

July 25, 2019

Public Input Coordinator
Species Conservation Policy Branch
Wildlife Section
Ministry of Natural Resources and Forestry
300 Water Street, 5th Floor
Peterborough, ON
K9J 3C7

Public Input Coordinator,

RE: ERO 019-0159 White-tailed Deer Population Objective and Harvest Management Guidelines

The Ontario Federation of Agriculture (OFA) is Canada's largest voluntary general farm organization, representing more than 38,000 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 commenting on the specifics of the White-tailed Deer Population Objective and Harvest Management Guidelines, OFA observes that there is only one Ontario landscape, which means that the complete range of activities and land uses found across Ontario; natural heritage, agricultural, rural, urban, etc. must share that landscape. Inherent in this concept is acknowledgement that Ontario's agricultural areas provide us not only with high quality, safe, affordable food, fibre and fuel, but also provide a broad range of environmental and ecological goods and services that benefit all Ontarians.

In addition, Ontario's agricultural lands are a scarce, finite and shrinking non-renewable resource. Based on census data from 2011 and 2016, Ontario's agricultural area declined by almost 320,000 acres; from 12.6 Million acres to 12.3 Million acres. Put in a perhaps easier to visualize form, that is 175 acres/day. Maintaining our agricultural lands for the production of food, fibre and fuel is vital. Legislation, regulations, policies and programs need to acknowledge this.

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 also drives 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 \$50M in 2019 dollars. This amount simply adjusts for inflation but does not reflect any increases in crop or livestock prices or 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), there is no comparable compensation for wildlife damage to crops. Annual compensation payments for wildlife damage have ranged between \$800,000 and \$1.6 million, making the amount of wildlife damage borne by crop producers far larger than that incurred by livestock producers, and their “hurt” is further compounded by the reality that crop producers have no program compensating them for their losses equivalent to the Ontario Wildlife Damage Compensation Program. Crop Insurance only pays when yields fall below a predetermined threshold; between 70% and 90% of the farm operation’s calculated Average Farm Yield. Wildlife damage to crops is rarely large enough or sufficiently extensive enough to trigger a payment. But these losses insidiously occur year after year, continually eroding farm yields and farm earnings. Profit margins for many crops are extremely slim, making 10% to 30% annual losses unsustainable.

OFA supports sustainable white-tailed deer management, recognizing that high deer numbers in specific Wildlife Management Units (WMUs) may, in part, reflect the availability of agricultural crops as a food source. While we recognize that deer will feed on agricultural crops, that reality must not be used to assess a specific area’s carrying capacity for deer. OFA recommends that the availability of agricultural crops must be excluded when setting deer population objectives in agriculturally-dominated landscapes.

OFA continues to support the Ministry of Natural Resources and Forestry (MNRF)’s work with its partners to minimize the risk of disease and pathogen transmission, including Chronic Wasting Disease (CWD), between captive and wild cervid populations. OFA also continues to endorse policies and programs to minimize, and ideally eliminate, the risk of disease and pathogen transmission between captive and wild cervid populations. Double fencing of cervid farms, as well as other sites housing captive cervids, should be mandatory and funded through government assistance. In addition, the MNRF should continue to collaborate with the Ministry of Agriculture, Food and Rural Affairs as well as with the Canadian Food Inspection Agency to monitor the health of captive cervids.

Amendments to the Fish and Wildlife Conservation Act passed in 2009 authorized the Minister to develop regulations governing supplemental feeding of wildlife. To date, there has been no activity towards regulating supplemental feeding of wildlife. OFA recommends that the MNRF prioritize the development and implementation of such regulations.

While viewing deer in the wild seems altruistic and harmless, most lands across Southern Ontario, where the majority of Ontarians live, is privately owned. Viewing or hunting deer on privately-owned land without the owner or occupant’s permission is illegal. The owner or occupant’s permission is required before the public may access privately-owned lands.

There is insufficient reference 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 addresses “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 "notice" provisions with respect to agricultural lands. 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 this review, OFA requests 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 any right to enter privately-owned lands without the owner or occupant's permission.

OFA welcomes this opportunity to provide its agricultural perspective on the White-tailed Deer Population Objective and Harvest Management Guidelines. We also note our related comments on the "Updating our Chronic Wasting Disease Surveillance and Response Plan" posting. We look forward to the province's White-tailed Deer Population Objective and Harvest Management Guidelines reflecting our recommendations.

Sincerely,



Keith Currie
President

KC/pj

cc: The Honourable John Yakabuski, Minister of Natural Resources and Forestry
The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs
OFA Board of Directors