



September 25, 2019

Public Input Coordinator  
Species Conservation Policy Branch - Wildlife Section  
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*Via email: [wildlifepolicy@ontario.ca](mailto:wildlifepolicy@ontario.ca)*

Dear Public Input Coordinator:

**Re: “Proposed changes to moose management as part of the Moose Management Review” (ERO No. 019-0405) and “Proposed changes to wolf and coyote hunting regulations in Northern Ontario” (ERO No. 019-0406)**

Please accept these comments on behalf of Animal Justice in response to the above-noted postings on the Environmental Registry of Ontario (“ERO”). Animal Justice is deeply concerned about these unethical and unscientific proposals. They would allow for the mass killing of wolves and coyotes in Northern Ontario while irresponsibly ignoring and failing to address serious threats to Ontario’s moose - namely, human-caused habitat loss, human-caused climate change, and hunting by humans, including hunting of moose calves in particular.

The proposed amendments to Ontario Regulation 665/98 (Hunting) and Ontario Regulation 670/98 (Open Seasons) under the *Fish and Wildlife Conservation Act* not only fail to address the important problem of declining moose populations, they also threaten to destabilize the province’s wolf and coyote populations and have far-reaching adverse impacts on the ecosystems in which these species exist. The proposal fails to consider the welfare of wolves and coyotes at all.

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## **I. About Animal Justice**

Animal Justice is Canada's only not for profit organization focused on using the law to protect animals. Animal Justice has tens of thousands of supporters and donors from communities across Canada.

Animal Justice works to prevent cruelty to animals by going to court to enforce existing laws, encouraging all levels of government to strengthen legal protections for animals, and educating the public on animal practices. A key focus of Animal Justice's work is addressing threats to wild animals, including habitat loss and hunting.

When the previous government proposed to liberalize the regulation of wolf and coyote hunting in Northern Ontario in 2016, Animal Justice<sup>1</sup> and hundreds of other non-governmental organizations and private citizens wrote to the government demanding that the proposal be withdrawn. To approve the revived proposal now would be contrary to the mandate of the Ministry of Natural Resources and Forestry ("MNR"), which is to protect Ontario's rich biodiversity, not to make it easier to kill keystone predators with less oversight in an effort to appease hunters.

## **II. Proposed changes to moose management**

### **A. Moose are in urgent need of legal protection**

Declining moose populations in many parts of Ontario are a serious problem, demanding real solutions.<sup>2</sup> The reasons for these declining numbers include habitat loss, climate change - which is causing changes to vegetation patterns and increasing parasite loading - and hunting.<sup>3</sup> The length of the hunting season, road access, hunters' use of all-terrain vehicles and wireless communication, party hunting, and the hunting of calves have all increased since the 1980s. Ontario now has more moose hunters than moose in huntable areas.<sup>4</sup>

To consider how to address the problem of moose population declines, Ontario established the Big Game Management Advisory Committee ("BGMAC") - a committee

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<sup>1</sup> Online: <https://www.animaljustice.ca/blog/animal-justice-fights-ontarios-wolf-and-coyote-slaughter>.

<sup>2</sup> See, e.g. Ontario Nature, "What's Killing the Moose?" online: [https://view.publitas.com/on-nature/fall\\_2016/page/20-21](https://view.publitas.com/on-nature/fall_2016/page/20-21).

<sup>3</sup> Government of Ontario, "Factors that affect moose survival" online: <https://www.ontario.ca/page/factors-affect-moose-survival>.

<sup>4</sup> Government of Ontario, *ibid*.

of hunters - to consult hunters and provide the Minister with recommendations to address hunters' concerns. While Ontario's hunters would no doubt like to see more wolf and coyote hunting opportunities in this province, as well as a decrease in regulations surrounding said hunting, the government must base its approach to moose population management in science and its public trust duty to protect species for the enjoyment of present and future Ontarians.<sup>5</sup>

Precautionary, science-based management of Ontario's moose requires protecting moose habitat at the ecosystem level and protecting moose, including their calves in particular, from hunters. If the government continues to allow moose hunting in this province, at the very least it should set science-based, precautionary quotas, shorten the duration of the moose hunting season, and ban calf hunting.

### **B. The proposal will not significantly benefit moose**

Animal Justice supports the MNR's proposal to place restrictions on party hunting and to eliminate special moose hunting opportunities afforded to non-resident landowners and immediate relatives of Ontario residents.

With respect to the implementation of "interim calf tag quotas" in specific Wildlife Management Units ("WMUs"), more must be done to protect calves. The MNR's own scientific evidence demonstrates that moose calf hunting has a far greater impact on overall population health than was previously understood. While Animal Justice appreciates that the Ministry is attempting to reduce the number of calves killed in these WMUs, it is proposing to do so while also extending the calf hunting season to the full length of the moose hunting season, including both the bow and gun seasons. The MNR should place its duty to protect biodiversity ahead of the desires of hunters and eliminate moose calf hunting in the province, or at the very least in the WMUs identified in the ERO posting.

In contrast to predation and other natural causes of moose calf mortality, which tend to occur immediately after birth, calf hunting occurs in the fall after female moose have spent significant energy on lactation and defending their young. The MNR's research shows that around Algonquin, moose hunting resulted in higher numbers of female moose abandoning their calves, and that moose hunting was additive to, rather than compensatory to, natural mortality.

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<sup>5</sup> Ministry of Natural Resources, "Strategy for Wolf Conservation in Ontario" at p2. Online: <https://docs.ontario.ca/documents/3090/263811.pdf>.

### **III. Proposed changes to wolf and coyote hunting regulations**

As explained in further detail below, promoting the mass killing of wolves and coyotes will not significantly benefit the province's moose population. Without any reporting or tag requirements, it will not be possible to scientifically assess the impact of these regulatory changes on moose and other potentially impacted species.

#### **A. Killing more wolves and coyotes will cause unnecessary suffering and damage to ecosystems**

Wolves and coyotes are highly social, intelligent, and sentient mammals that are an integral part of their natural ecosystems. There is no scientific justification or evidence to support the MNR's proposal to:

- Allow small game hunters to kill as many eastern coyotes as they want from September 1-June 15 each year. This period includes coyote pupping season.
- Remove the requirement to report the number of coyotes and wolves killed.
- Increase the "bag limit" to two wolves per hunter per year from the present bag limit of two wolves or coyotes per hunter per year.
- Remove the requirement for special game seals for hunting wolves.

*i. Coyotes are not a major predator of moose*

Eastern coyotes are not a major predator of moose.<sup>6</sup> Allowing them to be hunted in unlimited numbers across the province will not benefit moose populations. What it will do is cause harm to coyotes as well as ecosystems, given the eastern coyote's important role as an apex predator in maintaining biodiversity.

In addition to allowing for the mass killing of adult coyotes, the proposal could result in a significant increase in deaths of coyote pups, which are born in late spring/early summer in Northern Ontario. In Southern Ontario, where the coyote hunting season is open year-round and there are no restrictions or mandatory reporting, there has been a

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<sup>6</sup> See, e.g. John F. Benson et al. "Ungulate predation and ecological roles of wolves and coyotes in eastern North America" (2017). *Papers in Natural Resources*. 618. Online: <http://digitalcommons.unl.edu/natrespapers/618>

documented lack of appreciation for the mass slaughter of members of this species, with coyote carcasses being piled up and left to rot.<sup>7</sup>

*ii. Increased hunting of wolves will not benefit moose*

Promoting the killing of more wolves in Ontario will not address the serious issue of moose population declines. This is because although wolves are a predator of moose, they have co-existed with moose in a predator-prey relationship for thousands of years, with wolves generally preying on the youngest, oldest, and weakest moose, leaving strong breeding-age moose to reproduce.<sup>8</sup>

The MNR's own science, as cited in the ERO registry posting, demonstrates that wolf hunting reduces pack size, but because smaller wolf packs do not kill significantly fewer moose than do larger packs, wolf hunting will not significantly reduce the overall number of moose killed by wolves.

Compensatory reproduction is another reason that killing more wolves and/or coyotes may not benefit moose populations. That is, when wolf or coyote populations are initially decreased it can lead to more breeding as well as larger litters. Immigrating wolves or coyotes also quickly fill vacant territories.

There are no population management targets set out in the ERO posting, and no rationale for the proposed two wolf per hunter bag limit. Furthermore, capping the number of wolves killed by hunters at two while simultaneously removing the requirement to purchase a small game seal or to report the number of wolves a hunter ultimately kills makes the two wolf cap essentially unenforceable.

Increasing the bag limit to two wolves per year per hunter could result in either a slightly larger number of wolves hunted each year or an enormous increase. The lack of reporting on the number of wolves and coyotes killed means there will be no way to scientifically study the potentially far-reaching effects of the regulatory changes on ecosystems, moose, and other potentially impacted species, such as caribou. This despite the fact that killing more wolves could have far-reaching negative consequences for the

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<sup>7</sup> Photographs of eastern coyote carcasses found piled in southern Ontario are available upon request from Earthroots:  
<http://huffstrategy.com/MediaManager/release/Earthroots/29-8-19/Ontario-government-revisits-unscientific-and-unethical-wolf-hunt/3616.html>.

<sup>8</sup> Brent Patterson et al (Ontario Ministry of Natural Resources), "Wolf-moose interactions in Ontario". Powerpoint presentation dated April 24, 2014.

wolf population and the rest of the ecosystem, given that wolves are a keystone species. If the MNRF was serious about sustainable wildlife management, it would at the very least be working to determine how any changes in wolf or coyote hunting affect ecosystems, including moose populations.

With respect to game seals, by removing the requirement for these tags the MNRF will lose a significant source of revenue. The requirement to purchase these seals puts a minimal burden on hunters, given that they cost residents only \$11.36 each.

Finally, it is important to note that this proposal may adversely impact the threatened Algonquin wolf. This is because these wolves have been known to exist in the north, outside of their suspected range in central Ontario.

### **B. The government must sustainably manage wolf and coyote populations**

The Government of Ontario has made a public commitment to implementing “a proper wildlife management program for Ontario’s wolves” and ensuring “Ontario gets the vital scientific information it needs to protect and manage wolves.”<sup>9</sup>

One of the predicted “benefits” outlined the ERO posting is that by eliminating wolf and coyote tag requirements, there will be an increased interest in wolf hunting in this province, particularly by non-residents. Making it easier for hunters, including non-resident hunters, to kill apex predators in Ontario with virtually no oversight is inconsistent with responsible wildlife management principles and the MNRF’s public trust duty to conserve wildlife now and for future generations.

### **IV. Other BGMAC recommendations**

Although only five of the BGMAC’s recommendations are currently being acted upon by the MNRF, the ERO postings above suggest that it is the MNRF’s ultimate intent to implement all of the Committee’s 15 recommendations. Animal Justice submits that recommendation 12, pursuant to which the MNRF would ensure habitat prescriptions for moose are being applied as part of forest management practices and conduct adequate monitoring to evaluate the effectiveness of moose management prescriptions, should be acted upon immediately. Similarly, recommendation 13 suggests that more research be devoted to moose science. Given declining population numbers of this iconic species, this recommendation should also be immediately acted upon.

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<sup>9</sup>Strategy for Wolf Conservation, *supra* note 5 at p1.

Animal Justice also supports the proposal in recommendation 15, that the MNRF continue building relationships with Indigenous communities to discuss moose population management.

Animal Justice is deeply concerned about recommendation 14, which suggests permanently restoring the unethical and unscientific spring bear hunt, which is presently scheduled to end in 2019. The recommendation also suggests extending the spring bear hunting season in Northern Ontario until the end of June. Black bear populations are vulnerable to hunting-related population decline, and population dynamics are most sensitive to survival of adult females, as they reach sexual maturity late in life and have few offspring. Even if there were to be a prohibition on killing females accompanied by cubs during the spring bear hunt, because females commonly leave their cubs in trees while searching for food, there is a very real risk that hunters would unknowingly kill mothers without visible cubs in the area, thereby orphaning their cubs.

## V. Conclusion

There is no scientific evidence to suggest that killing more wolves and/or eastern coyotes will benefit Ontario's moose. Indeed, this lack of scientific basis is clear from the government's own website. Mass killing of wolves and coyotes is ecologically and socially unacceptable. It is also contrary to the precautionary principle of international and domestic environmental law, which requires that where there are threats of serious or irreversible harm, the government must err on the side of environmental protection.

Ontario has a public trust duty to "ensure ecologically sustainable wolf populations and the ecosystems on which they rely for the continuous ecological, social, cultural and economic benefit of the people of Ontario."<sup>10</sup> The proposal to allow the mass slaughter of wolves and coyotes with virtually no government oversight is both unethical and unscientific and must be abandoned.

Finally, we ask that the government act on the very real threats to Ontario's moose population, including by adopting ecosystem-based management that prioritizes the needs of moose populations and protecting moose from human hunters, including by banning the hunting of calves.

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<sup>10</sup> *Strategy for Wolf Conservation, ibid.*

Yours truly,

A handwritten signature in cursive script, appearing to read "Kaitlyn Mitchell". The ink is light grey and the signature is written over a faint, larger version of the same signature.

Kaitlyn Mitchell  
Staff Lawyer, Animal Justice