with natural food availability in Ontario. In many parts of Ontario, as noted in the study, bears are dependent upon fruit production from a small number of plant and shrub species. If these food sources fail, human-bear conflicts increase. New Jersey and neighboring states differ from Ontario in that the high habitat quality and abundance and diversity of natural foods in this area allows for more consistent availability of these resources. In New Jersey, even if some food resources fail, others are available to bears, and thus bears are less likely to provision their diet with human foods in this area because of shortages in natural foods. Second, Ontario's demographics differ greatly from those of New Jersey. Human population densities over most of Ontario are much lower than those found in NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. New Jersey, and therefore do not allow for an appropriate comparison of the factors leading to

human-bear interactions.

The Council and the Department note that bear complaints in New Jersey had been rising during the 1990s and the Council and the Department believe this trend would have continued if the Division had not implemented the integrated black bear management strategy in 2001, which utilized all available tools, such as Division's bear education program, training local police for bear response, lethal control on Category I bears, and the short term population reduction from the 2003 and 2005 black bear hunting seasons. The Council and the Department believe that the high complaint numbers of 2008 and 2009 were not "statistical outliers" but reflect the actual increased negative human/bear interactions which had occurred in New Jersey since the closure of the hunting seasons during 2006-09.

These examples all support the premise that a regulated harvest, in conjunction with other bear management tools, can lead to a reduction in bear complaints.

17. COMMENT: Commenters opposed the black bear hunting season and stated that bear problems can be resolved through education on food and garbage management (7, 17, 20, 27, 30, 35, 37, 41, 43 - 45, 53, 56, 57, 59, 60, 65, 73, 75, 78, 79, 80, 91, 92, 96, 102, 111, 113, 115, 117, 121, 123, 127, 143, 145 - 147, 151, 152, 157, 163 - 165, 173, 181, 182, 184, 193, 197, 204, 206, 212, 214, 220, 222, 224, 229, 235, 237 - 239, 244, 248, 251, 253, 258, 261, 266, 268, 270, 274, 278, 281 - 283, 285, 287, 288, 290, 292, 294, 301, 306, 310, 312, 314, 315, 318, 320, 330, 333, 334, 351, 352, 356, 359 - 361, 367, 374, 376, 379, 380, 382, 388, 403, 404, 406, 409, 413, 415, 419, 430, 432, 438, 450, 459, 460, 462, 476, 484, 485, 486, 488 - 490, 496, 499, 502, 506, 511,

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RESPONSE: The Council and the Department disagree that black bear education alone would resolve human/bear conflicts, but have stressed that education is one of the important components of the CBBMP. An extensive black bear education effort has been conducted by the Division since 1997 as part of its integrated bear management strategy. A primary message is "Do Not Feed Bears," either intentionally or unintentionally. The Department and the Division

regularly issue news releases alerting the public to safety issues regarding New Jersey's growing black bear population and providing bear information and bear-proofing techniques. The Division's Web Page (<u>www.njfishandwildlife.com</u>) provides information regarding: bear biology and natural history; tips to better manage trash; a brochure highlighting ways to prevent and minimize problems with bears; sources of bear-proof trash cans; brochures for those camping, hiking or fishing in bear country; how to report bear sightings; and, links to additional information. The Department and the Division have issued video public service announcements on the Department web page and through news outlets to provide information about black bears to help residents minimize bear problems around their homes and to help visitors while recreating in bear country.

Since 2010, the Division has produced and distributed over 369,500 pieces of bear education material to the general public, including park, campground and outdoor recreation brochures, Garbage Bag Tags (plastic signs) with bear-proofing tips, signs for use in parks and campgrounds, waste hauler bill inserts, "Do Not Feed the Bears" bookmarks, and "Do Not Feed the Bears" bumper stickers. Additional educational pieces distributed include: residential household brochures, educational coloring books and educational book covers for distribution through schools, educational bookmarks for distribution through libraries, and camper behavior in bear country cards for distribution in campgrounds. A television Public Service Announcement has been created to provide information on how to bear-proof homes and yards and to help prevent bears from becoming problems. Since 2010, Division biologists and public information specialists also presented programs in 19 counties to over 54,000 people, including NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. school groups, camp groups, service organizations, clubs, Boy and Girl Scout troops, police, and municipal meetings.

The Division contracted and assisted in the production of the documentary "Bear Country, New Jersey." The film explains the natural and historic perspective on the black bear in the Garden State and follows Division biologists through their yearly cycle of black bear research. Approximately 200 copies of the film were distributed to schools, environmental education centers Statewide, and other states' fish and wildlife agencies. It has been broadcast numerous times on PBS affiliates around the country and internationally.

The Department prepares news releases that are distributed statewide for the spring and fall black bear activity periods. The Department continues to address media-related inquiries and interviews regarding bears, as well as participating in numerous municipal meetings concerning bears, including discussing public safety issues, urging residents to properly "bear-proof" their surroundings and providing information on living with an expanding bear population.

The Council and the Department recognize that using more web-based educational programs is important to furthering messages concerning bear awareness. Since 2010, visits to the Division main bear webpage have exceeded 220,000. The Division will continue expanding use of this medium as well as use of social media. In addition, educational efforts will focus more on urban centers, youth education, and education of those who do not live in prime bear country, but visit these areas for recreation.

Finally, the Division uses every opportunity from citizen reporting of bear sightings or complaints as an opportunity to educate residents in, and visitors to, bear country about how to "bear proof" surroundings and how to avoid negative encounters with bears.

Even with the Department and Division's extensive public education programs and citizen advocacy groups conducting bear education programs, human/bear conflicts in New Jersey continue. Although public education is important, education alone will not adequately solve all the problems associated with an expanding bear population and does nothing to control population size.

18. COMMENT: Commenters opposed the hunting components of the Game Code and the CBBMP because they felt that black bear season was a trophy hunt (18, 35, 41, 43, 56, 59, 60, 65, 73, 78, 79, 80, 91, 96, 98, 99, 102, 111 - 113, 115, 117, 123, 127, 133, 140, 149, 152, 157, 163 - 165, 173, 181, 182, 184, 190, 204, 206, 214, 220, 222, 229, 237 - 239, 242, 248, 251, 261, 266, 268, 270, 274, 281 - 283, 285, 290, 294, 301, 306, 310, 312, 315, 330, 333, 334, 344, 352, 356, 357, 359 - 361, 367, 374, 376, 379, 380, 382, 383, 389, 403, 404, 406, 409, 413, 415, 430, 433, 438, 443, 450, 459, 460, 462, 476, 484 - 486, 488 - 490, 496, 499, 502, 514, 518, 519, 523, 525 - 527, 538, 545, 547, 560, 562, 567, 572, 584, 588, 591, 598, 610, 615, 620, 622, 649, 652, 661, 668, 675, 685, 686, 706, 709, 713, 719, 723, 726, 741, 742, 749, 754, 756, 763, 764, 765, 771, 782, 794, 796, 807, 813, 819, 825, 842, 855, 856, 867, 873, 876, 884, 885, 893, 897, 904, 905, 915, 918, 920, 922, 925, 930, 937, 941, 945, 950, 952, 953, 958, 962, 965, 966, 968, 969, 973, 979, 980, 983, 986, 1000, 1005, 1020, 1027, 1035, 1038, 1042, 1046, 1048, 1050 -1052, 1085, 1087, 1091, 1100, 1102, 1125, 1134, 1136, 1137, 1148, 1158, 1159, 1174, 1175, 1184, 1192, 1195, 1198, 1201 - 1203, 1215, 1218, 1230, 1233, 1243, 1251, 1256, 1265, 1274, 1283, 1286, 1287, 1289, 1292, 1306, 1312, 1314, 1325, 1334, 1335, 1345, 1368, 1378, 1379, 1386, 1392, 1395, 1396, 1408, 1412, 1416, 1444, 1446, 1452, 1454, 1456, 1458, 1464, 1481,

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RESPONSE: Although the commenters did not define a trophy hunt, in general bear hunting terms, a trophy hunt would target large adult bears. The season was not designed to be a "trophy hunt." The black bear hunting season allows for the harvest of bears of either sex and any age, which will slow the rate of black bear population growth and provide data on black bear age, sex, and physical condition. The harvest of tagged bears in the population will also provide information on movement and survival rates and will provide important information for estimating the population. The sex and age structure of the 2003, 2005, and 2010 through 2014 harvests matched that of bears captured during research and control activities. During the past five bear hunting seasons, a total of 1,874 bears were harvested and 79 percent of the bears harvested, 62 percent were females and 38 percent were males; 21 percent were young of the year, 29 percent were yearlings, and 50 percent were adults. The 2010 through 2014 bear seasons each produced a harvest that was representative of the bear population at the time.

19. COMMENT: Commenters opposed the black bear hunting season and stated that human/bear interactions were the result of man-altered habitat and human encroachment on undeveloped land, and that protection of habitat would eliminate human/bear problems (14, 17, NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY **REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND** THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. 34, 35, 39, 41, 43, 45, 53, 54, 56, 57, 59, 60, 65, 69, 73, 78 - 80, 91, 96, 102, 111, 113, 115, 117, 123, 127, 133, 152, 157, 163 - 166, 169, 173, 179, 181, 182, 184, 189, 190, 204, 206, 214, 220 -222, 229, 237 - 239, 248, 251, 253, 261, 266, 268, 270, 274, 281, 282, 283, 285, 290, 294, 301, 306, 307, 310, 312, 315, 320, 330, 333, 334, 346, 352, 356, 359, 360, 361, 367, 374, 376, 379, 380, 382, 388, 390, 403 - 406, 409, 413, 415, 419, 420, 430, 432, 438, 450, 459, 460, 462, 476, 481, 484 - 486, 488 - 490, 496, 499, 502, 514, 518, 519, 525 - 527, 538, 545, 547, 548, 560, 562, 572, 582, 584, 588, 591, 594, 598, 601, 610, 613, 615, 620, 622, 652, 654, 661, 662, 668, 670, 675, 685, 700, 706, 709, 713, 719, 723, 726, 735, 741, 742, 746, 749, 754, 756, 763, 764, 771, 777, 782, 786, 794, 796, 806, 807, 814, 819, 825, 829, 831, 842, 847, 855, 856, 867, 869, 870, 873, 876, 885, 893, 897, 900, 904, 905, 914 - 916, 920, 922, 925, 926, 930, 935, 941, 945, 946, 949, 950, 952, 962, 965, 966, 968, 969, 972, 973, 980, 982, 983, 986, 1000, 1005, 1017, 1020, 1023, 1027, 1038, 1042, 1046, 1048, 1050, 1051, 1085, 1087, 1089, 1091, 1094, 1097, 1100, 1102, 1125, 1134, 1136, 1137, 1143, 1148, 1156, 1158, 1159, 1174, 1175, 1184, 1192, 1195, 1196, 1198, 1201 - 1204, 1214, 1215, 1218, 1223, 1227, 1230, 1233, 1241, 1243, 1251, 1256, 1265, 1267, 1273, 1274, 1281, 1283, 1286, 1287, 1289, 1292, 1306, 1312, 1314, 1325, 1334, 1335, 1341, 1343, 1345, 1349, 1357, 1358, 1359, 1364, 1368, 1379, 1382, 1383, 1386, 1395, 1396, 1412, 1419, 1432, 1436, 1446, 1451, 1452, 1454, 1458, 1462, 1464, 1469, 1481, 1482, 1487, 1498, 1499, 1501, 1503, 1504, 1511, 1514, 1520, 1522, 1523, 1529, 1532, 1533, 1536, 1537, 1540, 1541, 1542, 1549, 1552, 1554, 1555, 1557, 1562, 1577, 1582, 1586, 1592, 1597, 1598, 1606, 1612, 1617, 1627, 1628, 1634, 1641, 1659, 1670, 1675, 1678, 1680, 1682, 1693, 1702, 1703, 1717, 1722, 1730, 1732, 1738).

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RESPONSE: The Council and the Department recognize that habitat modification and loss, and human encroachment on open space are factors associated with negative human/bear interactions. The Council and the Department also note that the growing and expanding bear population and resulting high bear density contributes to negative human/bear interactions both in prime bear habitat and in those areas of lower quality bear habitat where dispersing bears are setting up new home ranges. Even if all remaining undeveloped land in private ownership could be purchased and preserved, human/bear conflicts would continue with the expanding black bear population.

20. COMMENT: Commenters opposed the hunting season and indicated that Conservation Officers should be employed to handle nuisance bear complaints (35, 41, 43, 57, 59, 60, 65, 73, 78, 79, 80, 91, 102, 111, 113, 115, 117, 123, 127, 152, 157, 163, 164, 165, 173, 181, 184, 204, 206, 214, 220, 222, 229, 237, 238, 239, 248, 251, 261, 266, 268, 270, 274, 281, 282, 283, 290, 294, 301, 306, 310, 312, 315, 330, 333, 334, 352, 356, 359, 360, 361, 367, 374, 376, 380, 382, 388, 403, 404, 406, 409, 413, 415, 430, 432, 438, 450, 459, 460, 462, 476, 484, 485, 488 - 490, 496, 499, 502, 514, 518, 519, 525 - 538, 545, 547, 560, 562, 572, 584, 588, 598, 610, 615, 620, 622, 652, 661, 668, 675, 706, 709, 723, 726, 741, 742, 749, 754, 756, 764, 771, 782, 794, 796, 807, 819, 825, 842, 855, 856, 867, 873, 876, 885, 893, 904, 905, 915, 920, 922, 925, 930, 941, 945, 950, 952, 962, 965, 966, 968, 969, 973, 983, 986, 1000, 1005, 1027, 1038, 1042, 1048, 1050, 1051, 1085, 1087, 1091, 1102, 1125, 1134, 1136, 1137, 1143, 1148, 1158, 1159, 1174, 1175, 1184, 1192, 1195, 1198, 1201, 1202, 1203, 1215, 1218, 1230, 1233, 1243, 1251, 1265, 1274, 1283, 1286, 1287, 1289, 1292, 1306, 1312, 1314, 1325, 1334, 1335, 1345, NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. 1379, 1386, 1395, 1396, 1412, 1446, 1452, 1454, 1458, 1464, 1481, 1487, 1501, 1504, 1511, 1514, 1520, 1522, 1536, 1537, 1542, 1549, 1552, 1554, 1555, 1557, 1582, 1586, 1592, 1597, 1598, 1606, 1612, 1617, 1627, 1670, 1675, 1678, 1680, 1682, 1702, 1703, 1717, 1732, 1738).

RESPONSE: The Council recognizes that negative interactions between humans and bears not only result in economic loss to individual citizens, but also have created a severe budgetary burden on responding agencies, particularly the Division. The Division employs Wildlife Control Unit technicians and biologists who respond to nuisance bear incidents throughout the State. The primary function of Conservation Officers in New Jersey is to enforce hunting and fishing statutes and regulations. See N.J.S.A. 23:1-1 and 23:2-6. Employment of additional personnel to respond to human/bear interactions would not be possible without new sources of funding to cover the increasing costs of this work, and response to bear complaints does nothing to control the size or rate of increase of the bear population.

21. COMMENT: Commenters opposed the expansion of the hunting season (5, 17, 24, 32, 35, 41, 43, 44, 46, 49, 52, 54, 55, 57 - 59, 60, 65, 73, 78, 79, 80, 90, 91, 96, 98, 102, 111, 113, 115, 117, 123, 127, 128, 135, 141, 143, 147, 148, 152, 157, 160, 161, 163 - 165, 173, 181 - 185, 200, 202, 204, 206, 209, 214, 217, 218, 220 - 222, 225, 227, 229, 230, 234, 235, 237, 238, 244, 246, 248, 250, 251, 253, 258, 259, 261, 266, 268, 270, 274, 276, 278, 281, 282, 283, 285, 288 - 290, 294, 301, 306, 308, 310, 312, 315, 320, 323, 330, 333, 334, 338, 343, 346, 350, 351, 352, 356, 359 - 361, 367, 374, 376, 379, 380, 382, 383, 388, 399, 402, 403, 404, 406, 409, 413, 414, 415, 426, 430, 432, 433, 437, 438, 448, 450, 455, 459, 460, 462, 466, 468, 476 - 478, 484,

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RESPONSE: The hunting season structure of 2003, 2005, and 2010 through 2014 was timed to be conservative, restricting harvest to bears that had not yet entered winter dens and also protecting pregnant females. This conservative structure allowed important data to be collected on New Jersey bear harvest rates without negatively impacting the population. However, employing this conservative, late season structure during the past several years allowed harvest rates to fall, which in turn, has contributed to an increase in estimated bear population numbers from 1,911 bears in 2012 to 3,500 bears in 2014. As explained in Section H of the CBBMP, Bear Population Management, the factors contributing to this decrease in harvest rate include NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. season timing, bear behavior, hunter behavior, and hunter participation. To counter these factors, the bear season will now include an earlier October segment. The October segment will begin during the 2016 bear season. The 2015 bear season will only have a December segment.

The Council and the Department disagree that the proposed hunting season as provided for by the CBBMP and N.J.A.C. 7:25-5.6 will endanger the New Jersey black bear population. According to a 1987 U.S. Fish and Wildlife Service Biological Report, entitled "Habitat Suitability Index Models: Black Bear, Upper Great Lakes Region", Dr. Lynn Rogers reported that "[w]ell managed, sustained yield hunting has not been shown to jeopardize black bear populations." (Rogers, L.L. and A.W. Allen. 1987. Habitat suitability index models: Black Bear, Upper Great Lakes Region. U.S. Fish and Wildlife Service Biological Report 82 (10.144) 54 pp.).

The amendments to N.J.A.C. 7:25-5.6 provide for the expansion of the December segment of the bear season if the harvest rate (number of harvested bears that were tagged in the current calendar year within BMZs open to hunting divided by the number of bears that were tagged in the current calendar year that are available for harvest) has not reached 20 percent. Research suggests that black bear populations can sustain annual harvest rates of 15-20 percent with little or no decline in population size. A further mechanism authorizes the Division Director to stop the bear season if the harvest rate reaches 30 percent. The Council and the Department disagree that this rate is too high, though the Council and the Department recognize that in order to protect populations from overharvest there are upper limits to sustainable harvest rates. In certain counties in Pennsylvania, harvest rates have periodically exceeded 35 percent without detriment to the population (Ternent, M. A. 2006. Management Plan for Black Bear in NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. Pennsylvania (2006-2015). PA Game Commission, Harrisburg, PA. 73 pp.); however, harvest rates over 30 percent are higher than desired by most states (including PA) in order to sustain a population over the long term. Therefore, a harvest rate between 20-30 percent for black bears is reasonable and appropriate for New Jersey in achieving the goal of decreasing and stabilizing the black bear population at a level consistent with the available habitat and cultural carrying capacity. The provisions for both expansion and closure of the black bear season contained in the Game Code provide protections that assure that the black bear population is not jeopardized.

22. COMMENT: Commenters opposed the CBBMP, indicating that hunting posed a threat to human safety (47, 78, 234, 399, 433, 484, 524, 541, 546, 614, 654, 878, 894, 897, 952, 1020, 1035, 1052, 1278, 1349, 1393, 1424, 1447, 1618).

RESPONSE: The Council and the Department disagree and note that there were no hunting accidents during the 2003, 2005, or 2010 through 2014 bear hunting seasons. Over the last 10 years, New Jersey hunters averaged 6.3 hunting incidents with injury per year, while spending about 3,000,000 hunting days a field each year. These incidents were typically limited to a hunter shot and injured by a hunting partner. The low number of incidents is attributed to mandatory hunter education and the use of fluorescent hunter orange.

Every hunter, regardless of age, must successfully complete the hunter education course in order to purchase his or her first hunting license. Hunter education courses require that the prospective hunter complete a course of home study (which requires that students view a video, study a booklet and answer questions in a workbook) and attend a field session. Before the NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. license can be issued, every graduate must show safe and responsible firearms handling and pass

the written examination.

In the last 10 years, hunters in hunting incidents injured only one non-hunter. A nonhunter injured by a hunter is a rare occurrence. According to accident statistics from the National Safety Council, hunting has fewer injuries per 100,000 people participating than football, baseball, cycling, volleyball, swimming, golf, tennis, fishing, bowling, badminton, billiards and ping pong.

23. COMMENT: Commenters opposed the black bear hunting season and indicated that the use of immuno-contraception or sterilization should be used as a method of controlling the black bear population (10, 238, 244, 250, 601, 897, 939, 1065, 1066, 1125, 1204, 1288, 1328, 1329, 1349, 1384, 1512, 1609, 1679, 1717).

RESPONSE: The Council and the Department have determined that at this time nonlethal birth control is not a viable method for controlling the black bear population. The Department's Division of Science and Research commissioned a literature review of fertility control on bears and other wildlife (An Analysis of the Feasibility of Using Fertility Control to Manage New Jersey Black Bear Populations, 2006, Fraker et. al.), which concluded that fertility control is very unlikely to be a feasible means of managing the black bear population in New Jersey due to the costs involved with field capture and the inability to capture enough bears to effect population control, even if a licensed fertility agent existed (none do) for bears.

To date, sterilization, neutering, and contraception have not been developed or tested and found to be feasible and/or effective tools for reducing wild, free ranging populations of any bear species. Surgical sterilization is permanent, expensive, and poses concern for the individual animal during field surgery and recovery. Immuno-contraceptive vaccines, such as PZP, have not been proven in wild black bear populations. At this juncture, the Council and the Department believe that hunting remains the best and most cost effective management option for controlling the black bear population.

24. COMMENT: Commenters stated that use of bait for hunting bears should be banned, as it causes bears to produce more cubs, conditions bears to human food, and creates nuisance bears (5, 24, 32, 33, 35, 41, 43, 49, 52, 58 - 60, 73, 79, 90, 98, 99, 102, 115, 123, 127, 135, 141, 147, 148, 152, 157, 161, 163, 164, 165, 173, 184, 185, 202, 206, 209, 214, 217, 218, 220, 222, 227, 229, 230, 234, 237, 244, 246, 248, 259, 261, 270, 274, 276, 282, 283, 286, 289, 301, 306, 312, 315, 333, 343, 346, 359, 360, 361, 379, 380, 382, 388, 403, 404, 406, 414, 415, 426, 430, 437, 438, 448, 459, 462, 466, 468, 477, 478, 482, 488 - 490, 499, 502, 514, 518, 519, 525, 526, 545, 546, 550, 554, 560, 562, 570, 574, 584, 596, 610, 611, 615, 620, 621, 636, 645, 648, 651, 652, 661, 668, 673, 675, 700, 703, 706, 709, 723, 727, 741, 742, 745, 749, 751, 755 - 757, 782, 789, 790, 793, 796, 807, 819, 842, 855, 856, 867, 873, 876, 877, 890, 893, 896, 897, 904, 905, 908, 915, 920, 925, 929, 936, 937, 945, 950, 952, 953, 955, 962, 965, 966, 969, 998, 999, 1005, 1017, 1018, 1027, 1035, 1042, 1048, 1050, 1052, 1066, 1070, 1085, 1087, 1094, 1095, 1098, 1112, 1118, 1121, 1130, 1134, 1136, 1137, 1148, 1160, 1161, 1163, 1174, 1177, 1184, 1189, 1192, 1194, 1196, 1198, 1203, 1215, 1233, 1247, 1248, 1251, 1258, 1281, 1282, 1286, 1292,

NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. 1302, 1306, 1314, 1320, 1331, 1335, 1336, 1339, 1345, 1347, 1349, 1369, 1370, 1378, 1380, 1382, 1385, 1386, 1392, 1406, 1413, 1416, 1418, 1420, 1425, 1433, 1444, 1451, 1452, 1454, 1458, 1489, 1492, 1494, 1502, 1504, 1510, 1514, 1519, 1520, 1522, 1527, 1531, 1536, 1537, 1538, 1542, 1549, 1565, 1580, 1582, 1586, 1592, 1593, 1598, 1605, 1612, 1623, 1627, 1629, 1633, 1635, 1647, 1649, 1657, 1678, 1680, 1682, 1687, 1701 - 1703, 1726, 1739). One commenter added that bait makes female bears with cubs vulnerable to hunters, and orphaned cubs are less likely to survive; bait contains chemicals that are toxic to bears (1378); bait creates concentrations of bears and other wildlife leading to greater transmission of diseases such as rabies (1378).

RESPONSE: The Council and the Department have determined that hunters' use of bait has not led to larger bear litter sizes, conditioned bears to human food, nor created nuisance bears. Baiting for bears has been legal during all bear hunting seasons since 2003. The Division has been monitoring bear dens and bear litter sizes since the 1980s. Since that time, the average number of cubs per litter has remained statistically unchanged. The average litter size remained between 2.7 and 2.9 cubs per litter during the 1990s, 2000s, and 2010s, before, during, and in between periods in which bear hunting and hunting with bait were allowed. The Council notes that bears in New Jersey do not produce more cubs in response to bait placed by hunters due to the high habitat quality and consistent natural food resources in this region of the country. The average litter size of the New Jersey bear population has been consistent since the 1980s and has not increased since baiting for deer (such bait potentially available to bear) or bears was allowed. NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. Studies which suggest human-derived food increases bear litter sizes have taken place in some

central and western states, where natural food resources are varied and unpredictable.

The Council notes that conditioning of bears to human foods is not dependent upon obtaining human food alone; rather, other cues, when coupled with human food, contribute to a bear's learned behavior to seek food at areas of human habitation, thus creating "nuisance bears." In populated places or developed areas where bears find human-derived food, visual cues formed by physical items such as dumpsters, birdfeeders, trash cans, sheds, and, in some cases, buildings all reinforce the search image used by bears to locate similar food at this and other locations. Consequently, homeowners reporting nuisance bear activity around homes will sometimes note that a bear has broken into a shed or opened a garbage can that contained no garbage or other attractants. The bear in this case is searching these structures based on its past experience finding garbage therein.

Bait placed in forested areas in a hunting situation does not cause bears to become a nuisance around homes since such structural visual cues commonly associated with developed areas, are lacking. Bear researcher Lynn Rogers conducted a study in 2009 (Does Diversionary Feeding Create Nuisance Bears and Jeopardize Public Safety? Lynn L. Rogers, Biologist, *Wildlife Research Institute*, 1482 Trygg Road, Ely, MN 55731,USA) which analyzed the effects of diversionary feeding to control nuisance bear activity in a Minnesota community. In the study, bears were purposefully fed human food outside the community in a natural setting, sometimes by hand (illegal in New Jersey), with no structures or garbage cans as visual cues. While these bears were thus conditioned to human foods by humans, the "bears that visited the diversionary feeding site continued to forage on natural foods and did not become nuisances" in

NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. the neighboring community. The act of some hunters placing bait in field settings is akin to the diversionary feeding employed in the Minnesota study, which did not cause bears to become a nuisance. Therefore, the Council concludes that the act of placing bait for hunting purposes does not lead to the creation of nuisance bears.

In response to bait causing female bears with cubs to be vulnerable to hunting and orphaned cubs having poor survival, the Council notes that by July 1 of their year of birth in New Jersey, cubs that are orphaned are left in the wild as they have a high chance for survival after this date without the presence of the parent female. Prior to July 1, orphaned cubs are brought to a wildlife rehabilitator for assistance. The current and proposed bear seasons fall well after July 1, so cubs that are orphaned due to hunting will not experience significantly decreased chances of survival.

Females with cubs are vulnerable to hunting pressure since they forage through the woods as a unit and are highly visible (they comprise between two and six active bears (not a single individual)) and are more easily spotted by hunters. This visibility and vulnerability to harvest of females with cubs occurs whether bears are moving between feeding areas, foraging for mast such as acorns or nuts, or feeding on bait. Hunters placing bait in the woods alone is not the cause of the vulnerability. An earlier season as proposed will certainly make all bears more vulnerable than New Jersey's current late season. All sexes and ages of bears are legal to be harvested in New Jersey. The objective is to lower the population, so killing females (even those with cubs) is a component of the objective. Based on New Jersey's data and data from other states, cubs are self-sufficient after July 1st, so there is not a concern about the orphaning of cubs in the fall.

In response to the comment that bait contains chemicals that are toxic to bears, the Council notes that baits placed by hunters include foods that bears already consume in agricultural areas, such as corn. The Division has noted no cases of illness due to toxicity of bait foods in bears in New Jersey. In addition, the Council notes that while many bears may visit individual dumpsters, garbage containers, or bait sites placed by hunters, there is no evidence that bears are being exposed to diseases such as rabies at these locations.

25. COMMENT: Commenters questioned the validity of the black bear population estimates and complaint data (190, 277, 278, 419, 433, 654, 761, 762, 811, 831, 851, 871, 897, 992, 1035, 1065, 1129, 1139, 1207, 1223, 1302, 1349, 1378, 1384, 1406, 1444, 1459, 1662, 1714, 1737); one commenter alleged that the Division falsified data and recorded sighting reports as nuisance reports (1349).

RESPONSE: The Division has conducted bear population monitoring showing bear population growth and range expansion. The Division has conducted intensive and extensive research on bears since 1980 and the data represent a solid, long-term and extremely valuable database. Based on the intensive population monitoring that the Division has conducted over the past 35 years, the Council and the Department have concluded that the New Jersey bear population is a robust and viable population that has maintained a high reproductive and survival rate. This finding is in concert with population parameters reported for other viable populations in the mid-Atlantic region. Division personnel continue to monitor bears using radio telemetry to acquire information on reproduction, survival, mortality, home range size, and habitat use.

The Division has also employed population monitoring by determining individual identity using DNA analysis. The Division has used cooperating university statisticians to generate population size estimates; the Division's population estimates and projections were reviewed and supported by wildlife biologists familiar with bear population estimation as well as by university wildlife professors. These experts include recognized biologists and statisticians from Penn State University, Rutgers University, University of Georgia, and Colorado State University; the United States Fish and Wildlife Service; state wildlife agencies; and private organizations. These experts confirmed the validity of the methodology used by the Division in reaching its population estimates.

Notwithstanding their approval, many of these experts have recommended improvements in modeling techniques and data collection and several have pointed out the difficulties of collecting sufficient samples in BMZs 2 and 4. Accordingly, the Division continues to work with statisticians and wildlife studies experts to improve the bear population models.

Regarding bear sighting and complaint data (bear incidents), the Black Bear Rating and Response Criteria (BBRRC) was established using protocols developed by bear experts across the continent. Division personnel receive reports about black bear complaints, through the Department's New Jersey Environmental Data Management System (NJEMS), as a "Communication Center Notification Report" and log these reports into a computer database. Division personnel make attempts to interview the complainants for all Category I complaints, conduct on-site inspections, and verify the details of the incident. The record of these reports is on file with the Department's Communication Center and the Division maintains an archive of the database tracking the complaints.

In 2010, Department Commissioner Bob Martin called for an audit of the Division's procedures for collecting and reporting of bear incident data, after receiving allegations that this data was inflated and inaccurate. The results of the audit showed, and the Commissioner concluded in his 2010 letter denying appellants' stay request to the Department pertaining to *Animal Protection League of NJ v. N.J.D.E.P.*, 423 *N.J. Super*. 549 (App. Div. 2011), that the "allegations challenging the accuracy of the Department's black bear incident data [were] unfounded and, quite simply, wrong."

26. COMMENT: Commenters questioned considering biological and cultural carrying capacity in regards to black bear population management, with some questioning the validity of using cultural carrying capacity as a management benchmark (897, 1444).

RESPONSE: Biological carrying capacity can generally be defined as the maximum number of animals an environment can support without damage to the environment and while maintaining the animals in a healthy and vigorous condition. The Council and the Department recognize that no state agency manages any wildlife species solely for biological carrying capacity. Managing a species for biological carrying capacity alone is unfeasible where significant human populations exist. Biological carrying capacity population numbers are usually significantly higher than cultural carrying capacity population numbers. The Council and the Department disagree that a black bear hunt should be designed solely to reduce bear populations to their biological carrying capacity.

Instead, the CBBMP's goals for black bear management reflect the legislative mandate of the Department and the Council, pursuant to N.J.S.A. 13:1B-28 et seq., and the mission and goals of the Department and the Division. The Legislature delegated to the Council the responsibility and authority to protect and conserve game birds, mammals, and fish and to provide an adequate supply for recreational and commercial harvest. The mission of the Division 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. (See N.J.S.A. 23:1-1 and 23:2-2.) Thus, the black bear population management goals of the CBBMP consider the cultural carrying capacity, which is the number of bears that can co-exist compatibly with the local human population in a given area, in concert with the biological carrying capacity of the land to support bears, just as the management goals do for most other wildlife species under the jurisdiction of the Council and Division.

Due to varying habitat quality, land uses, human densities, and bear densities across and within each of the State's BMZs, and due to periodic changes in public attitude towards bears as the bear population, numbers of incidents, and natural food availability change, an absolute value for cultural carrying capacity cannot be ascertained. The CBBMP recommends that the bear population be reduced to a level commensurate with available habitat and consistent with a reduced risk to public safety and property. Such a level is representative of cultural carrying capacity even though an absolute value for this capacity is not calculated. The Division's management of wildlife based on cultural carrying capacity has been upheld in *Animal Protection League of NJ v. N.J.D.E.P.*, 423 *N.J. Super.* 549 (App. Div. 2011). The 2011 case referenced a previous case, *Mercer County Deer Alliance v. Department of Envt'l Protection*,

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27. COMMENT: Commenters stated that if the Division relocated bears to other parts of New Jersey or to another state, the need for a hunting season would be eliminated (1, 6, 11, 12, 16, 23, 49, 82, 83, 87, 95, 97, 103, 106, 107, 126, 140, 151, 176, 186, 187, 189, 198 - 201, 210, 216, 228, 241, 245, 264, 267, 269, 280, 296, 297, 299, 303, 317, 319, 325, 326, 327, 328, 342, 364, 365, 375, 386, 413, 435, 449, 452, 454, 455, 458, 460, 461, 468, 480, 491 - 493, 496, 497, 511, 515, 520, 522, 544, 548, 555, 557, 573, 587, 592, 600, 602, 612, 622, 627, 639, 646, 679, 683, 688, 690, 692, 693, 696, 713, 728, 729, 736, 739, 760, 767, 787, 797, 804, 808, 812, 832, 850, 857, 858, 864, 877, 882, 883, 906, 913, 917, 924, 932, 939, 940, 954, 961, 965, 970, 984, 1013, 1018, 1040, 1043, 1045, 1047, 1052, 1058, 1059, 1070, 1074, 1078, 1081, 1093, 1099, 1103, 1105, 1106, 1111, 1117, 1119, 1127, 1140, 1144, 1146, 1147, 1151, 1155, 1168, 1190, 1200, 1217, 1219, 1223, 1227, 1234 - 1240, 1264, 1290, 1295, 1296, 1300, 1301, 1311, 1324, 1342, 1351, 1362, 1363, 1367, 1371, 1374, 1384, 1392, 1400, 1401, 1407, 1416, 1426, 1430, 1431, 1438, 1465, 1493 - 1497, 1499, 1501, 1506, 1512, 1515, 1544, 1545, 1546, 1550, 1553, 1558, 1561, 1566, 1568, 1571, 1572, 1575, 1591, 1594, 1596, 1601 - 1604, 1608 - 1610, 1613, NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. 1621, 1622, 1625, 1642, 1643, 1650, 1651, 1655, 1656, 1658, 1659, 1666, 1669, 1671, 1672, 1676, 1685 - 1687, 1696, 1697, 1709, 1731).

RESPONSE: The Council and the Department note that, although relocation can be used to establish or reestablish bear populations, no state has successfully used relocation as a means of population control for black bear. In a densely populated state such as New Jersey, relocation of any problematic wildlife species would be merely putting the problem in someone else's backyard. Council recognizes that southern New Jersey contains quality long-term habitat for black bears. During the early 1980s, the Division conducted a study of a plan to relocate black bears to the Pinelands (Lund, R.C., P. McConnell and S. Smyser. 1981. Restoration of the Black Bear to the New Jersey Pine Barrens-A discussion of the Proposal and Assessment of Impacts. NJ DEP, DFGW, BWM. 27 pp. Trenton, NJ). At that time, local opposition to the relocation of bears to southern New Jersey put a halt to this option. The Council also believes that the bear population that is reestablished in southern New Jersey will continue to grow. Once all available bear habitat is occupied, there will be no additional space for relocation in New Jersey. Relocating thousands of bears from northern New Jersey to southern New Jersey would be cost prohibitive and likely a multi-year task. The Council believes that the Division does not have the necessary staff and funding to make such a program practical. The Council has also determined that no other state or provincial agency in North America would accept excess bears from New Jersey.

28. COMMENT: Commenters opposed archery hunting for black bears (39, 46, 55, 128, 143, 158, 160, 204, 205, 209, 225, 246, 254, 329, 350, 351, 369, 399, 402, 433, 455, 469, 482, 510, 523, 529, 533, 541, 546, 553, 576, 579, 607, 637, 647, 657, 676, 698, 702, 710, 717, 721, 731, 733, 743, 744, 746, 747, 752, 761, 762, 765, 831, 859, 875, 878, 888, 889, 894, 897, 933, 949, 953, 957, 958, 988, 1019, 1023, 1030, 1032, 1035, 1038, 1043, 1059, 1065, 1078, 1088, 1120, 1129, 1146, 1147, 1197, 1214, 1219, 1220, 1262, 1282, 1283, 1307, 1324, 1330, 1336, 1341, 1349, 1365, 1370, 1383, 1412, 1424, 1444, 1447, 1466, 1483, 1484, 1529, 1567, 1595, 1633, 1639, 1659, 1667, 1683, 1686, 1698, 1713, 1725, 1741, 1745); in addition, some of these commenters also objected to the use of muzzleloaders for bear hunting (128, 350, 399, 402, 657, 710, 744, 897, 1035, 1059, 1088, 1214, 1283, 1330, 1370, 1444, 1466, 1567, 1595).

RESPONSE: While no basis for this objection was given, the Council notes that hunting is the primary means of managing and regulating black bear populations in 29 states. With the exception of New Jersey, all states with bear hunting seasons allow archery. Firearms and archery equipment are effective in hunting bears (Kurzejeski, E.W., J.L. Byford, K. Causey, J.W. Enck, L.P. Hansen, W. Krueger, K. Mayer, and K. McCaffery. 1999. The Role of Bowhunting in Wildlife Management. Wildl. Soc. Tech. Rev. 99-1, 15 pp.), and both shotguns and archery equipment were allowed in past bear hunting seasons in New Jersey (archery 1958-1970). Additionally, technological advancements in archery equipment since 1970 have made bows more accurate and effective. The Council believes archery should once again be integrated into the Division's regulated hunting season as a method of controlling the black bear population. With regard to muzzleloaders, the Council notes that muzzleloaders are already allowed for bear NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. hunting in New Jersey and have been an effective means for hunting bears during the December

bear season since 2003.

29. COMMENT: Commenters stated that archery equipment was ineffective for hunting bears and that hunting bears in general would result in wounded bears (10, 39, 158, 246, 254, 277, 286, 357, 433, 469, 474, 541, 546, 553, 647, 698, 702, 733, 743, 746, 747, 761, 762, 765, 811, 831, 847, 859, 888, 897, 942, 949, 1036, 1129, 1194, 1197, 1220, 1302, 1336, 1341, 1349, 1394, 1444, 1447, 1529, 1557, 1579, 1609, 1633, 1639, 1659, 1698).

RESPONSE: The Council notes that both firearms and archery equipment are effective in hunting bears (California Final Environmental Document, Section 265, 365, 367, 367.5, Title 14, California Code of Regulations Regarding Bear Hunting. April 27, 2000. CA Department of Fish and Game, 188 pp. + Appendices, Kurzejeski, E.W., J.L. Byford, K. Causey, J.W. Enck, L.P. Hansen, W. Krueger, K. Mayer, and K. McCaffery. 1999. The Role of Bowhunting in Wildlife Management. Wildl. Soc. Tech. Rev. 99-1, 15 pp.). In addition, modern archery equipment is far more accurate, powerful, and effective than equipment used during the 1960s, when archery hunting for bears was allowed in New Jersey. All of the states that have bear hunting allow for archery to be used, and no states have reported that archery is an ineffective method of take. The Council does recognize that there is a chance of bears being wounded from any method of take just as there is with all hunted species. Hunters make every effort not to wound any species while hunting because the hunter desires to take the intended game animal into possession. There were NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. no reported incidents of wounded bears posing a threat to the public during the 2003, 2005, and

2010 through 2014 bear hunting seasons.

30. COMMENT: Two commenters stated that youth hunters should not be able to hunt black bears (957, 1349).

RESPONSE: While no basis for this objection was given, the Council notes that youth hunters that have fulfilled the hunter education requirements and attended the mandatory bear training seminar are allowed to participate in the bear season, just as they can participate in all other New Jersey hunting seasons. Youth hunters participated in the 2003, 2005, and 2010 through 2014 bear hunting seasons without incident.

31. COMMENT: Commenters stated that bear populations are self-regulating and that a hunt is not necessary (99, 419, 490).

RESPONSE: New Jersey's black bear population continues to increase and expand, and reports of black bear sightings have been received from all counties. Both Pennsylvania and New York report captures and mortalities of bears which were originally tagged in New Jersey. Reproductive rates in this region have been documented to be among the highest in North America. The black bear population already exceeds the "cultural carrying capacity," or the level that a significant number of farmers and home owners will tolerate, in much of northwestern New Jersey. Young black bears are also dispersing into suburban and urban areas NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. which are not suitable for bears because of the high human population density and resulting lack of open space and suitable bear habitat. Allowing the black bear population to continue to

increase to a level where the reproductive rate may decline would be irresponsible and would likely increase nuisance complaints and threaten public safety. No scientific literature was presented in support of the commenters' position that black bears self-regulate as a population control mechanism prior to exceeding their biological carrying capacity.

32. COMMENT: Commenters objected to the category system used to classify black bear behavior as established in the Black Bear Rating and Response Criteria (BBRRC) and stated it sensationalized normal bear behavior, often resulting in the death of bears (1, 5, 6, 11, 12, 16, 23, 24, 32, 35, 41, 52, 57, 58, 60, 79, 80, 82, 83, 90, 95, 97, 102, 103, 106, 107, 111, 126, 133, 135, 141, 146, 147, 148, 151, 161, 176, 185 - 187, 197, 198 - 201, 206, 214, 216, 218, 225, 228, 230, 241, 243, 245, 251, 259, 264, 266, 267, 269, 273, 280, 281, 285, 286, 289, 290, 296, 297, 299, 303, 312, 317, 319, 323, 325 - 328, 330, 342, 343, 357, 364, 365, 374, 375, 386, 411 - 414, 426, 435, 437, 440, 441, 443, 448, 449, 452, 454, 455, 458, 460, 461, 466, 468, 477, 478, 480, 481, 488, 491, 492, 493, 496, 497, 506, 510, 511, 514, 515, 520, 522, 527, 529, 533, 538, 540, 544, 547, 550, 554, 555, 557, 570, 572, 573, 587, 592, 600, 602, 605, 607, 609, 611, 612, 614, 621, 622, 627, 636, 645 - 648, 651, 673, 676, 679, 683, 685, 686, 688, 690, 692, 693, 696, 703, 723, 728, 729, 730, 736, 739, 741, 743 - 745, 754, 755, 757, 760, 767, 787, 790, 795, 797, 808, 809, 812, 825, 832, 850, 857, 858, 864, 873, 877, 883, 885, 887, 890, 896, 897, 906, 908, 913, 917, 924, 929, 930, 932, 935, 936, 938, 941, 952, 954, 955, 961, 965, 970, 983, 984, 998 - 1000, 1008, 1011, 1013, 1018, 1038, 1040, 1043, 1045, 1047, 1048, 1051, 1052, 1058, 1059, 1065,

NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY **REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND** THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. 1070, 1074, 1078, 1081, 1088, 1091, 1093, 1095, 1098, 1099, 1103, 1105, 1106, 1111, 1112, 1117, 1119, 1121, 1127, 1130, 1140, 1144, 1146, 1147, 1155, 1159, 1160, 1163, 1168, 1175, 1177, 1189, 1190, 1195, 1200 - 1202, 1213, 1217, 1219, 1223, 1230, 1232, 1234, 1235 - 1240, 1247, 1248, 1258, 1262, 1264, 1265, 1273, 1275, 1286, 1287, 1290, 1295, 1296, 1300, 1301, 1311, 1312, 1324, 1325, 1331, 1334, 1339, 1340, 1342, 1347, 1349, 1351, 1357, 1358, 1362, 1363, 1365, 1367, 1371, 1374 - 1376, 1379, 1380, 1385, 1386, 1392, 1395, 1400, 1401, 1407, 1412, 1413, 1416, 1418, 1420, 1424, 1426, 1430, 1431, 1433, 1438, 1444, 1446, 1458, 1463 -1465, 1468, 1481, 1487, 1489, 1492 - 1499, 1501, 1504, 1506, 1510, 1512, 1515, 1518, 1519, 1531, 1533, 1539, 1540, 1544, 1545, 1546, 1550, 1553 - 1555, 1561, 1562, 1566, 1568, 1571, 1572, 1575, 1586, 1591, 1593, 1594, 1596, 1601 - 1606, 1608 - 1610, 1613, 1617, 1621, 1622, 1623, 1636, 1642, 1643, 1649, 1650, 1651, 1655, 1656, 1658, 1659, 1666, 1669, 1671, 1672, 1676, 1685, 1686, 1687, 1696, 1697, 1698, 1702, 1709, 1715, 1726, 1729, 1731, 1736, 1742).

RESPONSE: The BBRRC was derived after examining behavioral rating systems for black bear behavior used successfully by other states. Based on the experience of Division personnel and the knowledge of other professionals in the field of black bear management, the Division classified bear behavior into three categories based on the severity of the behavior. Bears posing an immediate threat to the safety of New Jersey residents, their property, pets, livestock, or economic livelihood are deemed the greatest risk to the general public and classified as exhibiting Category I behavior. The rating and response criteria used to identify potentially dangerous bears is not unlike that of any other wildlife species that poses a threat or causes damage to agricultural crops or property. Bear biologists from across the eastern seaboard, NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. including Division wildlife biologists, agree that certain learned bear behavior such as home entries, killing of livestock, and beehive damage cannot be changed, and the only way to stop an animal from continuing this type of behavior is to euthanize the animal. Black bear exhibiting Category II behaviors, that is, nuisance bears that are not a threat to life and property, are not euthanized, nor are those exhibiting Category III behavior, that is, normal behavior.

33. COMMENT: One commenter stated that the Division should provide no assistance to farmers/landowners until they have carried out reasonable self- protective measures such as fencing and noise to protect livestock, agricultural crops, and bees (1444).

RESPONSE: The Division uses every contact with bear damage complainants as an educational opportunity. Just as the Division uses an integrated strategy of various techniques to manage New Jersey's black bears, bear damage complainants are encouraged to use various methodologies, including several non-lethal techniques, to solve damage and nuisance problems caused by bears. Such techniques include the use of pyrotechnics, fencing, baited electrified fencing, and regulated hunting to protect crops and livestock. In 2015, the BBRRC was amended to ensure that livestock owners take adequate measures to protect their animals from depredation by black bears. Bears that attacked and killed livestock were previously considered Category I bears (bears that are posing an immediate threat to human safety/ property) and subsequently were euthanized. Currently, under the revised BBRRC, bears that attack and kill livestock are only considered Category I bears if the livestock were protected with properly installed and active electrified fencing, or otherwise enclosed in such a way that reasonably

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methods for protecting their animals before a depredating bear is captured and euthanized.

34. COMMENT: Commenters opposed the black bear hunting season and the expansion of the hunt area (17, 35, 41, 43, 54, 57, 59, 60, 65, 73, 78 - 80, 91, 96, 98, 99, 102, 111, 113, 115, 117, 123, 127, 128, 143, 152, 157, 160, 163 - 165, 173, 181, 182, 184, 204, 206, 214, 220 - 222, 225, 229, 237 - 239, 248, 251, 258, 259, 261, 266, 268, 270, 274, 278, 281 - 283, 285, 290, 294, 301, 306, 310, 312, 315, 320, 330, 333, 334, 343, 350, 352, 356, 359, 360, 361, 367, 374, 376, 379, 380, 382, 388, 399, 402 - 404, 406, 409, 413 - 415, 430, 432, 438, 450, 455, 459, 460, 462, 476, 484 - 486, 488, 489, 490, 496, 499, 502, 506, 510, 514, 518, 519, 523, 525 - 527, 529, 533, 538, 545, 547, 560, 562, 572, 584, 588, 591, 598, 607, 610, 615, 620, 622, 652, 657, 661, 668, 675, 676, 685, 706, 709, 710, 713, 719, 723, 726, 741 - 744, 747, 749, 754, 756, 761 - 764, 771, 782, 786, 794, 796, 807, 819, 825, 842, 843, 855, 856, 867, 873, 875, 876, 885, 893, 897, 904, 905, 915, 920, 922, 925, 930, 941, 945, 950, 952, 962, 965, 966, 968, 969, 973, 980, 983, 986, 1000, 1005, 1019, 1027, 1035, 1038, 1042, 1043, 1046, 1048, 1050, 1051, 1059, 1078, 1085, 1087, 1088, 1091, 1102, 1125, 1134, 1136, 1137, 1143, 1146 - 1148, 1158, 1159, 1174, 1175, 1184, 1192, 1195, 1198, 1201 - 1203, 1214, 1215, 1218, 1230, 1233, 1243, 1251, 1265, 1278, 1282, 1283, 1286, 1287, 1289, 1292, 1302, 1306, 1312, 1314, 1325, 1330, 1334, 1335, 1345, 1349, 1365, 1368, 1370, 1379, 1386, 1395, 1396, 1412, 1444, 1446, 1452, 1454, 1458, 1464, 1466, 1481, 1487, 1501, 1504, 1511, 1514, 1520, 1522, 1536, 1537, 1542, 1549, 1552, 1554, 1555, 1567, 1582, 1586, 1592, 1595, 1597, 1598, 1606, 1612, 1617, 1618, 1627, 1641, 1667, 1670, 1675, 1678, 1680, 1682, 1686, 1702, 1703, 1717, 1730, 1732, 1738, 1741, 1745).

RESPONSE: The Council and the Department recognize that the Division has conducted bear population monitoring which has shown bear population growth and range expansion. The bear population has spread south and east, impacting people in areas of New Jersey that have not had bears for more than a century. The newly delineated BMZ 5 encompasses parts of Hunterdon, Mercer, Morris, Passaic, and Somerset Counties. BMZ 5 has had a bear population increase of 39 percent since 2010. Municipalities that are completely or partially contained within BMZ 5 showed high numbers of both Category I and Category II incidents from 2010 through 2014. BMZ 5 has had a 29 percent increase in all categories of bear incidents since 2010. As was seen after the 2003, 2005, and 2010 through 2012 bear seasons, Category I and II bear incidents decreased in BMZs 1 through 4, which were open to hunting, by 40 percent. It is expected that a similar decrease in bear incidents will be measured in BMZ 5 after this area is opened to bear hunting. Hunting in this area is also expected to lessen the number of bears that disperse into urban areas and then require capture and removal at a significant cost to State and municipal agencies. Based on the number of incident reports in BMZ 5, the Council has concluded that the bear population in that zone can sustain a hunt; harvest levels are expected to be lower than other BMZs where densities of bears are higher.

35. COMMENT: Some commenters recommended habitat modification and other techniques to control black bear complaints and the bear population. One commenter suggested planting wild berries and fruit trees in park areas (591); another commenter suggested removing the most productive forest trees, or access to them, to reduce the food supply for bears, thus

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RESPONSE: The Council and the Department disagree that the planting of berries and fruit trees, while possibly beneficial to some wildlife on a local level, would control bear complaints. New Jersey's black bears seldom encounter situations where natural foods are lacking, and even in this productive, high-quality habitat, some bears continue to provision their diet with human-derived foods. Planting additional trees would be cost-prohibitive to manage on a large scale and would not be expected to prevent or reduce utilization of human foods by bears. While the Council and the Department acknowledge that in the absence of mast-producing forest trees or high quality habitat, bears may have lower reproductive rates (as happens in some western states), such a venture as removing the most productive forest trees in New Jersey would be extremely cost prohibitive. In addition, New Jersey's high quality forests support innumerable organisms, both common and endangered, that could suffer great losses from removal of productive trees.

With regard to noise generation, the commenter did not provide a type of noise or decibel level that might be employed to reduce mating activity by bears. It is unlikely that noise alone would have a significant impact on bear breeding activity. Even if noises drove bears from a particular woodland area, bears travel large home ranges, and could mate in nearby patches of forest. Due to the dense human population in New Jersey, bears are commonly exposed to human-generated noise, and this noise has not been shown to reduce opportunities for mating.

36. COMMENT: One commenter suggested alternate methods of population control, such as visiting bear dens and euthanizing the female and her cubs, or removing a single cub from each den the Division visits and euthanizing that cub (1444); some commenters suggested that military police, police officers, sharpshooters, "professional hunters," etc., should be mobilized to control the bear population as these individuals are capable of a "fast, humane kill." (1579, 1583, 1609)

RESPONSE: The Legislature mandated that the Council has the responsibility of protecting and conserving game birds, mammals, and fish and providing an adequate supply for recreational and commercial harvest. The mission of the Division 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.

Division employees visit approximately 10 winter dens every March to collect biological information used to properly manage black bears. The average litter size in New Jersey is approximately three bears per litter. Euthanasia of these bears would equate to culling 40 bears from the population annually (10 if only one cub was euthanized per den), an insufficient number to control the bear population. Tagging the number of sows necessary to effect the desired population reduction by tracking them to dens to cull their cubs is cost-prohibitive and beyond the ability of Division staffing, and is a waste of the meat resource utilized by hunters.

The Council and the Department disagree that military police, police officers, sharp shooters, "professional hunters," etc., are more capable of a "fast, humane kill" than recreational hunters. Thousands of recreational bear hunters have harvested 1,874 bears in New Jersey NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. during the past five hunting seasons safely, quickly, and humanely. Employing the number of non-hunters adequate to accomplish an equivalent level of bear population control would be highly cost prohibitive. In contrast, sportsmen and women pay for the opportunity to harvest black bears in New Jersey and support the local economy.

37. COMMENT: One commenter stated the CBBMP and the Game Code fail to include a means for the taking of wildlife by persons not allowed by law to possess or use firearms or other weapons, although he did not specify an alternative method to take a bear (697).

RESPONSE: The CBBMP and the Game Code include all legal and effective methods for a quick, humane harvest of black bears. These methods have been used effectively for many years in New Jersey and in other states with bear seasons. While other methods of take are possible, the Council has determined that none are as efficacious.

38. COMMENT: Commenters stated there was no proof that a human was killed by a black bear in 2014, and therefore this information should not have been included in the CBBMP (1349, 1444, 1492).

RESPONSE: The Council and the Department have reviewed the evidence concerning this tragic event and have concluded that the victim was killed by a black bear. This evidence included testimony by the surviving hikers, a necropsy of the bear, and photographs of the bear taken by the hikers. A medical examiner's report listed the cause of death as "mauled by bear."

39. COMMENT: Some commenters stated that the Division should install trailhead signage with information on bears and bear behavior (1199, 1278, 1444, 1557).

RESPONSE: The CBBMP includes increased educational efforts for youth and urban dwellers, and includes the initiation of trailhead signage to protect those recreating in bear country. Signage and pamphlets include information on how to react if one encounters a black bear.

40. COMMENT: One commenters objected to research trapping of hundreds of bears annually, stating the practice was unnecessary, inhumane, and unethical (1378).

RESPONSE: The Council and the Department disagree that research trapping of black bears is unnecessary, inhumane, and unethical. Research trapping of wildlife, including black bears, is used widely in North America as a means of collecting biological data so that proper management decisions may be made concerning wildlife. New Jersey biologists and technicians currently handle 200 to 300 bears annually, including not only bears handled on research trap lines and in winter dens, but also bears caught at Category II nuisance sites and bears removed from urban areas. The Division handles this number of bears in part to obtain a sample size of tagged animals adequate for rigorous data analysis and robust population estimates. The tools that the Division uses to capture these animals, including dart rifles, culvert traps, and foot snares, are used widely and are recognized to be humane for trapping and wildlife capture, rarely NOTE: THIS IS A COURTSEY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NOVEMBER 16, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN. causing any injury or harm to the animal. Division biologists and technicians check bear traps at least once every 24 hours to minimize capture time and receive extensive training in trapping techniques and the use of chemical immobilization.

41. COMMENT: Commenters objected to an increase in the bag limit for bear hunting (10, 183, 225, 246, 350, 399, 455, 510, 523, 529, 533, 539, 607, 641, 657, 676, 710, 744, 847, 875, 897, 1035, 1038, 1043, 1059, 1078, 1088, 1129, 1146, 1147, 1214, 1219, 1282, 1283, 1349, 1365, 1370, 1378, 1412, 1466, 1567, 1659, 1667, 1686, 1698, 1741, 1745); some commenters opposed an additional 1,000 permits added to the bear season quota (897, 1035, 1378).

RESPONSE: The Council and the Department note that the bag limit for bear hunting is still one bear per permit, though there is a provision that will allow a small portion of hunters who hunt during the October segment to purchase a second permit and continue hunting in the December segment. Hunters who harvest a bear during the first segment of the season (October) may still hunt in the second segment of the season (December) if they initially purchased two permits or if there are permits still available for them to purchase after the first segment. Hunters cannot harvest more than one bear per segment even if the hunter holds two permits during one segment. Therefore, hunters harvesting their first bear of the season during the second segment of the season (December), may take only one bear that season.

The increase in permit numbers from 10,000 to 11,000 provides for the allocation of additional permits for the newly designated BMZ 5 without reducing the number of permits available for hunting in BMZs that were open to hunting during the previous seasons. The

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42. COMMENT: One commenter (1444) opined that the October bear hunting season would disrupt migratory bird patterns.

RESPONSE: There is no evidence to suggest that existing October hunting seasons have ever affected migratory bird patterns and none was provided by the commenter.

Summary of Agency-Initiated Changes:

The Council is modifying the rules on adoption to make the below changes.

1. N.J.A.C. 7:25-5.6(a) is modified on adoption to delete the phrase "[b]eginning in 2016." This phrase appears in the proposal to make clear that while future seasons for black bear hunting will have two segments (segment A in October, and segment B in December), the first season with segment A was not to occur until 2016. Since the adoption will first become effective only after the dates for an October season during 2015 could have occurred, this language is unnecessary and has been deleted from the adoption.

2. N.J.A.C. 7:25-5.6(a) is modified to include a cross reference to N.J.A.C. 7:25-5.6(a)4, which specifies the different segment-specific means that may be used to harvest black bear during the season.

3. N.J.A.C. 7:25-5.6(a)4 is modified to make it clear that, in addition to complying bows,

complying muzzleloader rifles may be used during Segment A of the black bear season, and that

during either segment of the black bear season, persons hunting with muzzleloader rifle must

also possess a current and valid rifle-hunting permit.

Federal Standards Statement

Executive Order No. 27 (1994) and N.J.S.A. 52:14B-1 et seq. require State agencies that adopt, readopt, or amend State regulations that exceed any Federal standards or requirements to include in the rulemaking document a Federal standards analysis.

The United States Fish and Wildlife Service regulates hunting in National Wildlife Refuge areas in New Jersey pursuant to National Wildlife Refuge System Administration Act, 16, U.S.C. § 668dd (1966), and implementing regulations at 50 CFR 32.49. The adopted amendments to the Game Code and the CBBMP do not contain any standards or requirements that exceed Federal regulations involving National Wildlife Refuge areas.

Therefore, the adopted amendments to the Game Code and the CBBMP do not contain any standards or requirements that exceed any standards or requirements imposed by Federal law. Accordingly, Executive Order No. 27(1994) and N.J.S.A. 52:14B-1 et seq. do not require further analysis.

Full text of the adoption follows (additions to proposal indicated in boldface with asterisks ***thus***; deletions from proposal indicated in brackets with asterisks ***[thus]***):

(Agency Note: The text of N.J.A.C. 7:25-5.6 published below includes an amendment to 304

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7:25-5.6 Black bear (Ursus americanus), bobcat (Felis rufus)

(a) There is a closed season for bobcat. It shall be illegal to intentionally take, kill, or attempt to take or kill a bobcat in the State of New Jersey at any time. Trappers shall report any bobcat incidentally caught within 24 hours of discovery to 1-877-WarnDEP (1-877-927-6337). Bobcat, including any part thereof, legally harvested in other U.S. states or Canadian provinces may be possessed provided they are affixed with a Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) tag from the state or province of harvest. It shall be illegal to use dogs to pursue or run black bears. There is a season for black bears in accordance with the approved Comprehensive Black Bear Management Policy (CBBMP) (see section Appendix, incorporated herein by reference). *[Beginning in 2016,the]* ***The*** season for black bears shall consist of two segments. Segment A shall be a period of six consecutive days beginning on the second Monday in October. Segment B shall be concurrent with the six-day firearm deer season as enumerated in N.J.A.C. 7:25-5.27(a). *During each segment, black bear may only be harvested by the means specified in (a)4 below.* Legal hunting hours for black bears shall be 1/2 hour before sunrise to 1/2 hour after sunset. Following the commencement of the season, the Director shall close the season if the harvest rate reaches 30 percent. The Director will announce such closure, which will become effective 24 hours from the daily legal closing time of the day on which the Division determines that the harvest rate reaches 30 percent, based upon data obtained and reviewed by the Division at the close of each day of the season. Harvest rate equals the number of harvested bears that were tagged in the current calendar year within bear management zones (BMZs) open to hunting divided by the

number of bears that were tagged in the current calendar year that are available for harvest (total number of bears tagged in the current year within BMZs open to hunting minus known mortality of such tagged bears and number of such tagged bears known to have left the BMZs that are open to hunting). Season closure will be announced by news release, radio, the Division's website (<u>www.njfishandwildlife.com</u>) and other media.

1. - 3. (No change from proposal.)

4. During the entirety of Segment A, bows as described in N.J.A.C. 7:25-5.24 may be used.

During the last three days of Segment A, muzzleloader rifles of .44 or larger caliber may ***also*** be used. During Segment A, no shotgun shall be used to hunt black bears. During Segment B, only shotguns no smaller than 20 gauge or larger than 10 gauge with rifled slugs, and/or muzzleloader rifles of .44 or larger caliber shall be used. *[Persons]* ***In either segment, persons*** hunting with muzzleloader rifle must also possess a current and valid rifle-hunting permit.

5. - 6. (No change from proposal.)

(b) - (c) (No change from proposal.)

APPENDIX

(No change from proposal.)