



**Wildlife and Endangered Species Committee**  
**Sierra Club**  
<http://www.sierraclub.org>

September 20, 2011

To: The Nevada Board of Wildlife Commissioners  
and The Nevada Department of Wildlife  
Attn: Suzanne Scourby  
1100 Valley Road  
Reno, NV 89512-2817  
(775) 688-1500

**RE: Comments to be submitted into public record regarding the vote to authorize an annual bear hunt in the state of Nevada.**

Dear Commissioners,

We are writing this letter to inform you of the position adopted by the Wildlife and Endangered Species Committee of the National Sierra Club in regard to your Board's proposal to support a continuing annual black bear hunt in the state of Nevada. Please enter our comments into the public record.

Our committee is comprised of wildlife and conservation biologists; professors, researchers, environmental consultants and other wildlife experts from all parts of the country who have been invested with responsibilities that include consultation, research, advisement and if needed, leading efforts to protect endangered and threatened species and other wildlife on behalf of Sierra Club entities at all levels. These efforts are consistent with the mission and goals set forth by the National Sierra Club, whose members nationwide number 700,000.

For the record, the Sierra Club's National Policy on Wildlife and Native Plant Management, Sport Hunting and Fishing states that, "Wildlife and native plant management should emphasize maintenance and restoration of healthy, viable native plant and animal populations, their habitats, and ecological processes. Acceptable management approaches may include both regulated periodic hunting and fishing when based on sufficient scientifically valid biological data and when consistent with all other management purposes and when deemed necessary for total protection of particular species or populations. Because national parks are set aside for the preservation of natural landscapes and wildlife, the Sierra Club is always opposed to sport hunting in national parks."

After careful consideration and investigation of all the information at hand, we strongly oppose the pending authorization by the Wildlife Commission of an annual black bear hunt in Nevada based on the following:

- 1. The Nevada Department of Wildlife (NDOW) has not satisfactorily met the burden of proof that an annual hunt of the resident black bear population is sustainable.**

To begin to assess whether any wildlife population can maintain its health while withstanding losses via hunting (both legal and the inevitable unintentional losses through poaching), there needs to be a scientifically reliable statistic regarding the current size of the population from which take will occur. These most basic data have not been provided with any confidence by the NDOW. According to NDOW's website, there are somewhere between 200 and 300 bears at present. An article authored by NDOW's oft-cited bear biologist Carl Lackey and colleague describes the bear population size as between 200 and 400, yet they do not describe how such numbers were reached by their analysis, nor do they cite any source of this data for the *current* population (Lackey and Beckman 2008). (This study focused on 22 collared individuals and did not involve any kind of census or data collection for population estimation.) Subsequent contradictory statements made by Mr. Lackey and other bear biologists regarding the population's size estimate have served to further confuse the issue, especially in respect to Mr. Lackey's recent response on record where he states that he has no idea what the population's size is at present.

No reasonable analysis of the viability of an ongoing annual hunt can be made without reliable data on the size of the existing population size. Clearly there is a need for further study by independent biologists on the size, health, population structure, and resource use by the black bears in Nevada. Without such baseline information no hunt can be deemed sustainable for conservation purposes or appropriate for best management practices.

It should be noted that some black bear populations in other states have declined rapidly as a result of what were initially, and unwisely, deemed 'sustainable' hunts that were authorized despite suffering a similar paucity of reliable baseline population data. For example: (1) biologists from the Department of Forest and Wildlife Ecology and the Nelson Institute for Environmental Studies at University of Wisconsin-Madison conducted a study where the data reveal that more than one Wisconsin black bear population is on the decline after being subjected to an annual hunt. Where the average annual legal take from hunting was 16%, one bear population has been reduced by almost 40% in seven years (Treves et. al. 2010). (2) According to the Michigan Department of Natural Resources, the black bear population of that state is now approximately one-half of the 2008 estimate. In March 2010, the Natural Resource Commission established black bear harvest goals for 2010 and 2011, however due to faulty estimates of baseline population numbers, the 2011 license quota virtually exceeds the more current estimates of the state-wide bear population.

NDOW biologist Lackey has reported that although the Nevada population remains stable, it has not grown significantly over the past ~ 20 years. In the PhD dissertation by Jon Beckman, titled "Changing Dynamics of a Population of Black Bears (*Ursus americanus*) Causes and Consequences," the author concludes that the black bear population at Lake Tahoe is not growing, and that "anthropogenic sources of food have resulted in a large and rapid distributional shift of a population." (Beckman 2002).

These kind of data (and lack thereof) need to be seriously considered before authorizing the take of any individuals from a population that has a very low to zero growth rate. Indeed this bear population is so small that there is serious question as to whether it has any inherent resistance to inbreeding, not to mention other uncontrollable events that could wipe out most or the entire population, such as a disease outbreak within the bear population or within a primary food resource, or a catastrophic wildfire that could eliminate a significant portion of the bear's already severely impacted and fragmented habitat. In light of this, and considering the fact that the human population within parts of the state has increased by more than a third over the past 20 years, there is an ever increasing risk of habitat loss and resultant reduction in the population's viability as a result of significant negative impacts from development and other anthropogenic pressures on bear resources. However, with

effective conservation management involving habitat preservation and resource protection, these risks to a small bear population could be significantly reduced.

**2. There is no evidence to show that either by direct action or by the utilization of fees collected for hunting permits that an annual hunt will reduce the number of nuisance bear incidents.**

Although the Commissioners have not made it clear that the impetus for this hunt is based on a desire to reduce the incidents of nuisance bear problems, other citizens in support of this hunt have verbalized the common misconception that by establishing an annual hunt nuisance bear problems and complaints will be diminished. There is no consistent data to support the effectiveness of this strategy, but there is studies that demonstrate a correlation between commencement of hunting and a rise in nuisance bear complaints / incidents throughout various states (Tavss 2005). Biologists from the University of Madison-Wisconsin studied the results of an annual hunt that took place over the course of ten years and determined, “the Wisconsin bear-hunting season did not show clear evidence of reducing nuisance complaints during 1995–2004”, and they also noted that “age and sex profiles of bears taken by hunters differed significantly from those of bears live-trapped around sites of nuisance complaints” (Treves et. al.).

**3. A decision by the Wildlife Commissioners to authorize an annual bear hunt would not support the interests of the majority consensus nor the public trust.**

An unusually large percentage of the state’s citizens - consumptive and non-consumptive resource users and stakeholders, outdoor enthusiasts, and other taxpaying residents in general - have expressed their opinions regarding support or opposition of the annual hunt. According to these collective statements, it is evident that the clear majority of the opinions on record are opposed to any hunt as proposed by the NDOW. The voting Board of Commissioners should be reminded of their statutory duties under Nevada Revised Statutes (NRS) 501.105:

“The Commission shall establish policies and adopt regulations necessary to the preservation, protection, management and restoration of wildlife and its habitat.”

Along with NRS 501.181, 501.297, and especially 501.100:

“Wildlife in this State not domesticated and in its natural habitat is part of the natural resources belonging to the people of the State of Nevada.”.

Based on evidence in the form of official NDOW and Commissioner statements, Commission meetings, meeting minutes, and a review of the Nevada public comments submitted on the record to NDOW and the Commissioners on this issue, we feel the Commission has neither in good faith nor in practice satisfactorily responded to the majority of the public comment, and by doing so have not met the basic tenants of their responsibility and duty to the public nor to the public trust of the wildlife of Nevada.

In light of this, and in light of the fact the Board as government agents are supported and paid for by citizen taxpayers, we feel it is the duty of the Commission to consider and respect the will of the majority of the public that have expressed a sincere wish to continue what has been the historical status quo for decades in Nevada; namely to enjoy the presence of black bears through non-consumptive, non-violent methods of management and with an enlightened emphasis on conservation strategies for the future.

Considering the extremely small population of bears that currently inhabit the state of Nevada, and upon review of the evidence presented over the past two decades by resident bear biologists that this small

carnivore population has an extremely slow growth rate, it would behoove the Commissioners to turn their focus from what the evidence reveals to be akin to a trophy hunt to that of an effective conservation strategy that supports and facilitates a healthy population of black bears. An astute strategy would include (1) protecting the bears' access to food-rich habitats that the animals require during spring and fall, and (2) conserving dwindling linkage zones to reestablish habitat connections and genetic flow with neighboring bear populations where feasible. In doing so the Commission would be concurrently addressing some of the causes of bear nuisance incidents, where such incidents are often a result of development, sprawl, and habitat fragmentation resulting in a reduction in accessibility to food resources and habitats.

NDOW has failed to meet the burden of proof necessary to demonstrate they are following their primary responsibility in respect to wildlife, which is to above all ensure the conservation and perpetuity of wildlife species and healthy populations under their jurisdiction so that these populations may endure for their own sake, for the enjoyment by the people of the state of Nevada for whom all wildlife is part of the public trust, and to take no action that will directly promote or risk a negative impact on the viability of an existing population of native species. It is in light of these considerations that we ask you the Commissioners not to authorize an annual hunt at this time, and to oppose any vote to do so in the near future.

Thank you for considering our comments.

Sincerely,

**The Sierra Club Wildlife and Endangered Species Committee**

Prepared by  
Renee Owens, MSc.  
9712 Snow View Drive  
El Cajon, CA 92021  
renee@wildlifezone.net

**References**

- Beckman, Jon. P. 2002. "Changing dynamics of a population of black bears (*Ursus americanus*): Causes and Consequences. PhD Dissertation.
- Beckmann, Jon P., and Berger, Joel. 2003. "Rapid ecological and behavioral changes in carnivores: the responses of black bears (*Ursus americanus*) to altered food." *Journal of Zoology (London)* 261:207–212.
- Lackey, Cael(sic) and Beckman, Jon. 2008. "Carnivores, urban landscapes, and longitudinal studies: a case history of black bears." *Human–Wildlife Conflicts Volume 2 (2)* pp 168-174.
- Tavss, Edward A. 2005. "Correlation of reduction in nuisance black bear complaints with implementation of (a) a hunt vs. (b) a non-violent program." Final Report Presented in 2005 to the New Jersey Public Hearing on the Comprehensive Black Bear Management Policy and in 2007 Public Meeting on Black Bear Management at the New Jersey State Museum. Department of Chemistry and Chemical Biology, Rutgers, The State University of New Jersey <http://www.bearsmart.com/docs/Tavss-v4.pdf> Sept. 20, 2011.
- Treves, Adrian, Kapp Kirsten J., and MacFarland, David M. 2010. "American black bear nuisance complaints and hunter take." *Ursus* 21(1):30–42.