



March 5, 2014

VIA FAX to: 1-705-755-1957, 1 of 3 pages

**Public Input Coordinator
Ministry of Natural Resources, Policy Division
Biodiversity Branch, Wildlife Policy Section
300 Water Street
Peterborough, Ontario
K9J 8M5**

Dear Public Input Coordinator:

RE: The Proposed Return of Ontario's Spring Bear Hunt; EBR # 012-0981

Animal Justice Canada (“**Animal Justice**”) is an Ontario based Canadian registered charity dedicated to educating the public on animal practices and enforcing existing laws. Established in 2008, the organization is comprised of lawyers, law professors and law students that seek to use the law and legal skills to protect animals.

Animal Justice appreciates this opportunity to provide comments regarding the Ministry of Natural Resources’ (“**MNR**”) proposed changes to the regulations under the *Fish and Wildlife Conservation Act*, SO 1997 c 41 (“**FWCA**”).

Regulation Changes

As you are aware, the proposed amendments to the FWCA are as follows:

- a) Amend Ontario Regulation 670/98 (Open Seasons) to establish an open season for black bears in Wildlife Management Units 13, 14, 29, 30, 36, 39, 41, and 42 from May 1 to June 15 in 2014 and 2015.
- b) Amend Ontario Regulation 665/98 to prohibit shooting, or attempting to shoot at, a cub or a female bear accompanied by a cub or cubs during May or June, and to add a mandatory hunter activity and harvest reporting requirement for the spring season to complement the current fall bear hunting requirement.

The proposed pilot program would use the existing bear hunting licensing framework, and would be open only to Ontario residents. Licensees would be permitted to kill one bear per year, in either the spring or fall bear hunting season, although killing more than one bear per year is permissible if in an area where a second bear seal is available.

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Provided Justification

Prior to 1999, black bears were legally hunted in Ontario in both the spring and fall. In 1999, the Ontario government cancelled the spring hunt due to significant public concern over the bear cubs that were orphaned as a result of the spring hunt. Although this continues to be a legitimate concern, it was announced on November 14, 2013 that the government proposes to re-instate the spring bear hunt in response to a “nuisance bear” problem in Northern Ontario.

The Environmental Registry has stated that the proposed regulations are part of a provincial management program intended to more effectively respond to human-bear conflict situations in Northern Ontario.

Commentary

Animal Justice submits that the proposed pilot program is an ineffective solution to resolving the “nuisance bear” problem in northern communities and will not effectively resolve the incidence of “human-bear conflict.” Animal Justice also submits that animal welfare is a consideration that must be taken into consideration.

The Spring Hunt: Killing Mother Bears and Orphaning Cubs

Hunting in the spring is especially problematic because it is a time of vulnerability for bears and other animals that have endured winter and lost body mass. Bears are hungry when coming out of hibernation, newborns must be nourished, and mothers are anxious to feed their young. For these reasons, it is illegal to hunt bear cubs and female bears with cubs. However, it is impossible and unrealistic to assume that a hunter will be able to distinguish a bear’s sex from a distance and cubs are often kept hidden in safety, making it unclear whether a roaming female has cubs. Consequently, reinstatement of a spring bear hunt will necessarily result in the orphaning of young bear cubs.

Alleged “Human-Bear Conflict”

Bears are generally very timid creatures and do their best to avoid humans. The likelihood of a bear attacking a human is remarkably low and bears that are habituated to human presence are even less likely to behave aggressively towards people.

Bears should only be considered problematic when they either pose an immediate risk to human safety or display a pattern of behavior that demonstrates a long-term safety risk to humans or property, such as breaking into homes. A majority of calls regarding bears are attributed to sightings and concern rather than a serious threat and should not be classified as a “nuisance.”

There is no scientific evidence that a reduced bear population would be less likely to search for food around human habitats. Hungry bears will continue to approach areas where food remains accessible. In order to reduce interest, food attractants must be either eliminated or bear-proofed. Important bear evasion strategies include door-to-door garbage pick-up, harvesting or removing fruit trees, eliminating bird feeders and using electric fences to protect landfills, crop fields and backyard gardens.

Furthermore, the practice of baiting in relation to bear hunting is extremely problematic. Baiting stations are used to attract bears in the spring for the hunt. However, baiting only contributes to the problem since the practice discourages bears from pursuing natural food sources and increases the likelihood that they will search for food near areas of human establishment.

Conclusion

Taking into consideration that re-instating the spring bear hunt will not remedy the issue of the “human-bear conflict” and will also create animal welfare concerns, Animal Justice recommends alternative strategies be utilized. Human-bear conflict management can be improved by transitioning from reactive to proactive methods of food attractant management. Developing thorough bear education programs and implementing protocols to monitor actions and results is also recommended. Using education, bylaws, aversion, monitoring and evaluation, human-bear coexistence can be enhanced through non-violent means that demonstrate respect for the life and dignity of animals in Ontario.

Yours sincerely,

Nicholas dePencier Wright

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