

# ONTARIO FEDERATION OF ANGLERS & HUNTERS



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Ontario Conservation Centre

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June 23, 2017

Mr. Scott Gibson, Senior Fisheries Biologist  
Ministry of Natural Resources and Forestry  
Policy Division  
Species Conservation Policy Branch  
Fisheries Section  
300 Water Street  
Peterborough, Ontario  
K9J 8M5

Dear Mr. Gibson:

**RE: Strategic Policy for Bait Management in Ontario (EBR Registry Number: 012-9791)**

The Ontario Federation of Anglers and Hunters (OFAH) is Ontario's largest, non-profit, conservation-based organization, representing 100,000 members, subscribers and supporters, and 740 member clubs. On behalf of the OFAH, we have reviewed the proposed Strategic Policy for Bait Management in Ontario and have provided the following comments.

### **Additional Complex Regulatory Burden Would Not Reduce Ecological Risks**

In general, *the OFAH is supportive of the MNR's intent to limit the spread of aquatic invasive species (AIS) and water-borne pathogens*; however, we already have regulations in place in Ontario that make it illegal to dump the contents of a bait bucket (including the water) to eliminate the transfer of live fish and water from one water body to another through the bait pathway. Despite these existing regulations, the MNR claims that the bait pathway is contributing to the range expansion for invasive species like the Round Goby. If there is evidence that shows the failure of the current regulations, then it highlights a clear need for more enforcement and enhanced education and awareness on the irreversible effects of species introductions. Creating new and more complex restrictions on bait use in Ontario that expand on principles of currently existing, ineffective regulations will create negative impacts on the fishery and the commercial bait industry while having little impact on limiting the spread of AIS or water-borne pathogens.

*The OFAH recommends making incremental changes to bait management.* Each change to bait management will unavoidably influence the need for, and effectiveness of other potential changes. Making multiple simultaneous changes that influence each other will result in uncertain ecological outcomes and unnecessary negative outcomes for anglers. Rather than making such a large number of changes at one time as proposed, *the OFAH recommends that the MNR focus any changes in ways that optimize management objectives (i.e. will have the most influence on limiting the ecological risk associated with the bait pathway with the least impact on anglers and the industry).* This will provide the ministry with an opportunity to evaluate the effectiveness of the changes without introducing too many confounding variables.

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**Restrictions on the Movement of Commercially-Harvested Bait will Cause Supply and Demand Issues**

The movement restrictions proposed for purchased bait in this strategic policy will fundamentally change the harvest-to-dealer dynamics and will undoubtedly cause significant issues related to supply and demand of both baitfish and leeches in several parts of the province. The magnitude of impacts to both business owners and anglers remains highly uncertain. In certain scenarios, there may be some opportunities (benefits) created whereby the restrictions create a better market for local dealers; however, many bait harvesters and dealers in the province of Ontario will be negatively impacted or even regulated out of business by this proposed change. *The OFAH recommends that the MNRF examine the feasibility of providing further flexibility on the movement of bait than presented in the proposed policy (e.g. Exceptions for businesses that operate close to BMZ boundaries where harvesting and transporting bait over a BMZ boundary would present little to no ecological risk.).*

**Receipt System**

Without a significant investment in enforcement, the MNRF will make the jobs of conservation officers much more difficult to do (i.e. checking anglers for receipts), it will make already complex regulations even more challenging for Ontarians to navigate, and it may not even have the desired effect of halting the spread of AIS and water-borne pathogens.

*The OFAH would like to see a solid justification provided for the two-week expiry of a receipt.* It has been pointed out that the necessity to discard unused bait within a two-week timeline could be seen as promoting waste of the resource. This is not only a concern from a sustainability perspective, but also financially burdensome for many anglers. Given the degree of uncertainty that this strategic policy will create within the bait industry, it is difficult to know what will happen to bait prices across Ontario. This could exacerbate the aforementioned issue.

**Movement Restrictions of Self-Harvested Bait Will Eliminate Self-Harvest in Some Areas**

*The OFAH does not support the proposal to eliminate the overland transport of self-harvested bait in Ontario.* We appreciate the exceptions outlined in the proposal for BMZs A, B, C, and D; however, we fail to see the drastic difference in the ecological risk to allow that same scale of movement in BMZs E and F. A standardized provincial approach allowing for the transport of self-harvested bait throughout the BMZ in which it was harvested will still achieve the MNRF's primary goal in limiting the transportation of bait from south to north. Should the need for a licence or logbook be applied to BMZs E and F, the MNRF would have the ability to enforce the BMZ boundaries consistently across the province. One of the justifications the MNRF uses for the flexibility allowed to BMZs A, B, C and D through the exception is that the number of bait dealers in Northern Ontario is low relative to the south causing supply issues. Again, we would highlight the uncertain outcomes of these sweeping changes to the bait industry. Many businesses will be significantly impacted by this policy proposal, and the number and distribution of bait dealers in Southern and Central Ontario will undoubtedly be very different than what was in existence before these changes were implemented. There is no way of knowing if there will be an accessible supply of commercially harvested bait in BMZs E and F and given this uncertainty, the elimination of overland transport of self-harvested bait in this area could lead to the effective elimination of the use of live bait (in BMZs E and F), which is contrary to the objectives of this proposal.

The MNRF is proposing these changes to minimize the ecological risk associated with bait use in Ontario. The harvest, movement and distribution of commercially-harvested bait is on a scale that far exceeds that of self-harvested bait. The reporting of all commercial bait transactions is undoubtedly the most critical component of this proposal. Once this is achieved, we would have a much clearer understanding of the ecological risks presented by other elements of the bait pathway.

*The OFAH recommends that self-harvested bait should have the same scale of movement as purchased bait.* This would provide consistency across the province that would help with both angler understanding and MNRF enforcement of the regulations.

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*The OFAH does not support a fee charged for the issuance of a licence or logbook required for the self-harvest of bait.* If necessary, it should be issued or made available much like an angler diary.

**Blanket restrictions in provincial parks are unnecessarily restrictive**

*The OFAH opposes the MNRF's proposal to prohibit the harvest, possession, and use of baitfish in all provincial parks (except recreation-class parks).* Our position remains that if there is a sensitive aquatic feature within a provincial park that would be put at risk by the use of bait, it may provide a basis for tighter regulations in that specific park. However, broadly applying this prohibition simply on the basis of park class will significantly impact anglers visiting provincial parks and is inappropriate, as there will be little to no change to the ecological integrity of the park (i.e. little to no ecological risk from bait) in many scenarios. The following examples are meant to illustrate the cost to visitors versus the associated protections afforded by the implementation of this proposed policy change.

**Rondeau Provincial Park** is a Natural Environment class park located on a peninsula in Lake Erie. Amongst a number of activities, this park is a destination for anglers. This policy proposal would eliminate the use of bait in the waters of Lake Erie directly adjacent to the park. What is the added benefit of this restriction in the park? This proposed restriction will not help to reduce ecological risk. It will only serve to turn away anglers that may have fished the shoreline of this park with bait.

The French River is an iconic destination fishery that connects Lake Nipissing to Georgian Bay. **French River Provincial Park** is a waterway-class park that encompasses a massive area with substantial sections that reach out into Georgian Bay. Much like Rondeau Provincial Park, the proposed prohibition would be applied to the open waters of a Great Lake. Again, what does the MNRF realistically hope to achieve by prohibiting the use of bait in this provincial park? This change will afford no protection to the ecological integrity of the park should an AIS or water-borne pathogen be introduced to Lake Nipissing upstream. In the case of the French River and its status as a destination fishery, serious thought should be given to the relative protections afforded by this proposal versus the potential detriment to park users.

Provincial park classifications should not be used as the criteria for restricting bait use. *The OFAH recommends that the MNRF review each individual provincial park for ecological risk from the use of bait and use that as the basis for determining where it is necessary to prohibit bait harvest, use and possession.* The detailed rationale of these assessments should be made available to the public when management actions are being proposed. The degree of consideration in the current proposal is not specific enough to make informed management decisions.

**Brook Trout Lakes**

The OFAH is unable to support this proposal, as the MNRF has not provided the list of lakes to be included. Prior to the MNRF proposing this prohibition on the harvest, possession or use of bait in Brook Trout lakes, there needs to be a clear understanding of the scale of the impact that this change will have and where it will occur.

A proposal to prohibit the use of bait in native Brook Trout lakes should be considered separately from this proposal. Presumably, any changes to bait management in Ontario made through this proposal should significantly lower the ecological risk associated with the use of bait for angling. Following these changes, the MNRF may be able to better assess the risk to native Brook Trout lakes that is posed by the use of bait for angling.

**Modifications to the List of Legal Baitfish Species Can Help to Reduce Ecological Risk**

In principle, *the OFAH supports the elimination of certain fish species from the current list of legal baitfish,* particularly those that can be easily confused with AIS.

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*The OFAH recommends that the MNR review the species proposed to be removed from the list of legal baitfish to ensure that they have an understanding of the regional significance of each species. Species that do not closely resemble AIS and are a regionally popular baitfish should not be removed under the presumption that they are an unpopular variety and provide low-quality bait.*

**Changes to Commercial Practices**

*The commercial bait industry must be fully accountable for the use of our natural resources for profit, including a chain-of-possession that effectively tracks the harvest, transport, and sale of all baitfish in order to properly enforce the bait pathway in Ontario.*

*The OFAH is in full support of the initiative to require training for any person that is responsible for screening bait for AIS. Given the large quantity of bait being handled by the commercial industry and the critical control points that allow for easier screening and compliance relative to disseminated bait during the angler possession point of the pathway, it makes sense to make sure that the bait is as clean as possible at this stage.*

*The OFAH is fully supportive of a standard compliance framework for the commercial bait industry.*

**Conclusion**

The OFAH is supportive of the intent of this policy to limit the spread of aquatic invasive species and water-borne pathogens through the bait pathway; however, we insist that many elements of this proposal will not substantially reduce the ecological risk related to harvesting or angling with bait. Additionally, many of the proposed actions have the potential to cause significant negative impacts to the bait industry, anglers and tourism in Ontario. When comparing the costs versus the benefits, it is clear that significant modifications should be made to this proposal as written. Again, the OFAH recommends that the MNR focus any changes to bait management in Ontario on the elements of this proposal that will optimize their management objectives.

Bait management is not only important to ecological sustainability in Ontario, but also the social well-being and economic livelihoods of many Ontarians who rely on it. The use of live bait has a rich history in Ontario, and the implications of the proposals must be fully evaluated and weighed accordingly in decision-making to ensure management is not unnecessarily restrictive.

We appreciate the opportunity to comment on this proposed strategic policy and will continue to remain engaged in this process in the future.

Yours in Conservation,



Tom Brooke, M.Sc.  
Fisheries Biologist

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cc: OFAH Board of Directors  
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