

# ONTARIO FEDERATION OF ANGLERS & HUNTERS



*Ontario Conservation Centre*

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To Whom It May Concern:

**SUBJECT: Amendment to two regulations under the Fish and Wildlife Conservation Act, 1997 to extend and expand the Black Bear Pilot Project in parts of northern and central Ontario for an additional five years and to regulate the baiting of black bears.**

The Ontario Federation of Anglers and Hunters (OFAH) is Ontario's largest, non-profit, conservation-based organization, representing 100,000 members, subscribers and supporters, and 725 member clubs. The OFAH would like to applaud the Ministry of Natural Resources and Forestry (MNR) and Minister Mauro for proposing a significant expansion of the spring bear hunt pilot project. The OFAH has always championed the spring bear hunt as a necessary component of proper black bear management. The inclusion of non-residents and the expansion to 88 Wildlife Management Units (WMU's) are important changes, without which the socio-economic benefits would never be fully realized. The OFAH is seeking the reinstatement of the spring bear hunt as it was prior to its cancellation in 1999; that is, with no restrictions on baiting. In fact, many of the proposed restrictions are contrary to the stated goals of the proposal.

## General

The spring bear hunt provides numerous benefits to society. As a wildlife management tool, the spring bear hunt successfully reduces bear densities, particularly male bears, and reduces bear densities immediately prior to the peak conflict period. Lower bear density has been linked to lower rates of cannibalism by male bears on other bears, predation on moose calves and deer fawns, and reduced human-bear conflicts. For the spring bear hunter, the hunt provides opportunities in the spring of the year to be rewarded with the riches of the hunting experience, including self-fulfillment, self-improvement, a sense of accomplishment, wholesome food for the table, valuable hides and sharing knowledge and adventures with fellow hunters, family and friends. These benefits are not limited to those Wildlife Management Units that utilize the Bear Wise Reporting Line extensively – they apply equally to every unit within Ontario's bear range.

This extension/expansion is being proposed in order to address two mutually exclusive issues: to address public safety concerns; and to generate socio-economic benefits for rural and northern Ontario communities. Therefore, the season must be designed to ensure that these goals can be met. This includes minimizing restrictions on baiting that are counter-productive to the stated goals.

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**Benefits of Baiting**

The government is proposing to establish restrictions on baiting practices “to avoid creating habituation in black bears to artificial food sources.” It is reasonable to assume that bait sites can create habituation in bears, but scientific research calls this assumption into doubt. Fersterer et al. (2001) studied the effect of supplemental feeding and found no difference in bear home range size between feeding and non-feeding periods. They concluded that feeding sites can attract and concentrate bears at specific locations. If placed in appropriate areas, bait sites can potentially prevent bears from seeking anthropogenic food sources in developed areas. Baruch-Mordo et al. (2014) also concluded that black bear use of anthropogenic food sources is reversible – bears foraged in urban areas in years of poor food production, but used wildland areas in subsequent good food years. Simply put, baiting has the potential to temporarily increase the carrying capacity of the landscape and reduce the use of other unnatural food sources. Black bears incorporate bait sites into their home range, but do not rely on them exclusively.

Baiting is preferred by many dedicated bear hunters (approximately 30% of black bear licence holders use bait, according to MNR data). Baiting provides hunters with the opportunity to observe animals for extended periods, which helps to minimize the number of sows harvested. Baiting during the spring hunt is also expected to reduce predation by bears on moose calves, deer fawns, and livestock.

**Permitted Placement**

We recognize that conflicts can occur if bear baiting occurs in close proximity to areas that are highly used by other outdoor recreationists. However, these types of conflicts are exceedingly rare and could likely be better addressed by increasing communication efforts with hunters on best hunting practices as opposed to imposing regulations.

Northern and Southern Ontario are dramatically different with respect to population density, road and trail density, and amount of Crown land. Therefore, it will be very difficult to settle on an appropriate combination of features and buffer size that will not create unnecessary restrictions on some bear hunters (i.e. a buffer that is acceptable in Northern Ontario might eliminate a significant proportion of huntable land in Southern Ontario). Inappropriate buffers could also restrict the ability to target nuisance bears. Furthermore, any buffered feature (occupied dwellings, trails, canoe portages, parks, etc.) must be readily identifiable by hunters to ensure compliance is reasonably possible. How are trails defined? Would a buffer around roads include forest access roads and unmaintained roads? How are canoe portages identified/designated? Buffers around these features would be difficult to enforce, and even more difficult to define clearly.

For these reasons, we do not believe that spatial restrictions are necessary or practical. Based on hunter feedback, it appears that many bear hunters may be willing to accept a reasonable buffer around primary residences in order to minimize human-bear conflicts, but it would depend on the specific details of the restriction. If any spatial restriction is adopted, then there must be an opportunity to be exempted with written permission from the landowner or governing authority (e.g. municipalities, Conservation Authorities, etc.).

**Permitted Timing**

We recognize that certain jurisdictions limit the timing of bait placement, but that alone is not sufficient justification to impose similar restrictions in Ontario. To our knowledge, the timing of bait placement was not an issue in the original spring bear hunt or in the two-year pilot project. In Northern and Central Ontario, the timing of bait placement in the spring season will be dictated by local weather conditions. This makes a regulation redundant and unnecessary in the spring season. In order to fully benefit bears and bear hunters, bait should be available to bears immediately after emerging from the den.

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A temporal restriction in either season could severely limit a tourist operator's ability to prepare sufficient bait sites to service its clientele, which would be counterproductive to the stated goal of the spring hunt. During years when natural food abundance is high, it can be difficult to attract bears to bait sites in the fall season. Therefore, it is important that hunters have sufficient time to attract bears to their fall bait sites. In some years, a two-week limit would make it difficult to attract bears to bait sites. If outfitters cannot guarantee a quality hunting experience and a reasonable chance of success, then non-resident hunters will continue to hunt in other jurisdictions. This would be counterproductive to the goal of generating important economic benefits.

The proposal also addresses removal of bait sites after the season. Realistically, animals will clean up any remaining bait shortly after baiting ceases (which could be long before the end of the season). Based on hunter feedback, most hunters agree that sites should be free of debris shortly after the season closes. However, we feel that this should only apply on Crown land and be limited to the removal of plastic bags, plastic pails, and small containers. For practical reasons, hunters should be permitted to leave any large containers (e.g. 45 gallon steel drum) at the site for future use.

#### **Amount of Bait**

Restrictions on the amount of bait that can be used places unnecessary hardship on hunters and outfitters, while providing absolutely no benefit to the resource or other resource users. Many resident bear hunters and most bear outfitters cannot visit their bait sites every day and must provide sufficient bait to attract bears for a period of several days. For most resident bear hunters, the amount of bait that they can use is self-limiting due to its cost. This proposed restriction also raises several legal questions. Would Conservation Officers be required to carry weight scales? Would multiple 10kg bait piles, spaced 10 feet apart, be in violation of this regulation? This proposed restriction is addressing a non-existent problem, is effectively unenforceable, and is counterproductive to the stated goals of the proposal.

#### **Method of Baiting**

Suspended baits have the potential to help a hunter determine the sex of a bear, but determining sex is not strictly necessary. The only existing sex-related regulation is that which prohibits the killing of sows with cubs; a dry sow can be legally harvested. Therefore, the only determination that must be made is whether or not a sow is accompanied by cubs. The only way to reliably do this is to have patience (a hunter must take adequate time to ensure that cubs are not present). Patience is the only requirement, and can only be instilled through education and communication, rather than legislation. Mandatory suspended baits will do nothing to increase a hunter's level of patience. An experienced bear hunter will smear food along a tree trunk or branch to force a bear to stand up – a simple and clever hunting tactic that negates the need for mandatory suspended baits.

Mandatory use of suspended baits could also cause enforcement confusion. The first thing that many bears do upon encountering a suspended bait is attempt to knock it down to the ground where it can be easily accessed. Once the bait and container are on the ground, is the hunter in violation of the law? Would it be illegal to hunt over that bait? Would a hunter have to scare the bear away and re-suspend the bait? Would a hunter be required to move to another bait site that is still suspended? Also, there are many areas of Ontario where suspending baits would be nearly impossible due to a lack of adequate trees. Finally, suspending baits is completely impractical for outfitters due to the number of active bait sites and poses a potential safety hazard for hunters and outfitters.

A regulation that makes it mandatory to use suspended baits in the spring season, while well-intentioned, will do nothing to prevent the accidental harvest of sows with cubs (which is already an extremely rare event). For the reasons above, we do not support the mandatory use of suspended baits.

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In summary, the OFAH supports the expansion and extension of the spring bear hunt across Ontario's bear range, including non-residents hunters and mandatory reporting by licence holders. We believe that the proposed baiting restrictions are unnecessary and will make it difficult to achieve the goals of the proposal. The current posting does not offer enough information for us to provide specific comment on the proposed baiting restrictions; however, if baiting is to be restricted in any way it must be acceptable to bear hunters, reasonable, and designed to address a real, existing problem in Ontario. The MNRF must clearly demonstrate that any baiting restrictions have undergone a transparent cost-benefit analysis that considers wildlife management objectives, enforcement, and socio-economic factors. If the MNRF makes a decision to implement any restrictions on bear baiting, the OFAH would appreciate an opportunity to discuss the specific details and provide feedback prior to implementation.

Thank you for providing Ontarians with the opportunity to comment on this important proposal.

Yours in Conservation,



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Senior Wildlife Biologist

MR/jb

cc: Honourable Bill Mauro, Minister, MNRF  
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**References**

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