

December 2, 2019

Amarjot Sandhu, Chair
% Julia Douglas, Clerk
Standing Committee on Finance and Economic Affairs
99 Wellesley Street West
Room 1405, Whitney Block
Queen's Park, Toronto, ON M7A 1A2

VIA EMAIL: comm-financeaffairs@ola.org

Dear Chair and Members of the Standing Committee on Finance and Economic Affairs,

Subject: Bill 138, Plan to Build Ontario Together Act, 2019
Please Remove "SCHEDULE 13: *Fish and Wildlife Conservation Act, 1997*" from Bill 138

Thank you for this opportunity to comment on Bill 138, Plan to Build Ontario Together Act, 2019. We are commenting only on Schedule 13: *Fish and Wildlife Conservation Act, 1997* as it pertains to Double-crested Cormorants (DCCO).

RECOMMENDATION:

Please remove all of Schedule 13 from Bill 138

"SCHEDULE 13

Fish and Wildlife Conservation Act, 1997

Currently subsection 36 (1) of the Fish and Wildlife Conservation Act, 1997 prohibits a hunter or trapper who kills game wildlife, other than furbearing mammals, from abandoning it if its flesh may become unsuitable for human consumption. Subsection 36 (2) prohibits a person who possesses game wildlife that was hunted or trapped, other than furbearing mammals, from permitting its flesh to become unsuitable for human consumption. A new subsection 36 (2.1) is added to provide an exemption from subsections 36 (1) and (2) only in respect of double-crested cormorants in the circumstances prescribed by the regulations. A new paragraph 27.1 is added to section 112 to allow the Lieutenant Governor in Council to make a regulation prescribing the circumstances in which subsections 36 (1) and (2) do not apply. Dec. 01 2019 Standing Committee Comments Cormorants"

The following are a number of concerns expressed by Ministry of Natural Resources and Forestry (MNR) Staff:

"... 5. Introducing the provision to the *Fish and Wildlife Conservation Act* to allow cormorant carcasses to spoil goes against a key fish and wildlife management principle: that wildlife should only be killed [f]or a legitimate purpose, such as for food, fur, self-defence or protection of property. This principle has been integrated into fish and wildlife legislation and policies by resource management agencies across Canada and the U.S., and is a key component of Ontario's *Fish and Wildlife Conservation Act*. Introducing a

spoilage provision for cormorants is not justified, and it undermines the integrity of MNRF as a science-based, sustainability-focused resource management agency...”

Redacted Email sent by Jamie Stewart (MNRF) on January 3, 2019 3:58 PM to Christie Curley (MNRF) Subject line: Fwd: MNRF comments ER posting 013-4124 cormorants and Attachments: ER posting 013-4124 MNRF manager approved comments xxxdocx

“...4. If the proposal moves forward, how would DCCO carcass removal by hunters be accomplished to reduce aesthetic (e.g., cottage, lake front residence owners) and public health concerns or possible disease transmission (e.g., Virulent Newcastle Disease Virus) to other wild bird species and domestic poultry?...”

...
“...Southern Region Comments...Listing the Double-crested Cormorant (DDCC) [DCCO] as a game bird infers an interest in harvest and consumption of the species. There appears to be no intent for either in this case, so the label of game bird is not consistent with the purposes of the FWCA...”

...
“...Landowners are expressing concerns about their property where colonies exist. Some property owners are currently managing the population through other control methods (i.e., protection of property). They have expressed concerns with the impact of the proposal including serious safety issues, the potential for hunters to trespass, the potential for birds to be left to spoil on their property, birds washing-up on shore that have been shot over water and concern over people hunting adjacent to their property at any time during the open season...”

...
“... ● Designating a species as a game species and then permitting spoil is not aligned with concept of a hunt but rather should be considered a form of population control. If a hunt is the preferred solution for this species, then an option could be to harmonize the season with other migratory bird species. This avoids the optics of nest/colony hunting and avoids potential negative impacts to non-target species.
● Landowners are expressing concerns that there is a potential for large numbers of dead birds to be left in lakes and wash up on to shorelines. There will likely be an expectation from the public that the MNRF will be responsive to resolving these concerns. MNRF may receive requests from the public or municipalities to retrieve or clean up dead birds. Consideration should be given as it relates to roles and responsibilities within MNRF, municipalities, etc. regarding this potential issue.

Redacted Email sent by Jamie Stewart (MNRF) on December 24, 2018 5:18 PM to Christie Curley (MNRF), Subject line: Fwd: NWR Comments on EBR Cormorant Hunting Season, Attachment mmfs: NWR Comments on EBR Cormorant Hunting Season.docx

HISTORY:

Schedule 13: Fish and Wildlife Conservation Act, 1997, is the Ontario government’s plan to redefine the term “game” as it applies to birds in order to allow the flesh of “game birds” killed by provincially-licensed hunters to be deliberately wasted.

It is not only subsection 36 (1) of Ontario's Fish and Wildlife Conservation Act that prohibits such wastage but essentially all legislation throughout the so-called "western" world, and beyond, that governs hunting of all game.

Wastage of game characterized pre 20th Century sport hunting, with disastrous results for populations of "game" birds (and mammals and fish), resulting in extirpation or extinction of a range of once-common species. Among North American "game" birds: the most abundant species of grouse (Heath Hen), the most abundant of all birds (Passenger Pigeon) and possibly the most abundant shorebird (Eskimo Curlew) were all greatly diminished in the 19th century, all becoming extinct in the 20th century.

Across the planet, including all of North America, from the late 19th century until the current government came into power in Ontario, all game management has been toward science-based policy designed to protect species populations, and has entirely emphasized usage.

The vast majority of Canadians who recreationally interact with wildlife do so non-consumptively. A recent poll indicates, (https://researchco.ca/wp-content/uploads/2019/11/Tables_Animals_CAN_22Nov2019.pdf) some 85% of all Canadians oppose hunting animals for sport.

But it is understood by everyone that all the animals killed and retrieved by licensed, ethical hunters are, indeed, utilized. Both within and outside of the hunting community, such utilization is fundamental. Wastage is antithetical to the very essence of hunting and game management and characteristic of those who don't "hunt" as the term is now used, but kill for the pleasure derived from killing.

This is true of the western tradition of hunting. But it is also true of First Nations hunting, where, particularly in the modern era, utilization is emphasized, with such use involving not only meat, but other parts of the animal, with nothing wasted (see, for example, http://trondekheritage.com/images/pdfs/Nothing_Wasted.pdf).

What is being proposed by the current government of Ontario is in opposition to both western hunting ethics and those of First Nations. This desire is in response to a series of myths and misinformation promoted by the government. For example, it is stated in form letters sent out by the Minister of Natural Resources and Forestry that cormorants wiped out the only Great Blue Heron nesting colony on the Canadian shore of Lake Ontario, which is simply and categorically untrue; quite the contrary.

What is a "game" bird?

What constitutes a "game" species is a value-based determination based on a range of characteristics that can vary through time.

However, the one characteristic of all game birds, fundamental to identifying them as "game birds", is palatability. All game birds throughout the world and without exception, are palatable. Degree of palatability is subjective, and primarily dependent on the

game bird's diet at time of death, but also depends on other factors such as fat content and muscle texture.

While it is true that cormorants have been eaten, the consensus is that they are, to all practical intents, inedible, and certainly so shy of massive and expert culinary effort.

There are two examples we know of cormorant bones occurring in First Nations kitchen middens in southern Ontario, adjoining the lower Great Lakes.

Middens are the remains, usually mostly or exclusively bones, but also of utensils and other waste, dumped into one place and preserved by natural processes, often as subfossils, into the present. These findings are among a significant body of proof that contrary to commonplace opinion, the Double-crested Cormorant is indeed native to Ontario, including the lower Great Lakes. They don't categorically prove that pre-Colonial First Nations people ate cormorants, and if they did, certainly they don't indicate that it was done preferentially. On the contrary, the paucity of such remains in kitchen middens would suggest that cormorants were, at most, rarely eaten and then, presumably, out of desperation fueled by starvation.

At any rate, the very fact that the Ontario government now wants to allow them to be classified as "game", and yet left to spoil, is tacit admission that the primary criterion for designating the species as "game" is absent.

Other considerations:

But there are other considerations, widespread, if not quite so universal, in defining a "game bird". Most "game bird" species, for example, have high recruitment potential. They lay a lot of eggs. Canada Geese lay approximately 2 to 11; Mallards approximately 7 to 16; Ruffed Grouse approximately 9 to 12; Northern Bobwhites approximately 7 to 28; Ring-necked Pheasants approximately 7 to 15; Wild Turkeys approximately 8 to 20; American Coots approximately 6 to 15. The Double-crested Cormorant lays from 3 to 7, but usually 3 or 4.

Among Ontario's legally hunted "game birds" only the Mourning Dove lays fewer eggs (typically 2; American Woodcock and Wilson's Snipe also lay numbers comparable to the cormorant's but are very hard to locate, do not occur in flocks and are relatively seldom hunted in Ontario). But Mourning Doves are at least double-brooded (two broods raised per season) and can be triple-brooded. The cormorant is single-brooded (although it may produce a replacement brood if the first is lost).

The eggs of the majority of "game bird" species are brooded by the female alone and for many species the female alone is required to successfully raise the young. Both cormorant parents are dedicated to, and necessary for, the successful incubation of both the eggs and successful care of the young.

Game bird species tend either to be cryptically coloured and reclusive in their nature (grouse, rails, quail, pheasants) or are strong, fast flyers, often small (ducks, snipe, doves). Cormorants, like Canada geese belonging to "naïve" (ie., un-hunted people-tolerant) populations are large and easily shot.

Game bird species also tend to be non-colonial nesters. They may share nesting habitat, and a very few species may form relatively loose assemblies of nests but they do not nest in relatively dense, multi-species colonies. Cormorants do, increasing their vulnerability. The largest colony of Double-crested Cormorants ever recorded, in the Sea of Cortez, Mexico, was eliminated through disturbances by human visitors.

Ignoring established hunting ethics and reasons to kill wildlife:

As mentioned above, hunting, as a minority use of wildlife opposed by most Canadians, seeks justification within the general ethical framework held by most people, and that includes usage. In an age of massive extinction rates, the contempt for native wild animals embodied by killing them and throwing them away is an abhorrence.

According to the Ontario Federation of Anglers and Hunters (OFAH) website:

“Hunting isn’t for everyone, but those who participate, speak fondly about the reasons they are drawn to the woods and waters each year. Hunting brings friends and families together, provides nutritious food, pays for conservation, honors our heritage and offers a chance to pass down traditions. Hunting also develops survival skills and provides a chance to experience ecosystems, habitats and game species up close and personal. Hunters are part of these ecosystems rather than apart from them, which is one of the reasons why eating game is so rewarding. For many, hunting is the common denominator that connects them with the food they eat, their environment, their family and friends and especially themselves. Hunting is not just something we do, but it is a part of who we are.” (Our Emphasis.)

It is hard to see how cormorant hunting would bring “friends and families together” given that it is simply a matter of shooting birds on or over the water as they appear. It’s hard to see what “survival skills” derive from shooting a big bird off a log or out of the sky. And certainly cormorants don’t provide “nutritious food”, nor, in contrast to these views, does the government expect them to be allowed to spoil.

If the government plans to enforce the proposed regulations to assure that cormorant populations are not dangerously depleted and that birds are not left to rot in the environment, cormorant killing will not pay for conservation, but rather, will take money that potentially could be used for conservation to be applied to ongoing population assessments and law enforcement. In short, such “assurance” would seem to be quite meaningless.

In the case of the DCCO there is no “heritage” or “tradition” to be passed down. Prior to the 20th century, the killing of cormorants, and virtually all other predatory species, was either market-driven (for feathers, not, obviously meat, with disastrous results which led to the promulgation of ethical, science-based wildlife management in the first place) or retaliatory, in the now discredited belief that apex and other predators should be eliminated as competitors for “game” species.

Certainly what is proposed will not allow hunters to be “part of” ecosystems that would naturally exist, since it can mean the elimination of major cormorant colonies (which usually include other bird species) as part of the ecosystem.

It certainly will not connect anyone with “the food we eat”. In short, it is just killing, not hunting, because the Double-crested Cormorant is not a palatable bird.

Disease Considerations:

All species, including our own, are subject to communicable diseases. Most such illnesses to which wild birds are most susceptible exist within the avian population, thus pose little “zoonotic” risk – risk of transmission to humans, or, for that matter, to domestic livestock. The most virulent of these also tend to be the most short-lived, since they often kill off the hosts before they can spread.

However, killing significant numbers of cormorants significantly increases the risk that diseases such as Virulent Newcastle’s Disease (VND) will be transmitted to humans, where it can cause illness (but is not lethal) or, of far greater consequence, to domestic poultry (<https://newfoodeconomy.org/virulent-newcastle-disease-poultry-backyard-chicken-coops/>).

Whether or not hunters are mandated as a condition to licensing to effectively dispose of dead cormorants, the likelihood of such disposal being carried out is relatively remote. This is especially so remembering that the “traditional” or “ethical” hunter for whom the deliberate spoilage of “game” is unthinkable will be replaced by the “hunter” for whom killing is the main purpose of acquiring a hunting license.

Simply burying the birds in shallow graves, tying rocks to them to sink them in the water, tossing them out of sight under logs or bushes or simply leaving them where they fall will all contribute to the spread of VND, Avian Salmonellosis (see http://www.cwhc-rcsf.ca/docs/fact_sheets/Avian_Salmonellosis_Fact_Sheet.pdf) and similar transmittable diseases into wildlife populations or into domestic poultry. This is counter to the core function and purpose of the Fish and Wildlife Conservation Act, and the goals and objectives of all prior provincial governments.

Public stressors and social divisiveness:

It’s true that there is a great deal of antipathy against the Double-crested Cormorant, but is countered by a growing awareness of the importance of apex predators and the importance of the roles they play within the ecological whole.

This awareness leads away from fear and loathing that once saw all predatory animals as “enemies” to social concern to be eliminated as expeditiously as possible – the dominate ethos prior to the Age of Enlightenment, and sadly lingering to the present. But even so it is being replaced, initially as the work of such people as Carl Linnaeus, Alexander von Humboldt, Alfred Wallace, and, especially, Charles Darwin, became the root from which grew understanding enhanced by many others moved us into the 20th century. We should not ignore what contributed to our understanding of basic ecology.

What is proposed is a giant step backward, and will inevitably lead to divisiveness within society, with the ecologically informed, the pro-environmentalists, the animal

protectionist community, the ethical hunters, and various outdoor recreationists, against the “hunters” supportive of the idea of killing, essentially, as many cormorants as they wish.

CONCLUSION:

There is no justification to permit “hunters” to leave the bodies of cormorants to waste. It’s a disgrace that the government has chosen to persecute cormorants. Please change your direction and respect Ontario’s biodiversity by removing Schedule 13 from Bill 138.

Signatories:

- Michael Bernard, Deputy Director, Humane Society International/Canada
- Lia Laskaris, Research Associate, Animal Alliance of Canada
- Barry Kent MacKay, Director of Canadian and Special Programs, Born Free USA
- Liz White, Leader, Animal Protection Party of Canada
- Ainslie Willock, Director, Canadians for Snow Geese
- Julie Woodyer, Campaigns Director, Zoocheck



Attachment: Source of MNRF Staff Statements

Boyd, Heather A. (MNRF)

From: Stewart, Jamie (MNRF)
Sent: January 3, 2019 3:58 PM
To: Curley, Christie (MNRF)
Subject: Fwd: MNRF comments ER posting 013-4124 cormorants s.13
Attachments: ER posting 013-4124 MNRF manager approved comments [redacted].docx

Jamie s.13

From: [redacted] (MNRF)
Sent: Thursday, January 3, 2019 3:51:49 PM
To: Stewart, Jamie (MNRF)
Cc: [redacted]
Subject: MNRF comments ER posting 013-4124 cormorants s.13

Hi Jamie,

I'd like to take this opportunity to submit MNRF comments on ER posting 013-4124 *Proposal to establish a hunting season for double-crested cormorants in Ontario*. My manager approved comments are attached.

Thank you for your time.

Bridget

[redacted] s.13

Ministry of Natural Resources and Forestry

[redacted] s.13

As part of providing accessible customer service, please let me know if you have any accommodation needs or require communication supports or alternate formats

Thank you for providing the opportunity to submit comments on ER posting 013-4124 *Proposal to establish a hunting season for double-crested cormorants in Ontario*. I have a number of concerns with this proposal, as outlined below:

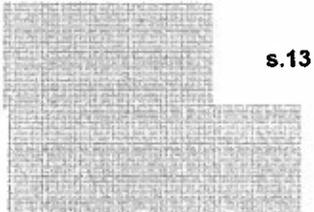
1. The implication that introducing an open season for cormorants could improve recreational or commercial fisheries is not supported by science. While angler groups have raised concerns that cormorants are impacting fisheries, research has demonstrated that sport and commercial fish species make up a very small proportion of the cormorant's diet, and that the potential for cormorants to affect fish populations is minor relative to harvest pressure by humans and other sources of natural mortality (e.g. literature review by Trapp et al. 1998).
2. Cormorant colonies can alter island habitats through the effects of acidic guano on soil chemistry and trees, however I believe intervention is only warranted when colonies threaten rare or at-risk species or ecosystems. Cormorants are a native species and thus the effects of colonies on islands occur naturally. In specific locations where resource managers determine that cormorant colonies introduce an unacceptable threat to rare or at-risk species or ecosystems, there are targeted management strategies that can be implemented (e.g. culls, oiling eggs) that are far more effective at controlling populations.
3. The implementation of an open season on cormorants will likely introduce sustainability concerns in some parts of Ontario, while having no effect on some of the largest and most contentious cormorant colonies. On Rainy lake in Fort Frances District, there are several small populations of cormorants, which have been kept in check by disease in recent years. The introduction of an open season with a 50 per day bag limit could seriously impact or possibly extirpate these populations. Research from Voyageurs National Park, just south of the border in Minnesota has demonstrated that these cormorants are an important food source for Bald eagles around Rainy Lake, and thus the proposed open season could have unintended impacts on other species and ecosystems. At the same time, a cormorant hunting season will have no effect on large contentious colonies along city water fronts and in National Parks, as hunting is not permitted in these areas by city by-laws and National Park regulations.
4. There is no meaningful framework in place to monitor the impact of this proposal on the achievement of objectives or on ecological sustainability. The ER posting states "To accompany the proposed hunting seasons, the Ministry will implement a cormorant monitoring program to assess population status and trends." However, the only way to implement a meaningful monitoring strategy would be to implement several years of population monitoring prior to the introduction of the open season, with a focus on both cormorants and other species that may be affected by a change in cormorant populations. In the absence of such a monitoring program, it will be impossible to effectively monitor the impact of an open season on cormorants or other ecosystem components. Therefore, if this proposal is implemented, I recommend at least 3 – 5 years of baseline data be collected across the province prior to implementation.
5. Introducing the provision to the *Fish and Wildlife Conservation Act* to allow cormorant carcasses to spoil goes against a key fish and wildlife management principle: that wildlife should only be killed or a legitimate purpose, such as for food, fur, self-defense or protection of property. This principle has been integrated into fish and wildlife legislation and policies by resource management agencies across Canada and the U.S, and is a key component of Ontario's *Fish and Wildlife Conservation Act*. Introducing a spoilage provision for cormorants is not justified, and it

undermines the integrity of MNRF as a science-based, sustainability-focused resource management agency.

6. The introduction of summer hunting and cormorant carcass spoilage provisions is likely to stoke anti-hunting sentiment and impact the tourism industry in Northern and rural Ontario. Therefore, it is misleading to state that social consequences will be "both positive and negative" and that economic consequences are expected to be "neutral."

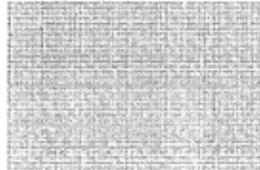
Thank you for your time.

Sincerely,



s.13

Ministry of Natural Resources and Forestry



s.13

Reference:

Trapp, J., Lewis, S., Pence, D. 1998. *Double-Crested Cormorant Impacts on Sport Fish: Literature Review, Agency Survey and Strategies*. U.S Fish and Wildlife Service.

<https://www.fws.gov/migratorybirds/pdf/management/double-crested-cormorants/strategies.pdf>

Boyd, Heather A. (MNRF)

From: Stewart, Jamie (MNRF)
Sent: December 24, 2018 5:18 PM
To: Curley, Christie (MNRF)
Subject: Fwd: NWR Comments on EBR Cormorant Hunting Season
Attachments: NWR Comments on EBR Cormorant Hunting Season.docx

FYI

Ps. have a very merry Christmas!
Jamie

From: Mortson, Londa (MNRF) <londa.mortson@ontario.ca>
Sent: Monday, December 24, 2018 12:47 PM
To: Stewart, Jamie (MNRF)
Cc: Allison, Brad (MNRF); Tarini, Leona (MNRF)
Subject: NWR Comments on EBR Cormorant Hunting Season

Jamie:

Attached are comments from the Northwest Region on the proposed cormorant season for your consideration. Please let Brad Allison know if you have any questions.

Thank you for the opportunity to provide input.

Londa

Summary of NWR ROD Comments and/or Questions for Consideration Relative to EBR Registry Number 013-4124: Proposal to establish a hunting season for double-crested cormorants in Ontario.

Note: Questions and/or comments are summarized by key themes.

Estimated size of double-crested cormorant (*Phalacrocorax auritus*) populations & population objective ranges:

- The registry posting provides little information pertaining to the size of double-crested cormorant (DCCO) populations across the province and associated management objectives.
1. Does MNR currently have sufficient knowledge on the estimated size of DCCO populations at the varied spatial scales that MNR may use for population monitoring and/or management purposes (i.e., sub-Wildlife Management Units (WMU), WMU, draft Wildlife Landscape Zones), MNR administrative region (i.e., NWR, NER, SR)? For example, on Lake of the Woods, breeding DCCO abundance was last estimated, very crudely, in the year 2000. Anecdotally, DCCO abundance appears to have dropped significantly since that time. Delaying a possible DCCO hunt until 2020 would provide the opportunity to collect appropriate population baseline data during the 2019 DCCO breeding season.
 2. Is there need to consider the management of DCCO (e.g., establish a hunting season or another management option) province-wide or only at some smaller spatial scale? If DCCO population management is required, what are the population objective ranges for DCCO populations at the varied spatial scales that MNR may use for management purposes (i.e., sub-Wildlife Management Units (WMU), WMU, draft Wildlife Landscape Zones), MNR administrative region (i.e., NWR, NER, SR)?

Monitoring of double-crested cormorant (*Phalacrocorax auritus*) other associated bird populations and fish populations:

1. If the proposal moves forward, at what spatial scale and with what temporal frequency will DCCO populations be monitored to ensure populations are managed sustainably relative to their respective population objective ranges? For example, Rainy Lake in northwestern Ontario and neighbouring Minnesota has a few small DCCO colonies. If implemented as proposed, a liberal bag limit has the potential to decimate the colonies on Rainy Lake in a very short matter of time (e.g., hours, days). Would a monitoring program be established to capture a change in population abundance and trend on such a short temporal scale?
2. For colony-nesting pelagic birds, island nesting areas are often limited on the landscape and many species nest together at one location. For example, on Lake Superior, these sites may include groups of Common Tern, Caspian Tern, American White Pelican (THR), Herring Gull, Ring-billed Gull, Bonaparte's Gull as well as Great Blue Heron along with

DCCO. Within the Lake Superior watershed, there are very few inland heronries remaining. Some of the larger heronries exist only on the pelagic islands with DCCO. Therefore, if the proposal moves forward, how will populations of nesting pelagic birds (where DCCO also occur) be monitored to ensure their sustainability and no negative impact (i.e., collateral mortality)?

3. Voyageurs National Park (MN) has ongoing research that demonstrates that Rainy Lake DCCO colonies are an important food source for Bald Eagles. Implementation of a DCCO hunting season on this and other lakes elsewhere in the province may have unintended consequences on other wildlife species. Would the monitoring of other wildlife species be considered if the DCCO hunt were to be implemented?
4. The registry posting states that hunters will continue to be reminded to properly identify their targets to avoid conflicts with migratory game birds and other water-birds. What are the anticipated impacts from hunting disturbance to other local nesting water bird populations during the nesting period? If the proposal moves forward, how will this disturbance be assessed and monitored?
5. If the proposal were to move forward, would fish populations be monitored to assess the relative impact of the DCCO hunt on such?

Double-crested cormorant harvest management strategies:

Given the proposed bag limit of 50 DCCO per day and a proposed season length of 291 days, an individual hunter could harvest up to 14550 DCCO per season.

1. If the proposal moves forward, what is the predicted level of individual and cumulative hunter harvest within the varied spatial scales that MNRF may use for management purposes (i.e., sub-Wildlife Management Units (WMU), WMU, draft Wildlife Landscape Zones), MNRF administrative region (i.e., NWR, NER, SR)?
2. If the proposal moves forward, would the proposed bag limit and season length apply province-wide or could more spatially refined bag limits and season lengths be applied to sustainably manage DCCO populations relative to their respective population objective ranges? For example, on the Ontario/Canada side of Lake Superior it is uncertain as to whether the local population of DCCO could sustain a harvest. That DCCO population is currently in a stage of re-establishment since being extirpated in this area as recently as the 1980s. Perhaps, application of a DCCO management strategy (e.g., hunting season) could be considered for implementation in defined areas where it is demonstrated that a DCCO population has had a negative impact on fish populations, island forest habitats, and other species.
3. An open DCCO season from March 15 through December 31 deviates considerably from other current FWCA and/or federally (i.e., migratory bird) regulated hunting seasons and may lead to conflict with other recreational users and safety concerns (i.e., other recreational users may be confronted with active hunters outside of traditional hunting seasons).
4. If the proposal moves forward, how would DCCO carcass removal by hunters be accomplished to reduce aesthetic (e.g., cottage, lake front residence owners) and public

health concerns or possible disease transmission (e.g., Virulent Newcastle Disease Virus) to other wild bird species and domestic poultry?

5. If a DCCO hunting season were to move forward, could additional revenue to the F&W SPA be generated via a separate DCCO licence?
6. How feasible will it be to enforce a daily bag limit of 50 DCCO per day, given that harvested birds can be allowed to spoil?
7. Would the implementation of a DCCO hunt with a high daily bag limit, no possession limit and allowance for the harvested birds to spoil, be consistent with efforts to portray hunting as being ethical (e.g., Heritage Hunting & Fishing Act)?
8. Given current limited scientific understanding of how DCCO populations impact (positive/neutral/negative) recreational and/or commercial fisheries and terrestrial habitat, would the implementation of this proposal at this time impact MNRF credibility in other science-based, natural resource management/research endeavours? If there is a desire to investigate the possible impacts of DCCO on fish populations and terrestrial environs, could not MNRF examine the hypothesis through a research project?

Policy Proposal Notice – Southern Region Comments

Title: Proposal to establish a hunting season for double-crested cormorants in Ontario

EBR Registry Number: 013-4124

Ministry: Ministry of Natural Resources and Forestry

Date Proposal loaded to the Registry: November 19, 2018

45 days: submissions may be made between November 19, 2018 and January 03, 2019

Proposal	Southern Region Comments
<p>List the double-crested cormorant as a "Game Bird"</p>	<ul style="list-style-type: none"> • Listing the Double-crested Cormorant (DCCO) as a game bird infers an interest in harvest and consumption of the species. There appears to be no intent for either in this case, so the label of game bird is not consistent with the purposes of the FWCA. • The resource management objectives of the proposed DCCO hunt is unclear. It is understood that the goal is to lower the population to alleviate the potential negative impacts the species has on fish populations and natural habitat. Generally, when an activity of this nature is proposed for any other species there are goals and objectives. It would be helpful to clarify this to the public. • It is suggested that the monitoring program assess the current baseline and status of DCCO before the hunt is implemented and then post-hunt monitoring is undertaken for trends and population status. The proposed hunt could be used as an opportunity to undertake research to better understand both positive and negative impacts of management actions (hunting) on DCCO and other species, such as fisheries and rare terrestrial flora. • If population control is the objective it would be beneficial to understand what other options been explored. A more integrated approach may be valuable if population control is the final objective as hunting may not be successful in achieving the resource management objectives. Integrated approaches have been successful in other areas or at a site-specific level.
<p>Create an open hunting season for double-crested</p>	<ul style="list-style-type: none"> • Hunting DCCO from March 15-December 31 may present public safety issues. Many colonies are within lakes used

<p>cormorant from March 15 to December 31 each year across the province</p>	<p>heavily for recreational use. To have a hunting season in combination with these uses could create conflict between hunters who can shoot DCCO on the lakes and island mid-summer and people boating and cottaging on a lake.</p> <ul style="list-style-type: none"> • Consideration should be given for whether or not hunters be permitted to carry firearms with them to shoot DCCO at any time on a lake during the open season. • Landowners are expressing concerns about their property where colonies exist. Some property owners are currently managing the populations through other control methods (i.e., protection of property). They have expressed concerns with the impact of the proposal including serious safety issues, the potential for hunters to trespass, the potential for birds to be left to spoil on their property, birds washing-up on shore that have been shot over water and concern over people hunting adjacent to their property at any time during the open season. • Consideration should be given to having the regulations, etc. address trespass, as many colonies are on private lands (i.e., nesting on the ground or in trees). It should also be clarified in regulation if they be hunted and killed (shot) in trees and/or on shore. • There are negative optics around hunting an animal during the critical period of its lifecycle and when they are defenceless. The proposed season covers the entire breeding cycle of the species. This may be perceived by some members of the public as cruelty to animals. • DCCO often nest in colonies with other species such as Great Egret and Black-crowned Night Heron. These species are very susceptible to disturbance and having hunters entering colonies during critical nesting season could cause serious impact to other species. Non-target species would be open to predation and nest abandonment. Monitoring and assessment should be extended to assess impact to non-target species. Perhaps consider shortening the season to exclude periods of nesting, etc. • There may be opportunity to align the proposed cormorant hunting season with the current waterfowl
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	<p>hunting seasons and regulations. The benefits of this may include:</p> <ul style="list-style-type: none"> - Limit impacts to non-target species during sensitive nesting periods; - Compliment existing hunting activities on or near water, and avoid conflict with other competing recreational activities during certain times of year (e.g. recreational boating, angling); - Support municipal response to new hunting activities – as cormorant hunting would align with other hunting activities occurring within municipal boundaries. • Reporting can be a great tool to inform the results of the hunt over time and the number of cormorants being targeted. There is a great opportunity to develop an easy to use, online reporting system (website, apps, etc.) that appeals to hunters and is user friendly. • A cormorant hunt presents outreach and education opportunities to improve species identification for hunters through outreach campaigns. This could be done through social media platforms, like Facebook and Twitter.
<p>Create an exemption allowing small game licences to be valid for double-crested cormorant hunting in central and northern Ontario from June 16 to August 31 each year</p>	<ul style="list-style-type: none"> • If DCCO are to be added to the list of small game species that are hunted under that set of rules, perhaps it should be articulated as such and provided a similar management regime as other small game species (i.e., consistent with the Small Game Management Framework).
<p>Establish a bag limit of 50 cormorants/day with no possession limit</p>	<ul style="list-style-type: none"> • Perhaps consider reducing the bag limit to address images to the public that its easy for a hunter to hunt and kill 50 cormorants in a day, and then continue killing 50 per day every day during the open season. • There may be benefit in aligning the limits of the proposed cormorant hunt (i.e. 50 per day) with similar diving, waterfowl species (i.e. 6 per day). This could allow for an adjustment period during the beginning years of the hunt, and support enforcement activities. This may also address challenges with hunter identification of species. This may also set the stage for future monitoring / reporting activities to help define increases to bag limits.
<p>Prescribe shotgun and shot size/type requirements</p>	<ul style="list-style-type: none"> • No comment

<p>consistent with migratory bird hunting regulations outlined in the federal Migratory Birds Regulations. This would include use of shotguns that are not larger than 10 gauge, that cannot hold more than three shells and use non-toxic shot as described in the migratory bird regulations</p>	
<p>Allow hunting from a stationary motorboat</p>	<ul style="list-style-type: none"> • No comment
<p>Amend the Fish and Wildlife Conservation Act to add provisions so hunters could allow cormorant to spoil</p>	<ul style="list-style-type: none"> • Designating a species as a game species and then permitting spoil is not aligned with concept of a hunt but rather should be considered a form of population control. If a hunt is the preferred solution for this species, then an option could be to harmonize the season with other migratory game bird species. This avoids the optics of nest/colony hunting and avoids potential negative impacts to non-target species. • Landowners are expressing concerns that there is a potential for large numbers of dead birds to be left in lakes and wash up on to shorelines. There will likely be an expectation from the public that MNRF will be responsive to resolving these concerns. MNRF may receive requests from the public or municipalities to retrieve or clean up dead birds. Consideration should be given as it relates to roles and responsibilities within MNRF, municipalities, etc. regarding this potential issue.

Boyd, Heather A. (MNRF)

From: Stewart, Jamie (MNRF)
Sent: December 14, 2018 9:18 PM
To: Baldwin, Mitch (MNRF)
Cc: Nelson, Corrinne (MNRF); Curley, Christie (MNRF)
Subject: Re: MNRF North Bay District Comments - TMC/AMC: MEMORANDUM: Proposal to establish a hunting season for double-crested cormorants in Ontario

Thank you very much Mitch. Have a good weekend.

Jamie

From: Baldwin, Mitch (MNRF) <mitch.baldwin@ontario.ca>
Sent: Friday, December 14, 2018 2:45 PM
To: Stewart, Jamie (MNRF)
Cc: Nelson, Corrinne (MNRF)
Subject: I: MNRF North Bay District Comments - TMC/AMC: MEMORANDUM: Proposal to establish a hunting season for double-crested cormorants in Ontario

Hi Jamie..

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Below are comments from our [redacted] team. A topical issue given our mgmt. work on Lk. Nipissing.

District staff have reviewed the proposal to establish a hunting season for double-crested cormorants in Ontario and would like to submit the following comments for your consideration:

- Cormorants are a native species and play an important role in aquatic ecosystems within Ontario. Establishing a hunting season to manage cormorant population abundance should be reviewed on a circumstantial basis and in specific locations.
- It is unlikely that reducing the cormorant population through hunting will result in an increase in sportfish populations or angler success. For example, the results of a multi-year study on Lake Nipissing indicate that cormorants forage mainly on small fish species such as yellow perch and that sportfish like walleye comprise only a minimal portion of their diet (2-10%, unpublished data). There is no evidence that cormorant abundance meaningfully influences the mortality or recruitment of walleye in Lake Nipissing. This has been publicly stated in the development of the Lake Nipissing Fisheries Management

Plan. Introducing a hunting season for cormorants is unlikely to enhance the walleye population abundance in the lake, and furthermore undermines public statements made by the MNRF.

- Cormorants are listed under the federal *Migratory Birds Convention Act* (MBCA). Other species regulated through the MBCA, such as Canada Geese, have a hunting season ranging from (September 1 to December 16). The proposed duration of the cormorant season is twice the length of seasons for other birds and occurs during their nesting period. Allowing hunters to target nesting adults may result in high offspring mortality, meaning that few juveniles could survive to adulthood. The proposed hunting season parameters (length and timing) may result in a rapid and steep population decline. The proposed season length of the cormorant hunting season (March 15 through Dec 31) may be contrary to sustainable population management.
- The proposed daily limit of 50 cormorants is much higher than that of other birds regulated by the MBCA, such as Canada geese (daily limit: 8), snow geese (daily limit: 20) and ducks (daily limit: 6). This high bag limit, in combination with no possession limit, and proposed revisions to the *Fish and Wildlife Conservation Act* (FWCA) which would allow hunters to leave cormorant meat to spoil, may pose an insurmountable challenge to Conservation Officers in ensuring compliance, resulting in no enforceable limit to the number of cormorants one could kill in any given day.

Due to the proposed changes to the FWCA, it may not be possible to track the number of birds that each hunter shoots in a day if hunters are not required to gather the remains. This is likely to make monitoring the impacts from hunting on the cormorant population impossible.

- Finally, without a pre-existing population estimate or provincial monitoring protocol, it may be challenging to monitor the overall cormorant population effectively. Standardized assessment methods and a baseline abundance value should be determined before a hunting season is created. Similarly, populations should be monitored and regulated at a local scale to properly account for geographic differences in population abundance and behaviour.

In order to sustainably manage the double-crested cormorant population in Ontario, the duration of the hunting season and the daily limits should be established on a local basis that is informed by the results of standardized population monitoring. North Bay District recommends a smaller conservative daily limit (8) that is consistent with other birds regulated by the MBCA. We also recommend a mandatory reporting component and a shorter season length (approximately September to December) that avoids conflicting with the cormorant nesting season, to support sustainable population management. We would also like to see this proposed hunting season conducted as a pilot study to fully gauge its impact on population sustainability.

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If you would like to discuss this further, please contact [REDACTED]

s.13

Sincerely,

Mitch Baldwin

North Bay District Manager

Ministry of Natural Resources and Forestry

From: West, Karen (MNRF) On Behalf Of Stuart, Chloe (MNRF)

Sent: November 20, 2018 7:52 AM