



10.1.2

The Corporation of the **City of Kawartha Lakes**
180 Kent Street West
Lindsay, Ontario K9V 2Y6
Telephone: (705) 324-9411 Extension 1208
Toll Free: 1-888-822-2225
kmaloney@city.kawarthalakes.on.ca
www.advantagekawarthalakes.ca

Memo

To: Members of Council
From: Kelly Maloney, Economic Development Officer - Agriculture
Date: April 4, 2017
Subject: Hunting and Trapping Options in Rural and Urban Areas

RECOMMENDATION TO COUNCIL

RESOLVED THAT the memo from the Economic Development Officer - Agriculture dated April 4, 2017 regarding Hunting and Trapping Options in Rural and Urban Areas, be received.

BACKGROUND

At the Council Meeting of August 9, 2016, Council adopted the following resolution:

CR2016-708

RESOLVED THAT the August 9, 2016 memorandum from Kelly Maloney, Agricultural Development Officer, regarding Environmental Bill of Rights (EBR) Postings 012-8104 and 012-8105 Wolf and Coyote Hunting and Trapping Areas, be received;

THAT no support be given to the proposed legislation to expand the ban on hunting and trapping of Eastern Coyotes in the noted areas of Central Ontario related to the protection of the Algonquin Wolf;

THAT staff be directed to make a submission to the EBR registry noting the concerns outlined in the Recommendations section of this memorandum; and

THAT staff be directed to provide a report outlining the options available to a municipality under the current legislation to hunt and trap wolves, foxes and coyotes for both urban and rural areas.


This memo provides the information requested in the final point of the motion.

Available Options

Municipalities have a number of different options to help address human-wildlife conflicts, which could include:

- Communicating to property owners about things they can do to prevent and avoid conflicts with wild animals;
 - The ministry has a number of materials and resources available to help prevent and avoid human-wildlife conflicts.
 - More information can be found online at:
<https://www.ontario.ca/page/prevent-conflicts-wildlife>

 - Communicating to property owners about their rights under the Fish and Wildlife Conservation Act (FWCA) to protect their property from wildlife damage;
 - The FWCA gives landowners the ability to harass, capture or kill wildlife that is damaging or about to damage their property; however it is important to note this does not apply to all species of wildlife.
 - A person or business may use/hire an agent to harass, capture or kill wildlife on their behalf if the agent belongs to a class of agents prescribed by the regulations and the wildlife is damaging or about to damage their property.
 - More information can be found online at:
<https://www.ontario.ca/page/harass-capture-or-kill-wild-animal-damaging-private-property>

 - Encouraging hunting and trapping within the municipality;
 - The FWCA and its regulations establish the rules associated with hunting and trapping (e.g. seasons, limits, control, firearm restrictions, etc). In some cases, local municipal discharge of firearm by-laws may apply further restrictions on hunting and trapping activities in certain areas. (See CKL By-law Attached 2005-329 Consolidated Discharge of Firearms By-law)
- 

2005-329-
Consolidated Discharge
- More information and specifics on hunting can be found in the annual Hunting Regulations Summary (<https://www.ontario.ca/document/ontario-hunting-regulations-summary>).
-
- Hiring a municipal employee whose responsibilities relate to wildlife control to harass, capture or kill wildlife that is damaging or about to damage municipal property (or private property if requested by the property owner).

 - Retaining the services of licensed hunters or trappers to assist with managing conflicts with furbearing mammals (e.g. wolf, coyote, fox).
 - A municipality is permitted to compensate a licensed hunter or licensed trapper to hunt or trap furbearing mammals within their municipal boundaries. The municipality determines the terms of any such arrangement, including the species of furbearing mammals, the licensed hunters or trappers involved, the number of animals, and the locations and time periods that apply. Compensation for hunters and trappers is also the responsibility of the municipality.

- No special authorization from the MNRF is required, provided the municipality follows the rules established under the FWCA.
- Hunters and trappers hired in this way must abide by relevant municipal bylaws and all applicable hunting rules and regulations (e.g. ensure that furbearing mammal pelts are treated in a manner that is consistent with provincial regulations (for example, they are not permitted to abandon pelts of commercial value or allow them to spoil or be destroyed), comply with regulated restrictions on the types of firearms and traps or sets that may be used, etc).
- More information can be found online at: <https://www.ontario.ca/page/wild-animal-control-rules-municipalities>



Attachment A
Municipal_Information

○

Please note that the Algonquin Wolf was recently re-classified to 'Threatened' under the Endangered Species Act. As of September 14, 2016, MNRF implemented new hunting and trapping season closures for wolf and coyote as an interim measure to support the protection and recovery of Algonquin Wolf. As it is difficult to distinguish the Algonquin Wolf from coyotes or other wolves, it is now illegal to hunt and trap wolves and coyotes in Algonquin Park and three core areas where Algonquin Wolf is known to inhabit (see the attached map). Landowners in these three additional areas still have the right to kill or harm wolves and coyotes if there is risk to their health and safety, or to that of their domestic animals and livestock.

Additional questions can be directed Jamie Stewart, Legislative Specialist, Ministry of Natural Resources and Forestry at 705-755-1373.

Information provided by Chloe Stuart, Director, Species Conservation Policy Branch, Ministry of Natural Resources and Forestry.

Best regards,

A handwritten signature in blue ink that reads 'Kelly Maloney'.

Kelly Maloney
Economic Development Officer - Agriculture

Options for Municipalities to Provide Payment for the Control of Coyotes, Wolves and other Furbearing Mammals

March 2017

MUNICIPAL INFORMATION PACKAGE

This “Municipal Information Package” has been developed by the Ontario Ministry of Natural Resources and Forestry to provide additional information to municipalities that wish to compensate licensed hunters or trappers to hunt or trap furbearing mammals within their municipal boundaries to help reduce human-wildlife conflicts.

As a starting point, municipalities should review the [Wild Animal Control: Rules for Municipalities](#), which contains general information about the changes to the ministry’s *Authorization to Hunt/Trap for Hire or Employ for that Purpose*.

Questions & Answers

Q: Who is responsible for dealing with human-wildlife conflicts?

A: Generally, the responsibility to deal with human-wildlife conflicts rests with the property owner or the occupier of a property. The Fish and Wildlife Conservation Act provides provisions for property owners to kill, capture and harass wildlife on their land to protect their property from damage (subject to the rules in the legislation). Property owners may also use or hire agents to assist them or to carry out these activities on their behalf. In some circumstances municipalities may choose to compensate hunters and trappers to harvest wildlife to help reduce human-wildlife conflicts within their municipal boundaries. An example of this is a municipality compensating hunters and trappers to harvest coyotes where livestock predation is occurring.

Q: What happened to MNR’s Authorization to Hunt/Trap for Hire or Employ for that Purpose?

A: In the past, MNRF would issue municipalities an *Authorization to Hunt/Trap for Hire or Employ for that Purpose* under section 11 of the Fish and Wildlife Conservation Act. This authorization allowed municipalities to compensate designated hunters or trappers to harvest problem coyotes/wolves or other furbearing mammals (e.g. beaver) within specific areas of the municipality. On July 1st, 2013, new regulatory changes took effect, allowing municipalities to compensate specific hunters or trappers without obtaining an MNRF approval. MNRF no longer plays a role in reviewing and approving these activities, as they are regulated through rules set out in regulation under the Fish and Wildlife Conservation Act.

Q: What MNRF approval is needed for municipalities to provide financial incentives for control of wildlife?

A: Since July 1st, 2013, MNRF approval/authorization is no longer required for municipalities that wish to provide financial incentives to licensed hunters and trappers to control furbearing mammals (e.g. coyote, wolf) in an effort to reduce human-wildlife conflicts. Hunters and trappers must be licensed to harvest the species of furbearing mammal being targeted (e.g. licensed small game hunters cannot harvest beaver or muskrat).

- Q: What species of wildlife can municipalities compensate hunters and trappers for under this regulation?**
- A: Municipalities may only compensate hunters and trappers to harvest furbearing mammals, as defined under the Fish and Wildlife Conservation Act, that they are licensed to hunt or trap, under this provision (e.g. licensed small game hunters cannot harvest beaver or muskrat). Black bears are not considered furbearing mammals and cannot be hunted and trapped under this provision.
- Q: What restrictions or criteria must be met before a municipality can compensate hunters and trappers?**
- A: All existing laws and regulations associated with hunting and trapping continue to apply including open seasons and harvest quotas. Hunters and trappers must have valid licences for the species to be compensated by the municipality. Municipalities may only compensate licensed hunters and trappers undertaking activities within their municipal boundaries. Municipalities are able to establish additional criteria that they deem appropriate (e.g. limit the area, limit the timeframe, limit the number of animals, require submission of a report from a Livestock Evaluator, municipal official).
- Q: Can this activity take place at any time of year? Are there any limits to numbers of animals?**
- A: Hunters or trappers who are harvesting furbearing mammals and being compensated by a municipality for this purpose are subject to all the existing rules related to hunting and trapping of the species including licence requirements, seasons and bag limits, possession/sale/disposal of pelts and carcasses, etc. Municipalities are able to add additional criteria that they deem appropriate (e.g. limits on amount of compensation provided).
- Q: Are there any restrictions on the types of firearm or traps that can be used?**
- A: Hunters and trappers must use the firearms, traps and trapping methods which they are permitted by the regulations for the area and species being harvested (e.g. only licensed trappers may use body-gripping traps).
- Q: Can the animals be taken at night?**
- A: Under this new regulation, hunters and trappers are subject to the existing rules prescribed in legislation related to hunting and trapping. Night hunting is not permitted with the exception of raccoon which can be hunted at night under specific circumstances, including firearm restrictions and the need to be accompanied by a licensed dog.
- Q: Is an apprentice hunter allowed to be hired by the municipality?**
- A: Yes, provided that they are under the direct supervision of a licensed mentor who is at least 18 years of age.
- Q: Do hunters and trappers being compensated by municipalities require permission to access private property?**
- A: Yes, hunters and trappers require permission of the occupier of a property to hunt or trap on private land.
- Q: Are there requirements associated with the pelts of harvested furbearing mammals?**
- A: Yes. Licensed hunters or trappers must ensure that the pelts of any furbearing mammals taken are treated in a manner that is in accordance with the legislation (e.g. pelts of commercial value may not be abandoned or allowed to spoil or be destroyed).

- Q: Are municipalities required to keep records or submit reports to the MNRF?**
A: No, there is no requirement to keep records or submit reports. Licensed trappers are required to report their harvest on their end of season Mandatory Harvest Report.
- Q: Does this activity allow for hunters or trappers to destroy dens and kill animals in their dens?**
A: Hunters and trappers must abide by the existing seasons and regulations. If the season is open, MNRF has no additional restrictions on when or where the animal may be hunted or trapped. Fox and skunk dens may be damaged or destroyed by anyone; only licensed trappers may damage or destroy dens of other furbearing mammals.
- Q: Where can I get more information on responding to coyote problems?**
A: MNRF has web content on living with coyotes and responding to coyote problems. This information is available online at:
<https://www.ontario.ca/page/preventing-and-managing-conflicts-coyotes-wolves-and-foxes>
- Q: Can individuals still submit Wildlife Damage Compensation Program Applications?**
A: Yes. Municipalities can advise property owners to submit a Wildlife Damage Compensation Program Application to the Ontario Ministry of Agriculture, Food and Rural Affairs, when applicable.
- Q: How does this change affect property owners who want to protect their property from wildlife damage?**
A: This change does not affect the existing protection of property provisions under the Fish and Wildlife Conservation Act. Section 31 of the FWCA allows property owners or their agents to protect property from wildlife that is damaging or about to damage a person's property on the person's land. Agents must be authorized by the MNRF or belong to a class of agents prescribed by the regulations. Subsection 132(1) of O. Reg. 665/98 (Hunting) contains the prescribed classes of agents. Hunters or trappers who are being paid compensation by municipalities to harvest wildlife are not acting as agents under the protection of property provisions of the FWCA and regulations. For more information on the protection of property provisions under the FWCA, please see the additional resource materials below.
- Q: Can the municipality assist property owners in dealing with wildlife damage?**
A: A municipality can assist property owners in dealing with wildlife that is damaging or about to damage their property by assigning a municipal employee or hiring an agent with responsibilities related to wildlife control. The municipal employee or agent, as a class agent, is permitted to harass, capture and release, or kill wildlife on municipal land, or on private land on behalf of the property owner. However, some municipalities may not provide this service.
- Q: What role will MNRF play if the municipality asks for advice or about conditions they might impose on hunters/trappers (e.g. area restrictions, numbers of animals)?**
A: MNRF can provide advice to municipalities on best management practices, alternative solutions and information about the most effective approaches to resolving human-wildlife conflicts including livestock predation. Some best management practices are provided in this document (see below).
- Q: What enforcement role will MNRF play?**
A: Conservation officers will continue to conduct compliance checks of individuals engaged in these activities as is done with regular hunter/trapper checks.

Best Management Practices

The following list has been developed by MNRF to provide some additional information and suggested 'best management practices' to municipalities that wish to compensate licensed hunters or trappers to hunt or trap furbearing mammals within their municipal boundaries.

1. Municipalities should consider and encourage property owners to use preventative measures, utilize existing hunting and trapping opportunities, promotion of best management practices to prevent human-wildlife conflicts and existing protection of property provisions under the Fish and Wildlife Conservation Act prior to introducing a municipal compensation program.
2. Municipal compensation programs should consider a targeted approach where hunter and/or trapper actions will focus on addressing specific wildlife and the specific individual animals involved in the public safety, livestock predation or protection of property issue.
3. Municipal compensation programs should be considered on a case-by-case basis according to local circumstances. As such, municipalities may wish to establish some conditions associated with compensation activities, such as:
 - a. the period of time for which compensation will be provided;
 - b. the harvest area for which compensation will be provided;
 - c. the number of animals for which compensation will be provided.
4. Municipalities may wish to designate specific licensed hunters and trappers under its compensation program to ensure timely and effective action to address the issue.
5. Municipal decisions associated with compensation activities should be documented and rationalized based on a threat posed to public safety or property.
6. Municipal efforts to prevent and mitigate wildlife conflicts (e.g. public education and awareness) should continue during the course of the compensation program.
7. Municipalities may wish to inform their local MNRF office that compensation activities are occurring in order to ensure that MNRF conservation officers are aware of the activities.
8. Municipalities may advise property owners to submit a Wildlife Damage Compensation Program Application to OMAFRA, when applicable.

Additional Resources

The Ministry of Natural Resources and Forestry has a number of additional resources listed below that may be helpful to municipalities that are considering their options for addressing wildlife damage. For additional information, please contact your local MNRF office.

- Ontario's Preventing Conflicts with Wildlife webpage - <https://www.ontario.ca/page/prevent-conflicts-wildlife>
- Ontario's Living with Coyotes and Foxes webpage - <https://www.ontario.ca/page/preventing-and-managing-conflicts-coyotes-wolves-and-foxes>
- Strategy for Preventing and Managing Human-Wildlife Conflicts in Ontario <https://www.ontario.ca/page/strategy-preventing-and-managing-human-wildlife-conflicts-ontario>
- Strategy for Wolf Conservation in Ontario <https://www.ontario.ca/document/wolf-conservation-strategy>
- Fish and Wildlife Conservation Act, 1997 – Section 31 (Protection of Property) <https://www.ontario.ca/laws/statute/97f41#BK35>