

ONTARIO FEDERATION OF ANGLERS & HUNTERS

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Ontario Conservation Centre

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To Whom It May Concern:

Subject: ERO # 019-3977 Financial penalty for failing to submit a mandatory hunter report

The Ontario Federation of Anglers and Hunters (OFAH) is Ontario's largest, non-profit, fish and wildlife conservation-based organization, representing 100,000 members, subscribers and supporters, and 725 member clubs. We have reviewed the proposed *Financial penalty for failing to submit a mandatory hunter report* and have the following comments.

Mandatory Reporting

The OFAH endorses a mandatory reporting system that supports effective wildlife management, healthy ecosystems, and sustainable hunting opportunities. Hunters are at the forefront of conservation in North America and wish to see the wildlife and environments that we spend so much time with flourish and be present for future generations. The information that hunters provide supplements government programs (e.g., aerial surveys) and is crucial for not only estimating harvest and hunter effort, but also for tracking population changes which can be driven by a whole host of other factors, including climate, habitat, predation, human activity, and disease. Hunters are literally the eyes on the ground and contribute to keeping Ontario's broader ecosystems healthy.

The OFAH has been involved in the review of the allocation of hunting opportunities for many years, especially for big game species such as moose and deer. We have seen first-hand how low hunter response rates can lead government wildlife managers to be conservative with tag allocations in order to prevent overharvest. Mandatory hunter reporting and the resulting higher response rates help ensure maximum sustainable hunting opportunities while at the same time supporting the long-term conservation of these species. In short, mandatory reporting can be a win for both wildlife and hunters. With hunters doing their part, the onus is on wildlife managers to leverage that information in a timely fashion to make sure those benefits to wildlife and hunters are realized.

The Proposed Graduated Penalty Approach

Under the current system, hunters who fail to submit a hunter report may be subject to two different penalties: receiving a fine or being prevented from purchasing the licence in the following year. The former option is administratively burdensome, and the latter may be too harsh in some circumstances. The OFAH supports a graduated penalty approach as opposed to an ‘immediate lockout’ approach. We see a graduated approach better aligning with the goal of the mandatory reporting system, which is improved information for wildlife management, not punishing hunters who fail to submit their reports. Rather than a hunter’s first missed report immediately resulting in them being locked out or fined \$300, the proposed approach provides an intermediate step where a financial penalty is required prior to the purchase of the licence or tag. We feel that this approach will help increase/maintain reporting rates without preventing people from hunting, especially those individuals who forget one time rather than choose not to submit a report year after year. It also provides certainty to hunters. If a hunter fails to submit a consecutive report for that species and cannot purchase the licence or tag, they will have been aware of this consequence. There was considerable uncertainty among hunters who failed to submit their 2020 hunter reports because the message they received from the government only stated that they “may not be able to purchase” that licence in 2021. Clearly defining the requirements of hunters and how the consequences will be applied is important and should lead to increased hunter reporting.

One aspect this proposal lacks is a stated goal with regards to response rates. A 100% response rate is likely neither feasible nor necessary for effective wildlife management. Historically, hunter reporting rates have been well below the threshold needed to effectively inform wildlife management. In 2018, the year immediately preceding the implementation of mandatory reporting, response rates for white-tailed deer, moose, and spring black bear were 42%, 51%, and 54%, respectively. The implementation of mandatory reporting resulted in a marked improvement with response rates for those species reaching 86%, 85%, and 75%, respectively, in 2020. Mandatory reporting is clearly working, but a target response rate should be established. This would provide a benchmark for evaluating the effectiveness of the proposed graduated penalty approach and the quality of the data resulting from it. We recommend that the government develop a target response rate for hunter reporting, drawing from the scientific literature on wildlife management and human dimensions.

In our discussions with government staff, we’ve learned that wild turkey (for which there are separate spring and fall seasons with associated tags) will be treated as a single species for the purposes of determining consecutive reporting failures and the associated penalties. This would be different from all other reporting requirements which have a ‘one tag/one report/one consequence’ relationship and could lead to confusion about reporting requirements. Although applying the graduated penalty approach proposed for wild turkey would be consistent, the time frame between consequences would be inconsistent with all other species within the system. Therefore, we recommend that spring and fall wild turkey tags be considered separately for the purposes of determining penalties for non-reporting.

Setting the appropriate value for a financial penalty is challenging, because the amount should reflect socio-economic considerations and human dimensions research on how people will respond to different penalty amounts. Without supporting data, the OFAH cannot recommend a specific value. Instead, we place the onus on the government to ensure that the amount is sufficiently high to obtain the response rate needed as part of the graduated response. At the same time, it should not be so high that it creates a financial barrier to participation based on someone’s socio-economic status. In the proposed graduated approach, the financial penalty component essentially acts as a ‘warning’ penalty for the much more severe penalty of being locked out from hunting that species for a year. Therefore, the financial penalty alone should not be at a level that is intended to achieve the desired response. The financial and ‘lockout’ penalties should be considered together in determining the appropriate value.

In the proposal, the government commits to maintaining a process to “consider waiving the penalty in very limited, exceptional circumstances.” While it is always the responsibility of hunters to know and follow all applicable regulations, the OFAH supports such a waiver process as unexpected things do happen.

Finally, we ask that the government develop and transparently share how they will evaluate the benefits and impacts of the proposed graduated penalty approach and the mandatory reporting system as a whole. While the impact on response rates will be evident, deeper analysis should be conducted to determine who is not reporting, potential drivers of non-compliance, and how penalties are affecting future participation. Such an analysis should consider demography, geography, and how hunters interact with the Fish and Wildlife Licencing System. For example, a correlation between people buying their licences and tags through licence issuers or Service Ontario locations and failing to report may indicate a technological barrier. Also, a pattern of hunters being levied a financial penalty and then not purchasing that licence in subsequent years may indicate that the penalty amount is creating a financial barrier to participation and acting as a *de facto* lockout.

Communications

For these proposed changes to be implemented in an effective and fair manner, the government must invest in significant communications efforts in order to inform hunters. This communication must be conducted in a way that reaches all hunters regardless of their level of technological access. While it is the responsibility of hunters to be informed on the requirements and associated consequences that go along with the purchase of a tag or licence, it is also the responsibility of the government to ensure that it is communicating in a way that effectively reaches its intended audience. An approach that relies on websites, emails, and social media will not reach a significant proportion of Ontario hunters.

By and large, hunters who provide an email address to the government are well served by the current system. One improvement would be to add a third email reminder on the deadline for a reporting period that outlines the consequences for failing to submit a report. This may create a third spike in reports received, like the two existing notification emails, and increase overall reporting rates. For hunters who do not use computers/email, two possible avenues are to: (1) prominently feature additional information on the reporting requirements (i.e., deadlines and consequences for failing to submit) on tags and licence summaries; and (2) create an automated phone notification system akin to the email system where hunters supply their contact information and receive an automated reminder. The entire mandatory hunter reporting system should be featured prominently in the Ontario Hunter Education Course.

Many jurisdictions explicitly link education with penalties by including mandatory education as a component of fish and wildlife penalties. Given the importance of education in ensuring compliance and support for hunter reporting, we recommend that the government explore the feasibility of this approach. Of course, such an educational component must be accessible to all hunters regardless of technological access.

Finally, a concerted communications effort needs to be made by the government to educate hunters on the value of mandatory reporting and clearly demonstrate the outcomes of providing reports. This will increase both reporting rates and confidence that the government is meeting their wildlife management responsibilities. Wherever possible the communications should highlight the benefits to wildlife management and hunters of mandatory reporting using concrete examples. We strongly encourage the government to produce updated Status of the Resource reports using the information collected from mandatory reporting. All communications should be transparent about how the data is collected and used, as well as how the monies collected under this system are put to use. We fully support the fact that all funds will be deposited into the Fish and Wildlife Special Purpose Account and be used in support of fish and wildlife management. The OFAH would not support any portion of these monies being directed and used elsewhere.

Investment in Wildlife Monitoring

The information collected from mandatory hunter reports is a crucial supplement to, rather than a replacement for, existing science-based government monitoring programs, such as moose aerial inventories. The OFAH expects the government to continue to invest in these programs and expand and update them as necessary to reflect management needs.

Conclusion

Mandatory reporting does require a consequence for failing to report, but the sole practical option cannot be preventing hunters from hunting. The OFAH supports the intent of the proposal to improve participation in mandatory reporting provided the changes are implemented in a way that supports effective wildlife management and sustainable hunting opportunities while not presenting barriers to hunter participation. We have offered recommendations that we believe will help with effective implementation to achieve all of these objectives. Thank you for considering our comments.

Yours in Conservation,



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KM/jb

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