



Ontario Federation of Agriculture

Ontario AgriCentre

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January 30, 2012

Mr. Jeremy Downe
Senior Policy Advisor
Species at Risk Branch
Ministry of Natural Resources
300 Water Street
2nd Floor
Peterborough, Ontario
K9J 8M5

Dear Mr. Downe;

RE: EBR Registry 011-5372 (amendment to the Ontario Regulation 242/08 (General) under the Endangered Species Act, 2007 respecting Eastern Meadowlark

The Ontario Federation of Agriculture (OFA) welcomes the opportunity to comment on the Ministry's recently released Eastern Meadowlark Regulation proposal. It is encouraging that the Ministry of Natural Resources has recognized the negative impacts on forage production and livestock pasturing resulting from the addition of Eastern Meadowlark to Ontario's Species at Risk in Ontario (SARO) list.

Agriculture is a key component of Ontario's overall economic output. In 2009, farm cash receipts totalled \$9.6 billion. Over 1/3 of Ontario farms hire additional labour. Potential bobolink habitat impacts upwards of 30,000 Ontario farms, or in other words, over 50% of Ontario's 57,211 farms. Approximately 1/3 of Ontario's farmland acreage (4.4 out of 13.3 million acres) is dedicated to either pasture or the production of hay and other fodder.

The continued presence of endangered species on Ontario farms is testament to farmer's preservation of habitats on their farms. Provincial policies and programs must recognize and build upon that reality. To attempt to ensure the continued presence of endangered species on Ontario farms solely through enforcement and penalties would be sheer folly.

Let us be unequivocally clear; Ontario farmers support the principle of protecting and recovering Ontario's species at risk. However, since the protection and recovery of Ontario's species at risk is a broad, public goal, providing broad public but not private, benefits. OFA believes that any financial costs associated with achieving that goal should be borne by the public at large; not by the individual farmers and other rural property owners where eastern meadowlark nest. In that light, the OFA supports the proposed Eastern Meadowlark Regulation as enunciated in EBR Registry Number 011-5372.

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In conjunction with the exemption from the provisions of the Endangered Species Act, 2007 relating to the protection of the eastern meadowlark and its habitat, the OFA supports addressing the development of long-term solutions to eastern meadowlark through the same committee currently exploring long-term solutions for bobolink.

Finally, for many of the species currently on Ontario's SARO list, as well as for many of the species yet to be added to the SARO list, habitat loss is a key factor in their endangered or threatened status. The creation of new habitat, or the restoration of compromised habitat, should be a benefit to listed species.

During the consultations leading up to the introduction of the Endangered Species Act, 2007, a number of participants suggested the government adopt "safe harbour" agreements as one means of providing endangered or threatened species with additional habitat; habitat that could lead to increased populations of listed species.

Although we are not suggesting this as the only possible means of addressing a lack of suitable habitat, the OFA recommends MNR explore adopting "safe harbour" agreements into the Endangered Species Act, 2007, in the next legislative session.

The OFA appreciates the opportunity to provide its perspective on EBR Registry Number 011-5372 - Amendments to Ontario Regulation 242/08 (General) under the Endangered Species Act, 2007 respecting Eastern Meadowlark. We trust that our advice will be reflected in the final version.

Yours truly,



Mark Wales
President

MW/pj

cc: The Honourable, Michael Gravelle, Minister of Natural Resources
The Honourable, Ted McMeekin, Minister of Agriculture, Food and Rural Affairs
OFA Board of Directors