

ONTARIO FEDERATION OF ANGLERS & HUNTERS



Ontario Conservation Centre

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OFAH FILE: 404/453
February 17, 2017

Director, Wildlife Management and Regulatory Affairs
Canadian Wildlife Service
Environment and Climate Change Canada
Gatineau, Quebec
K1A 0H3

Dear Sir/Madame:

Subject: Proposals to Modernize Canada's Migratory Birds Regulations to Improve Management of Hunting - Bait Restrictions

On behalf of the Ontario Federation of Anglers and Hunters (OFAH), its 100,000 members, subscribers and supporters, and 740 member clubs, we have reviewed Environment and Climate Change Canada's (ECCC) bait regulation proposals and ask that the following comments be weighted accordingly. In short, the OFAH does not support ECCC's recommended options.

General Comments

The OFAH has been a member of the Hunting and Angling Advisory Panel (HAAP) since its inception, as well as a long-standing member of the Ontario Waterfowl Advisory Committee (OWAC). We also participated in the consultation in 2014 on the *Proposals to Modernize Canada's Migratory Birds Regulations to Improve Management of Hunting*. The OFAH at that time did not support ECCC's recommended option to designate hunting in intentionally flooded agricultural crops as hunting over bait, and we were extremely troubled by the lack of direct consultation with hunting clubs, specifically those around Lake St. Clair that rely on this practice, prior to making a recommendation.

While we appreciate ECCC's consultation efforts this time around, we are still not aware of any on-the-ground issues surrounding the current use of bait authorizations and/or the deliberate flooding of agricultural crops. Moreover, the public consultation document did not provide any evidence (e.g. empirical data) to justify ECCC's recommended option, which is essential to rationalize any proposed changes to regulations.

We strongly believe the identified objectives of the proposed policy on baiting are currently being met under the existing regulations/guidelines (i.e. the status quo) to ensure the conservation and sustainable harvest of migratory birds in Canada.

The OFAH comments are focused on the options provided by ECCC in order to ensure they are within the scope of the proposal; however, we also recognize that there are likely other options that have not been considered but are worth exploring.

Issue 1: Bait Authorizations

The OFAH does not support ECCC's recommended option (Option 2) to discontinue the issuance of bait authorizations. We understand that bait authorizations are issued primarily for the benefit of migratory birds (e.g. waterfowl) and people. Further, it has not been shown that the present number of authorizations across Canada is unsustainable (or a conservation concern). Baiting (including bait authorizations), is regulated currently to ensure the conservation and management of migratory birds. Bait authorizations do not allow hunting within 400 metres of those baited areas.

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The issue of social fairness and equitable access is a perceived concern only, and there is absolutely no evidence to support this statement. Further, what information does the ECCC have to demonstrate that an increase in the number of authorizations issued has the potential to result in an increase in harvest?

ECCC's recommended option does not acknowledge the impact of the current regulation or the consequences of discontinuing bait authorizations. The majority of authorizations are issued to waterfowl associations on private lands (and public lands). The ability of these areas to maintain a quality hunting experience (for all waterfowl hunters) is contingent on these authorizations. Hunting and harvest limits are strictly enforced and there is an existing requirement to report harvest numbers.

The OFAH supports the status quo (Option 1) – continue to issue bait authorizations to deposit bait within 14 days of and during an open hunting season. We understand there is existing policy (tools) for approving bait authorizations currently in place. The need for creating new “nationally consistent guidelines” is not well understood. We do not believe there would be an increase in “government burden” associated with Option 1 and regardless, there should be more monitoring and enforcement in general.

Given that ECCC has proposed the removal of all bait restrictions as a potential option (Option 3), we can assume that any conservation concerns are negligible, if present at all. It is unclear whether hunters would support the removal of all bait restrictions, so there would need to be further consultation on the subject with a full cost-benefit assessment.

Issue 2: Bait and Agricultural Operations

We do not support ECCC's recommended option (Option 2) – to prohibit the deliberate modification of an agricultural crop that is not required as part of normal recognized agricultural practices for the purpose of attracting migratory birds for hunting.

This proposal is of major concern to us. This is a common practice, especially in the Lake St. Clair region, and very common on the US side of the Great Lakes. Prohibiting these practices could have unnecessary negative ecological, social, economic, and recreational impacts.

There are hunt clubs at Lake St. Clair that benefit from the increased hunting opportunities, and some of these clubs could convert back to farmland if they are no longer allowed to flood cornfields, reducing available staging habitat and nutritional benefits for waterfowl in a region that has already lost most of its natural wetlands. Furthermore, we would argue that these practices do not meet the definition of “baiting” (i.e. the depositing of bait) and therefore, should not be considered baiting. How is this practice different from other habitat enhancement/creation projects?

There have been no legitimate sustainability concerns identified, and the issue of creating a situation of unequal access to migratory birds is again unjustified and only a speculative concern that is further misinformed by this proposal. In fact, if the provision of flooded corn increases the carrying capacity of a region, then all hunters could potentially benefit from the provision of flooded corn, especially since dabbling ducks and geese tend to use flooded corn as nocturnal roosting and foraging habitat.

The OFAH supports the status quo (Option 1 excluding the requirement for authorization) – continue to allow the hunting of migratory birds within 400 metres of a deliberately modified agricultural crop. We do not believe additional authorizations should be required. A potential alternative could be the development of best management practices.

We believe many of the perceived concerns related to these practices could be mitigated through education and awareness. Development and distribution of information on how these practices contribute to the conservation and management of migratory birds, particularly waterfowl, should be a priority. The OFAH would be happy to discuss potential partnership opportunities with ECCC related to education and awareness opportunities.

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In closing, the OFAH has not been provided with sufficient evidence to support ECCC's recommended options. No conservation concerns have been identified, and there is no assurance that migratory birds or the public will benefit from these changes. We strongly believe ECCC's recommended options will result in fewer hunting opportunities, a decrease in the private management of wetlands, and the loss of prime waterfowl habitat (i.e. staging and feeding areas).

We appreciate the opportunity to comment.

Yours in Conservation,

A handwritten signature in blue ink that reads "Dawn Sucee". The signature is written in a cursive, flowing style.

Dawn Sucee
Fish and Wildlife Biologist

DS/jb

cc: Scott Petrie, Delta Waterfowl Foundation
Jim Brennan, Ducks Unlimited
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