

## Briefing Note New Bear Hunting Regulations - 200 metre Baiting Restriction



### **Background:**

NOTO, on behalf of the Nature and Outdoor Tourism industry, believes hunting is a sustainable and ethical activity that assists in black bear management and brings significant economic and social benefits to Ontario. These benefits include:

- Employment
- Economic Return
- Diversified recreational opportunities
- Reduction of potential hazards from an increasing population of bears

***The Spring bear hunt prior to its cancellation in 1999 brought in \$41 million annually to the Ontario economy. The majority of these dollars were new money to the Province as bear hunters who participated in the spring hunt through professional bear outfitters were mostly Americans.***

Baiting plays a vital role in the successful selective harvest of black bear. It allows hunters ample time to view the bear to determine the sex as well as to place an accurate shot on an appropriate bear. Using numerous bait sites on one BMA is often used to monitor bear behaviour and to segregate a sow with cubs from other bears. Bait sites are also used to keep bears away from camps and communities to provide better public safety.

The new regulation that requires “bait sites to be 200 metres from a right of way for public vehicular traffic OR a recreational trail that is established and maintained by an organization for the use by the general public” causes the outfitting community great concern. This new addition to the regulation was made without any industry consultation. The tourism industry, whose business investments and livelihoods depend on bear hunting should have been consulted.

**Prior to the election, we had full agreement from the former Minister that this baiting location restriction regulation was unreasonable. Ministry McGarry agreed that it needed to be adjusted to 30m in Northern Ontario and 50m in Southern Ontario and she was looking into excluding commercial resource extraction roads from the regulation. She had the intention of making the announcement at our 2017 Northern Ontario Tourism Summit but due to the election drawing near, the Premier did not like the timing of an announcement.**

**Instead an offer to review the 200-metre regulation was promised. We have not heard or seen anything with regard to a review since that offer was made by video from the Minister at our 2017 tourism event.**

### **Concerns:**

1. **Lack of Definition and Clarity:** The definition of “a right of way for public vehicular traffic” remains unclear not only to the outfitting community and general public but to the MNRF staff who are required to enforce this new regulation. The same is true for “established and maintained and marked trails for the use by the general public”.

If interpretations of these vague regulations lead to charges against hunters and / or Outfitters, then Ontario’s reputation as a welcoming place for Hunters would be damaged. The millions of business dollars invested by Outfitters and the marketing dollars invested by the Province in this industry would be wasted.

Some MNRF offices issued warnings this fall that the 200-metre will be enforced in 2019.



2. **Undue Burden on Outfitters:** To put this regulation in perspective, 200 metres is over 600 feet. Baiting 200 metres away from roads and trails means adding an extra  $\frac{1}{4}$  mile to the distance hunters and Outfitters must travel to bait the site and harvest the bear. Baits are checked frequently to ensure they are stocked and to monitor activity in order to provide a quality hunt for our guests. Having bait sites 200 metres in the bush means that the time to check each bait station is increased and that will increase Outfitter costs.
3. **Hunter Safety:** Ontario has some of the best quality, professional black bear outfitting in Canada and attracts travellers from all over the world. The high level of respect that our outfitters have earned is due to their ability to offer full-service, safe and practical hunting opportunities.

This 200-metre restriction will hinder the outfitting industry's ability to offer what their guests have come to know as a "full-service" experience by removing our ability to potentially use bush roads and trails that in most cases have been used over very long periods of time to bring their guests safely close to bait sites. This new regulation will make it very difficult for aging or disabled guests to take part in the Black Bear Hunt. Repeat clientele are vital to the overall success of a business. It is not uncommon for repeat bear hunting guests to request the same bait sites year after year. Moving sites may become a deterrent to these guests.

Bear hunting takes place in the afternoon and often hunters are coming out of the bush at the onset of the evening. Walking 200 metres through dense bush in the dark for a hunting activity can put hunters in a precarious situation. If the purpose of adding a Spring bear hunt was for public safety, then why put our hunter's safety at risk with this additional restriction? It is important to note that these regulations impact resident hunters as well.

4. **More Private Trail Development Will Become a Necessity:** The baits today are accessed by well defined walking trails because the baits are located within a reasonable distance from an existing road. The 200-metre restriction is well beyond a reasonable distance. Outfitters will have to cut new ATV trails through forested areas to access these new bait sites. This will cause more conflict on the land base. Already, more and more ATV trails are being developed in the wilderness. These new trails sometimes appear without any consultation with outfitters who have been paying MNRF their BMA fees faithfully for many years. These ad hoc trails along with this 200m regulation will push bear outfitters further and further into the bush causing more difficulties for them and in some cases causing them to give up on bear hunting all together, forcing them to lose their investment.
5. **Moving Sites:** It takes a considerable amount of time to find appropriate bait sites that are safe and effective. It can take even more time for a new site to become active. Moving sites on such short notice will not only make it next to impossible for Outfitters to support a spring bear hunt but it will jeopardize their ability to be ready for the fall hunt this year. Most Outfitters who have been offering fall bear hunts have had their hunts booked for over a year.

The tourism Industry has offered bear hunts for many years, utilizing the same established bait sites year after year within the BMA. Some of the baits have existed for 40 years. In many cases, the bait was established prior to construction of a road or trail. The location of the bait was selected using criteria available at that time. The bait site was selected to avoid popular public use areas to minimize conflict with



other resource users and the general public. In most cases, the outfitter has negotiated and continues to negotiate no cut reserves around the baits with the MNRF and Forest Industry through the Forest Management Planning Process and Annual Work Schedules to protect the bait sites (referred to as a value and includes the trail to the bait, stand and container). The reserves are approximately 1- 2 acres, depending on tree type and terrain.

In some instances, BMA holders will be challenged to find spots within their BMAs that are 200 metres away from roads and trails. In some areas pushing 200 metres will put bait sites in the middle of clear cuts or swamps removing any possibility of being able to set up effective bait sites.

6. **Reducing Safety for Northern Communities:** Currently there are outfitters who work with municipalities to bait on a more regular basis to keep bears away from entering populated areas. Having to move these sites farther into the bush will reduce the effectiveness of this practice. This will leave far too large a gap between the communities and the bait sites and will result in more bears entering populated areas and more human bear conflicts. The 200-metre rule will make it impossible, based on the level of effort required and cost involved, to maintain this type of management. We can all expect the nuisance bear occurrence rate to increase within Municipalities.

A professional Outfitter puts a tremendous amount of thought and time into developing bait sites. Safety is always the most important consideration. Baits are structured in such a way that sight lines for shooting face away from any traveled trails or roads. This is why many Outfitters do not tend to move their sites once they have been established.

In light of the fact that no public consultation was conducted on this addition to the regulation prior to it being announced as a decision and considering the very negative impact it will have on baiting practices for the bear hunts in Ontario, **this unreasonable restriction must be removed.**

#### **Proposed Solutions:**

- In recognition that regulations take time to change, this regulation should not be enforced until it can be changed following the appropriate process.
- Grandfather existing bear baiting locations until this issue can be resolved through consultation with the tourism industry.
- Change the definition of a road way to “from any numbered Highway”.
- The distance from numbered highways needs to be reduced to 30m minimum in Northern Ontario and 50m in southern areas of Ontario with higher human populations. (30m is already used as set buffers through the Forest Management Plan processes. The buffers are required to preserve the integrity of existing bait sites and for worker and public safety.)
- Remove the 200-meter in the Ontario Hunting regulations (pg. 75) until this apparent review is complete and these issues are resolved

We welcome opportunities for further discussion.

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