

December 11, 2023

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Environment and Climate Change Canada
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Gatineau, Quebec
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Sent via email to: LEPreglementations-SARAreductions@ec.gc.ca
and submitted online via the Canada Gazette website

Dear Paula,

Re: Canada Gazette, Part I, Volume 157, Number 45: Order to amend Schedule 1 of the Species at Risk Act (SARA) for Eastern Wolves

The Ontario Federation of Agriculture (OFA) appreciates this opportunity to comment on the Canada Gazette, Part I, Volume 157, Number 45: Order to amend Schedule 1 of the Species at Risk Act (SARA) for Eastern Wolves. Our topline feedback is summarized below:

- **Oppose listing the Eastern Wolf as Threatened:** OFA opposes uplisting the Eastern Wolf from Special Concern to Threatened status under the SARA, without assurance that the general prohibitions under the SARA for the Eastern Wolf would not be applied to private land.
- **Concern that SARA prohibitions and protections could be expanded to include private lands:** SARA prohibitions and protections automatically apply on federal land for terrestrial species. However, prohibitions and protections could be applied to private lands should the Minister form the opinion that critical habitat on non-federal land is insufficiently protected, or that there is an imminent threat to the species.
- **Robust protections already exist for the Eastern Wolf:** The Eastern Wolf is listed as Threatened under Ontario's *Endangered Species Act, 2007* (ESA). Strong ESA protections exist for areas where the Eastern Wolf is found in Ontario, including habitat protections, and prohibitions that balance the recovery objectives of the species with the needs of Ontario's livestock producers.
- **Predation poses significant challenges for Ontario's livestock farmers:** Livestock farmers rely on the ability to protect their property and livestock from predators. Potentially losing the ability to do so poses a significant threat to livestock production sustainability and profitability.
- **Consideration of implications to livestock production:** OFA urges the federal government to consider the implications to livestock production should the Eastern Wolf

be classified as Threatened under the SARA, and protections and prohibitions be extended to non-federal land.

- **Request exemption for private lands:** OFA requests that should the Eastern Wolf be classified as Threatened and SARA protections and prohibitions be applied to private lands, that an exemption be created for where active agricultural operations occur.

The Ontario Federation of Agriculture (OFA) is the largest general farm organization in Ontario, proudly representing more than 38,000 farm family members. OFA has a strong voice for our members and the agri-food industry on issues, legislation and regulations administered by all levels of government. We are passionate and dedicated to ensuring that the agri-food sector and rural communities are considered and consulted with for any new or changing legislation that would impact the sustainability and growth of our farm businesses.

Ontario's agri-food sector is an economic powerhouse – producing more than 200 farm and food products, fuelling rural communities, generating nearly 750,000 jobs, and contributing over \$47 billion to Ontario's annual GDP. The province's agri-food strategy, Grow Ontario, aims to strengthen the agri-food sector, support economic growth, and ensure an efficient, reliable and responsible food supply. By removing barriers, unnecessary costs and red tape, Ontario farmers will be positioned to seize opportunities and rise to the challenge of an ambitious growth strategy, allowing the agri-food sector to drive the economy forward.

Before commenting on the specifics of the proposal, it is important to state that OFA supports the principles of species at risk protection and recovery. Collectively, Ontarians lose when species are no longer present on the provincial and federal landscape. OFA values the role played by canid predators. We also recognize the challenges canid predators present to Ontario's livestock producers, and the financial, emotional, and social impacts of livestock predation. Policies that protect species at risk must balance the recovery objectives for Eastern Wolf with the needs of Ontario's livestock producers to mitigate predation losses.

Specific to the proposed amendments to Schedule 1 of the SARA, OFA is opposed to uplisting the Eastern Wolf from Special Concern to Threatened under the SARA without assurance that the general prohibitions under the SARA for the Eastern Wolf would not be applied to private land.

General prohibitions exist under the SARA when a species is listed as endangered, threatened, or extirpated. These provisions for listed species make it an offence to, on federal land:

- kill, harm, harass, capture, or take an individual of a species;
- possess, collect, buy, sell or trade an individual of a species; and
- damage or destroy the residence (e.g. nest or den) of one or more individuals of a species, if a recovery strategy has recommended the reintroduction of that extirpated species.

On private land, these prohibitions apply only to listed aquatic species and migratory birds. However, these prohibitions could also be applied, through an order, to other species listed as

endangered, threatened, or extirpated under the Act in certain circumstances. OFA is concerned that Ontario's livestock farmers could be impacted by the possibility of expanding these protections to Eastern Wolves beyond federal lands.

Robust protections for the Eastern Wolf already currently exist in Ontario, one of the predominant locations where Eastern Wolves are found. OFA is not supportive of legislation that is duplicative and burdensome. The Eastern Wolf has been listed as Threatened since 2016 under Ontario's ESA. ESA protections prohibit the damage or destruction of species habitats that are listed as Threatened. OFA is concerned that the SARA prohibitions could expand protections for Eastern Wolf habitats into agricultural landscapes, which could affect the viability of livestock farmers.

Under the ESA, hunting or trapping of wolves in the core Eastern Wolf occurrence area, Provincial Parks, and Crown Game Reserves, is prohibited but hunting and trapping outside these areas is allowed per the provincial *Fish and Wildlife Conservation Act, 1997 (FWCA)*, and its regulations.

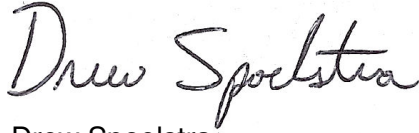
Predation poses a distinct challenge for Ontario's livestock farmers. While not all livestock farmers suffer predation losses equally, the impacts on those that do are significant. Livestock producers rely upon the "protection of property" from wildlife provisions in the FWCA. Under the Act, anyone who believes that wildlife is damaging or is about to damage their property or livestock, may, on their own land, harass or kill the offending wildlife, including Eastern Wolves. Potentially losing the options to harass, hunt, and trap those animals preying on one's livestock is a serious threat to sustainable, profitable livestock production.

Conflicts with wildlife, particularly wolves and coyotes, continue to present serious risks for Ontario's livestock farmers across the province. Ontario compensates farmers for livestock and poultry losses attributed to wildlife under the Ontario Wildlife Damage Compensation Program (OWDCP). Annual compensation payments for wildlife damage have ranged between \$800,000 and \$1.6 million, and program data has shown that wolves prey predominantly on sheep and cattle. The extent of the predation problem is difficult to determine and is most likely far greater than program data indicates. OWDCP data does not reflect ineligible claims or unreported incidences, nor does the program compensate for the true replacement value of the animal. As it is often impossible to differentiate between wolves and coyotes and their attacks, the OWDCP does not require distinguishing between coyotes and wolves. OFA is concerned that, should the SARA prohibitions apply to private lands for the Eastern Wolf, significant financial burden could be borne by farmers who suffer livestock predation by Eastern Wolves.

OFA asks that the federal government consider the implications to livestock farmers in Ontario should the Eastern Wolf be uplisted to Threatened status under the SARA and protections be applied to private lands. If the Eastern Wolf is uplisted, OFA requests that the federal government consider an exemption for private lands where active agricultural operations occur if an order to extend protections to private lands occurs.

OFA appreciates the opportunity to provide our agricultural perspective on the Canada Gazette, Part I, Volume 157, Number 45: Order to amend Schedule 1 of the Species at Risk Act (SARA) for Eastern Wolves. We trust our comments and recommendations will be considered.

Sincerely,



Drew Spoelstra
President

cc: The Honourable Graydon Smith, Minister of Natural Resources and Forestry
The Honourable Lisa Thompson, Minister of Agriculture, Food and Rural Affairs
OFA Board of Directors