

Environment Committee

JOINT FAVORABLE REPORT

Bill No.: SB-1148

AN ACT AUTHORIZING CERTAIN KILLING AND HUNTING OF BLACK BEAR AND PROHIBITING BIRD FEEDERS AND OTHER UNINTENTIONAL AND

Title: INTENTIONAL FEEDING OF POTENTIALLY DANGEROUS ANIMALS.

Vote Date: 3/24/2023

Vote Action: Joint Favorable Substitute

PH Date: 3/10/2023

File No.:

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SPONSORS OF BILL:

Environment Committee

REASONS FOR BILL:

To protect crops, livestock, pets, or people and or bees from the bears by providing an annual bear hunt. To prevent bear encounters by prohibiting the feeding of potentially dangerous animals.

JFS Language:

Remove provision authorizing the establishment of a bear hunt season by lottery in Lichfield County. Remove provision re the exception to the authorized killing of a black bear in self-defense.

RESPONSE FROM ADMINISTRATION/AGENCY:

Katie Dykes, Commissioner, Department of Energy & Environmental Protection:

Commissioner Dykes testified that the department supports the bill and the necessary and proven tools provided to increase public safety by reducing bear-human conflicts, home entries and bear attacks. DEEP's reporting has collected years of data that demonstrates a concerning increase in human-bear conflicts as shown on the attached chart. DEEP does have some concerns and suggestions.

1. Parts of Hartford County often has higher levels of bear-human contact so only designating Litchfield County will not be effective or correspond to best management practices.
2. Establish designated bear management zones. Creating ones allows laws and harvest limit to be tailored regionally and creates flexibility to address future trends in human-bear conflicts.
3. Utilizing a quota system for the harvest rather than a lottery. Harvest from a lottery is more unpredictable. We recommend the harvest limit be addressed in regulation not statute to provide better harvest limits.
4. Amend the language in subsection (c) to make clear that this bill provides a drawing on CGS, Sec. 53a-19. Should read "Nothing in this section shall be constructed to prevent any person from being justified in using deadly physical force..."
5. Without a provision for unintentional this is practically impossible to enforce there for a written notice first. We suggest fines for both intentional and unintentional feeding be \$75.00.

Once the bill is enacted DEEP will begin education and awareness before strict enforcement.

NATURE AND SOURCES OF SUPPORT:

Joan Nichols, Executive Director, CT Farm Bureau Association:

Ms. Nicholos testified how farmers have seen an increase in losses due to wildlife. Beekeepers' must now install electric fencing at an additional cost of \$1000-\$1500 to install and maintain. When livestock is attacked by wildlife the farmer incurs the cost of the loss of the animal but also the veterinary care to the injured animal along with the trauma to the remaining animals and poultry. Once wildlife become familiar with access to crops, livestock, bees, and poultry they keep returning despite the farmers best efforts to deter them. Many farmers have invested in livestock dogs, but current animal control laws consider a barking dog a nuisance and there is no exemption or protection for a farmer's guardian livestock dog.

Holly Atkinson, Northwest Corner Farm:

Ms. Atkinson testified how as a small, diversified vegetable farm the bars have become overpopulated and a nuisance and a threat to our bees and crops.

Karen Kalenauskas, Farmer, Kalenauskas Farm:

Ms. Kalenauskas testified as a farmer with many factors to deal with the unchecked Black Bear population is causing damage to our crops, beehives and the killing of our livestock including a steer killed in the woods. We have purchased and maintained 3 Livestock Guardian Dogs that cost almost \$1000.00 a dog not including the cost for their food and support. They are nocturnal and require nightly feeding, so my job now goes to 11 at night. The dogs bark at all hours but that is the protection. There are no predators for bears.

Ted Jones, Owner, Jones Apiaries:

Mr. Jones testified that as a beekeeper for over 20 years we now have an electric fence with a solar charger at the cost of \$500/yard. The total cost was \$7500. To replace a beehive when there is bear damage is approximately \$500 and that is not including the lost revenue lost while being replaces. I have been approached ty the bears twice in the last year alone. I was able to get the bear to retreat but you could clearly see the bear had no fear of me. I have also witnessed the bears backing into the fence to try and disable them to get to the bees. We need help to manage the Black Bear population.

Terry Jones, Farmer, Jones Family Farms:

Mr. Jones is a third-generation farmer in Shelton and Monroe with a 2000-acre greenway around the farm. In the 60's we had the white-tailed deer population, and the state was slow to allow adequate hunting and crop damage permits to curtail the population but when that damage became serious and collisions on our highways increases DEEP finally adopted strategies to manage the deep population. We must do the same with bears.

Craig Miner:

Mr. Miner testified how DEEP has a detailed report showing the bear population growth and its expansion across the state. The drafted bill restores individual rights to protect themselves, property, pets, and livestock. Farmers would have the right to control bear impact on their crops and livestock. Most states around Connecticut including hunting as a management measure when comes to bears.

Joseph Orefice, Hidden Blossom Farm:

Mr. Orefice testified on the problem with his fruit trees in Union. We lost about 20% of the fruit trees on the farm to deer but a couple years back a bear destroyed decades ole apple treen on my parent's farm in Harwinton. Farmers do not have time to shoot all the wildlife that cause problems but having permission to shoot individual problem animals can reduce conflicts and loss.

Michael Orefice, Golden Acres Farm:

Mr. Orefice testified how two years ago on two separate occasions a black bear stripped several branches from my apple trees and chestnut tree. The trees will not recover for several years before they can provide a viable crop.

Kristie Rochette, Acorn's Farm:

Ms. Rochette testified as a farmer in Burlington black bears are a huge problem especially for smaller operations. Before I employed a Livestock Guardian Dog, the farm had a black bear break into the chicken border and kill young poultry. The Brooder is on the side porch and thought that would be enough to keep a bear from venturing too close. It took the bear 20 minutes, but he managed to destroy the top and eat sever chicks before being hazed away. It was fortunate the bear did not go after the dairy goats fenced just 100 feet away. Permits should be issued for a bear who comes around repeatedly and ignores all hazing/less lethal options.

Don Tuller, Farmer, Tulmeadow Farm Inc:

Mr. Tuller testified that as a farmer, not a hunter whose family has farmed the same land in West Simsbury continuously since 1768 and there have been a few challenges in the last 255 years. The current Black Bear situation is what needs help. The corn we grow has been significant in recent years and the beekeeper with hives at our farm has had hives wrecked even though they are inside an electric fence enclosure from the bears. DEEP did try and catch the bear but the bear found the corn better than a box. Allowing farmers, the opportunity to manage the threat to their animals and crops is needed. This is not a trophy hunt for the farmers but protection of their crops, livestock, and livelihood.

Other Farmers who support the bill are:

Aubin Haestad, Factory Hollow Farmington

Dinda Guthrie, Farmer

James Jacquier, Laurelbrook Farm

David Wilson, Retired State Rep 66th:

Rep Wilson testified as a former member and s supporter of the outdoors Connecticut needs to make this state safer for all residents. In the past year a young boy from one of my District towns was dragged off ay an aggressive male bear. The number of bear encounters have increased annually, and it is only a matter of time before we have a fatality. Current policies to keep people and bears apart are not working well enough to ensure the safety of either. This is a public safety issue.

Richard Daniotti, President, CT NEWCO Association:

Mr. Daniotti testified on behalf of the CT Nuisance Wildlife Control Operators Association we recognize the need for control operations beyond non-lethal deterrents. We deal with the public every day and consider all options for control. Along with public health and safety issues the damage and financial loose caused by larger species are becoming more widespread as their population increases.

Joseph Bachar, N.E. States Coordinator, Congressional Sportsman's Foundation:

Mr. Bachar testified that since the early 2000's Connecticut has seen a rapid increase in black bear numbers. Hunting is the most cost effective, socially acceptable method of population management. Authorizing a regulated hunting will bolster contributions to the American System of Conservation Funding and reinstating an effective tool that the Department of Energy and Environmental Protection can utilize for managing the black bear populations. The conflicts between bears, humans, their pets, and property have been well-documented, and the frequency will continue to increase without a black bear hunting season.

Frederick Becker, President, Connecticut Trappers Association, Inc.:

Mr. Becker testified that the bill would contribute to the proper wildlife management in the state. The exploding black bear population is a major public safety issue.

Chas Catina, Treasurer-Friends of CT Sportsman:

Chas Catina testified the predatory attack on the young boy in Morris is an example of what happens we manage predators with emotion instead of established science. Recent reports with CT DEEP Bear Biologists and leaders in the Wildlife Bureau suggest that a limited hunting season can and should become part of the management plan. After last summer's drought and fall and almost a complete failure of the acorn crop statewide I expect bears will be waking up earlier than usual this spring and hungry.

Michael Fusco, Harwington Rod & Gun:

Mr. Fusco testified how the black bear population is growing and after 34 years of working for the town municipality he would see bears daily. This year there seemed to be on hibernation, and they seemed to be on the move for food daily.

Karen Kupec, Veterinary Technician:

Ms. Kupec testified how as a CT Veterinary Technician for small domestic animals I support this bill because one must put their foot in someone else's shoes. We have a DEEP department who tags bears with color coded tags but does not claim 110% which bear are nuisance. We can't relocate bears and only aggressive bears will be potentially killed.

Robert LaFrance, Director of Policy, CT National Audubon Society:

Mr. LaFrance testified that the Audubon Society relies on the expertise of the scientists at CT DEEP and when their wildlife biologist express concerns about Black Bears, we take notice. We support the bill but believe that the language in the bill is too expansive regarding restrictions on the ability of bird watchers to feed birds.

Sven Lindquist, President, Safari Club International:

Mr. Lindquist testified that we support the trained professionals at the Connecticut Department of Energy and Environmental Protection. We understand that many wish to focus on conflict mitigation instead of a policy that incorporates a regulated hunt but the most effective method for stabilizing the Black bear population is regulated hunting. We support wildlife management coming from the professionals in DEEP.

John Mundt, Simsbury:

Mr. Mundt testified about the numerous encounters he has had on his property. The frequency has visibly increased and there have been several documented accounts in the Farming Valley. I am fearful that it is only a matter of time when something catastrophic will occur.

Sean Stevens, Connecticut Wildlife Control LLC:

Mr. Stevens testified that as a Nuisance Wildlife Control I support a limited bear hunt season as a tool to manage the population. New Jersey stopped their hunt and then reinstated it. The funds could go towards conservation.

Michael Williams, Simsbury Family Dentistry, Simsbury:

Mr. Williams testified that this bill should not be limited to just Litchfield County. I live in Simsbury and our bear encounter rate is one of the highest in the state. This bill leaves many towns out of the possible controlled hunting season. I had a personal encounter when a 400-pound bear pushed in a completely locked double hung window and entered my home. Please pass this bill and include the counties that have the most involvement in the state.

Over 300 people also submitted testimony in support of the bill.

NATURE AND SOURCES OF OPPOSITION:

Nicole Klarides-Ditra, Representative, State of Connecticut:

Representative Ditra testified as Co-Chair of the Animal Welfare Caucus I am disappointed to see this proposal. Bears are opportunistic feeders and not interested in attacking or eating humans. We do not have a bear problem we have a problem with the people of our state who do not understand that reasonable cohabitation with wildlife is possible.

Gary Turco, Representative, State of Connecticut:

Representative Turco submitted testimony opposing the legalization of a lottery to hunt black bears. There are proven and better non-lethal ways to reduce issues that interactions with bears. Other states have found that hunts do not eliminate nuisance complaints. The CT Coalition to Protect Black Bears supports legislation with effective and non-lethal strategies.

Timothy Abbott, Regional Conservation Director, Housatonic Valley Association:

Mr. Abbott testified that this bill establishes permits for the taking of bear that damage crops, livestock, or bees. Farmers already have that ability under the law to address bear damage to crops and DEEP has the ability to destroy bears that pose a threat to public safety.

David Ackert:

Mr. Ackert testified that most of the staff of DEEP are wildlife hunters. This is the same DEEP that Killed Bobbi the Bear and orphaned her cube. Change human behavior by making it illegal to feed bear including with bird feeders/seed and unsecured trash.

Allen August, Executive Director, Intheshadowofthewolf:

Mr. August testified that there are scientifically proven strategies that keep bears wild and people safe. The science shows that hunting does not reduce human-bear conflicts. The bill should be replaced with language offered by the CT Coalition to Protect Bears which contain real and effective solutions.

Robert Auer, Energy Solutions LLC:

Mr. Auer testified the killing of wildlife is a sign of fear which is a negative emotion. We need to respect the life of a sovereign animal and respect them as sacred. It is a shame that we are even debating this issue.

Alan Benford, Connecticut League of Conservation Voters:

Mr. Benford submitted testimony on the problematic human behavior resulting in bears becoming human food conditioned. The simple answer is to change this behavior and remove food attractions. Bear hunting does not work. Effective community-based solutions should be emphasized.

Lori Brown, Executive Director, CT League of Conservation Voters:

Ms. Brown testified that bears are appearing across the state in areas never seen before but we challenge DEEP's growth estimates. DEEP already has the ability to destroy bears that come in conflict with humans and their pets or farms.

Janice Cashell:

Ms. Cashell testified that there is extensive data that killing bears is not a solution to keeping them out of our backyard. To suggest a recreational hunt as a solution does not belong in the 21st Century.

Patrick Comins, Executive Director, The Connecticut Audubon Society:

Mr. Comins testified that this bill would prohibit the popular activity of bird feeding. It is too broad to set a blanket prohibition on the feeding of birds. There are many parts of the state when feeding birds can be done safely. The outright prohibition would have a negative economic impact on those business that sell feeders and seed.

Christine Cummings, A Place Called Hope:

Ms. Cummings testified as a wildlife rehabilitator I am aware of the conflicts of our wildlife. Education is critical to coexist with our native wildlife. Hunting does not reduce human-bear conflicts education does.

Darleen Ferguson, Protectors of Animals:

Ms. Ferguson testified that instead of a bear hunt the committee should promote activities to educate Connecticut's citizens on how to live with the bears. The legislation is of no benefits to residents who enjoy a state where they can live in peace with the wildlife.

Ann Gadwah, Advocacy and Outreach Organizer, Sierra Club Connecticut:

Ms. Gadwah submitted testimony on the non-lethal and humane solutions to these encounters such as "Bearsmart" programs and community based public education. Hunting bears is inhumane and will not solve the human-bear interactions.

Martha Gertz, Avon:

Ms. Gertz testified how she routinely sees bears pass thru her yard and are not aggressive or creating problems. If you do pass a bill to kill bears it should be only the males so as not to see orphaned young bears.

Anthony Irving, 8mile Wild & Scenic Watershed:

Mr. Irving testified as a forest ecologist he is grateful to see the return of black bears. Black Bears provide an essential service to rebalancing the forest environment. A generalized hunt will do nothing to prevent occasional interactions with humans.

Stephanie Kurose, Center for Biological Diversity:

Ms. Kurose testified how on her 100-acre farm in Sandy Hook they have chickens and 100 beehives. We know bears are around but have never had a single issue. We take precautions that are cheap and easy such as blowing an air horn. We do have an electric fence around our bees and do not let the chickens' free range unattended.

Kim Libera:

Ms. Libera offered some suggestions and compromises.

1. Allow any homestead owner to take necessary action to protect their family and animals.
2. Adapt a food waste collection system so that DEEP may distribute to selective spots for out wildlife.
3. Allow owners to use the Green Bank to secure structural barriers.
4. Track, chip, and ship to Canadian providences or to a zoo.

Protect mother bear & cubs. Think outside of the box.

Amy Mallardi:

Ms. Mallardi testified how black bears are essential to the health of our ecosystem by dispersing seeds and keeping out soil healthy. Protect the black bear and educate the public on how to coexist with them.

Shirley McCarthy, Professor, Yale Medical School:

Professor McCarthy testified that in the last 50 years the planet has lost 70% of its vertebrate wildlife all human caused. I am stunned that we are considering hunting these intelligent creatures who belong in our ecosystem.

Dan Montuori, Dog & Drone Search:

Mr. Montuori testified how he often goes deep into the woods looking for lost pets. I have encountered bears twice because Dog Gone was doing bacon burns and smoke bacon scented to recover lost dogs. This attracts all types of predators. They do this in populated areas putting people and pets in danger. It is stupid human behavior calling the animals into populated areas.

Gloria Navan

Ms. Navan testified that bears are not a danger to the public. There is no scientific data proving a bear hunt will reduce bear/human conflicts. Non-lethal methods as opposed to slaughtering the bears should be enacted.

Robyn Nichols:

Ms. Nichols submitted testimony on how The State of Connecticut and CT DEEP has done little to prevent bear interactions with the public nor provide education or outreach. Education and outreach about proper food waste disposal, limitations on feeding, respect for their territory and instillation of easy cost-effective deterrents are better ways than hunting.

Megan Peters, Town of Mansfield:

Ms. Peters testified an animal control officer in Connecticut she is horrified that the state is considering hunting our native black bears. Hunting does not reduce human-bear conflicts rather these conflicts decline when attractions are removed. Bear proofing crops, livestock, and beehives with electric barriers, remove bird feeders and bear proof trash cans are proven strategies.

Craig Repasz, Connecticut Ornithological Association:

Mr. Repasz testified that the language in the bill needs to be more defined for the feeding of birds. Local municipalities should be prohibiting bird feeders. The DEEP Commissioner should make a provision to remove the bird feeders at night if there is a nuisance animal present.

Margaret Sawyer, Darien Land Trust:

Ms. Sawyer testified as a retired newspaper journalist and former board member it was always careless and fearful residents who seek the easy way rather than be educated and environmentally sound and address the root of the problem.

Crystal Shackelford, Yale University:

Ms. Shackelford submitted testimony as a resident of New Haven and having previously lived amongst native black bears in North Carolina, Washington and Oregon killing bears does not eliminate human-animal conflict. Humans endanger bears by allowing them access to food whether it be human, pet or bird feeders. Communities with Bear Smart programs interactions are reduced.

Scott Smith, Communications Director, Friends of Animals:

Mr. Smith submitted testimony about the Colorado authorities who worked with officials in Durango and Bolder to reduce bear-human conflict by bear proof trash cans. Help communities located in bear habitat institute and enforce food-waste diversion and bear resistant trash programs. DEEP should be required to equip campgrounds with the same measure. Do not follow New Jersey's unscientific approach to randomly kill bears.

Julie Stankiewicz, Humane Policy Volunteer Leader, Humane Society of the U.S.:

Ms. Stankewicz testified that bears are a slow to reproduce species and hunting may only cause individual bears to suffer immensely. This may also cause a rapid decline in their populations. To suggest a recreational hunt is reckless and an abuse of the public trust. The "nuisance wildlife" section of SB 1148 crates a loop ole for hunting of bears and bobcats with vague language and subjective standards. The entire bill should be replaced with language offered by the CT Coalition to Protect Bears.

Jared White, ION Restaurant:

Mr. White testified as a Connecticut resident proposed changes to the safety of our wildlife. Adjustments can be made to reduce bear population and there are alternatives like electric fences and removing bird food feeders during peak bear season to changing the bears.

Jo-Anne Basile, Executive Director, CT Votes for Animals:

Ms. Basile testified as a grass roots animal advocacy organization we opposed the bill. Authorizing a bear hunt will not reduce bear/human interactions. We believe a bear hunt is not what Connecticut residents want. I have attached photos of bear hunts that took place in New Jersey. It is sad to see such majestic creatures maligned. DEEP already has the authority to kill "nuisance" bears. A strong public education program is need and we have included some suggestions.

The following also testified on behalf of CT Votes for Animals:

Andrea Dobras
Anne Foley
Andrea Kerin
Karen Laski
Irene Lefland
Susan Linker
Julie Meyer
Henry Petrofsky
Linda Pleva
Marsha Rabe
Kathleen Sullivan

Reported by: Pamela Bianca

Date: April 4, 2023