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**Spearfishing,
Intentional Wildlife Feeding,
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The Illegal Wildlife Trade: Alive and (Unfortunately) Well



Gopher tortoises live in parts of Alabama, Florida, Georgia, Louisiana, Mississippi, and South Carolina. They are protected at the state level in these areas, and the western part of their population is listed as federally endangered under the U.S. Endangered Species Act.

So, how did the gopher tortoise (shown above) end up wandering around central Massachusetts this summer? The answer is likely the illegal wildlife trade, a growing problem threatening America's native turtles and tortoises. Many animals are illegally removed from their natural habitats every year to live in homes as pets. Turtle poaching is especially problematic, since removing even a single wild turtle can have a negative impact on the entire local population.

Turtles can live a long time and they are slow to reproduce. For example, the box turtle, a native species of special concern in Massachusetts, can live for more than 100 years. But only a small percentage of turtles ever reach adulthood. Turtle eggs and hatchlings make an easy meal for many predators, and crossing roads presents a danger to turtles of all ages. Most adult turtles must engage in breeding for their entire lives to replace themselves in the wild population. For this reason, losing any adult turtles, especially adult females, can result in the extirpation of a local population.

Unfortunately, this gopher tortoise example is not as rare an occurrence as we would hope. MassWildlife staff regularly receive turtles and other animals that have escaped their enclosures, are surrendered by pet owners, or confiscated by law enforcement. In each case, MassWildlife works for the best possible conservation outcome.

It's worth noting that most species of turtles in Massachusetts are protected and cannot be captured or kept as pets. In fact, six of the ten native freshwater turtles in Massachusetts are listed under the Massachusetts Endangered Species Act. It is also illegal to move turtles from one location to another.

Want to help turtles? Leave turtles alone when you see them in the wild and report wildlife crime. Keeping the locations of wild turtles to yourself, especially when communicating online, is important. Turtle poachers may use the information you post to illegally collect turtles. If you need help identifying a turtle, contact MassWildlife at natural.heritage@mass.gov. To report a rare turtle visit mass.gov/heritagehub.

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On the Cover: Travis Levy, 14, of Bellingham, displays a yellow perch he caught while kayaking at the 2022 Massachusetts Junior Conservation Camp (MJCC). The MJCC is a 2-week, resident camp, held in August in Russell. Youth aged 13 to 17 are eligible to attend. To learn more about the camp, how youth can attend for free, and deadlines for registration, visit juniorconservationcamp.org. Photo by Troy Gipps

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Photo © Dave Griffin



Photo by Troy Gipps/MassWildlife

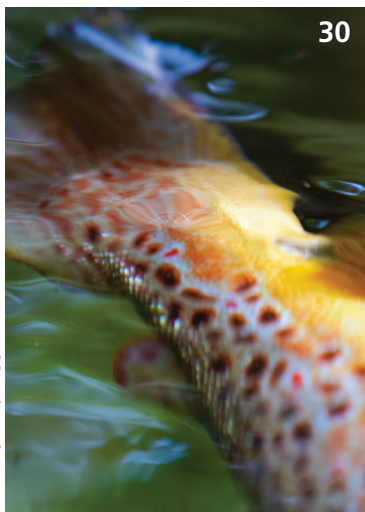


Photo by Troy Gipps/MassWildlife

THE STOCKBRIDGE SOLUTION

By Andrew Madden



The Town of Stockbridge is an idyllic small town with a combination of history, culture, and natural beauty. Made famous by Norman Rockwell and home to sculptor Daniel Chester French's estate, the town sits in the scenic Housatonic Valley, surrounded by wooded hills and rich swamplands. Consistently ranked among the most charming towns in New England, Stockbridge attracts thousands of visitors every year and it is easy to see why the Gilded Age wealthy chose it as a setting for their luxurious summer mansions.

Many of the things that make Stockbridge an attractive place for people also make it particularly well suited for our resident population of black bear. Homes interspersed with wetlands and woodlands along with a large influx of summer residents make it a perfect place for bears to find food resources, both natural and human-produced. Because black bears are omnivorous and opportunistic, they can take advantage of a range of human-produced food resources that are mostly unintentionally, but sometimes

deliberately, made available for bears to easily access. Trash, birdseed, agricultural crops, animal feed, chickens, and beehives are among the most frequently targeted attractants.

Black bears in Massachusetts are a highly successful species with a growing and expanding population. Due to the lack of predators and direct competitors, most black bear mortality can be attributed to vehicle collisions and hunting. Bear hunting is challenging in the best of circumstances and hunting in towns like Stockbridge is further limited due to setbacks, private lands closed to hunting, and restrictions on watershed lands. All of this creates a situation where bear mortality is low and human-bear conflicts are high. This is certainly not unique to Stockbridge. Bears are a prominent feature in every Berkshire town where human behavior exacerbates wildlife conflicts. But Stockbridge was the first town in Berkshire County to take an important step towards reducing human-bear conflicts by enacting an ordinance (or bylaw) prohibiting the intentional feeding of wildlife.



Photo © Dave Griffin

While tourists visiting shops on Main Street in Stockbridge may be unaware of the black bear population in the area, the growing incidents of human-bear conflicts prompted residents to pass a town bylaw that prohibits intentional wildlife feeding. A black bear (opposite page), tagged by MassWildlife, feeds on unsecured trash in a residential neighborhood.





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ARTICLE XXIX WILDLIFE FEEDING

Section 1. Purpose
The purpose of this Article is to protect the health and welfare of both people and wildlife by prohibiting the feeding of nuisance wildlife. Although black bears are the primary species of concern, the purpose of this Article is to protect the health and welfare of both people and wildlife by prohibiting the feeding of nuisance wildlife. Although black bears are the primary species of concern, the purpose of this Article is to protect the health and welfare of both people and wildlife by prohibiting the feeding of nuisance wildlife.

Section 3. Feeding of Wildlife Prohibited

1. No person shall intentionally or knowingly feed, use, place, provide, give, expose, deposit, scatter, distribute, leave or store any attractant that provides a lure, attraction, or enticement to nuisance wildlife on any property in the town of Stockbridge. Feed that is deposited by natural vegetation or found solely as a result of normal agricultural or gardening practices, as well as standing crops planted and left standing as nuisance wildlife food plots that may be used by wild animals, is not considered feeding for the purpose of these regulations and is allowed.
2. Determination of whether attractants are serving as a lure, attraction, or enticement to nuisance wildlife can be made by any Investigating Authority. The landowner or person responsible for premises where problems with nuisance wildlife feeding have occurred will be notified in writing of the attractant issue and offered suggestions for remediation by the Investigating Authority in cooperation with the Town of Stockbridge. Where a tenant or party other than the property owner is clearly responsible for the attractant, notification will be directed to the responsible party.
3. Failure of the person to respond to a notice of an attractant issue and remove or contain the attractant in such a manner as to make it inaccessible to nuisance wildlife within 7 days may be construed as evidence that the nuisance wildlife feeding was done with the knowledge or consent of the landowner or responsible person and was intentional.

The Feeding Problem

Despite decades of living with bears in the Berkshires, many residents, businesses, and visitors have been slow to adapt to life in bear country. The black bear population in the Berkshires isn't going anywhere and bears will be a natural feature in much of Massachusetts for the foreseeable future. The Berkshires have had bears for many decades, but as the population expands eastward many other communities and towns in Massachusetts are experiencing bears for the first time. Conflicts can be mitigated by changing public behavior, and in some cases by changing the law. Outreach and education campaigns have made some progress by altering behavior for those who choose to follow recommendations. Of course, it is not realistic to think that every trash container will be secured or that every bird feeder will be taken in, but often conflicts can be resolved by taking commonsense measures.

Unfortunately, collective gains that are made through outreach and public compliance are too often offset by individuals who intentionally attract wildlife, including bears, by feeding. The reaction we typically get when we talk about intentional feeding of bears and other large mammals is incredulity. Most people can't fathom the idea of intentionally drawing wild animals to their living spaces. Yet MassWildlife has documented sites throughout the state where extreme levels of intentional feeding have created major problems for people and wildlife. In MassWildlife's Western District alone we are aware of recent or current intentional bear feeding in Great Barrington (multiple sites), Pittsfield (multiple sites), Lanesborough, Williamstown, Hawley, Worthington, Lenox, Lee, Richmond, Sheffield, Cheshire, Savoy, Becket, and Stockbridge. Many more undoubtedly exist.

Problem wildlife-feeding is a matter of scale and intent. Humans have probably



Photo by Troy Gipps/MassWildlife

always used food as a means of interacting with wildlife. Feeding ranges from simple sugar water for hummingbirds all the way to hand-feeding bears, and just about everything in between. In virtually all cases, wildlife-feeding is unnecessary and in many cases it is harmful. Wild animals are generally better off behaviorally and physiologically if allowed to fend for themselves. Ideally, our bears would stay wild where their omnivorous diet allows them to take advantage of seasonal shifts in food. Bears primarily feed on green vegetation throughout the spring and early summer, then shift to summer berries and to fall's mast crops, such as apples and nuts, all the while taking advantage

of scavenging and predatory opportunities as they arise. The transition times between natural food sources are when bears are particularly vulnerable to feeding site attractions. Unfortunately, once an easy food source is established, it deters animals from seeking natural foods. Examples of harm to other wildlife species from feeding are numerous: park ducks developing abnormally because of a bread diet, white-tailed deer dying from seasonally inappropriate food, the spread of mange and other diseases at feeding sites, and predators having to be destroyed because of habituation (becoming unnaturally comfortable around people).

The Red Lion Inn is a popular tavern in Stockbridge. In August, a black bear entered the Inn's courtyard in the evening to feed from an unsecured trash receptacle. Dinner guests guarded themselves with chairs and yelled at the bear, which seemed undeterred by the hazing. The incident illustrates the dangers of bears becoming habituated to food sources around people.



Unfortunately, there is no statewide law or regulation in Massachusetts that prohibits wildlife-feeding. This leaves the door open for those who would attract wildlife despite the negative consequences.

A Selfish Act

Observing bird behavior at a feeder or catching a glimpse of a usually reclusive animal is extremely appealing and is an important part of many people's lives. (MassWildlife's staff is no exception; most casual conversations in our offices revolve around animal sightings or encounters.) It is easy to see how that desire can push people to increase the odds of seeing foxes, coyotes, deer,



Photo by Nate Buckhout/MassWildlife

An intentional black bear feeding site in a densely populated Lanesborough neighborhood. Note the deep path in the foreground, worn by repeated bear traffic to the site. Bears moving to the site pass through the yards of multiple neighbors on a regular basis, disrupting outdoor activities, and jeopardizing public safety.



In this photograph, which was posted on a bulletin board in Richmond, "Mr. Bear" is welcomed to Richmond Shores, a pondside community located on Richmond Pond, with a pile of donuts. Baiting black bears with human food for the purpose of taking photographs is the antithesis of ethical wildlife photography and ultimately puts bears, and people, in potential danger.

bobcat, or bear. It has been our experience that most intensive wildlife-feeders consider themselves to be nature lovers. We have had many conversations with problem wildlife-feeders who insist that it is their passion for animals that leads them to provide food. However, wildlife-feeding is ultimately a selfish act, utilizing wildlife for entertainment and personal gratification with a disregard for the consequences for the animals and others. Too often, we only see what we want to see, and the impacts from feeding are not always immediately visible. It takes a deeper exploration to consider the negative aspect of luring animals to a feeding site. Most intentional feeders believe they are providing a benefit or at least not causing harm. Still others acknowledge the negative impacts but are willing to live with that harm if it provides entertainment.

Altered Behavior

A fed bear is a dead bear. That maxim is familiar to most people who live in bear country. Why do bears pay the price? Because intentional feeding alters behavior. The best scenario for both people and wildlife is for animals to remain wild. Feeding habituates wildlife, causing the animals to lose wariness and seek additional food sources around homes and people. This learned behavior can span many bear generations as sows teach their cubs how to take advantage of food opportunities.

Feeding is certainly dangerous behavior for the person providing food. In 2009, a woman in Colorado who had been feeding bears was killed and partially eaten by one. A Kalispell, Montana, woman who had been repeatedly warned about bear feeding was killed by a bear in her home in 2015. This tragic event not only led to the loss of human life, but two habituated bears were destroyed as a result. Locally, reckless feeding of bears, including by hand, has been documented in several towns in Massachusetts. Training bears to associate people and food is dangerous. Most wildlife feeders dismiss risk to themselves, but they fail to consider implications for others. Often it is the neighbors that suffer most as bears traveling to a feeding station are more likely to enter homes, garages, or disrupt outdoor activities. Intentional bear feeding cases in Lanesborough and Pittsfield have rendered neighboring yards unusable because bears are consistently passing through. In one case, a landowner abutting an intentional feeding site complained because every time he showed the property to a prospective buyer a bear wandered through, which understandably put a damper on the sale. In another, the bear trail through a neighbor's yard was so well used it was hard to avoid stepping in large piles of bear scat. Conflict between neighbors is a common theme at feeding sites and in more than one instance has resulted in confrontation, fear, and legal action.

The Massachusetts bear population likely exceeds 5,000 animals. Sightings



MassWildlife officials tracking a black bear in Pittsfield discovered an elevated "Bear-Take-Out" viewing platform in a backyard. The sign notes that the area is open "24-7 Whether Service is Rendered or Not." One of the signs in the feeding area beneath the platform reads, "Bears Dining Area No People after 6:00 p.m."

are frequent in the Berkshires and most residents have had the thrill and privilege of seeing a bear. Unfortunately, too many of these sightings are near homes and yards. Bears go where the food is and feeding teaches them to associate homes with easy food sources. Black bears are extremely powerful and can be quite large, typically ranging from 100–440 pounds, but individuals in Massachusetts have been documented in excess of 600 pounds. A determined bear can make quick work of a chicken coop, a garden shed, or even a home window or door. Most bear encounters are short-lived, usually ending with the bear scampering quickly away from people, but not all are so easily resolved. In July of 2022, MassWildlife documented bears entering homes and living spaces in the towns of Great Barrington, Alford, Otis, and Monterey. These cases were true home entries where bears moved through kitchens and bedrooms, in some cases while residents were home. One bear had to be euthanized because the persistent behavior became a threat to public safety after it entered homes on at least six occasions. MassWildlife biologists dedicate

their careers to wildlife conservation and there are few things that bother us more than having to destroy an animal due to human-caused conflict. There is little doubt that intentional feeding has directly led to dangerous interactions between bears and people.

In Stockbridge, the police department was responding to bear calls downtown almost daily. In many cases, these animals were ignoring traditional hazing techniques and could not be easily deterred from their downtown activities. It was becoming a public safety concern, a major drain on personnel, and a disruption to businesses and lifestyles. MassWildlife conducted multiple site visits and was in regular communication with the Stockbridge Police Department and the Environmental Police about the situation. It was clear that intentional feeding along with poor refuse management was contributing to the problem.

Impact to Wildlife

Feeding has many negative implications for wildlife, including increased risk of mortality. This is where the disconnect



A large intentional wildlife feeding site in Princeton. The forest floor is covered eight inches deep with rotten grain, corn, and dry dog food. The mold at this site was so prevalent that it may have killed the surrounding trees. The truck bed is filled with bags of cracked corn.

Photos by Michael Morelly/MassWildlife

DO WE HAVE A COYOTE PROBLEM OR A PEOPLE PROBLEM?



by Michael Huguenin
Assistant Director of Wildlife

Intentional feeding is not just a problem with black bears. Recently, news headlines about coyote attacks on people and pets have led people to ask if we have a coyote problem in Massachusetts. Coyotes are naturally fearful of people, and attacks on humans are extremely rare. That being said, MassWildlife has confirmed thirty cases of coyotes biting or attacking people in Massachusetts over the last 25 years. The frequency of these attacks has increased in the last 3 years to about five per year. Of those thirty cases, five animals were either confirmed or suspected rabid, six involved the defense of a pet, and four were undetermined. The remaining fifteen (50%) were a result of a confirmed or highly likely habituated coyote—coyotes that have lost their natural wariness of people because they were hand-fed and/or cared for by someone. Habituated coyotes are more likely to expect something from a person than they are to avoid them, which can re-

sult in potentially dangerous interactions that can lead to a person being injured and a coyote being lethally removed by wildlife or law enforcement officials. Coyotes near homes can also result in physical confrontations with pets, either as predatory or defensive behavior.

As susceptible to negative human interactions as black bears are, coyote-human interactions may be more likely to occur. Just like black bears, coyotes are omnivorous and highly adaptable, with the ability to live comfortably almost anywhere a human can—even more successfully than black bears. Further, coyotes are characterized as highly adaptable partly because of their ability to live around people without creating conflict. Contrary to popular belief, coyotes (like all wildlife) are risk averse and should have a natural wariness of people. Initiating conflicts with people (or other non-prey animals, for that matter) is not in their best interest.

Whether offered intentionally or not, food is the greatest motivator for any wild animal. Easy, high-energy food sources with minimal threats like bird feeders, trash, gardens, pet food, and chickens will attract coyotes already living in your area. You can prevent these conflicts by removing and securing food sources, leashing pets, and consistently harassing coyotes. While most of these scenarios happen unintentionally, more serious are instances of intentional coyote feeding, which is never necessary. Remember, coyotes are highly adaptable and don't need our handouts.

between the desire to experience wildlife and concern for the animal's welfare is starkest. Feeding sites draw wildlife across roads, increasing the risk of collisions with vehicles. MassWildlife radio-telemetry research, which tracks bear movement, clearly shows that individuals repeatedly travel distances to known feeding sites, increasing the frequency of exposure to vehicles. Imagine the risk a sow bear must take to get her cubs back and forth across a four-lane highway, enticed by a food source intentionally placed for entertainment. MassWildlife has documented multiple cases of bears

killed on roadways as they travelled to a feeding site.

Intentional feeding also concentrates animals in unnatural proximity, increasing the likelihood and rate of spread of disease. Mammals frequenting feeding sites can spread mange or intestinal parasites and exchange saliva or respiratory droplets. Serious wildlife diseases such as distemper, Highly Pathogenic Avian Influenza, Chronic Wasting Disease, and even rabies are spread through animal-to-animal contact. Quite simply, drawing animals to a common feeding site puts their health at risk.

Photo by Troy Gipps/MassWildlife

Stockbridge Solution

The best solution may well be a state-wide law prohibiting the intentional and problematic feeding of wildlife. In the interim, Stockbridge took a major step towards reducing human-wildlife conflict. In 2021, the town adopted a Wildlife Feeding ordinance at the annual town meeting. The ordinance, viewable at [stockbridge-ma.gov](https://www.stockbridge-ma.gov), is intended to “protect the health and welfare of both people and wildlife by prohibiting the feeding or attracting of wildlife.” The ordinance focuses on black bear but also applies to wildlife-feeding generally. It allows the investigating authorities to identify problems created by intentional feeding or failure to address chronic trash issues while providing exceptions for agriculture and scientific study. Businesses, restaurants, camps, and apartments that are tolerant of bears visiting dumpsters or other containers also contribute greatly to wildlife conflicts. Although slightly

different from the entertainment-based intentional feeding, that tolerance creates many of the same issues. The Stockbridge ordinance allows the town to act against businesses or property owners that are unwilling to adjust to life in bear country.

The bylaw was enacted in 2021 and was almost immediately implemented to address a restaurant whose trash management was consistently attracting bears. The business was cited and complied by changing its dumpsters. According to the Stockbridge Police Department, no enforcement actions have yet been taken against individual citizens, but many conversations have taken place. Fines are structured to allow homeowners and businesses to address the problem without monetary penalty unless they ignore initial warnings. Having this enforcement tool has allowed authorities to give notice to those who risk animal welfare and public safety by intentionally attracting wildlife. In September 2022, the



town of Great Barrington (Stockbridge's neighbor to the south) adopted a similar regulation prohibiting problem feeding of wildlife. Larger in population but similar in surrounding landscape to Stockbridge, Great Barrington struggles with bear issues each year and had multiple home entries in 2022, including an incident in which a resident came downstairs to find an over 200-pound black bear in his kitchen. Adding the new regulation, which is administered through the Board of Health, should help alleviate human-bear conflicts where intentional feeding is a factor.

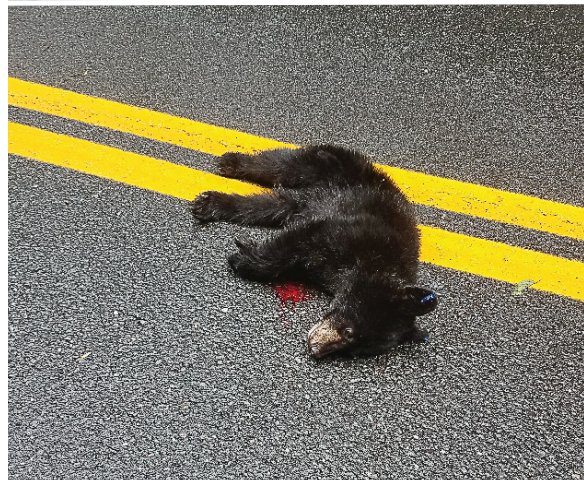
The development and implementation of regulations to address problem wildlife-feeding is a cooperative effort. Local support from the Stockbridge Police and the Great Barrington Board of Health and Animal Control was the driving factor in getting ordinances and regulations passed. A few key individuals with concern for both wildlife and their neighbors can make a big difference. MassWildlife has reached out to towns in the Berkshires and elsewhere to encourage the initiation of similar efforts. Communities interested in exploring the issue more should contact their local MassWildlife District office.

Seeing wildlife is a wonderful experience. One of MassWildlife's core missions is to connect people and nature, and seeing animals firsthand is probably the best way to do that. We've all shared pictures, videos, or stories featuring animals we have seen, particularly when it is a charismatic species. However, when people choose to feed wildlife at a level that jeopardizes public safety and puts animals at risk, they cross the line from appreciating nature to causing harm.

Although it may seem strange that a regulation would be necessary to keep people from feeding bears, most of the extreme feeders do not respond to reason. The Stockbridge Solution provides an option to effect change and is a great example of cooperation between wildlife managers, municipalities, and the public.



Photo © Mia Darone



A large black bear (above), suspected of entered homes in Great Barrington in search of food, walks down a residential street. Bears that repeatedly access food near homes can lose their natural wariness of people. A young bear (below) was struck and killed while crossing a road. Research shows that intentional feeding causes bears to travel long distances to feeding sites, which exposes them to greater risk of vehicle strikes.

Photo by Tony Mazzaferro/ MassDOT

About the Author

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A juvenile green heron hunts for prey from the base of a beaver hut in late July at Great Meadows National Wildlife Refuge in Concord. The solitary and secretive nature of green herons makes them one of the most difficult wading birds to observe and photograph, but juveniles, such as this bird and two others that were perched on and hunting from this beaver hut, are sometimes more tolerant of prying eyes. Although considered fairly common, the green heron population, according to the North American Breeding Bird Survey, has suffered about a 50% decline since 1966. Photo by Troy Gipps/MassWildlife

