



Ontario Federation of Agriculture

Ontario AgriCentre

100 Stone Road West, Suite 206, Guelph, Ontario N1G 5L3
Tel: (519) 821-8883 • Fax: (519) 821-8810 • www.ofa.on.ca

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Public Input Coordinator
Wildlife Section
Ministry of Natural Resources and Forestry
300 Water Street
Peterborough, ON
K9J 8M5

To Whom It May Concern:

Re: EBR Registry Number 013-0056 White-tailed Deer Management Policy for Ontario

The Ontario Federation of Agriculture (OFA) is Canada's largest voluntary general farm organization, representing more than 36,000 farm family businesses across Ontario. These farm businesses form the backbone of a robust food system and rural communities with the potential to drive the Ontario economy forward.

Before addressing the proposed Climate Adaptation Strategy, OFA reiterates its view that there is only one Ontario landscape. By that we mean that the full range of landforms and land uses found across Ontario; natural heritage, rural, agricultural, urban, cultural heritage, aggregate extraction, etc. must share this one landscape. Inherent in this is the recognition that Ontario's agricultural areas not only provide us with high quality, affordable food, fibre and fuel, but agricultural areas also provide a broad range of environmental and ecological goods and services that benefit all Ontarians. These environmental and ecological goods and services, in alphabetical order, include;

- aesthetic and recreational space,
- air quality, including oxygen production,
- biodiversity,
- carbon sequestration,
- climate change mitigation,
- nutrient cycling,
- pollination services,
- soil erosion control,
- water cycling (purification, retention, flood mitigation, groundwater recharge), and
- wildlife and endangered species habitat.

Agriculture is the principal resource-based land use in Southern Ontario. Through the 2014 Provincial Policy Statement (PPS) and the four regional land use plans, the protection of Ontario's prime agricultural areas for their long-term agricultural use is a key priority. Ontario farmers have

been challenged by the Premier to double their annual growth rate and add 120,000 additional jobs by 2020. To achieve these goals, the Ontario government **must** adopt policies and programs that complement and facilitate this goal, rather than hinder it. Protection of our finite, scarce and non-renewable agricultural land base from all non-agricultural uses is critical.

Ontario's agricultural land is finite, scarce and non-renewable. Based on data from the 2006 and 2011 censuses, the area of Ontario farms declined dramatically by almost 260,000 ha (636,000 acres) between 2006 and 2011; from 5.4 Million ha (13.3 Million acres) to 5.1 Million ha (12.6 Million acres). Put in perhaps an easier to visualize form, that is 350 acres/day or the equivalent of 173 CFL football fields, each and every day! Maintaining our agricultural lands for the production of food, fibre and fuel is critical. Ontario's legislation, regulations, policies and programs need to be developed through this lens.

Wildlife damage imposes a significant financial burden on some Ontario farmers. By "some", we mean that not all farmers suffer from wildlife predation equally. The impacts vary. A farm's location and the characteristics of the surrounding lands play a significant role. Similarly, farm type is also reflected in overall predation losses. Based on the Ontario Soil and Crop Improvement Association's 2000 *Wildlife Impact Assessment for Ontario*, subsequently updated in 2009 by the George Morris Centre, wildlife damage to both crops and livestock amounted to \$41M in 2007, equivalent to \$47M in 2016 dollars. This amount does not reflect any intervening increases in crop or livestock prices. It does not reflect increasing yields from new crop varieties or livestock genetics. While Ontario does compensate farmers for livestock and poultry losses attributed to wildlife under the Ontario Wildlife Damage Compensation Program (OWDCP), the program only reimburses the farmer for the value of the animal on the day it was killed. There is no compensation for any future lost production or increased value at marketing age. For fiscal year 2016, government compensation payments to farmers under the OWDCP totaled \$1,695,604. The amount of wildlife damage borne by crop producers far outweighs that incurred by livestock producers, and their "hurt" is further compounded by the reality that they have no effective compensation program for their losses parallel to the Ontario Wildlife Damage Compensation Program.

Crop Insurance only triggers a payment if the farmer's yield falls below a predetermined threshold between 70% and 90% of yield. Wildlife damage losses are rarely large enough or sufficiently extensive enough to trigger a payment. But they insidiously occur year after year, constantly eroding farm yields and farm earnings. Profit margins for many crops are extremely slim, making 10% to 30% annual losses devastating.

6.0 Guiding Principles

"Deer, and the ecosystems in which they occur, will be managed sustainably ..." OFA views this statement as positive. However, a necessary aspect of this requires recognizing high deer populations in agricultural areas and the role deer play in crop predation and damage. In areas where agriculture is the principle land use, the negative impacts on farms and farmers from crop predation and damage needs to be addressed by curtailing deer populations, thereby lessening the likelihood that deer will need to rely upon agricultural crops as a key food source.

"Deer management will recognize the interests and contributions of hunters and landowners ..." OFA supports the role of regulated hunting in the overall management of deer populations. We also fully support the ability of farmers to obtain a Deer removal/harassment authorization for agricultural damage where crop predation and damage is excessively high, and regulated hunting has proven inadequate to maintain ecologically sustainable deer populations in agricultural areas.

Lastly, OFA fully supports the rights of individual landowners to choose if they will or will not permit hunting on their farms, as well as their right to choose which hunters will be permitted to hunt on their farms.

7.0 Objectives and Strategies

Objective 1 (pages 4-5)

Strategy 1.1

“Develop population objective setting guidelines to provide direction for determining expected and desired Deer population objective ranges at the appropriate landscape scale throughout Deer range in Ontario”. We view this item as positive if deer numbers in Ontario’s agricultural areas reflect the ability of non-agricultural lands to sustain the local deer population. While we recognize that deer will feed on agricultural crops, that reality must not be used to assess an area’s carrying capacity for deer. The availability of agricultural crops must be excluded when considering deer population objectives at an agricultural landscape scale.

Strategy 1.3

“Collect and manage hunter activity, regulatory compliance and hunter harvest information needed to manage Deer populations effectively. We view this item as positive. Better data will enable the Ministry to make better local population decisions.

Strategy 1.4

“Engage the public (including landowner and rural residents), stakeholders and indigenous communities and organizations of the development and review of proposed harvest management guidelines.” Assuming that the views and concerns of the farm community and local Federations of Agriculture are sought out, and that public engagement is done at less busy times of the farm calendar (e.g. avoiding planting, harvest, lambing and calving), then this action is positive.

Objective 2: (page 6)

Strategy 2.1

“Support and promote stewardship and community-based programs which contribute to habitat provision and restoration through partnerships, education and landowner incentive programs.” Job #1 of Ontario’s farmers is providing safe, affordable food for Ontarians, Canadians and global consumers. OFA is concerned with the references to “habitat provision and restoration” at the expense of farmland producing food, fibre and fuel. Less than 5% of Ontario’s surface area is capable of supporting agricultural production. That is considerably less than Ontario’s current 11% for parks and protected spaces. Agriculture’s share of Ontario’s surface area is decreasing at a rate many view as unsustainable. “Habitat provision and restoration” must not be undertaken at the expense of Ontario’s finite, and diminishing, agricultural lands.

Objective 3: (pages 7-8)

Strategies 3.1 and 3.2

OFA supports elements of Strategies 3.1 (Work with partners to minimize the risk of pathogen transmission between farmed cervids and wild Deer populations) and 3.2 (Continue to discourage and, where appropriate, take measures to prevent the supplemental feeding of Deer to minimize the likelihood of entry and/or spread of pathogens into Ontario).

OFA supports policies and programs to minimize, and hopefully eliminate, the risk of pathogen transmission between farmed cervids and wild Deer populations. Double fencing of farms where cervids are raised should be mandatory, combined with government assistance to achieve double fencing at all cervid farms. In addition, MNRF should collaborate with the Ministry of Agriculture, Food and Rural Affairs as well as with the Canadian Food Inspection Agency (CFIA) to monitor the health of farmed cervids.

Amendments to the Fish and Wildlife Conservation Act, passed in 2009, give the Minister the authority to adopt regulations governing supplemental feeding of wildlife. To date, there has been no activity towards regulating supplemental feeding of wildlife. OFA recommends that regulations governing the supplemental feeding of cervids be developed.

Objective 4: (pages 8-9)

Strategy 4.1

“Maintain and, where appropriate, increase opportunities for people to experience Deer in the wild”. The total absence of any mention of the rights of landowners to decide who may or may not enter their property, and to decide which activities, if any, are permitted on their property, is unacceptable. Regardless of how altruistic and seemingly harmless wildlife viewing may appear, the overwhelming majority of lands across Southern Ontario, where the majority of Ontarians live, is privately owned. Suggestions such as this are objectionable. Experiencing Deer on privately-owned land without the owner or occupant’s permission is not an option. The White-tailed Deer Management Policy for Ontario fails if it ignores the reality of private ownership of land. OFA demands that Strategy 4.1 be clarified to include the owner or occupant’s permission as a precursor to public access to privately-owned lands.

Strategy 4.4

“Communicate, monitor and enforce legislation to promote compliance”. There is no specific reference, either within Strategy 4.4, or throughout the entire Draft White-tailed Deer Management Policy for Ontario, to the Trespass to Property Act provisions pertaining to agricultural lands, reinforced by section 10 of the Fish and Wildlife Conservation Act. Section 3 of the Trespass to Property Act is cited as “prohibition of entry”, and states;

3. (1) Entry on premises may be prohibited by notice to that effect and entry is prohibited without any notice on premises,

- (a) that is a garden, field or other land that is under cultivation, including a lawn, orchard, vineyard and premises on which trees have been planted and have not attained an average height of more than two metres and woodlots on land used primarily for agricultural purposes; or
- (b) that is enclosed in a manner that indicates the occupier’s intention to keep persons off the premises or to keep animals on the premises.

Regrettably, too many members of the general public, and even some enforcement personnel, seem unaware of the above noted provisions with respect to agricultural lands. Agricultural lands do not need to be signed or posted in any way to indicate the owner’s intentions. Lands enclosed by a fence, or where a crop is growing, do not need to be signed or posted in any way to indicate the owner’s intentions. As part of the Draft White-tailed Deer Management Policy for Ontario, OFA demands that the provincial government undertake a broad public campaign to make Ontarians aware of these provisions, and the possession of a Hunting or Fishing License does not provide

the holder with the right to enter privately-owned lands without the owner or occupant's permission.

Objective 5: (page 9)**Strategy 5.1**

With respect to human-deer conflicts, the Ministry of Natural Resources and Forestry needs to clarify the roles and responsibilities of all parties with respect to Deer Removal/Harassment Authorizations. These authorizations serve as a "last resort" for farmers suffering high levels of deer damage to crops, where hunting during the normal open season has not resulted in any lessening of crop damage. The Ministry had indicated its intention to review its policy on the issuance of Deer Removal/Harassment Authorizations several years ago, but as of today, nothing has been done.

On behalf of OFA's 36,000 farm family businesses across Ontario, we look forward to the Ministry of Natural Resources and Forestry incorporating our suggestions and recommendations into its finalized White-tailed Deer Management Policy for Ontario.

Sincerely,



Keith Currie
President

KC/pj

cc: Hon. Kathryn McGarry; Minister of Natural Resources and Forestry
Hon. Jeff Leal; Minister of Agriculture, Food and Rural Affairs
OFA Board of Directors