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January 3, 2018

Via Regular Mail and Email: minister.mnrf@ontario.ca
cc: christie.curley@ontario.ca

Hon. Kathryn McGarry, Minister
Whitney Block 6th Flr Rm 6630
99 Wellesley St W
Toronto, Ontario
M7A 1W3

Dear Hon. Kathryn McGarry, Minister of the Ministry of Natural Resources and Forestry:

Re: Proposed Amendments to Trapping Polices and Regulations in Ontario

Thank you for the opportunity to address the Executive Council of Ontario from the Ministry of Natural Resources and Forestry ("MNRF") on the issue of trapping and the regulations governing trapping in Ontario (the "Matter"). We raise this issue with your Ministry because of an incident that occurred in December 2014, to a beloved companion animal who was killed by a baited trap on a marked trail in the municipality of Trent Lakes.

BRIEF HISTORY AND BACKGROUND:

Valerie Strain ("Strain") tragically witnessed her beloved companion George, a Labrador Retriever, die before her eyes by a baited Conibear trap, while walking on a public snowmobile trail in Trent Lakes in December 2014. Strain has been tirelessly working to act on the appropriate changes to the regulations governing trapping in Ontario, so that this will not happen to other companion animals. It should be noted that Stain was in contact with the MNRF between November 2015 to February 2016, with respect to this Matter. During this time, the MNRF made no real effort to assist and dismissed Strain by sending numerous "boilerplate" responses.

Today, Strain has refused to give up and George's legacy lives on through her bold initiative and organization *No Traps on Trails* ("NTOT"). This organization's mandate is to amend legislation in Ontario with regards to trapping. Currently, trappers in Ontario are permitted to place lethal traps and snares on designated public trails, Provincial Parks, beside roadways and in extreme proximity to private properties. We at Gartner & Associates fully embrace and support Ms. Strain and NTOT and are determined to make changes to these laws and regulations.

This is not an isolated incident and should not be treated as such. There is enormous support for NTOT, with over 105,000 signatures backing

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Strain's initiative to change the regulation governing trapping. *Please refer to the link provided in the footnote*[1]. This issue is not one to go unnoticed and should take precedence at the MNRF. It is time for Ontario to take proactive measures with respect to trapping, as opposed to reactive ones.

Asks: We recommend that the MNRF implement the following:

I. **Mandatory posting of "warning signs" at the beginning of designated public trails**

II. **No traps within 150 meters of a designated public trail**

III. **Identification tags on traps**

Rationale for the Asks:

I. Mandatory posting of "warning signs" at the beginning of a designated public trails:

We urge that there be mandatory signage at the beginning of designated trails. This will assist in alerting the public to the presence of live traps, and will increase the safety of civilians and companion animals who use these public trails. It is important that there is transparency with respect to the trapping that takes place on designated public trails. The public is owed a duty to ensure that their safety is not compromised while they are enjoying nature walks, and staying within the boundaries of the designated public trail.

Currently, trappers are not legally required to post signage about trapping and this has resulted in countless incidents involving non-target animals.

II. No traps within 150 meters of a designated public trail:

Traps should not be placed where people, children and domestic animals are frequently present. Setting a distance will not interfere with trapping practices, but merely ensure that people are safe when walking on trails. We live in modern times where the public should not be fearful of their safety or their pets' when going for a walk along a public trail.

It should be noted, that this Ask has already been addressed by the province of Manitoba. Manitoba has gone above and beyond with their trapping regulations and implemented this exact regulation: *"150 metres of either side of the centre line of designated trails operated and managed by the Crown for non-motorized activities (ex: Narcisse WMA interpretive trail) or multi-use trails with both motorized and non-motorized use; either side of the*

[1] https://www.dropbox.com/s/vdzx55i96o1jwjb/petition_signatures_jobs_2505426_20171205131159.csv?dl=0

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centre line of designated trails for non-motorized use (ex: hiking trails) or multi-use trails with both motorized and non-motorized designations (ex: Mossberry Trail in Duck Mountain)" (Appendix A).

III. Identification tags on traps

Trappers should be required to have a weather-resistant permanent tag attached to any trap, legibly providing the trapper's name and address. Identification tags are necessary to provide an opportunity for the public to demand accountability in future trapping violations. Enforcement is impossible if individuals and their trapping practices are not held to account. There cannot be proper implementation of the other Asks without also requiring identification tags. Trappers will not adhere to posting signage and trap location limitations, if there is no way to trace an incident back to them.

CONCLUSION:

It is clear through recent news articles (Appendix B) and the abundance of support for NTOT, that the tragedy that took place in December of 2014 was not an isolated incident. Incidents like this will continue to occur if there are no proactive actions taken to the regulations governing trapping in Ontario. The MNRF must consider updated trapping regulations in today's current age as not only important, but necessary. With an increase in the number of people in previously harder-to-reach areas and an increase to access of designated public trails through GPS, snowmobiles, ATVs, and an increased popularity of geo-caching and winter camping, the current regulations do not properly protect these individuals. The public is not aware that they need to consider the dangers of baited trails when venturing out in nature.

It should be noted; the *Fish and Wildlife Conversation Act* provides support for this very circumstance. Part X of the Lieutenant Governor in Council Regulations deals with, "trapping activities, including prohibiting or regulating activities that may pose a threat to the safety of the public." The MNRF should acknowledge that an individual witnessing their companion animal being violently killed, will have horrific consequences to their well-being and will impact their view of the safety within their community (Appendix C).

We urge that you pass the above Asks to ensure that the health, safety and well-being of the residence, companion animals and wildlife of Ontario is sufficiently met.

Yours truly,
GARTNER & ASSOCIATES ANIMAL LAW

Suzana Gartner

Suzana Gartner

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APPENDIX A

Public Review on Proposed Changes to Trapping Policy

in Manitoba's Provincial Parks and Other Crown Lands With Recreational Developments

In December 2012, two dogs were killed in traps while they were off-leash in two provincial parks in the Open Trapping Area. Under legislation, dogs must be kept on a leash and under direct control in provincial parks. Trapping was permitted within these two parks.

To address public and pet safety concerns that have arisen as a result of these incidents, the Manitoba government has been conducting a review of trapping in provincial parks and other high use recreation areas on Crown lands. Interim restrictions have been put in place on licensed trapping within provincial parks until such time that the province completes this review.

Trapping Occurs in Most of Manitoba

Registered Trapline (RTL) and Open Trapping areas have a long history of co-existing with recreation-based developments in provincial parks and Crown lands. Most of Manitoba is RTL area. Our largest and highest-use provincial parks, including Whiteshell, Nopiming and Duck Mountain, also occur in RTL areas. Currently, six provincial parks have permanent prohibitions on trapping: Beaudry, Birds Hill, Memorial, St. Norbert, Duff Roblin and Pembina Valley.

Park Use is Increasing

In recent years, the use of provincial parks and surrounding areas has changed. More people are visiting and living full-time in parks. Outside of park boundaries, encroaching municipal and recreational developments are bringing in new park users. Continued increases in park use and Crown lands with recreation developments may lead to more conflict between trapping and recreation activities and result in public safety concerns.

Traps are More Powerful

The traps themselves are also changing. To meet The Agreement on International Humane Trapping Standards, traps have become more powerful, efficient, and therefore more humane.

Proposed Changes to Trapping

To address safety issues, the province has developed several proposed changes to its trapping policies and subsequent regulations. The proposed changes aim to increase public and pet safety in high-use, multi-use areas and reduce the chance of accidently injuring park users or capturing dogs.

Manitoba

Proposed Elements for Communication and Education

Province-wide education of the general public and all park and Crown land users using current information sources (ex: annual department publications such as the parks guide) about:

- the multi-use nature of parks and Crown lands
- the responsible use of parks and Crown lands
- the changing visitor use of parks and Crown lands
- the strong history of trapping in Manitoba and Canada
- trapping as part of the current rural economy and way of life
- the need for trapping to address wildlife conflicts
- public and pet safety in active trapping areas
- safe trapping methods in areas used by the public
- park regulations such as the leash laws
- trapping regulations

Local education will be encouraged in the form of:

- voluntary marking of trapping trails
- trapper information events
- personal and non-personal interpretation programs in parks

Proposed Restrictions in Provincial Parks

These proposed restrictions only apply within the boundaries of provincial parks.

1. The following 12 parks will have no trapping restrictions:

- Atikaki
- Manigotagan River
- Colvin Lake
- Sand Lakes
- Little Limestone Lake
- Caribou River
- Numaykoos Lake
- Kettle Stones
- Birch Island
- Nueltin Lake
- Fisher Bay
- South Atikaki

2. The following 57 provincial parks will be closed to trapping:

- Asessippi
- Bakers Narrows
- Beaver Creek
- Bell Lake
- Birch Point
- Burge Lake
- Camp Morton
- Criddle/Vane Homestead
- Grand Beach
- Grand Rapids
- Grand Valley
- Hnausa Beach
- Hyland
- Lake St. Andrew
- Lake St. George
- Lockport
- Lundar Beach
- Manipogo
- Marchand
- Margret Bruce
- Moose Lake
- Neso Lake
- Netley Creek
- Norris Lake
- North Steeprock Lake
- Oak Lake
- Overflowing River
- Patricia Beach
- Pinawa
- Pinawa Dam
- Pisew Falls
- Poplar Bay
- Portage Spillway
- Primrose
- Rainbow Beach
- Red Deer River
- River Road
- Rivers
- Rocky Lake
- Sasagiu Rapids
- Seton
- Springwater
- St. Ambroise Beach
- St. Malo
- Stephenfield
- Swan River
- Trappist Monastery
- Twin Lakes
- Wallace Lake
- Watchorn
- Wekusko Falls
- Whitefish Lake
- William Lake
- Winnipeg Beach
- Woodridge
- Yellow Quill
- Zed Lake

3. Trapping will be permitted, with restrictions, (described in #4 and #5 on page 4) in the following 11 parks:

- Clearwater Lake
- Spruce Woods
- Grass River
- Whiteshell
- Paint Lake
- Elk Island
- Whitemouth Falls
- Nopiming
- Duck Mountain
- Turtle Mountain
- Hecla/Grindstone

4. In the 11 provincial parks listed in #3 (on page 3), trapping will be prohibited within 150 metres of developments or improvements including, but not limited to:

- cottage subdivisions
- campsites/campgrounds (excluding designated backcountry campsites)
- picnic areas
- playgrounds
- golf courses
- ski hills
- lodges (excluding remote lodges)
- youth, scout or bible camps
- boat launches
- interpretive centres
- day-use areas
- staging areas and parking lot
- either side of the centre line of designated trails for non-motorized use (ex: hiking trails) or multi-use trails with both motorized and non-motorized designations (ex: Mossberry Trail in Duck Mountain)
- either side of the centre line of a cottage subdivision road, private cottage subdivision roads or service and access roads maintained by Manitoba Parks

5. Special permits will be required to trap within Hecla/Grindstone, Elk Island and Whitemouth Falls provincial parks. Site specific restrictions apply to these three parks (see attached maps).

6. Under the authority of a special permit, trapping to address conflicts with wildlife will be permitted within trapping-restricted areas and parks closed to trapping as described in #2, #3 (on page 3), #4 and #5 above.

7. Except where the below listed fall within parks closed to trapping, or restricted areas as described in #2 , #3 (on page 3), #4 and #5 above, trapping will be permitted to continue along:

- numbered highways or municipal roads
- designated trails for motorized use (ex: Snoman Inc. trails, ATV trails, backcountry vehicle trails)
- designated canoe routes and their portage
- non-designated trails
- resource roads
- private utility roads (ex: Manitoba Hydro's road between Pointe du Bois and Slave Falls)
- utility corridors (ex: power line right-of-ways)
- the Fox Trail on the north side of Highway 8 in the Grassy Narrows Marsh within Hecla/Grindstone Provincial Park
- the trails within Spruce Woods Provincial Park that are dual designated as equestrian and snowmobile trails

Proposed Restrictions to be Applied to Other Crown Lands Developed for Recreation

Except as otherwise approved by special permit, legislation or land use plan (ex: trapping in Oak Hammock Marsh Wildlife Management Area [WMA]), trapping will be prohibited within:

- 150 metres of the edge of a development or improvement operated and managed by the Crown (ex: Crown land cottage subdivision)
- 150 metres of either side of the centre line of designated trails operated and managed by the Crown for non-motorized activities (ex: Narcisse WMA interpretive trail) or multi-use trails with both motorized and non-motorized use

A regulation is proposed that would allow the Conservation and Water Stewardship Minister to prohibit trapping within 150 metres of specific, developed, high-use recreation areas that are operated and maintained by non-government organizations (ex: trails group/association).

- This will not be applicable to snowmobile trails, or other trails designated for motorized use.
- The designated trails, developments or improvements on Crown land must be approved and/or authorized by the Manitoba government (ex: through a general permit).
- The operating body must apply to the province to have the trapping restriction applied and the restriction may not apply to all areas.
- Guidelines and criteria for screening applications will need to be developed.

We Want to Hear From You

Suggestions and feedback on these proposed changes to trapping in Manitoba are welcome. Your comments will be used to shape the future of trapping in provincial parks and recreation areas on Crown lands.

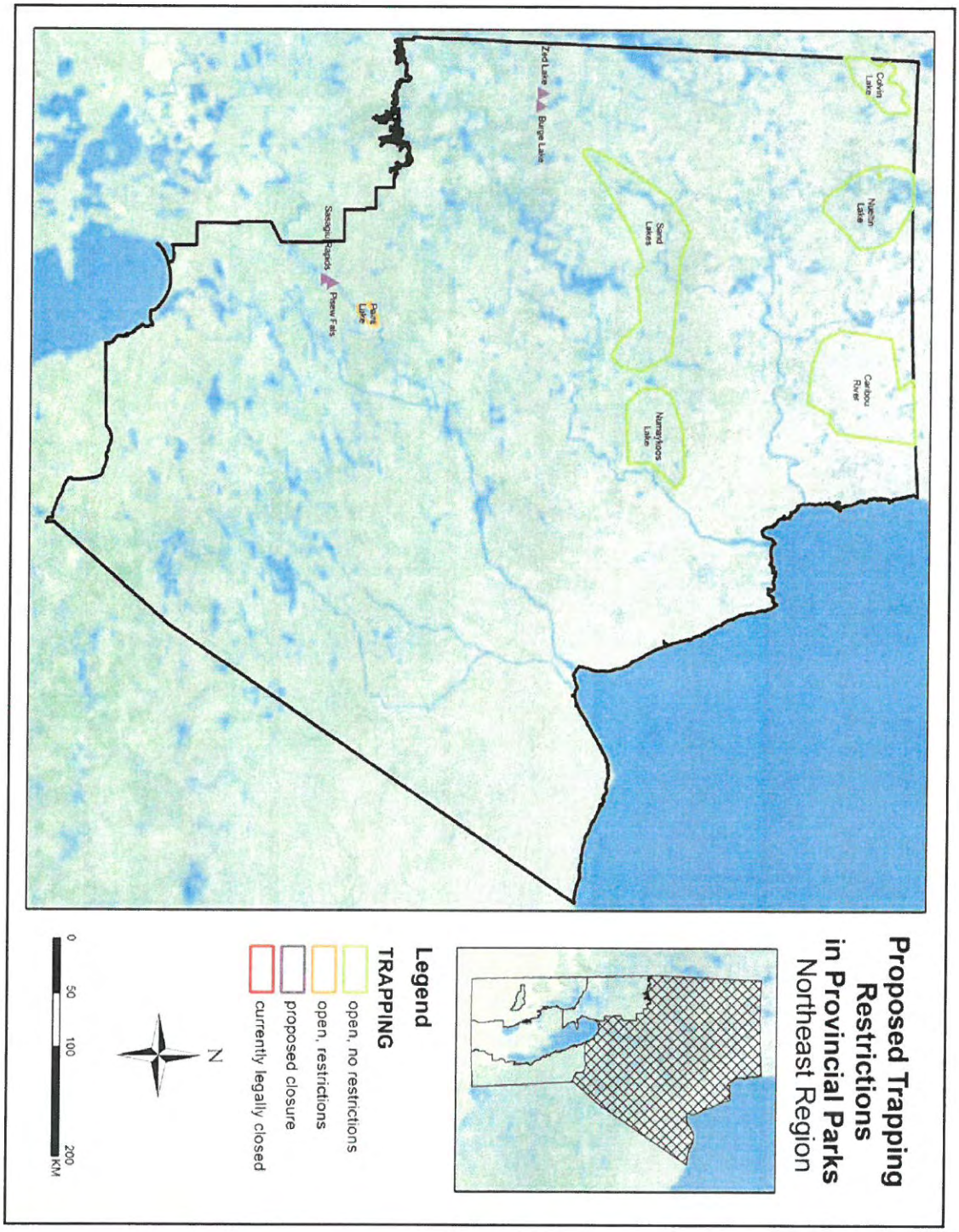
Comments can be mailed, faxed or emailed to:

Proposed Changes to Trapping
Manitoba Conservation and Water Stewardship
Box 24, 200 Saulteaux Crescent
Winnipeg, Manitoba
R3J 3W3

Email: wildlife@gov.mb.ca
Fax: 204-945-3077

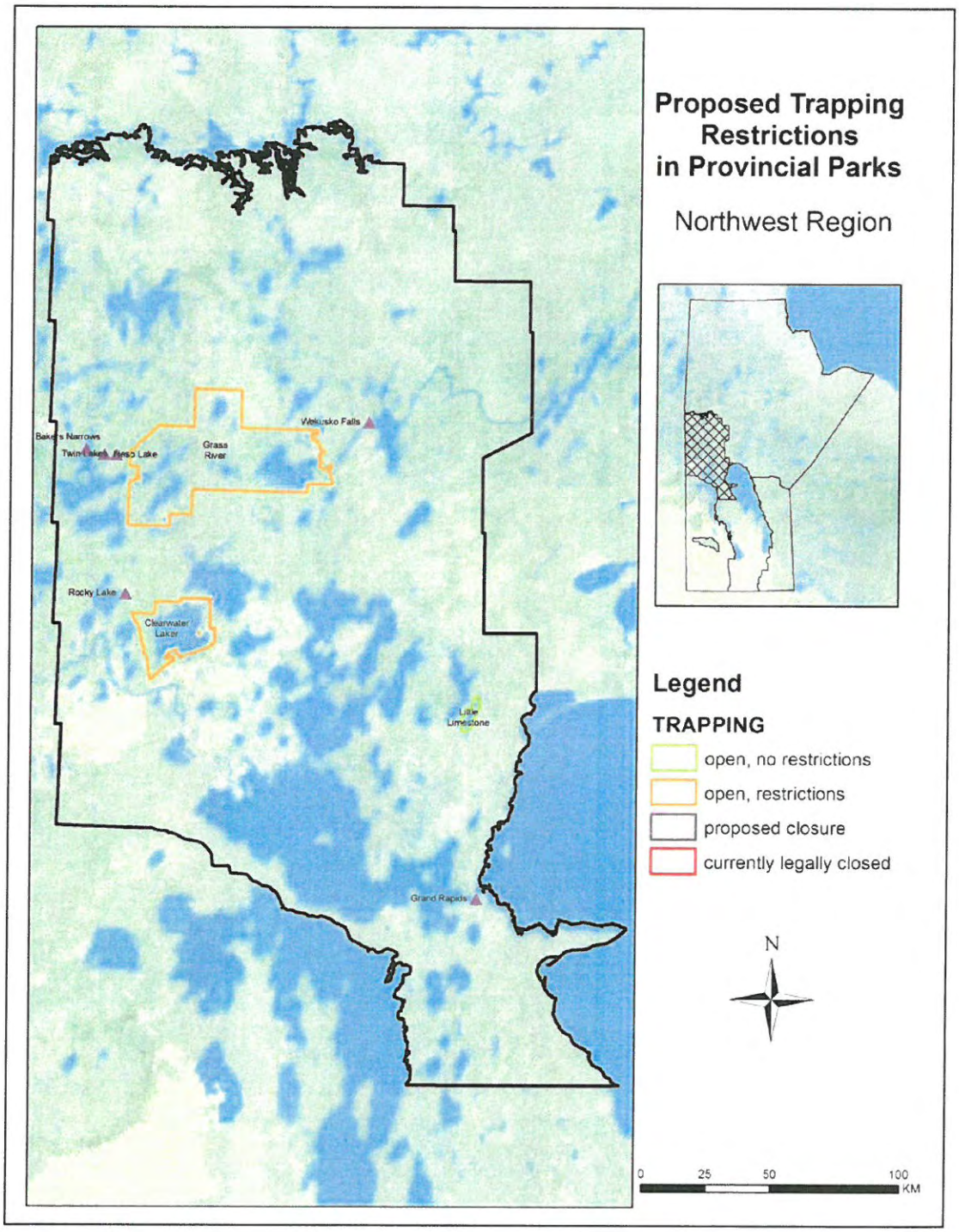
Proposed Trapping Restrictions in Provincial Parks

NORTHEAST REGION



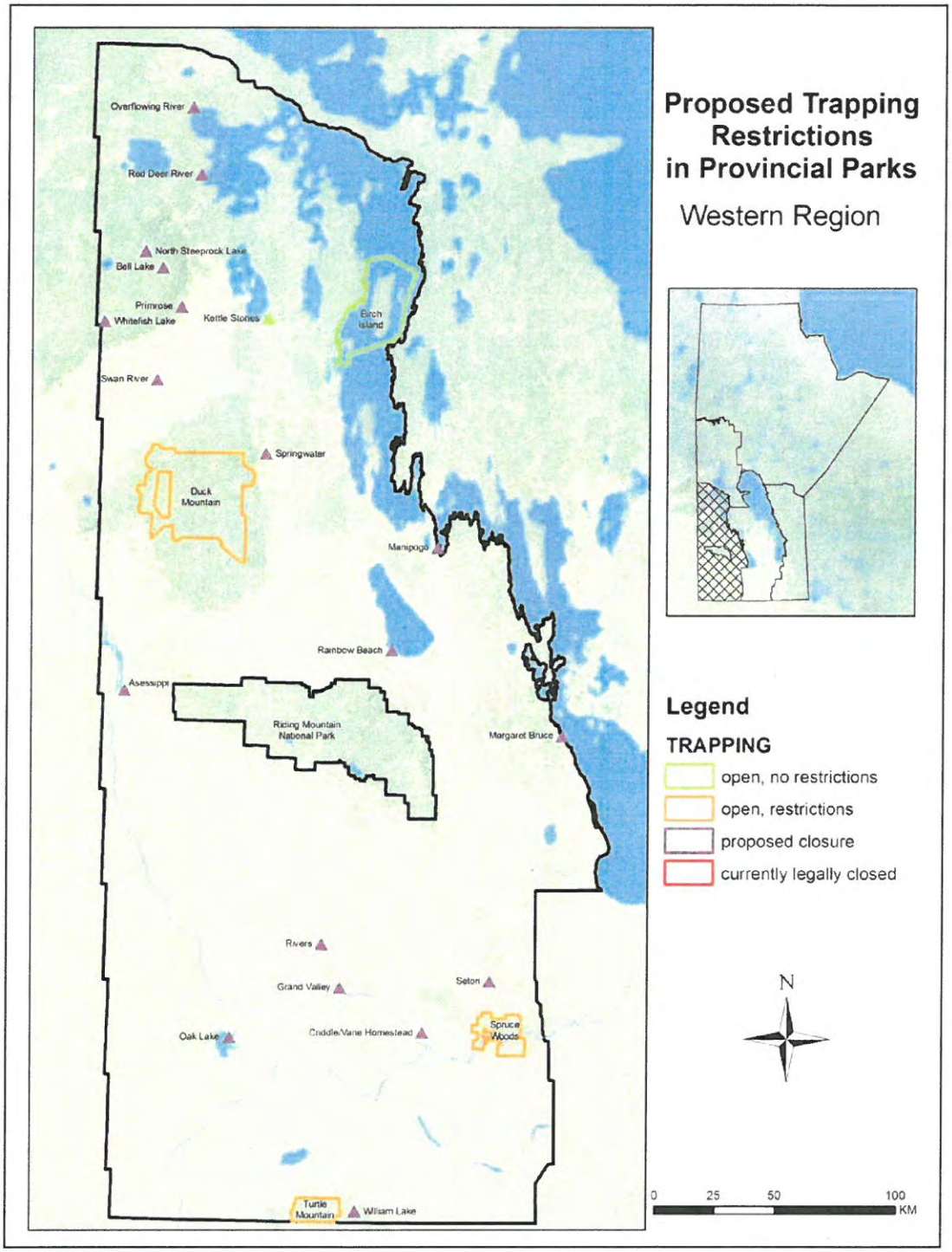
Proposed Trapping Restrictions in Provincial Parks

NORTHWEST REGION



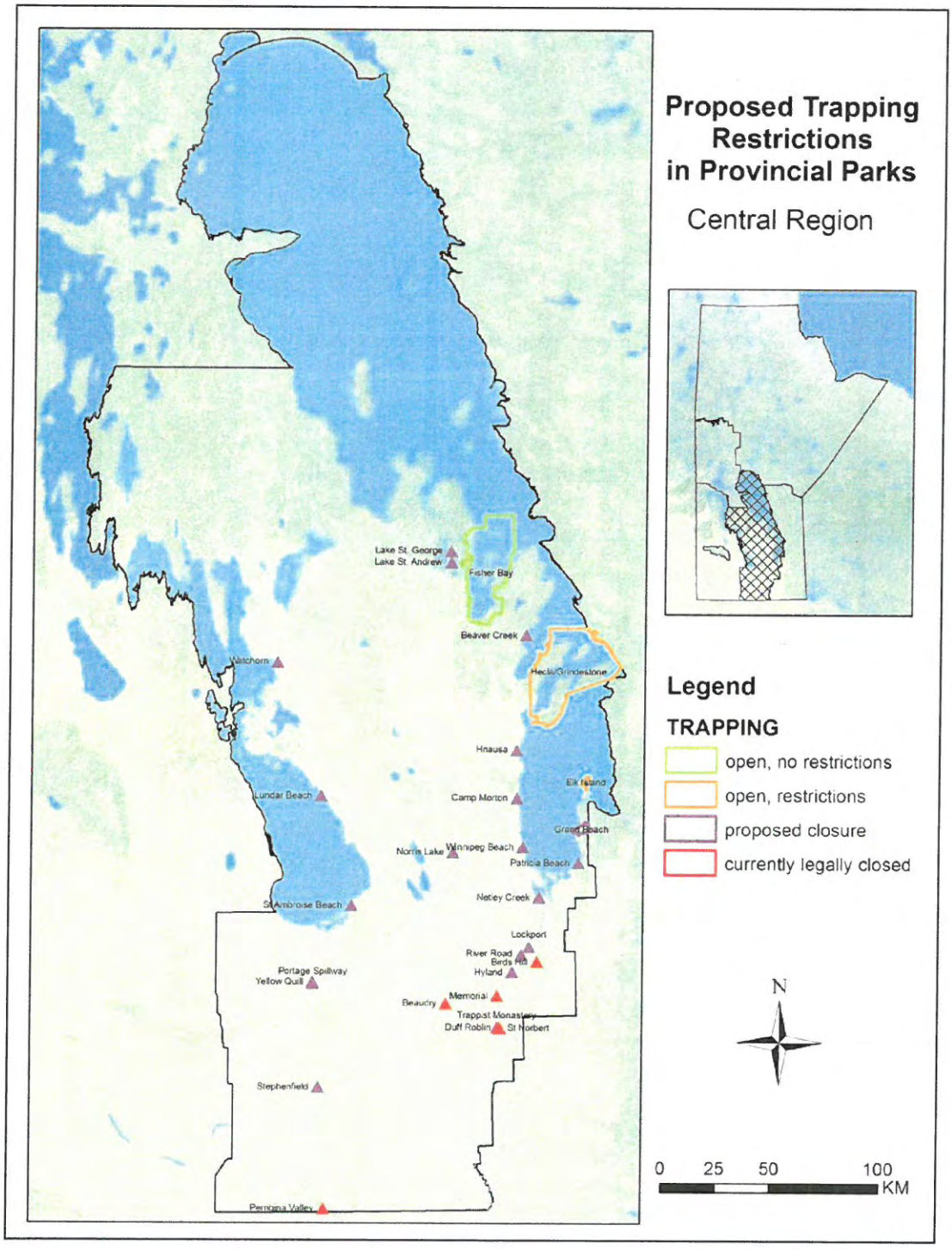
Proposed Trapping Restrictions in Provincial Parks

WESTERN REGION



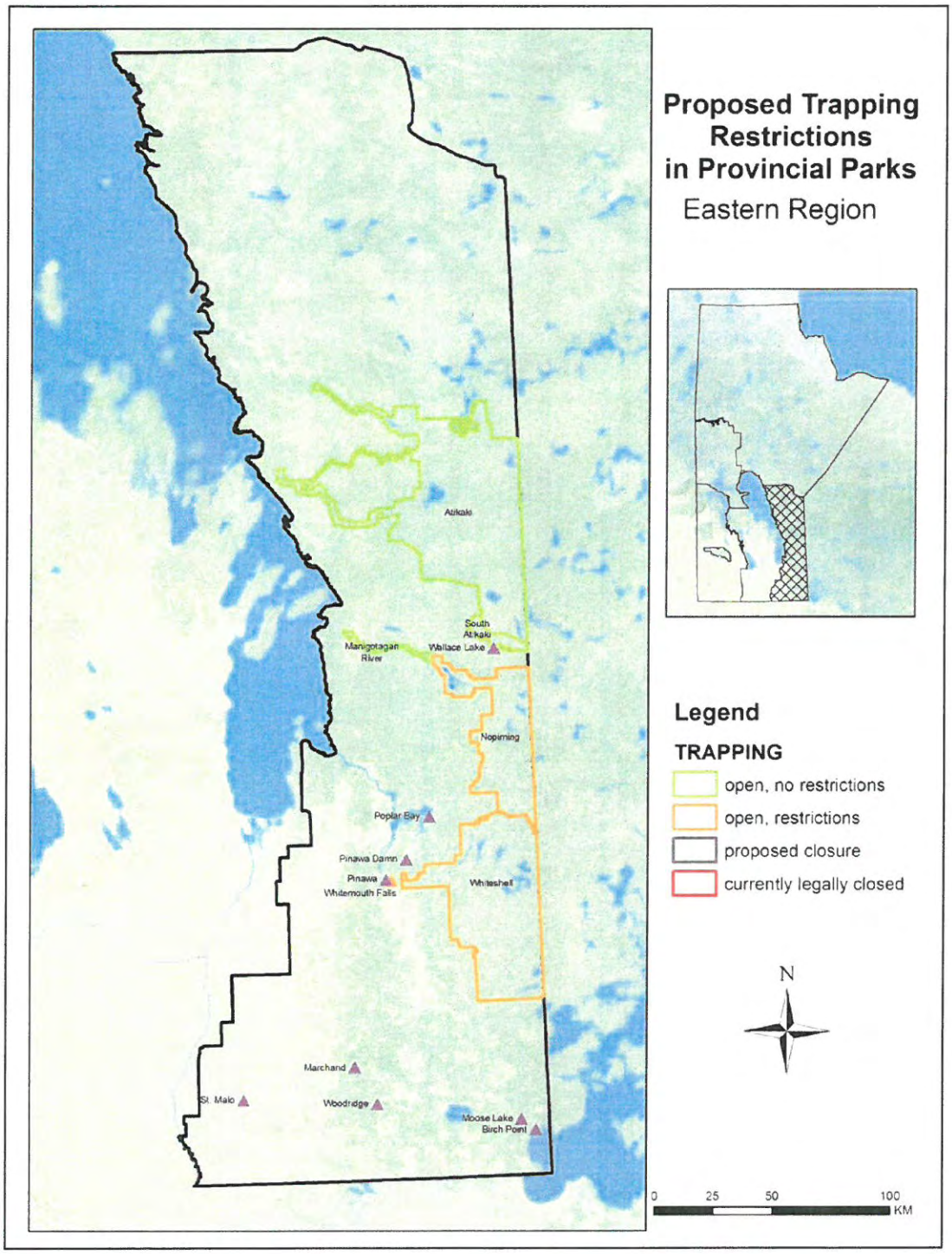
Proposed Trapping Restrictions in Provincial Parks

CENTRAL REGION



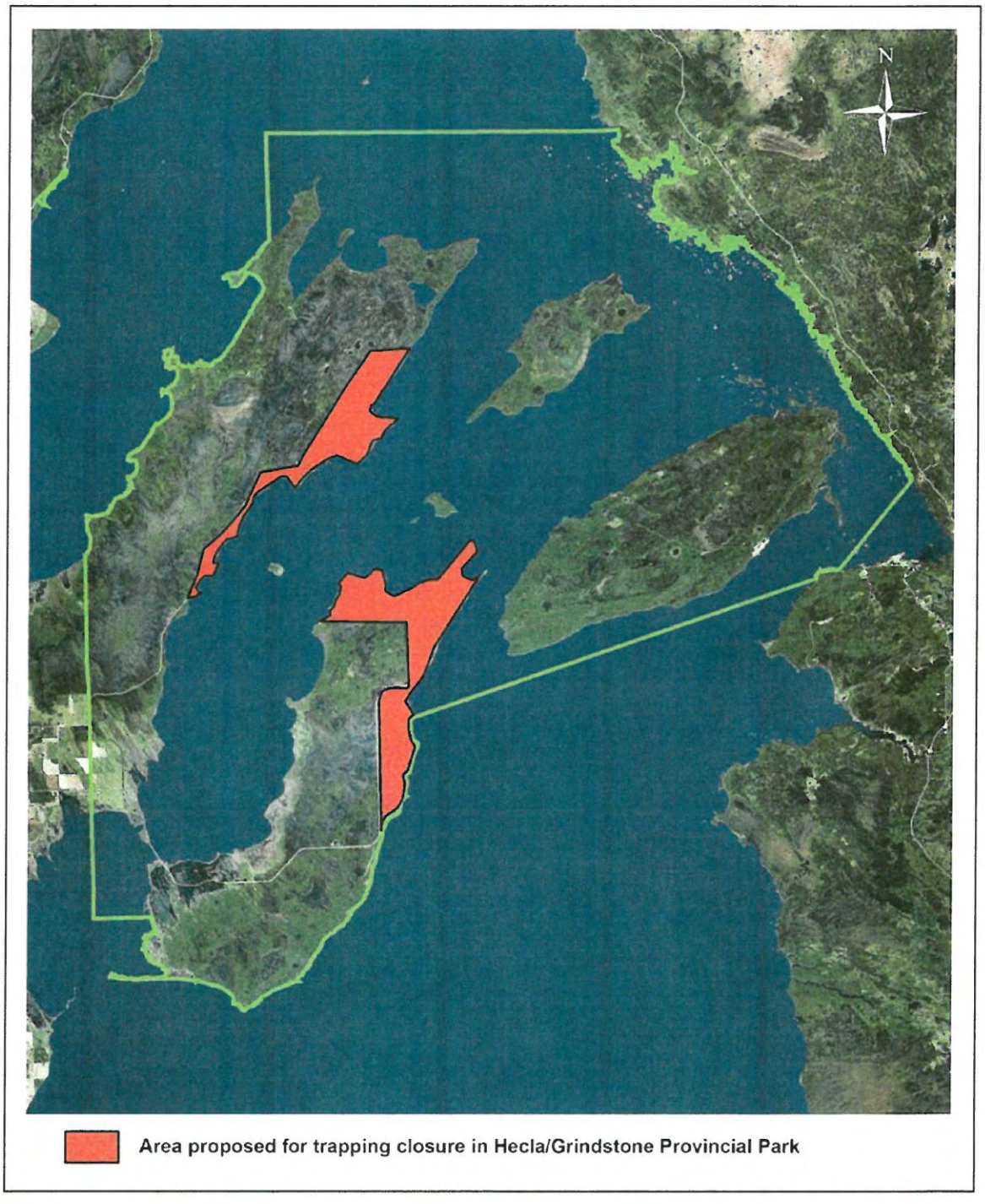
Proposed Trapping Restrictions in Provincial Parks

EASTERN REGION



Proposed Trapping Closure in Provincial Parks

HECLA/GRINDSTONE PROVINCIAL PARK



Proposed Trapping Closure in Provincial Parks

ELK ISLAND PROVINCIAL PARK

Proposed Trapping Closure in Provincial Parks

WHITEMOUTH FALLS PROVINCIAL PARK

Area proposed for trapping closure in Whitemouth Falls Provincial Park

Manitoba
Conservation and Water Stewardship

NOTICE TO TRAPPERS

Under the authority of Subsection 5 (1) of the *Parks Activities Regulation* made under *The Provincial Parks Act* the following interim restrictions on licenced and permitted trapping are in effect starting September 21, 2013 until such a time that they are rescinded.

Licenced and permitted trapping is suspended within 150m of a development or improvement including:

- cottage subdivisions;
- campsites/campgrounds (excluding designated backcountry campsites);
- picnic areas;
- playgrounds;
- golf courses;
- ski hills;
- lodges (excluding remote lodges);
- youth, Scout or bible camps;
- boat launches;
- interpretive centres;
- day-use areas;
- staging areas and parking lots;
- either side of the centre line of designated trails for non-motorized use (e.g. hiking trails) or multi-use trails with both motorized and non-motorized designations (e.g. Mossberry Trail in Duck Mountain PP); and
- either side of the centre-line of a cottage subdivision road, private cottage subdivision roads or service and access roads maintained by Manitoba Parks.

Licenced and permitted trapping is suspended within those areas indicated on the attached maps of Hecla/Grindstone, Elk Island, and Whitemouth Falls provincial parks.

Licenced and permitted trapping is suspended within the following 57 provincial parks.

Asessippi	Margret Bruce	Rocky Lake
Bakers Narrows	Moose Lake	Sasagiu Rapids
Beaver Creek	Neso Lake	Seton
Bell Lake	Netley Creek	Springwater
Birch Point	Norris Lake	St. Ambroise Beach
Burge Lake	North Steeprock Lake	St. Malo
Camp Morton	Oak Lake	Stephenfield
Criddle/Vane Homestead	Overflowing River	Swan River
Grand Beach	Patricia Beach	Trappist Monastery
Grand Rapids	Pinawa	Twin Lakes
Grand Valley	Pinawa Dam	Wallace Lake
Hnausa Beach	Pisew Falls	Watchorn
Hyland	Poplar Bay	Wekusko Falls
Lake St. Andrew	Portage Spillway	Whitefish Lake
Lake St. George	Primrose	William Lake
Lockport	Rainbow Beach	Winnipeg Beach
Lundar Beach	Red Deer River	Woodridge
Manipogo	River Road	Yellow Quill
Marchand	Rivers	Zed Lake

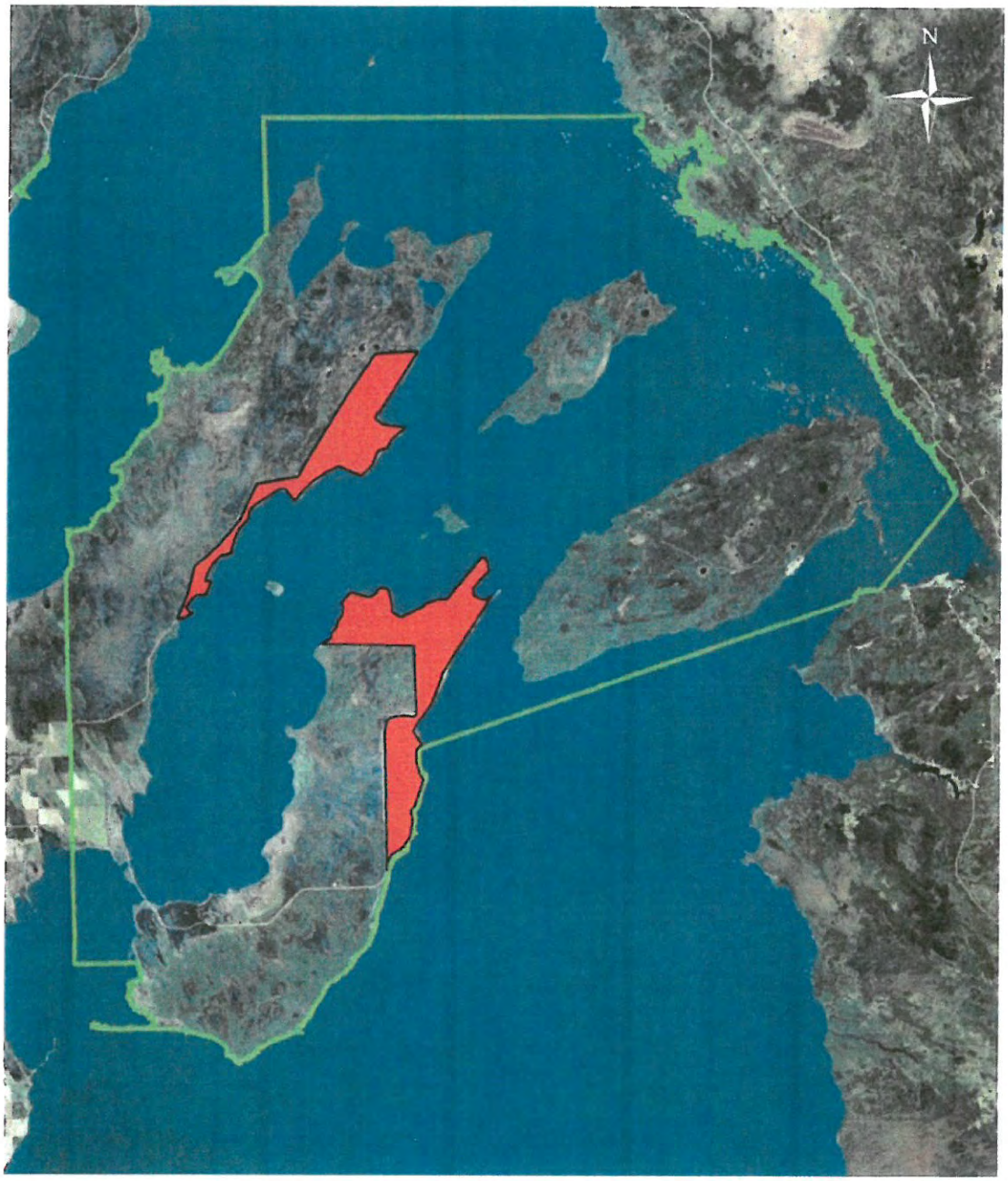
Licenced and permitted trapping will be allowed to continue along:

- numbered highways or municipal roads;
- designated trails for motorized use (e.g. Snoman Inc. trails, backcountry vehicle trails);
- designated canoe routes and their portages;
- non-designated trails;
- resource roads;
- utility roads;
- utility corridors (e.g. power line right-of-ways);
- the trails within Spruce Woods Provincial Park that are dual designated as equestrian and snowmobile trails.

For more information please call your local Manitoba Conservation and Water Stewardship district office or the district office in the area that you trap.

Mike Gilbertson
Director, Parks and Natural Areas Branch

Area of interim licenced trapping closure in Whitemouth Falls Provincial Park



Area of interim licenced trapping closure in Hecla/Grindstone Provincial Park

Area of interim licenced trapping closure in Elk Island Provincial Park

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APPENDIX B

Make animal traps illegal in Toronto: Toronto Wildlife Centre

Jenny Yuen
More from Jenny Yuen

Published:
November 5, 2017

Updated:
November 5, 2017 1:42 PM EST

Filed Under:
Toronto SUN › News › Toronto & GTA

A baby raccoon fought off fatigue for three days while straddling two high-voltage power lines in a west Toronto neighbourhood at Queen St. and Dovercourt Rd. The raccoon survived with the help of area residents and Toronto Hydro workers.

The head of the Toronto Wildlife Centre is calling for bylaws that would to make it illegal for people to use animal traps within city limits.

The push comes after a skunk and a raccoon — which each suffered serious injuries when trapped — had to be euthanized after they were brought into the wildlife centre last week.

Both badly hurt in leg-hold traps, a distressed skunk transported from Oakville backyard and a Toronto raccoon were captured in residential neighbourhoods. And in the raccoon's case, it was found in the Pape-Danforth Aves. area.

"They're horrible, cruel traps," said Nathalie Karvonen, the executive director of the wildlife centre. "The skunk had its back broken by the conibear trap and was suffering and the raccoon had its leg completely snapped ... It was almost entirely severed from his body. That is clearly not an appropriate way to deal with any animal."

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VARIETY VILLAGE CHRISTMAS FUND: Look over your shoulder, Auston

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Toronto Wildlife Ctr

2 TWC patients suffered severe injuries from this leg-hold & a Conibear trap. Pls contact @ONresources if you suspect a trap set illegally.

Karvonen said she suspects Torontonians are "pretty shocked" when they learn it's not illegal under the municipal bylaw to use leg-hold traps. She would also like to see stricter regulations when it comes to the sale of these traps.

"There is no bylaw prohibiting (trapping) in Toronto," she said. "Scarbrough had put a bylaw in place prohibiting the use of body-gripping traps, but when amalgamation took place, any bylaws that weren't common to all municipalities were dropped."

According to the province's Ministry of Natural Resources, in order to trap in Ontario — a resident must successfully complete mandatory training in humane trapping, including avoiding accidental capture of unintended animals, such as house pets. The only other people who can legally trap are farmers on their own property.

"Only licensed trappers may use or possess traps such as body-gripping traps (e.g., conibear traps)," said MNR spokesman Jolanta Kowalski. "In order to trap on private land (including within municipalities such as Toronto), trappers require written permission from the land owner."

Penalties for illegal trapping generally range from $150 to $200, Kowalski added. Otherwise, the maximum general penalty provision under the Fish and Wildlife Conservation Act is a fine of $25,000, up to a year in jail, or both.

Karvonen suspects these traps were used illegally in the two recent cases her centre had to deal with.

"But I can pretty much guarantee you, that at Pape and Danforth, it wasn't a licensed trapper setting a fur trap," she said. "It was probably somebody who was just frustrated with a local raccoon. Obviously, not a solution we would ever suggest to dealing with wild animals."

A city spokesman said the issue of illegal trapping is the responsibility of Ontario's natural resources ministry.

While raccoons have become an iconic symbol of Toronto living, residents are also getting frustrated with the creatures.

In 2011, homeowner Dong Nguyen beat three baby raccoons with a shovel, likely killing one and breaking another's foot after he found them destroying his Lansdowne Ave.-Bloor St. area garden. His weapons dangerous charge was withdrawn, but he still had to pay $1,365 towards vet bills for the critter's the broken foot and complete 100 hours of community service at a humane society shelter.

Residents in the Rankin Cres. area in Toronto were split in how to deal with the raccoon problem. About 20 people came together in front of the Rankin Cres. address where a home owner killed and injured baby raccoons on his property. Residents and animal rights got into heated arguments on Sat. June 04/11. (43-year-old Roddy Muir, who called 911 when he heard the screams of the raccoons being hurt, speaks with media of what he saw.) Dave Thomas/Toronto Sun

Protester Amanda Hardman of the Animal Rights Collective, gives her view. Dave Thomas/Toronto Sun

In a 2016 Facebook post, Leslieville resident Mary Michaela Weber ranted about how an expanding raccoon population that was "more aggressive and ... comfortable breaking into houses."

"I put a pond in my back yard, thinking it would help the bees and the birds that regularly drink from it," she wrote. "Last night, raccoons destroyed all of my hard work, the serene place I had created, and the respite for bees and birds. Today, I am debating keeping the pond, or killing the fish and emptying the pond. Because the reality is that ... Raccoons die or fish die. Something dies. There is no nice solution."

A preliminary search on Amazon.ca found several conibear animal traps for as little as $28. When an animal steps on the steel-jaw trap spring, the jaws shut, clamping down on the animal's leg or paw.

TORONTO, ONTARIO: JULY 12, 2011 – A raccoon perched on the top of a chimney above a restaurant tries to catch a bit of the evening breeze after a hot summer day in Toronto, Tuesday, July 12, 2011. (Tyler Anderson/National Post) (For Files)

The MNR suggests homeowners have to do their fair share to minimize wildlife wreaking havoc on their properties, including securing their garbage and ensuring no pet food is placed outside.

Kowalski said if a property owner encounters traps set on their land without their permission they should contact the ministry's tips line at 1-877-847-7667.

jyuen@postmedia.com

10 Comments
Share your thoughts

ANIMAL RIGHTS | DONG NGUYEN | MNR | NATHALIE KARVONEN | TORONTO | TORONTO WILDLIFE CENTRE

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COMMENTS

We encourage all readers to share their views on our articles and blog posts. We are committed to maintaining a lively but civil forum for discussion, so we ask you to avoid personal attacks, a