



Comments on the Draft Recovery Strategy: Bobolink and Eastern Meadowlark

The Ontario Cattlemen's Association (OCA) appreciates the opportunity to comment on the October 2012 recovery strategy draft for bobolink and eastern meadowlark. We are pleased that recognition has been given to the role agriculture plays in providing habitat for Bobolink and Eastern Meadowlark, and the conflict this creates between conservancy efforts and normal farming practices. However, this linkage has not been sufficiently emphasized as a main driver for recovery/species stabilization. This most recent draft has removed/revised several critical pieces that would help initiate recovery and reinforce the critical role that agriculture plays in moving forward. These omissions are concerning, and explained below.

[LINES 1803-1812] the previous draft states that *"because of the Bobolink's present-day reliance on human-modified, agricultural landscapes in Ontario (most of it privately-owned), economic, social, and biological factors all need to be considered when setting pragmatic conservation objectives. To meet the proposed recovery goal, the conservation focus of this strategy is on maintaining and managing existing agricultural grasslands to the extent practical and on restoring and protecting native grassland habitats. To the greatest practical extent, the recovery strategy authors recommend that the recovery goals and objectives be met through the voluntary actions of private landowners, supported by incentives that tied to best management practices and other conservation measures, rather than regulatory measures."*

Part of the statement above has been re-worded in the current draft **[see LINES 1931-1935]** but with significant omissions. The recommendation **MUST** be re-inserted that:

- ❖ **The recovery objectives be met through voluntary actions of private landowners, supported by incentives tied to BMP's and other conservation practices, rather than regulatory measures.**

Furthermore, **[LINE 214]** should be revised to include the recommendation that:

- ❖ **Future habitat regulations exclude hayfields and agricultural pastureland.**

[TABLE 2- LINE 5]: How will the recovery strategy *"maintain existing habitat supply of agricultural grasslands"*? The draft recovery strategy cites habitat loss and degradation as the greatest threats to the species and its long term viability, but there is no indication of how this will be achieved.

Therefore,

- ❖ **The strategy should focus its recommendations/emphasis on habitat creation/maintenance.**

Further to the previous point, the blanket exclusion of public lands and parks highlighted **[see LINES 2272-2277]** is unacceptable. This shifts the sole responsibility for providing habitat to farmers, even though the recovery of bobolink and meadowlark is a broad public goal.

- ❖ **Areas within public lands and parks, including Provincial Parks and Conservation Authority lands should be dedicated to grasslands for bobolink and meadowlark habitat. Likewise, the province should explore the use of former aggregate sites and municipal landfills as potential grasslands for bobolink and meadowlark habitat.**

The removal of specific program recommendations that was included in previous drafts such as ‘safe harbor’ and ‘overall benefits’ among other mitigation strategies is unacceptable. These “policy-type” recommendations will help drive recovery and must be re-inserted into the final strategy as potential landowner tools to create, maintain or manage suitable habitat.

- ❖ **The strategy needs to provide specific recommendations on possible incentives/programs that should be considered by the MNR to offset/eliminate the costs and contingent liabilities associated with compliance of habitat/species regulations.**

The most concerning omission from the recent draft was the removal of the recommendation to consider a permanent agricultural exemption given the bobolink and meadowlark’s reliance on agricultural landscapes for habitat. Farming organizations agreed to a three year exemption on the grounds that the recovery strategy, government response statement and habitat regulation would be completed or nearing completion. It was also expected that whatever was ultimately decided would provide a fair, workable solution for farmers. To date this has not occurred, and the draft recovery strategy provides little evidence that a farmer friendly approach will be used. Agriculture in Ontario is dynamic and constantly changing in response to consumer and market demands. Removing any recommendations for continuing the agricultural exemption leads to increased uncertainty.

Therefore,

- ❖ **[LINES 2182-2189]: The recovery strategy should recommend that a permanent agricultural extension be considered in light of the bobolink and meadowlark’s dependence on human-modified agricultural landscapes.**

If the final recovery strategy promotes a ‘regulation-first’ type approach it will serve to disenfranchise the entire agricultural community which will ultimately result in a failure to achieve the main intent of the ESA. A more cooperative, ‘stewardship-first’ approach results in greater gains for all concerned and would provide land owners, particularly farmers, with an incentive to create and/or maintain suitable habitat without fear of liability. Deviating from this tenet, including continued talk of delayed haying, will not help promote the maintenance or creation of habitat nor will it help in the protection of either species. In fact it will likely have the opposite effect. This **must** be recognized before regulations are implemented.

While OCA supports the protection of bobolink, meadowlark and all threatened species in Ontario, it is our belief that since all of society benefits from the protection of listed species and their habitat, no one sector of society should bear the costs (i.e. individual farmers and rural landowners).