

NEVADA DEPARTMENT OF WILDLIFE INTERNAL POLICY AND PROCEDURE	Pages: 8 Effective: November 2007 Approved: <i>Kenneth S. Maye</i>
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TITLE: Black Bear Conflict Management

AFFECTED EMPLOYEES: All NDOW employees.

AUTHORITY: NRS 503.595, NRS 501.376, NAC 503.710, NRS 453.375, CP #22.

REFERENCES: “Guide to Handling Wildlife Attacks on Humans” (2007 draft). Human-Wildlife Conflicts Policy and Procedure.

PURPOSE: Interactions between black bears and humans have increased throughout the West and in Nevada. This phenomenon may be attributed to improving bear habitat in the Sierra Nevada Mountains, increasing human presence within natural bear habitat, the increase in human sources of food available to bears, the bears’ behavioral acclimation to human presence, or a combination of all four. As a result, some human-bear confrontations are unavoidable. NDOW’s goal is to reduce multiple confrontations or depredations from the same bear, and prevent harm to humans or damage to personal property, while at the same time maintaining a viable bear population.

POLICY: The Nevada Department of Wildlife (NDOW) has the authority to cause such an action to be taken as it may deem necessary, desirable and practical to prevent or alleviate bear damage or threatened bear damage. This policy sets forth procedures to be followed in responding to nuisance and depredating black bears. Where human/bear interactions are involved, NDOW shall have the discretion to choose the most appropriate management option following the **guidelines** outlined in this directive. Management efforts will be directed at the individual bear(s) causing the problem.

DEFINITIONS:

- I. **Public Education-** Field Biologists, Public Information Officers and Game Wardens, when practical, provide technical advice, literature, brochures, presentations and signs in areas where bear activity has been high; warning of the threat and what the public can do to avoid conflict.
- II. **Conflict** - Any confrontation between a bear and humans where the bear is perceived to be a threat to personal property or safety; or a bear that has a direct encounter with a human but may not exhibit aggressive behavior during the occurrence.
- III. **Imminent Danger-** Danger that must be immediately met, which cannot be guarded against by calling for the assistance of others or law enforcement officials. The appearance of threatened and impending injury as would put a reasonable and prudent person to

instant defense and fear.

- IV. **Investigator-** NDOW employee or authorized agent responsible for assessing any situation involving black bears.
- V. **Nuisance Bear** - A bear repeatedly observed in human inhabited areas, camp grounds, and urban environments or where human-activity is thought to be an attractant.
- VI. **Depredating Bear** - A bear that has injured or killed livestock, domestic pets, disturbed an apiary, or an economically harvestable crop resulting in loss of economic opportunity to the owner, or a bear that causes destruction to personal property. Depredation shall be confirmed by NDOW or an authorized agent.
- VII. **Dangerous or Aggressive Bear** – A dangerous bear is one that has exhibited aggressive behavior towards humans, or has an unnatural interest in humans without provocation and is perceived to be a threat to public safety or personal property.

An aggressive bear is one that exhibits behavior that would lead the investigator to believe that the bear has or may pose a threat to public safety or personal property.

Examples of aggressive or dangerous behavior may include, but are not limited to, the following: a bear unyielding to humans; a bear exhibiting predacious behavior toward humans; a bear repeatedly captured and translocated; or a bear against which aversion tactics have been applied and failed to curtail unwanted behavior.

Actual contact or near contact due to aggressive behavior constitutes a dangerous or aggressive bear.

- VIII. **Aversion Conditioning** – Deterrent methods using non-lethal tactics that may be used in conjunction with capture and release or translocation. These tactics may include the use of, but not limited to: bear deterrent ammunition, pepper spray, trained dogs and etc.
- IX. **Capture and Release or Capture and Translocation** - Any technique where a bear is captured and released on-site, or removed from the point of capture. Translocation may include the movement of a bear to suitable and occupied habitat elsewhere in Nevada or to a facility that is capable of handling bears.

The area bear biologist shall create a list of preferred release sites, updated as required and distributed to personnel that may be in a position to translocate a bear.

Sites Include:

- on site release, no translocation
- closest existing, suitable and occupied black bear habitat
- instate release locations on public lands within low bear-human conflict areas

- out-of-state governmental agencies
- university or research facilities
- zoological gardens or zoos

On-Site Release & Translocation - In most cases, NDOW employees will release bears at or near the capture site (on-site release) using some degree of aversion conditioning. If translocation is used as a management option a release site beyond the bear's current estimated home range is necessary. In determining which release option to use, the NDOW employee should consider: the initial reason for capture; capture location; the age and physical condition of the bear; presence of cubs; proximity to high traffic roads; the history of the bear (previous captures); approved release areas; and time of year. Both capture and release locations will be recorded on the appropriate Wildlife Capture Form.

- X. Lethal Control** – The humane killing of a black bear. Lethal control may be done by gunshot from an appropriate caliber firearm or lethal chemical injection, dependent upon prevailing circumstances.

PROCEDURES:

- A. Conflict Prevention** - NDOW may provide educational and informational materials to individuals concerned with bear management and conflict prevention. These materials may include options for protection of personal safety, property and avoidance of dangerous encounters with black bears. Site-specific education and prevention presentations may be made in historic conflict areas upon request or as required.

- B. Conflict Identification** - The Investigator responding to or assigned to handle a human/bear conflict shall have the primary responsibility to investigate the incident or situation involving a black bear. The Investigator shall assume control of the situation upon arrival. The Investigator may be required to make an immediate site assessment. The Investigator shall fully document the conflict and resolve the situation based on his professional judgment and consultation with others.

If the Investigator suspects a bear has been illegally killed, he shall make every effort to secure both the scene and the bear's carcass, followed by notification to the Division of Law Enforcement.

- C. Conflict Management** - A response by the Investigator may be necessary for conflicts involving nuisance, depredating, dangerous or aggressive bears. Appropriate measures to resolve the conflict **should be** undertaken using the following methods:

1. Aggressive or Dangerous Bear (Category 1)

- If a bear is deemed dangerous because of its location or behavior, every effort will be made to resolve the situation; the bear may be trapped, tranquilized, marked and released, subjected to deterrent methods or humanely killed depending on the assessment of the responding Investigator.
- Signs may be displayed or mounted in areas where they can readily be viewed by the public that an aggressive or dangerous bear is being pursued.
- A detailed narrative describing each incident or conflict involving a dangerous bear shall be prepared by the Investigator responding to the incident. This report shall be forwarded to the Supervising Regional Game Biologist, Public Information Officer and Chief of Game.
- If a bear has been deemed to be aggressive, then every effort shall be made to capture and humanely kill it.
- The parameters for determining if lethal control is appropriate are described under Section D, Lethal Control.

2. Depredating Bear (Category 2)

- A livestock depredating bear shall be humanely killed.
- A property depredating bear may be humanely killed unless the situation can be resolved by removing the attractant, or reasonable measures can be taken to eliminate the depredation (e.g. fencing, aversion techniques, etc.).
- Depredation permits may be issued to landowners in areas where the lethal control of a bear can be legally applied by an appropriate caliber firearm as defined in the permit.
- If someone other than NDOW uses lethal control on a depredating bear, the entire carcass remains the property of the State.
- The parameters for determining if lethal control is appropriate are described under Section D, Lethal Control.

3. Nuisance Bear (Category 3)

- Public education effort. This may include efforts to educate the public through technical assistance on how to avoid conflict, informational brochures and signs indicating nuisance bears in the area.
- Deterrent methods combined with education effort.
- Capture, mark, release and translocate if deterrent or educational methods fail or are impractical. Capture and release or translocate as an option may be contingent upon exclusion of the attractant or when a reasonable effort has been made to do so.
- If someone other than NDOW uses lethal control on a nuisance bear, the entire carcass remains the property of the

State.

- The parameters for determining if lethal control is appropriate are described under Section D, Lethal Control.

4. Black Bear Attacks

- Black bear incidents involving attacks or injuries to people shall be immediately reported through the proper chain of command to the employee's immediate supervisor, Chief of Game, Chief of Law Enforcement and the Director.
- Procedures as described in the "**Guide to Handling Wildlife Attacks on Humans**" shall guide NDOW's response to addressing bear attacks on humans.

D. Lethal Control

An offending bear shall be humanely killed after the Investigator has identified one or more of the following:

- The bear shall be humanely killed if it makes aggressive actions directed toward a person.
- The bear shall be humanely killed if it exhibits a predacious or stalking behavior toward humans.
- The bear shall be humanely killed if it attacks or kills a domestic pet in an urban environment.
- The bear shall be humanely killed if it has killed livestock. The owner shall demonstrate future efforts to curtail predation by practical means.
- The bear shall be humanely killed if it has broken into, or attempted to break into, an occupied residence or business, or a residence, building or business normally occupied by humans on a frequent basis.
- The bear shall be humanely killed if it demonstrates a loss of wariness of humans displayed through three captures near permanent structures, buildings or dwellings frequently used by humans.
- The bear shall be humanely killed if it has destroyed apiaries. The owner shall demonstrate future efforts to curtail predation by practical means.
- The bear shall be humanely killed if, despite the application of deterrent methods, has been captured or otherwise handled three (3) times by NDOW to resolve nuisance concerns.

If in the opinion of the field investigator, extenuating circumstances exist that warrant consideration for the fate of a bear, they should contact their line supervisor, Predation Management Staff Specialist, Chief of Game, or the Director to finalize a course of action.

An offending bear may be humanely killed after the investigator

has identified one or more of the following:

- The bear may be humanely killed based on damages to property. The owner shall demonstrate efforts to curtail future damage by practical means.
- The bear may be humanely killed if it shows an unnatural interest or curiosity in humans.
- The bear may be humanely killed for reasons the Department investigator deems necessary, on a case by case basis, depending on historical knowledge or other factors related to the said bear.
- The bear may be humanely killed if its location is deemed a clear danger to humans. Example: a tagged bear in the immediate vicinity of a schoolyard.
- The bear may be humanely killed if it has sustained injuries of a severe nature. Bears suitable for rehabilitation may be examined by a licensed veterinarian or the Staff Health Specialist and transported to an appropriate care facility.
- **Any bear exhibiting a combination of three of the “may be humanely killed” criteria, shall be humanely killed.**

NOTE: A necropsy on bears euthanized due to aggressive or dangerous behavior may be performed by the Staff Health Specialist.

E. Lethal Control of a Black Bear by a Member of the Public

A member of the public may kill a bear when necessary to protect the life or property of any person in imminent danger of being attacked by the bear pursuant to NRS 501.376 subsection 2. The Division of Law Enforcement shall investigate all incidents involving the non-permitted killing of a bear by anyone other than NDOW.

If someone other than NDOW uses lethal control on a bear, the entire carcass remains the property of the State and shall be turned over to NDOW.

NRS 501.376 Unlawful killing or possession of bighorn sheep, mountain goat, elk, deer, pronghorn antelope, mountain lion or black bear; criminal penalties.

2. The provisions of subsection 1 do not prohibit the killing of an animal specified in subsection 1 if:

- (a) The killing of the animal is necessary to protect the life or property of any person in imminent danger of being attacked by the animal;

F. Media Contacts

In responding to cases where the local media may be involved, the Investigator in command of the scene shall contact his immediate Supervisor and an NDOW Public Information Officer at the earliest possible time and prior to making a public statement.

Media statements shall be coordinated and discussed with the personnel's immediate supervisors and an NDOW Public Information Officer. Statements shall reflect NDOW policy.

All media contact should be in accordance with the Nevada Department of Wildlife Policy and Procedures relating to media contact.

Control Methods

Under normal circumstances, NDOW personnel will perform bear control work. However, NDOW may compile and maintain a list of persons who are qualified to do control work as its agent. This list includes USDA-APHIS-WS personnel or other government agencies as authorized by NDOW. These persons will not initiate control unless authorized to do so by NDOW and under the authority of a depredation permit.

1. USDA-APHIS-Wildlife Services

The USDA-APHIS-Wildlife Services (WS) may be contacted to do bear control work any time of the year. The WS agent shall target only the animal(s) causing damage. The agent shall use discretion in the control of young animals. All bears taken by WS are the property of the State. The hide with claws attached, skull and gall bladder will be turned over to NDOW.

2. Landowner Guidelines

NDOW may authorize landowners, or their authorized agents, to control problem bears. In such cases where time is of the essence to protect public safety or valued property, the Investigator in charge of the incident may give verbal authorization to persons qualified to do bear control work. The authorized agent will be under the direct supervision of the Investigator responsible for the situation.

Depredation permits issued to landowners/livestock owners or their agent shall be for the control of specific depredating bear(s) based upon a compelling incident.

All bears that are humanely killed shall remain the property of the State and the hide with claws attached, skull and gall bladder will be turned over to NDOW. The remainder of the carcass, separate from the hide with claws attached, skull, and gall bladder, shall be delivered to NDOW for disposal.

Orphaned Cubs

Orphaned cubs shall be evaluated by the Investigator responding to the scene for potential for recovery or rehabilitation. Cubs may be humanely killed if the investigator deems that to be the most reasonable option. Recovered bears or cubs may be released following the guidelines outlined in this policy.

Removal and Disposal of Bear Mortalities

Whenever possible, all black bear mortalities shall be retrieved. The following parts may be salvaged with consideration for the condition of the pelt and carcass, and its location.

- The hide, with claws attached, and the skull may be turned over to a licensed taxidermist for preservation. They may be sold or used for educational purposes at the discretion of the Director.
- The gall bladder may be removed and made available to the Division of Law Enforcement or at the U.S. Fish and Wildlife Service, Reno office.
- The remains of any bear carcass may be disposed of at either an appropriate rendering facility or in a remote location.
- All bear carcasses and parts thereof will remain the property of the State.

Reporting

Biological information, when available, shall be recorded on the appropriate *Wildlife Capture Form*. A *Human/bear Interaction Form* shall be completed for all human/bear interactions involving dangerous or aggressive bears. A bear mortality form shall be completed for all bear mortalities.

A database of captured bears and bear activity will be kept current and made available to personnel responsible for responding to bear calls and bear complaints. The database for bear complaints received by Dispatch shall contain location of bear, County, reporting party, a general description of the bear (brown, tagged, cub, etc) and disposition (aggressive, in a tree, etc). The database for captured, translocated and general bear calls shall be maintained by the area bear biologist at his duty station and by the Game Divisions Furbearer and Predation Management Staff Specialist. The information contained in the database shall consist of categories of information supported by the Game Chief, Staff Specialist, Supervising Biologist and the Area Biologist.