

Policy Intent Discussion Paper Grizzly Bear Trophy Hunt Ban

On August 14, 2017 the Government of British Columbia announced that effective November 30, 2017 it will end trophy hunting of grizzly bear and stop all hunting of grizzly bears in the Great Bear Rainforest. The press release for this announcement can be found online at:

<https://news.gov.bc.ca/releases/2017FLNR0232-001442>

This policy intent discussion paper is focused on the key issues related to implementation of ending the trophy hunt for grizzly bears in British Columbia. There is another policy intent discussion paper on ending the hunting of grizzly bears in the Great Bear Rainforest.

Ending trophy hunting of grizzly bears does not mean that there is a ban on grizzly bear hunting. While the possession of the “trophy parts” (e.g., specific prohibited parts) of grizzly bears will be prohibited, a sustenance hunt for grizzly bear meat will continue for both resident and non-resident hunters.

First Nations will continue to be able to harvest grizzly bears and possess all parts of grizzly bears (including the “trophy parts”) when the harvest is done within traditionally used areas pursuant to Aboriginal or treaty rights (i.e. for food, social, or ceremonial reasons.)

Ending the trophy hunt for grizzly bears in a comprehensive manner requires a number of changes to the existing law governing the harvest and possession of grizzly bear parts. The remainder of this paper focuses on the proposed regulatory changes associated with ending the trophy hunt for grizzly bears.

1) Prohibit the possession of grizzly bear parts

Proposed Regulation Changes:

- Prohibit a person from possessing the skull, skull with teeth, baculum (penis bone), hide and parts of hide, paws with claws, and detached claws of a grizzly bear harvested after November 30th, 2017. There will be an exemption to possess these parts for the purposes of removing them from the field to comply with compulsory inspection requirements.
- Remove the ability to issue a permit authorizing the possession of grizzly bear parts.
- Establish that grizzly bear parts must be inspected by an officer prior to the issuance of a permit to prove lawful ownership where the original documentation has been lost or destroyed.

Background:

There are existing prohibitions on the possession of grizzly bear parts. The Wildlife Act Commercial Activities Regulation prohibits the possession of grizzly bear genitalia (including the baculum) and gall bladders.

A permit can currently be issued to possess grizzly parts where the grizzly bear has died of natural or accidental causes. There are existing limits on when these permits can be issued. For example, these permits cannot be issued for some species of wildlife (e.g. eagles) or where the wildlife has a value of over \$200. Currently a person can acquire documentation establishing a right to possess grizzly bear parts (excluding the genitalia and gall bladder) by paying a fee and swearing an affidavit that it was legally acquired. This is intended to be used to replace lost or destroyed documentation.

Rationale:

These amendments will end the trophy hunt of grizzly bears by prohibiting the possession of what are commonly considered to be the “trophy parts” of the grizzly bear.

It is necessary to remove the ability for a person to acquire lawful possession of grizzly bear parts by permit post November 30, 2017 to ensure that grizzly bears are no longer harvested for a trophy.

Requiring an officer to inspect currently owned grizzly bear parts prior to the issuance of replacement documentation is necessary to ensure that this permit is not used to legitimize the possession of illegally possessed grizzly bear parts.

2) Expand the definition of edible portions and require them to be removed from a harvested grizzly bear

Proposed Regulation Changes:

- Amend the definition of edible portions to include the edible portions of the neck and ribs.
- Require hunters to remove the edible portions of a grizzly bear and transport them to their normal dwelling place, a meat cutter or a cold storage plant.

Background:

Edible portions of big game (excluding grizzly bear, cougar, wolf, lynx, bobcat and wolverine) are currently considered to be the four quarters and loins of the animal.

Hunters are required to remove the edible portions of a harvested big game animal and transport them to their normal dwelling place, a meat cutter or a cold storage plant unless there is an exemption in place for the particular species of wildlife. There is currently an exemption in place for grizzly bear. The Ministry is proposing removing this exemption for grizzly bear, so that hunters will now have to remove the edible portions of grizzly bear and transport them to their normal dwelling place, a meat cutter or a cold storage plant.

The edible portions requirement is in place to encourage use of harvested game for sustenance. The new definition of edible portions will apply to all big game, except for those excluded in the legislation (e.g. cougar).

Rationale:

Expanding the definition of edible portions will improve the utilization of harvested big game and reduce the waste of parts that are edible.

Grizzly bear meat is considered edible and requiring the edible portions to be removed aligns with the government's objective of a sustenance hunt for grizzly bear.

3) Approaches for Managing Prohibited Grizzly Bear Parts

Proposed Regulation Changes:

The Ministry is seeking input on how government will manage the prohibited parts of grizzly bears (skull, skull with teeth, baculum (penis bone), hide and parts of hide, paws with claws, and detached claws). Three options have been identified: (i) take prohibited grizzly parts out of forest (ii) leave prohibited grizzly parts in forest, or (iii) take prohibited grizzly bear parts with scientific value out of the forest.

- i. Take prohibited grizzly parts out of forest
 - Require the hunter to remove all prohibited grizzly bear parts from the kill site and submit them to government for compulsory inspection.
 - Government will retain possession of the prohibited grizzly bear parts after the compulsory inspection is complete.

- ii. Leave prohibited grizzly parts in forest
 - Require the hunter to leave the prohibited parts of a grizzly bear at the kill site.
 - Hunters would need to obtain minimal biological samples to maintain current data set for grizzly bears and submit them for compulsory inspection.
 - Government will retain possession of the biological samples after the compulsory inspection is complete.

- iii. Take prohibited grizzly bear parts with scientific value out of the forest
 - Require the hunter to remove the prohibited grizzly bear parts that have scientific value and submit them to government for compulsory inspection.
 - Government will retain possession of the prohibited grizzly bear parts that have scientific value after the compulsory inspection is complete.

In addition to the options described above, the following changes could be made to compulsory inspection requirements:

- A hunter could be required to submit the edible portions of a grizzly bear for compulsory inspection.
- The number of days to comply with the compulsory inspection requirement for grizzly bear could be reduced (from the current 30 days).

Some factors that should be considered in the context of this policy decision are:

- The more grizzly bear parts that are submitted for compulsory inspection; the greater amount of scientific data that can be collected.
- If prohibited grizzly bear parts are submitted to government, the prohibited parts may be less likely to enter the black market than if left in the field.
- A hunter will be exempt from the prohibition on the possession of prohibited grizzly bear parts for the purposes of complying with compulsory inspection requirements.
- Additional handling of the prohibited grizzly bear parts may be burdensome to hunters and increase costs to government.

Background:

Currently, within 30 days of harvest, a hunter must submit the skull, the hide with evidence of sex attached, and a tooth of a harvested grizzly bear for compulsory inspection.

Rationale:

The scientific data obtained through compulsory inspection is crucial for monitoring the health and viability of grizzly bear populations. The parts of a grizzly bear that are submitted for compulsory inspection need to be reconsidered in light of the new prohibition on the possession grizzly bear parts.

4) Prohibition on the Trafficking of Grizzly Bear Parts

Proposed Regulation Changes:

Prohibit the trafficking of legally possessed and prohibited grizzly bear parts. Traffic is defined in the *Wildlife Act* as: to buy, sell, trade or distribute for gain or consideration or to offer to do so.

The ownership of a legally possessed grizzly bear part will be able to be transferred by gift or inheritance.

Background:

Currently, a person commits an offence for trafficking bear gall bladders, genitalia or bear paws separate from carcass or hide.

Rationale:

Ending the trafficking of legally possessed and prohibited grizzly bear parts is consistent with the government's commitment to end the grizzly bear trophy hunt. Additionally, eliminating the legal market for the sale of these prohibited grizzly bear parts will limit the ability of poachers to market illegally harvested grizzly bear parts.

5) Importation and Exportation of Grizzly Bear Parts

Proposed Regulation Changes:

There are no proposed changes in relation to the export or import of lawfully possessed grizzly bear parts.

Background:

Currently, a person may lawfully possess wildlife that was lawfully harvested in another jurisdiction (including foreign countries) and lawfully brought into British Columbia.

To export grizzly bear parts within Canada, a person must have a provincial export permit or qualify for an exemption. An export permit will only be issued for legally possessed grizzly bear parts.

To export grizzly bear parts internationally, a person must have a Federal Convention on International Trade in Endangered Species of Wild Fauna and Flora permit. These permits will only be issued for legally possessed grizzly bear parts.

Rationale:

The current law provides sufficient regulation for the import and export of lawfully possessed grizzly bear parts.

6) New Reporting Requirements for Taxidermists (Registry)

Proposed Regulation Changes:

Require taxidermists to report to government all work on grizzly bear parts.

Background:

Taxidermists are currently required to maintain records but are not required to submit any reports to government.

Rationale:

Continuing to allow taxidermists to work with grizzly bear parts acknowledges that a large number of British Columbians have a lawful right to possess grizzly bear parts and that these persons may want to hire the services of a taxidermist to preserve or display their grizzly bear parts.

Taxidermists may also be working with grizzly bear parts that have been lawfully harvested in another jurisdiction. Monitoring the taxidermist industry is warranted to ensure that illegally possessed grizzly bear parts are not being brought to taxidermists.