

# MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS

## MINISTERS ORDER BRIEFING NOTE

### FOR INFORMATION

**Legislation:** Controlled Alien Species Regulation under the *Wildlife Act*.

**Issue:** Amendments to the Controlled Alien Species Regulation.

**Purpose:**

Amendments to the Controlled Alien Species (CAS) Regulation implement changes to ban aquatic invasive species, including snakehead fish, and specified mussels and fish in B.C. While the initial impetus was to ban snakehead fish, an analysis of equal or greater threats to the economy and environment posed by other aquatic invasive species resulted in the inclusion of three species of mussels, four species of goby, three species of bullhead, four species of carp, oriental waterfish, western mosquitofish, rosy bitterling, tench and white cloud mountain minnow (see Appendix A for a complete list of the listed aquatic invasive species). The analysis and inclusion of these additional species was prompted by the report that aquatic invasive species (Asian carp, goby) and mussels (quagga) were in B.C. waters.

Enforcement tools and offences to deter the release of aquatic invasive species include prohibitions on possession, breeding, shipping/transport and release of those species listed in the new schedule. Failure to comply with an order by an officer to remove mussels from boats or equipment and failure to ensure waters used to clean a boat that has been in contaminated waters do not enter freshwater in B.C. are also included. These prohibitions apply to both dead and live mussels.

Implications of the ban were considered at length by the Fish and Wildlife Branch and the Compliance and Enforcement Branch, along with the Ministry of Environment's Conservation Officer Service and Ecosystems Protection and Sustainability Branch. Enforcement approaches were discussed at length and specific requirements to deter the release of aquatic invasive species were chosen to maximize compliance. Permitting for the species listed in Appendix A was intentionally omitted in order to prevent administrative burdens for the program area.

Housekeeping amendments to strengthen the regulation include definitions for accredited zoos or aquariums, certified educational institutions and certified research institutions. These definitions were included to create clarity on standards and allow exemptions that apply strictly for educational or scientific purposes. Clarification of restricted and prohibited monitor lizards is also included as a housekeeping amendment.

## Consultations:

The following stakeholders were consulted:

**Public:** Public consultation via the ministry website was launched October 11, 2012, by posting an intentions paper for two weeks. Approximately 50 submissions were received, all of which supported the proposed amendments. None opposed the policy intentions.

**Intergovernmental:** The Department of Fisheries and Oceans, the Ministry of Agriculture and the Union of B.C. Municipalities have been consulted and support the proposed changes. The Canadian Border Services Agency and the Conservation Officer Service along with the Compliance and Enforcement Branch have also been consulted regarding enforcement challenges and all agencies support the changes.

**Industry:** Specific stakeholders in the live food market, aquarium trade and the Pet Industry Joint Advisory Council have been consulted and raised no concerns. The Canadian Association of Zoos and Aquariums and the Canadian Council on Animal Care were also consulted during the development of the new definitions.

**Internal Consultations:** The Ministry of Environment was consulted with throughout the process and supports the amendments to the regulation. Minister Lake was briefed on Wednesday December 12, 2012.

A news release to announce the amendments to the regulation will be released upon official approval of the amendments.

## Significant Implications:

If these amendments are not approved, significantly negative impacts to B.C.'s economy and environment could result. For example, if zebra and quagga mussels become widespread in B.C., staff have estimated costs for B.C.'s 15 hydropower stations alone to be \$15 million for the initial retrofitting of pipes, with \$1 million in additional maintenance costs for each subsequent year. This example demonstrates the importance of preventing these aquatic invasive species from becoming established in B.C.'s freshwater systems. Public consultation illustrates desire to update the regulation to ensure aquatic invasive species are not introduced into B.C. and to create amendments to reflect laws in neighbouring jurisdictions. In addition, a commitment was made by Minister Terry Lake to ban snakehead fish by the fall of 2012.

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<b>Reviewed by</b>	<b>Initials</b>	<b>Date</b>
DM		
ADM		
Director	AW	12/13/12
Manager	PL	12/11/12
Author	HW	12/11/12

## Appendix A

### Fish

- 1) Fish of the following species of the family *Channidae*:
  - a. All species of the genus *Channa* [Asian snakeheads]
  - b. All species of the genus *Parachanna* [African snakeheads].
- 2) *Misgurnus anguillicaudatus* [oriental weatherfish or weather loach] of the family *Cobitidae*
- 3) Fish of the following species of the family *Cyprinidae*:
  - a. *Ctenopharyngodon idella* [grass carp]
  - b. *Hypophthalmichthys molitrix* [silver carp]
  - c. *Hypophthalmichthys nobilis* [bighead carp];
  - d. *Mylopharyngodon piceus* [black carp];
  - e. All species of the genus *Rhodeus* [bitterlings];
  - f. *Tanichthys albonubes* [white cloud mountain minnow];
  - g. *Tinca tinca* [tench].
- 4) Fish of the following species of the family *Gobiidae*:
  - a. *Neogobius fluviatilis* [monkey goby];
  - b. *Neogobius melanostomus* [round goby];
  - c. *Proterorhinus brunneus* [Amur goby].
- 5) All fish species of the family *Ictaluridae* [including bullheads, channel catfish and madtoms]
- 6) *Gambusia affinis* [western mosquitofish] of the family *Poeciliidae*

### Mussels

- 1) Mussels of the following species of the family *Dreissenidae*:
  - a. *Dreissena polymorpha* [zebra mussels];
  - b. *Dreissena rostriformis bugensis* [quagga mussel];
  - c. *Mytilopsis leucophaeata* [Conrad's false mussel].