

July 5, 2024

DELIVERED VIA EMAIL

wildlifepolicy@ontario.ca

Re: Amendments to Ontario Regulation 667/98 (Trapping) made under *Fish and Wildlife Conservation Act, 1997*, to update technical specifications of relaxing cable restraints used for trapping

ERO Number 019-8071

Please accept this submission of AEL Advocacy in response to ERO Number 019-8071.¹

A. About AEL Advocacy

Animal Environmental Legal Advocacy (“**AEL Advocacy**”) is Canada’s first and only intersectional animal and environmental law organization.² We strive to protect animals and the environments they inhabit through legal advocacy, law reform campaigns, and public legal education.

B. Comments on the Proposal to Amend Ontario Regulation 667/98 (Trapping) under the *Fish and Wildlife Conservation Act, 1997*

AEL Advocacy is strongly opposed to the Ministry of Natural Resources and Forestry (the “Ministry”) proposal to amend Ontario Regulation 667/98 (Trapping) under the *Fish and Wildlife Conservation Act, 1997* (“FWCA”), which involves changing design specifications of relaxing cable restraints (“RCRs”), a type of restraining snare used for trapping in Ontario. Our opposition is based on two primary grounds:

- (1) **Lack of Transparency and Insufficient Information:** The Ministry has not provided adequate information to support the proposed changes.
- (2) **Negative Animal Welfare Impacts:** Research indicates that the changes will harm animal welfare.

¹ <https://ero.ontario.ca/notice/019-8071>

² <https://www.aeladvocacy.ca/>

1. Lack of Transparency and Insufficient Information to Support the Proposed Changes

The ERO posting for this proposal states that the primary driver for these amendments is “to allow non-target species (e.g., livestock, non-target wildlife) to break the device and escape unharmed.”³ It also states that “reducing the minimum cable loop diameter is intended to address concerns about pelt damage that have been identified by trappers.”⁴ However, the Ministry has not supplied robust, peer-reviewed evidence to substantiate these claims.

When concerned groups reached out to ask for supporting evidence, the Ministry provided a “best trapping practices” document that lacks citations or peer-reviewed research to support its recommendations and the stated RCR specifications.⁵ Furthermore, the Ministry confirmed that the relevant research has not been published in a scientific journal, casting doubt on its scientific validity.⁶ This absence of transparency undermines public participation and fails to meet the standards of informed decision-making.

Before proceeding with the proposed amendments, AEL Advocacy submits that key research findings must be made publicly available to allow stakeholders to provide meaningful feedback. The Ministry’s failure to do so prevents a thorough evaluation of the proposed changes and their potential impact on animal welfare.

2. Negative Animal Welfare Impacts

The use of cable devices, including RCRs, raises substantial animal welfare concerns. These devices pose risks of injury or death to both target and non-target species, including wildlife, domesticated animals, and livestock.⁷ Malfunctioning cable devices can result in severe injuries or fatalities, and animals exposed to extreme weather conditions while trapped can suffer additional harm.⁸ Injuries from these devices include abrasions, cuts, and bruises, often resulting from improper tightening of the loop. If the loop is too tight, it can restrict blood flow and cause extensive swelling.⁹

Moreover, snare devices like RCRs are indiscriminate, often capturing non-target species. Even with good practices, non-target captures are estimated to remain high, illustrating the difficulty in limiting which animals are trapped.¹⁰

³ <https://ero.ontario.ca/notice/019-8071>

⁴ <https://ero.ontario.ca/notice/019-8071>

⁵

https://thefurbearers.com/blog/action-alert-proposed-changes-to-snare-regulations-in-ontario/?utm_source=ews&utm_medium=2024-06-12-eb&utm_campaign=mfh-blog

⁶ <https://thefurbearers.com/wp-content/uploads/2024-06-27-ERO-019-8071-Submission-3.pdf>

⁷ [Chapter III, Use of Cable Devices in Wildlife Damage Management, USDA-APHIS-Wildlife](#)

⁸ [Chapter III, Use of Cable Devices in Wildlife Damage Management, USDA-APHIS-Wildlife](#)

⁹ Association of Fish and Wildlife Agencies (AFWA). 2009. Modern snares for capturing mammals: Definitions, mechanical attributes and use considerations. AFWA, Furbearer Conservation Technical Work Group. 24 pp.

¹⁰ <https://perma.cc/U36J-HCT8>

Concerns Regarding the Minimum Cable Loop Diameter Reduction

The proposal to decrease the minimum cable loop diameter from 8.9cm to 6.4cm is particularly troubling. The ERO posting states that this proposal is “intended to address concerns about pelt damage that have been identified by trappers.”¹¹ AEL Advocacy is deeply concerned that this change appears to prioritize commercial interests over animal welfare.

Previous research by Ministry scientists indicates that the current minimum loop diameter of 8.9cm was chosen to prevent excessive constriction and avoid capturing larger non-target species by the leg.¹² A study published in the *Wildlife Society Bulletin* also found that smaller loop stops increased the capture of non-target species and decreased selectivity.¹³ Therefore, reducing the loop diameter to 6.4cm is likely to increase constriction, causing more harm to animals, and increase the capture of non-target species.

Given the lack of publicly available research supporting the proposed change and the potential for increased harm to animals, AEL Advocacy strongly recommends withdrawing this proposed amendment.

Issues with Increasing the Breakaway Device Rating

The current breakaway device rating of 122.5kg lacks a clear evidentiary basis, other than mirroring specifications used in Wisconsin, USA.¹⁴ The proposed increase to 158.8 kg or less is similarly unsupported by publicly available research.¹⁵ Consequently, we submit that this proposed amendment should be withdrawn.

C. Additional Comments

The proposed amendments fail to address the fundamental issue of animal suffering inherent in using restraining snares for trapping.

In recent years, many jurisdictions have taken decisive steps to eliminate the use of inhumane trapping devices. Wales banned snares in 2023, and in 2024, the Scottish Parliament voted to ban snares under the *Wildlife Management and Muirburn (Scotland) Bill*.¹⁶ These actions align with

¹¹ <https://ero.ontario.ca/notice/019-8071>

¹² <https://thefurbearers.com/wp-content/uploads/2024-06-27-ERO-019-8071-Submission-3.pdf> citing Garvey, Mary E., and Brent R. Patterson. "Evaluation of cable restraints to live-capture coyotes (Canis latrans) in southern Ontario, Canada." *Canadian Wildlife Biology and Management* 3 (2014): 22-29.

<https://cwbm.ca/wp-content/uploads/2016/04/3-Vol-3-Issue-1Garvey-and-Patterson.pdf>

¹³ Etter, D. R., and J. L. Belant. 2011. Evaluation of 2 cable restraints with minimum loop stops to capture coyotes. *Wildl. Soc. Bull.* 35:403–408.

¹⁴ <https://thefurbearers.com/wp-content/uploads/2024-06-27-ERO-019-8071-Submission-3.pdf> citing Garvey, Mary E., and Brent R. Patterson. "Evaluation of cable restraints to live-capture coyotes (Canis latrans) in southern Ontario, Canada." *Canadian Wildlife Biology and Management* 3 (2014): 22-29.

<https://cwbm.ca/wp-content/uploads/2016/04/3-Vol-3-Issue-1Garvey-and-Patterson.pdf>

¹⁵ <https://thefurbearers.com/wp-content/uploads/2024-06-27-ERO-019-8071-Submission-3.pdf>

¹⁶ <https://protectthewild.org.uk/protectors-of-the-wild/snares-and-the-law/>

the majority of European countries that have already banned such practices, recognizing the severe negative impacts on animal welfare.¹⁷

Furthermore, Canada, as a party to the *Agreement on International Humane Trapping Standards*, does not consider RCRs certified traps.¹⁸ This international stance underscores the urgency for Ontario to follow suit and prohibit the use of RCRs entirely. By doing so, Ontario would join a growing number of countries committed to protecting wildlife from unnecessary harm and promoting ecological balance.

D. Conclusion

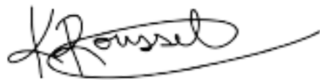
AEL Advocacy is firmly opposed to the proposed regulatory amendments to Ontario's FWCA regarding the design specifications of RCRs used for trapping.

These changes are likely to exacerbate significant animal welfare concerns, risking injury or death to both target and non-target species. Internationally, other jurisdictions are banning such devices, recognizing their welfare issues. **AEL Advocacy urges the Ministry to withdraw the proposed amendments and prohibit the use of relaxing cable restraints in the province.**

We welcome the opportunity to discuss the above comments and recommendations.

Sincerely,

ANIMAL ENVIRONMENTAL LEGAL ADVOCACY



Krystal-Anne Roussel
Co-Director & Counsel



Taite Palidwar
Law Student

¹⁷

<https://www.animalaid.org.uk/wp-content/uploads/2022/03/SnaresBriefingSheet-March2022-WithoutReferences.pdf>

¹⁸ https://fur.ca/wp-content/uploads/2024/05/CertifiedTrapsList_FIC_MAY-1-2024_EN_newlogo-2.pdf