

ONTARIO FEDERATION OF ANGLERS & HUNTERS



Ontario Conservation Centre

P.O. Box 2800, 4601 Guthrie Drive, Peterborough, Ontario K9J 8L5
Phone: (705) 748.6324 • Fax: (705) 748.9577 • Visit: www.ofah.org • Email: ofah@ofah.org
OFAH FILE: 420-D/794
December 19, 2014

Mr. Jason Borwick
Senior Fisheries Biologist
Ministry of Natural Resources, Policy Division
Biodiversity Branch
Fisheries Policy Section
300 Water Street, Floor 5, North Tower
Peterborough Ontario
K9J 8M5

Dear Mr. Borwick:

Subject: EBR #012-2836: Provincial Bait Policy Review - Angler Use and Movement of Baitfish in Ontario

On behalf of its 100,000 members, subscribers and supporters and its 725 member clubs, the Ontario Federation of Anglers and Hunters (OFAH) is committed to the conservation of the bait resource in Ontario, as well as the maintenance of a thriving bait industry and a diverse and fulfilling angling experience. In addition to providing our comments found below, we would like to thank the Ministry of Natural Resources and Forestry (MNR) for including the OFAH in the Bait Review Advisory Group (BRAG), the external stakeholder component of the provincial bait review.

The following comments represent our preliminary position on these individual approaches. We understand that this is a step in the review process and that, eventually, these management options will be combined to form policy bundles. With that in mind and dependant on that outcome, the OFAH's position on some of these individual approaches may evolve as the context changes in subsequent EBR postings. In other words, our position on a given policy may change depending on what other policies are used. For example, restrictions on the number of legal baitfish species may eliminate the need for other restrictions.

While existing policies have been selected in many cases, our rationale for doing so is to ensure that the proper consideration is given to the perceived risk of each individual policy option presented in this posting. In addition, it will be important to recognize and fully consider how that level of perceived risk fluctuates depending on the combinations of policy options that are ultimately selected to create the management direction for live bait in Ontario. The OFAH would also like to point out that the weight of risk associated with an action is perceived to be high/medium/low based on the information provided in this EBR posting. However, this associated perceived risk could be misinterpreted as a quantified measurement, ultimately leading to confusion regarding the most appropriate and effective application of policy options. The differences between perceived and actual risks, and how the level of risk can change in relation to other decisions that are made should be presented during public consultation.

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3.1) Policy options for the type of bait used by anglers in Ontario

The OFAH supports the use of an established white and a black list of appropriate species for use as bait in Ontario. Reducing the number of legal baitfish species (Option B) would be acceptable if the reductions were justifiable in that they would serve to avoid species misidentification and the further spread of aquatic invasive species (AIS) in Ontario (e.g. Round Gobies being mistaken for Sculpins) without compromising regional or provincial bait supply. This would in-turn reduce the risk of AIS entering the bait pathway and provide a clean (AIS-free) source of bait, as well as an associated reduction in the perceived risk related to an angler's use and movement of bait. It would be important to consult widely with the bait industry and anglers regarding regionally popular bait species that would not make appropriate candidate species for removal from the white list.

3.2) Policy options for managing the scale of angler movement of bait

The OFAH supports the existing policies (no restrictions on angler movement). Both Option D (Single FMZ) and E (one or more watershed) are too fine in scale to allow for the practical use and effective management or enforcement of the live bait resource. Managers need to be able to integrate a management scheme that will account for commercial supply and demand, as well as realistic angler movements and the conservation of the baitfish resource. If it can be shown that angler movement needs to be restricted, then Option C (two or more FMZs combined) may allow for regional customization to accommodate the issues described above by combining FMZs to varying degrees from the Northwest, Northeast and Southern Regions of Ontario. However, to effectively initiate this option, a comprehensive regional understanding of both the bait industry and the angler's use of live bait is required (i.e. cannot be limited to a single theoretical model of bait movement). The scale of option B (Region or primary watershed) would allow for broad movements by anglers and would provide simple, regional separation. For both Options B and C, the specific delineation of boundaries would dictate whether or not the OFAH could support it.

There are more effective ways to reduce the risk of aquatic invasive species introductions than through the limitation of angler movements. If the presence of AIS or water-borne pathogens is minimized at the source, any perceived risk associated to angler movement would be negligible. Proper characterization of the risks (perceived and actual) associated with all aspects of this review must be weighted accordingly in advance of determining the scale of movement applied to the angler.

3.3) Policy options for angler storage of bait

The OFAH supports existing policies (storage of bait permitted without restriction). Anglers must maintain their ability to store bait to be able to utilize the resource. Banning the angler's ability to store bait (either self-harvested or bought commercially) could result in a significant reduction in the usage of live bait and lead to further detriment to the commercial bait industry and the angler's fishing experience in Ontario. It would be consistent to use the same scale for angler storage that is used for angler movement. The OFAH strongly believes that establishing a bait source that is as clean as possible is the best way to reduce any ecological risk associated with the use of live bait, and the most appropriate time for determining the scale of movement of bait would be after this target has been met.

3.4) Policy options for personal harvest of bait

The OFAH strongly supports the tradition of personal-harvest of live bait in Ontario. Banning the personal-harvest of bait in Ontario is not an option. The maintenance of personal harvest is critical to the ability of an angler to enjoy the full-spectrum of angling experiences in Ontario. It is logical to apply the same scale of movement to anglers transporting, self-harvesting and storing bait. As with the other options discussed, once a strategy is developed to produce the cleanest source of bait possible, the perceived risks associated with the self-harvest of bait can be properly identified and weighed.

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3.5) Policy options for use of bait by anglers in defined sensitive areas

Unless there is a scientifically-supported rationale for restrictions on the type of angling method chosen by Ontario anglers, each waterbody should be managed based on the strategy adopted by the province. However, if a sensitive area is designated due to an aquatic species or habitat that would be critically impacted through the use of live bait, the OFAH may be able to support restrictions that were developed using scientifically-supported rationale and local consultation on a case-by-case basis. Using this rationale, the OFAH supports Option A; Existing policy – There are no restrictions to using bait in sensitive areas.

Conclusion:

The OFAH strongly supports the maintenance of the right, under the provincial fishing licence, to harvest live bait. It is a time-honoured tradition that must continue to allow for the full range of angling experiences in Ontario. The OFAH also supports the bait industry and we feel that it is possible to manage this resource responsibly now and into the future. To properly manage the bait resource and reduce any potential risk of transferring AIS or water-borne pathogens, careful consideration must be made regarding the optimal point of management of the bait pathway. There is a strong sentiment among the bait industry that it is the angler's "turn" to be restricted. Anglers should not be restricted for the sake of "balancing" the burden of minimizing risks in the bait pathway. The goal of this exercise should be for optimal management – maximizing risk reduction with the fewest restrictions possible (on the collective group – anglers, dealers and harvesters). The most effective point of control for screening out AIS would be at the finest point of dispersion (i.e. the bait harvesters and dealers), rather than the widest point of dispersion (the anglers). This would not necessarily require closer management of the commercial bait industry. The identification and establishment of the best approach to developing the cleanest source of bait possible will reduce the risk associated with the overall use of the bait resource. Proper enforcement to ensure that people utilizing this resource (either commercially or recreationally) are following the rules and regulations, and a more targeted list of appropriate species for use as baitfish are powerful tools in reducing the amount of risk associated with the use of live bait.

The OFAH would also like to point out that there is an inherent cascading effect in combining these individual policy approaches into bundles. Presumably, there will be a reduction in the perceived risk of an activity related to the harvest, use or movement of live bait through the application of restrictions through this review process. That reduction in perceived risk should, therefore, be accounted for in any discussions about further restrictions on activities related to bait use (i.e. if restrictions are placed on the scale of movement of bait, then there is less need to make restrictions elsewhere).

Thank you again for the opportunity to comment and to participate as a member of BRAG. We look forward to continuing these discussions to ensure that Ontario's bait policies result in the best possible management without causing undue hardship to anglers, the industry or our aquatic resources.

Yours in Conservation,



Tom Brooke
Fisheries Biologist

TB/jb

cc: OFAH Board of Directors
OFAH Fisheries Advisory Committee
Angelo Lombardo, OFAH Executive Director
Matt DeMille, OFAH Manager, Fish & Wildlife Services
OFAH Fish & Wildlife Staff

Policy Proposal Notice:

Title:

Provincial Bait Policy Review- Angler Use and Movement of Baitfish in Ontario

EBR Registry

Number: 012-2836

Ministry:

Ministry of Natural Resources

Date Proposal loaded to the Registry:

November 05, 2014

Keyword(s): Fish and Wildlife | Water | Conservation

The comment period for this proposal is now over.

Description of Policy:

The Ministry of Natural Resources and Forestry (MNRF) is undergoing a comprehensive review of provincial bait policies to help improve the management of bait (i.e., baitfish and leeches). There are 5 topics being addressed by the policy review: 1) Angler Use and Movement; 2) Parks and Protected Areas; 3) Commercial Sales and Transport; 4) Allocation; and 5) Reporting. The intent of the review is to determine how the ecological risks associated with the movement and use of bait can be minimized to help maintain healthy fisheries across the province, while also reducing the complexity of current management regimes and increasing business certainty to the bait industry.

The following goals have been established to guide the policy review:
1) Bait is managed to protect the health of aquatic ecosystems.
2) Sustainable use of bait resources enhances the quality of life for Ontarians by providing recreational, social and economic benefits.
3) Bait is managed to conserve the resource and maintain a viable bait industry.
4) Bait management is adaptable, effective, consistent across the province and simple to implement.

The harvest and use of live bait has been an important part of Ontario's fishing industry for nearly a century. There are approximately 1.65 million anglers (licenced and deemed licenced anglers) in the province, with over 58% of these anglers using live baitfish. Currently, anglers enjoy the convenience of being able to either buy bait commercially or harvest their own and the freedom to move their bait across the province with relatively few restrictions.

However, the movement of live bait poses ecological risks related to the spread of disease and invasive species and poses a significant risk to Ontario's fisheries, protected areas and biodiversity. Recently, management of the bait resource has become more challenging due to new environmental pressures (e.g., invasive species, diseases) that can threaten the health of fisheries and aquatic ecosystems.

This policy proposal addresses the first of the five topics of the review: Angler Use and Movement of Bait. Specifically, MNRF is evaluating potential options relating to the following six aspects of Angler Use and Movement:

- 1) The type of bait anglers are allowed to use (e.g., limited number of species)
- 2) The scale at which anglers can move bait, such as limiting movement to a specific region, to the Fisheries Management Zone(s) (FMZ), or within a watershed;
- 3) Angler's ability to store bait (e.g., angler's use of bait buckets and cribs) in lakes, rivers and streams
- 4) Ability of anglers to harvest their own bait
- 5) Use of bait in defined sensitive areas (e.g., brook trout lakes, Arctic watershed)

Contact:

Jason	Borwick
Senior Fisheries	Biologist
Ministry of Natural Resources	
Policy	Division
Biodiversity	Branch
Fisheries Policy	Section
300 Water	Street
Floor	5
North	Tower
Peterborough	Ontario
K9J	8M5
Phone: (705)	755-1916
Fax: (705)	755-2901

MNRF has been working with an external stakeholder group (Bait Review Advisory Group [BRAG]) to look at all possible approaches with respect to bait use and movement by anglers, including the status quo. Options have been put forward and evaluated based on how well they meet the goals of the review. MNRF is soliciting feedback to help inform the review and refine the final policy options.

Purpose of Policy:

To invite comments on the proposed policy options being considered for managing the use and movement of bait (i.e., baitfish and leeches) by anglers.

Other Information:

In conjunction with this Environmental Registry posting, a short, online survey has been set up as a way of providing input into the possible range of policy options. The survey includes information about the options, and brief questions for ranking your preferences. The survey can be found at the following link: <https://www.surveymonkey.com/s/NS5BRVG>

If you do not wish to complete the survey, the same information about the policy options that is included in the survey can be found at the following link: http://apps.mnr.gov.on.ca/public/files/er/Policy_Options_for_Angler_Use_Move ment_EN.pdf

The following web links provide supporting information:

Provincial Bait Policy Review:
Information notice advises the public of the provincial bait policy review being conducted by MNRF. Search ER# 012-1043

Angler use and movement addresses topic one of five. Other bait policy review topics will be addressed in separate postings, including: parks and protected areas; commercial sale and transport, reporting and allocation. Feedback on the options will assist with the update and development of new policies for bait management in Ontario.

The Management of Bait in Ontario: A Review:
This document provides information on the live bait industry in Ontario, including types of bait used, licence sales and harvest, economics, and the current approaches and challenges to bait management in Ontario and in other North American jurisdictions.
<http://www.ontario.ca/environment-and-energy/management-bait-ontario-review>

Risks and Impacts of Spreading Aquatic Invasive Species by the Recreational Use of Bait: A Literature Review (Kerr 2013):
This report reviews the recreational use of bait as a pathway for introducing and spreading aquatic invasive species and potential impacts to fisheries and aquatic ecosystems.
<http://apps.mnr.gov.on.ca/public/files/er/the-introduction-and-spread-of-aquatic-invasive-species-through-the-recreational-use-of-bait.pdf>

Permitted Baitfish Species:
This document identifies the 48 species of legal baitfish in Ontario
<http://www.ontario.ca/environment-and-energy/what-kinds-baitfish-can-i-use-live-bait>

Bait for Personal Use:
This document provides details on possession limits, allowable capture methods

and other conditions related to live bait.
<http://www.ontario.ca/environment-and-energy/fishing-live-bait>

Fisheries Management Zone (FMZ) maps:
This map shows the 20 different Fisheries Management Zones in the province.
<http://www.ontario.ca/environment-and-energy/fisheries-management-zones>

Public Consultation:

This proposal was posted for a 44 day public review and comment period starting November 05, 2014. Comments were to be received by December 19, 2014.

All comments received during the comment period are being considered as part of the decision-making process by the Ministry of Natural Resources.

Please Note: All comments and submissions received have become part of the public record.

Other Public Consultation Opportunities:

As part of the Provincial Bait Review, policy options relating to the use and harvest of bait in Provincial Parks and Protected Areas are currently posted on the Environmental Registry for public comment. Comments may be provided by searching ER# 012-2835:

or may be provided by completing the following survey:
<https://www.surveymonkey.com/s/BSQ578H>

Policy options have been developed in consultation with a Bait Advisory Review Group (BRAG) comprised of 13 provincial stakeholders with an interest in bait management. BRAG will continue to be engaged in the bait policy review process.

Aboriginal communities and provincial treaty organizations have been informed of the policy review and invited to comment.

Direct written notice of the policy review was sent to stakeholders and other interested groups and individuals.

MNRF will seek additional public comment on proposed bait policies in the future, as appropriate.

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