

A New Lawsuit Challenges Private Group's Control Over New Jersey's Wildlife

In the world of wildlife management, few issues have sparked as much debate as the treatment of New Jersey's bear population. A lawsuit brought by former Senator Raymond Lesniak challenges the recent decision by the New Jersey Fish & Game Council to allow bear hunting for the next five years and seeks a preliminary injunction to halt this year's bear season, scheduled to begin this month.

Lesniak's lawsuit, filed on behalf of The Lesniak Institute and himself, is about more than bears. It raises questions about the outsized influence of private interests on the Council's decision making, and shines a light on the undemocratic nature of wildlife governance in New Jersey.

We at Wildlife for All applaud the lawsuit. Our mission is to reform state wildlife management in every state to be more democratic, just, compassionate, and focused on protecting all wild species in the face of climate change and a global extinction crisis. If successful, this litigation would end the stranglehold that a shrinking but powerful interest group—hunters—have long had on wildlife matters in New Jersey. It would set an important precedent that would open the door to democratizing wildlife management in other states, bringing fairness and justice to one of the least democratic arenas of public policy in the U.S.

Lesniak's lawsuit revolves around a seemingly simple yet profoundly significant argument: the composition of the Fish & Game Council violates Article III of the New Jersey Constitution, which establishes a three-branch

system of government with distinct legislative, executive, and judicial functions. Lesniak contends that undue influence is wielded by the Federation of Sportsmen's Clubs, a private organization, within the Council. With six of eleven Council members appointed based on recommendations from these clubs, the lawsuit asserts that essential government functions are effectively outsourced to a select interest group.

At the heart of the issue lies the upcoming bear hunt, scheduled for October. Although the Fish and Game Council justified the hunt as needed to reduce human-bear conflicts, it has failed to pursue non-lethal methods of preventing conflict, such as requiring bear-resistant trash cans and discouraging bird feeders in bear country. These evidence-based measures are proven to significantly reduce incentives for bears to venture into residential areas for food.

The core of the issue is the unchecked authority of the Sportsmen's Clubs in shaping New Jersey's wildlife management policies, which results in the Council's apparent bias in favor of hunting as the primary means of wildlife management. This predisposition permeates every aspect of the Council's policies and actions, marginalizing non-lethal solutions that could be more effective, humane, and sustainable in the long run.

Lesniak's lawsuit seeks to prevent further harm to New Jersey's bears. This measure underscores the urgency of the situation and the need for immediate judicial intervention to protect the state's wildlife - a goal fully in line with Wildlife for All's mission to ensure the well-being of all species.

This legal battle serves as a poignant reminder of the critical role that individuals and organizations play in safeguarding our natural world. Lesniak's challenge against the Fish & Game Council's composition not only raises concerns about the undue influence of interest groups but also advocates for a more transparent, data-driven, and ecologically responsible approach to wildlife management.

It is crucial to acknowledge that Lesniak is not alone in his concerns. A growing chorus of voices within the environmental community and the broader public have expressed skepticism about the bear hunt and the overarching policies of the Fish & Game Council. As the lawsuit unfolds, it will undoubtedly attract the attention of those who believe that the fate of New Jersey's wildlife should not be determined solely by a select few but should be a matter of public interest and informed, democratic decision-making, consistent with the commitment to equitable representation from Wildlife for All and our growing coalition of over 60 organizations.

This lawsuit against the New Jersey Fish & Game Council serves as a pivotal moment in the ongoing debate over wildlife conservation in the state. It challenges the status quo, raises essential questions about constitutional principles, and advocates for a more balanced and sustainable approach to protecting New Jersey's bears and wildlife in general. With its success, New Jersey can become a model of democratic, effective wildlife policy-making. Regardless of the lawsuit's outcome, it underscores the importance of vigilant oversight and citizen engagement in matters that impact the environment we all share.

By line: Kevin Bixby is the founder and co-executive director of Wildlife for All. Michelle Lute, PhD in wildlife conservation, also serves as co-executive director. Kevin and Michelle have a collective six decades of wildlife conservation experience.