



Nuisance Wildlife, What Can You Do?

We all enjoy wildlife in their natural habitat. But when they turn to agricultural crops, livestock or poultry for their food, then farmers ask, “What can I do?”

The simple answer is, it depends on the species of wildlife causing the trouble.

Section 31 of the [Fish and Wildlife Conservation Act](#) addresses “protection of property” from wildlife. Under section 31, anyone who believes that wildlife is damaging or is about to damage their property, may, on their own land, harass or kill the offending wildlife. These provisions apply to all property owners, not just farmers. However, one cannot simply shoot wildlife because it is there. **The threat must either be happening, or about to happen.** Although a hunting licence is not required to protect one’s property, you must have a firearm’s licence.

These provisions apply to all wildlife except wildlife on the endangered species list plus moose, caribou, elk or white-tailed deer. The prohibitions on harassing, capturing or killing an endangered species need no explanation. Moose, caribou, or white-tailed deer are “big game” species with a regulated hunting season; likely the reason for their exclusion. Between 1998 and 2001, elk were reintroduced at four Ontario locations. An elk hunting season in North Hastings began in 2011.

Farmers suffering white-tailed deer damage to field crops, vegetable crops or orchards can apply to their MNR District Office for an Agricultural Deer Removal Authorization. A Deer Removal Authorization allows for the harassing or killing of deer, outside of the normal deer season. Additional

authorizations can be issued if damage persists. Farmers who do not have the time or ability to shoot deer on an Agricultural Deer Removal Authorization can use an agent to act in their place. You must possess a valid FBR number, and own or occupy the farms where the deer removal will occur. Anyone with a valid hunting licence can be your agent(s).

Farmers suffering elk damage can apply to their local MNR District Office for an Authorization for Protecting Agricultural Property from Elk, which gives the farmer permission to harass or kill nuisance elk damaging or about to damage agricultural property. Agricultural property includes standing crops, stored feed and farm fences.

For all other wildlife, including wild turkeys, farmers and other property owners can take reasonable action to protect their property, including crops, livestock, poultry or honeybees, from predation by harassing or killing wildlife damaging or about to damage property.

Farmers with nuisance Canada geese, sandhill cranes or other migratory birds must contact the Canadian Wildlife Service (CWS). Although migratory birds are protected under federal law, farmers can obtain permits from the CWS to use “acceptable deterrent techniques”, such as sterilizing eggs or discharging firearms to protect their crops. Contact the CWS Permits Officer at 905-336-4464 (answering machine), 905-336-4587 (fax) or wildlife.ontario@ec.gc.ca.

A couple of caveats. There is a ban on hunting and trapping wolves and coyotes in the 39 townships immediately around Algonquin Park. As well, there are restrictions on hunting wolves and coyotes in Northern Ontario (closed season; limit 2 per hunter). Check with MNR to determine if these restrictions apply in your area. Nevertheless, livestock farmers can shoot wolves and coyotes in defence of property in these areas.

Finally, when bears are shot in defence of property, you are required to notify MNR. Killing certain specially protected raptors (e.g. hawks, falcons) and fur-bearing mammals in defence of property must also be reported to MNR.

An obvious first response is to wildlife damage allow hunting during the open seasons. Encourage your neighbours to also allow hunting during open seasons on their property. In some instances, trapping may be a viable solution. It is our understanding that a municipal “no discharge of firearms by-law” does not apply when using a firearm to protect one’s property.

If you are unable to harass, capture or kill wildlife damaging or about to damage your property, then the *Fish and Wildlife Conservation Act* authorizes the use of an agent to act on your behalf. A number of people are authorized to act as an agent; licenced hunters (H1 Outdoors Card), licenced trappers, members of the property owners immediate family, Ontario Society for the Prevention of Cruelty to Animals employees, person’s whose business is nuisance wildlife removal, or municipal employees responsible for wildlife control, can serve as your agent.

If you’re unable to find an agent from among the groups noted above, then there are two additional types of agents identified in the Act;

1: a named individual agent - tied to a specific property. Usually a 30-day appointment and must be able to be licensed as a hunter. In the case of bears, where the response time is critical, authorization can be done over the phone.

2: a term agent - authorized to deal with all the nuisance wildlife (bears, raccoons, etc.) in a defined area, for example a specific property, concession or township.

Contact your MNR District Office for further information on either of these options.

Since July 1, 2011, the **Ontario Wildlife Damage Compensation Program** provides enhanced compensation to farmers for wildlife damage to livestock, poultry or honeybees killed or injured by predators. The Program applies to a broader range of predators and farmed animals than before. To be eligible, farmers must provide a Premises ID plus current Farm Business Registration (FBR) number, approved documentation issued by OMAFRA for new/retired farmers, a religious exemption or a confirmation letter from the Indian Agricultural Program of Ontario. In the case of bee damage, a Beekeeper ID under the *Bees Act* is required.

When firearms used in the protection of property you must be licenced to possess or possess and acquire firearms. Firearms and ammunition must be stored in accordance with the law. However, in areas where it is legal to discharge a firearm, an **unloaded** and **unlocked** shotgun or rifle can **temporarily** be kept at hand, when needed for **predator control**. The ammunition must be kept in a separate place or locked away.

For further information on defence of property from nuisance wildlife, contact your local MNR District Office. Alternately, you can contact your local OFA Member Service Representative, or OFA’s Guelph office; 519-821-8883 or 1-800-668-3276.

Revised May 2019