

September 8, 2021

Tony Wasley, Director  
Nevada Department of Wildlife  
6980 Sierra Center Pkwy #120  
Reno, NV 89511  
twasley@ndow.org

Tiffany East, Chairperson  
Nevada Board of Wildlife Commissioners  
6980 Sierra Center Parkway, Suite 120  
Reno, NV 89511  
tiffany@tiffanyeastpr.com

***Re: Request to Close Hunt Units 192, 194, 195, 196, 201, 203, 204, and 291 to Black Bear Hunting for the 2021 Season***

Dear Director Wasley and Chair East,

Wildfires have torn through the Sierra Nevada in recent weeks, leaving a path of destruction in their wake. While the human cost of wildfires is dear and tragic, so too does wildlife bear the burdens of wildfire. Fire can cause direct mortality for individuals, can cause forced migration, and the scorched earth left behind a fire provides poor or no habitat for wildlife for the immediate period post-fire.

The Tamarack Fire and the Caldor Fire have both profoundly affected the ecology and wildlife of the central Sierra Nevada. The Tamarack Fire is 82% contained, having burned 68,637 acres in California and Nevada. The Caldor Fire is still burning out of control, having burned approximately 215,000 acres with 28% containment as of September 4<sup>th</sup>. The two perimeters of these massive conflagrations are less than 8 miles apart. They form a nearly contiguous belt of burned terrain almost all the way across the Sierra Nevada.

Additionally, just as the experience of living in or near a catastrophic wildfire of unprecedented size is harrowing for humans, so it is for wildlife. Wildlife which lived within areas now burned would have fled as the fire approached, and while some likely perished, some would be pushed to outside the boundaries of the fire, into foreign terrain and other animals' territories. This

forced migration of wildlife by wildfire will have broad effects on wildlife and trophic interactions in the areas receiving migrating wildlife.

And with no refuge from the smoke and ash, these fires cause impacts to animal physiology and behavior far beyond the fire perimeters. One could expect that other mammals may experience similar impacts to humans from breathing heavy smoke all day – decreased lung function, increased risk of heart illness, etc.

The Nevada bear hunt is set to commence on September 15<sup>th</sup>, and includes the portions of hunt units 192 and 194 outside of the Tahoe Basin, as well as units 195, 196, 201, 202, 203, 204, 206, and 291.<sup>1</sup>

The Tamarack Fire burned into hunt units 192 and 291 and to within 2 miles of hunt unit 201, within 8 miles of hunt unit 203, and to within 10 miles of hunt unit 204. And as of September 4<sup>th</sup>, the Caldor Fire has burned to within 3 miles of hunt unit 192 and to within 13 miles of hunt unit 194. Additionally, the enormous Dixie Fire in California has burned to within 15 miles of hunt unit 196.

Research has found that wildfire can have profound impacts on bear ecology in the near- to mid-term. Wildfire has been found to skew sex ratios in bear population toward males, and the young of the remaining females typically do not survive the first year.<sup>2</sup> Recently burned habitat has been found to produce little to no soft mast and little hard mast food sources for bears immediately following a fire, causing them of necessity to relocate to unburned areas in the immediate aftermath of a fire.<sup>3</sup> While there's little doubt that, long term, a fire may create more food opportunities for bears than existed pre-fire, it will take multiple years for that to occur. The immediate aftermath of a fire is devastation.

It is entirely likely that bears fleeing the Tamarack and Caldor Fires have been pushed into new territories, many likely currently occupied by other bears. One could expect that, due to bears migrating from the Caldor Fire arriving up against the boundary of urban Douglas County, bears might be more densely concentrated on the eastern Sierra Front in hunt unit 192. We could expect a similar dynamic to have played out on the eastern margin of the Tamarack Fire in hunt units 291 and 201.

These bears invading other bears' territories may then start a domino effect, affecting further bear territories beyond just the perimeter of the fires. We would have concerns about this in hunt

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<sup>1</sup> Commission Regulation 21-04. <https://bit.ly/3kWYwFf>

<sup>2</sup> Cunningham, S.C. and W.B. Ballard. 2004. "Effects of wildfire on black bear demographics in central Arizona." *Wildlife Society Bulletin* 32(3): 928-937.

<sup>3</sup> Stratman, M.R. and M.R. Pelton "Spatial response of American black bears to prescribed fire in northwest Florida," *Ursus* 18(1): 62-71.

units 194, 195, 203, and 204. Additionally, due to the enormous Dixie Fire in the Plumas National Forest in California, bears could be forced into hunt unit 196.

We already have evidence of bear movement due to the fires. According to Department public information officer Ashley Sanchez, “We’re starting to see an increase in bear activity and bears are going to be in weird places,” and per the article citing that quote, the activity would be “especially in Douglas County down the mountain from the south end of Lake Tahoe.”<sup>4</sup>

Additionally, based on the research cited above, it’s likely that the demographics of the bear populations, and the likelihood of cub survival, are significantly different now than at the time the data upon which the hunting season was decision was based was collected.

The Nevada Board of Wildlife Commissioners is charged with “establish[ing] policies and adopt[ing] regulations necessary to the preservation, protection, management and restoration of wildlife and its habitat.”<sup>5</sup> The Commission is charged with establishing “seasons for hunting game mammals,” which includes black bears.<sup>6</sup>

The Commission also has the discretion to decide on “...when necessary for management purposes, the emergency closing or extending of a season, reducing or increasing of the bag or possession limits on a species, or the closing of any area to hunting, fishing, or trapping.”<sup>7</sup>

Further, the Director of the Department may, “In cases of emergency, with the prior approval of the Governor, exercise the powers of the Commission until such a time as the Commission meets or the emergency ends.”<sup>8</sup> The Governor declared an emergency for the Tamarack Fire on July 23, 2021;<sup>9</sup> and he declared an emergency for the Caldor Fire on August 30, 2021.<sup>10</sup>

Wildlife are sentient beings which experience fear, terror, pain, and grief.<sup>11</sup> Surviving catastrophic wildfire, breathing heavy smoke for weeks on end, fleeing for one’s life and the lives of those they are responsible for – bears are suffering as much or more from the Tamarack and Caldor Fires as humans.

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<sup>4</sup> Dornan, G. 2021. “Wildlife officials warn of increasing bear sightings in Carson, Douglas.” *Nevada Appeal*, September 2, 2021.

<sup>5</sup> NRS 501.105.

<sup>6</sup> NAC 503.020.

<sup>7</sup> NRS 501.181(4)(a).

<sup>8</sup> NRS 501.339(1).

<sup>9</sup> [https://gov.nv.gov/News/Emergency\\_Orders/2021/2021-07-23\\_-\\_Declaration\\_of\\_Emergency\\_for\\_the\\_Tamarack\\_Wildfire/](https://gov.nv.gov/News/Emergency_Orders/2021/2021-07-23_-_Declaration_of_Emergency_for_the_Tamarack_Wildfire/)

<sup>10</sup> [https://gov.nv.gov/News/Emergency\\_Orders/2021/2021-08-30\\_-\\_Declaration\\_of\\_Emergency\\_for\\_the\\_Caldor\\_Fire/](https://gov.nv.gov/News/Emergency_Orders/2021/2021-08-30_-_Declaration_of_Emergency_for_the_Caldor_Fire/)

<sup>11</sup> Bekoff, M. 2000. “Animal Emotions: Exploring Passionate Natures: Current interdisciplinary research provides compelling evidence that many animals experience such emotions as joy, fear, love, despair, and grief—we are not alone.” *BioScience* 50(10): 861-870.

We are in a new era of wildlife management, where we have to directly consider the impacts of climate chaos on the management of our wildlife. The Caldor and Tamarack Fires could rightly be considered a wildlife emergency. As a result, in order to protect at-risk bears and provide a buffer for cascading ecological effects from catastrophic wildfire, **we are urging the Commission and/or the Department to use their emergency authorities under the law to close the bear hunt in hunt units 192, 194, 195, 196, 201, 203, 204, and 291 for the 2021 season.**

Please spare the bears, and close the hunt in areas affected by the Caldor, Tamarack, and Dixie Fires.

Signed,

Center for Biological Diversity  
Sierra Club – Toiyabe Chapter  
Humane Society of the United States  
WildEarth Guardians  
Animal Wellness Action  
No Bear Hunt NV  
Nevada Wildlife Alliance  
Bear Defenders

CC:

Governor Steve Sisolak  
Assembly Natural Resources Committee Chairman Howard Watts, III