



Growing Forward 2
A federal-provincial-territorial initiative

Ontario Wildlife Damage Compensation Program: Overview of Program Updates 2017

August 2017





Welcome

- This presentation will provide an overview of updates to the Ontario Wildlife Damage Compensation program (OWDCP), that came into effect on January 1, 2017.
- The program objectives are to provide a fair level of compensation for losses incurred where predation can be confirmed as the cause based on clear evidence.

Ontario Wildlife Damage Compensation Program

Program Guidelines

Version 1.2

Effective Date: January 1, 2017

These guidelines are subject to change from time to time. Consult the ministry's website at www.ontario.ca/predation, or call the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) at 1-877-424-1300, to find more information about the Ontario Wildlife Damage Compensation Program and predation prevention resources. In the event of a conflict between these guidelines and the Order in Council (OIC) 502-2016, the OIC will prevail.



OWDCP Guidelines available at
www.ontario.ca/predation



Ontario Wildlife Damage Compensation Program - Background

- The OWDCP is a Canada-Ontario cost-shared program under *Growing Forward 2*.
- The program was established by Order-in-Council (OIC) (1313/2011) that came into effect in 2011. As part of the OIC, the ministry committed to review the program at two and five-year milestones.
- Parameters of the two and five-year reviews:
 - The two-year review was conducted in 2014 and focused on gathering input from stakeholders.
 - The five-year review was an operational review conducted by MNP LLP in 2015-16, and took a risk-based approach to assess operational processes performed in the administration and delivery of the OWDCP. The review was based upon robust lines of evidence, consisting of a mix of quantitative and qualitative data, such as:
 - Program documentation and OPS directives
 - Analysis of program data
 - Interviews with key program staff (policy and program staff), Municipal Valuers and an online survey of municipalities (survey was sent to 145 municipalities, and 92 responded)



Key Findings

- Key findings from the reviews focused on identifying opportunities to improve the integrity, public accountability and efficiency of the OWDCP .
- Key recommendations included:
 - Clear standards of evidence of predation;
 - Greater consistency in compensation payments;
 - Standardized valuation model for livestock and poultry, including increases to maximum values for non-registered sheep and cattle;
 - One-step appeals process;
 - Clear segregation of program, policy and delivery responsibilities (appeals);
 - Greater clarity and reduced complexity in the program guide and application.
- Key recommendations have been translated into program updates to address key findings and address stakeholder concerns.



What's **New**, What's Not?



What's Not New

- The ministry will continue to pay 100 per cent of fair market value, including premiums, where reasonable evidence substantiates predation.
- OWDCP remains the leading program in Canada in providing fair and comprehensive compensation for predation.
- List of eligible livestock/poultry and wildlife species remain the same.



What's **New**, What's Not: Roles and Responsibilities

Municipalities:

- Appointing Municipal Investigators.
- Notifying a Municipal Investigator immediately after a producer reports a livestock or poultry attack.
- Reviewing and submitting completed program applications (**there is no longer a municipal application**)
- **Submitting additional evidence provided by the producer to OMAFRA.**
- Paying an owner's approved application, in accordance with the program guidelines and values assigned by the Program Administrator.
- Providing Statement of Farm Support Payments (AGR -1) to producers who receive compensation (compensation is taxable income).
- Paying and reimbursing Municipal Investigators.



What's **New**, What's Not: Roles and Responsibilities

Producer:

- Demonstrating reasonable care of livestock and poultry in relation to the prevention of predation.
- Notifying their municipality within 48 hours of discovering the injury or death of livestock or poultry.
- Preserving the injury or kill site and carcass (or carcasses) until the Municipal or Territorial Investigator has investigated.
 - Producers are encouraged to take photos of the site and any injuries sustained upon discovery of the animal.
- Disposing of all dead livestock and poultry in a manner that is acceptable under the Ontario Regulation 106/09 of the Nutrient Management Act, 2002.
- Reviewing their application for accuracy and signing the application form prior to its submission.
- May provide additional evidence to the municipality within seven business days of the Municipal Investigator's report.
- Submitting a completed Reasonable Care Plan directly to the OMAFRA Program Administrator:
 - Required only after five applications have been submitted to the program within one calendar year (January 1 to December 31), and the producer intends to submit a subsequent application.



What's **New**, What's Not: Roles and Responsibilities

Municipal Investigators:

- Municipal Valuers are now called **Municipal Investigators**
 - Continued focus on the investigation, collection and reporting of evidence of predation to support consistent and transparent compensation across the province.
 - OMAFRA will assign the compensation value based on evidence contained in the program application and the standardized valuation table.

Responsibilities:

- Carrying out a full and impartial investigation within 72 hours of receiving the notification of the injury or death of livestock or poultry.
- **Taking three to six colour photos** per eligible kill/injury incurred and collecting all necessary information to clearly demonstrate predation and accurately complete the application.
- Providing a completed program application to the owner and municipality within seven business days of completing an investigation.



What's **New**, What's Not: Roles and Responsibilities

OMAFRA:

- Overall administration of the program and financial accountability to the federal government.
- Appointing Investigators for territories without a municipal organization.
- **Posting the standardized pricing table containing the fair market values for all eligible livestock and poultry and updating the table on a regular basis.**
- Reviewing applications to determine eligibility and **assigning values** based on the evidence provided.
- **Declining applications that do not meet eligibility criteria and/or incomplete applications.**
- Providing the producer and municipality with a written decision within **30 business days** of receiving a complete application.
- Reviewing and assessing appeals.
- Reimbursing municipalities in accordance with the program guidelines.



What's **New**, What's Not: Compensation

A Standardized Valuation Model for fair and consistent compensation across the Province

- Standardized valuation represents the fair market value a producer would receive for an animal with specific characteristics, such as age and weight, in the open market:
 - Fair Market Value is defined as the average market value
 - Fair Market Values are based on commodity organization market reports and Statistics Canada data sources, and will be updated regularly
- Municipal Valuers/Investigators will continue to collect and report evidence of predation and data required to assign compensation and report on the application.
- OMAFRA will use the reported data to assign compensation amount based on the established fair market value.



What's **New**, What's Not: Compensation

Maximums Compensation Values (Non-registered):

- Compensation maximums for non-registered sheep have increased to \$500 and \$4,000 for non-registered cattle.
- Other maximums remain unchanged.
- Maximums are set above the current maximum selling price on the open market to accommodate fluctuations in pricing due to inflation.

Premiums (Registered):

- Premiums equal to fair market value (average market value), are available. **The premiums are now clearly described along with the mandatory documentation that is required for payment.**
 - Premiums are calculated using commodity organization market reports and Statistics Canada data sources.
- With the appropriate documentation premiums are available for:
 - Registered Livestock: Cattle, Sheep and Goats
 - Pregnant Livestock: Cattle , Sheep and Goats
 - Breeding Livestock
 - Breeding Poultry
 - Flock Damage is not eligible for compensation under this program.



What's **New**, What's Not: Appeals

Streamlined Appeals Process

- The **new single stage process** is less confusing for all parties and is expected to expedite the appeal process and reduce administrative burden.
- The updated program guidelines clearly sets out the evidence requirements and types of damage that producers can be compensated for, which will streamline the appeals process.
 - **Only livestock producers may appeal** the Program Administrator's decision directly to an independent OMAFRA Director of Appeals.
 - Producers can appeal a decision regarding sufficiency of evidence, adequacy of reasonable care, compensation awarded and compliance with other eligibility requirements.
- A written request for an appeal and reason for appealing must be submitted to OMAFRA within **20 business days of the decision letter**.
 - A fee of \$25.00 is also required in order to process the appeal request; the fee will be refunded if the Director makes a decision that favours the owner's position.
 - Eligible appeals will be reviewed and assessed by OMAFRA **within 20 business days**.
- Appeals will be assessed using the original evidence submitted by the Municipal Investigator, as well as any additional evidence the owner has submitted for consideration.



What's **New**, What's Not: Payment Process

- The **municipal form** has been eliminated (now only one application form). OMAFRA will reimburse Municipalities for the total compensation value assigned and the standard Municipal Investigator fee, upon processing the program application.
- OMAFRA will provide **a decision letter** to the livestock producer and then the Municipality regarding the application assessment results, including the assigned compensation value. If a producer does not agree with the decision letter, they may appeal the decision.
- Where an appeal is not requested, OMAFRA will initiate the process to reimburse Municipalities **20 business days** after the decision letter is issued to the producer.
- Municipalities will then begin the process of issuing payment to the producer immediately thereafter.
- If an appeal has been requested, the owner and the Municipality will be notified of the decision and compensation (if any), after the appeal has been decided, within **20 business days**.



What's **New**, What's Not: Program Clarity

Sufficient Evidence - has always be a requirement of the program to clearly demonstrate predation, but has not been well defined or communicated. It has now been defined as meeting one or more of the following basic standards:

- Evidence that the livestock bled from the attack.
- Signs of tissue damage (bruising) under the lacerations and puncture wounds.
- Signs of a struggle, drag marks on the ground, broken vegetation and/or blood around the site.
- A carcass must be available for assessment by the Municipal or Territorial Investigator.
- **Three to six colour photographs must be provided** and substantiate the sufficient evidence standards of predation:
 - Photographs are an essential piece of evidence and must be of quality to clearly document the above standard.



What's **New**, What's Not: Program Clarity

Reasonable Care - has also been a requirement of the program, but has not been well defined or communicated.

- Applications now guide the Investigator to collect information to adequately and easily report on the predation prevention practices that the producer has employed.
- A Reasonable Care Plan is required for applicants who have submitted five applications within a calendar year and intend to make subsequent applications to the program within that same calendar year.
- A Reasonable Care Plan is a means for producers to communicate the measures they have implemented or plan to implement to prevent predation on their property.
- These plans will be submitted directly to OMAFRA.
- OMAFRA will review Reasonable Care Plans for sufficiency, and will direct producers to additional resources and supports, if needed.



What's **New**, What's Not: Program Clarity

How Applications will be assessed:

- Applications are received within required timelines.
- The application is complete:
 - If the application is incomplete or missing information, OMAFRA will contact the Municipality to request that the information be provided within 15 business days. If the information is not provided to OMAFRA within this period, the application may be deemed incomplete and not processed.
- Applicant (Producer) meets all eligibility requirements:
 - Have a valid Farm Business Registration (FBRN) Number (applicant name and FBRN match), or a granted exemption (Religious, Gross Farm Income or Cultural exemption) at the time of the injury and/or kill;
 - Have a valid Premise Identification Number for the farm property where the damage or kill occurred;
 - The application is for an eligible livestock, poultry species and wildlife species;
 - In compliance with and remain in compliance with all federal, provincial and municipal laws;
 - Confirm predation
- Damage was not caused by a dog.



What's **New**, What's Not: Program Clarity

How applications will be assessed (cont'd)

- Sufficient evidence to demonstrate that kill or injury was the result of predation. A carcass must be available for assessment by the Municipal or Territorial Investigator, and one of the following signs is captured in photographic and written evidence:
 - Signs that the livestock bled from the attack;
 - Signs of tissue damage (bruising) under the lacerations and puncture wounds;
 - Signs of a struggle, drag marks on the ground, broken vegetation and/or blood around the site.
- Evidence that reasonable care has been and are being taken to prevent future incidents of predation.

Program Resources



Ontario's Wildlife Damage Compensation Program

Completing a Program Application Form

A Resource for Investigators

January 2017



Program Guidelines,
Application and Tip
Sheets are available at:
ontario.ca/predation

Program Resources



Ontario's Wildlife Damage Compensation Program

Municipal Responsibilities

January 2017



Canada



Ontario's Wildlife Damage Compensation Program

A Guide for Livestock and Poultry Owners

January 2017



Canada

Tips Sheets available at www.ontario.ca/predation



Who to contact with Questions ?

- General Inquiries: 1-877-424-1300
 - Agricultural Information Contact Center can assist you with general questions that you may have.
- By email to wildlife.damage@ontario.ca