

ONTARIO FEDERATION OF ANGLERS & HUNTERS

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



Ontario Conservation Centre

OFAH FILE: 452

April 4, 2023

Honourable Graydon Smith
Minister of Natural Resources and Forestry
Whitney Block, 99 Wellesley Street West
Toronto, Ontario
M7A 1W3

Dear Minister Smith:

RE: Rethinking Ontario's Sustainable Bait Management Strategy

The Ontario Federation of Anglers and Hunters (OFAH) is Ontario's largest, non-profit, fish and wildlife conservation-based organization, representing 100,000 members, subscribers and supporters, and 725 member clubs. We are reaching out to the Ministry of Natural Resources and Forestry (MNRF) urging decisionmakers to rescind elements of Ontario's Sustainable Bait Management Strategy (2020) that restrict anglers but present little to no ecological gain. Below, we detail ways in which the strategy falls short, including reasoning for the removal of current restrictions and recommendations to improve bait management for the conservation of fisheries across Ontario.

Ministry staffing is insufficient to administer new bait rules

The Auditor General's report (2022) indicates that Ministry staffing is currently insufficient to administer the *Invasive Species Act, 2015*, due largely to growth in environmental laws alongside an inadequate number of conservation officers (COs) across the province. While the MNRF has acknowledged this barrier and has made requests for additional funding to address it, few advancements have been made. We recognize the recent hiring of an additional twenty-five COs but, along with the MNRF, we continue to call for more. Thus, we question the MNRF's capacity to adequately monitor and enforce new and more complex bait rules as outlined in Ontario's bait management strategy.

Targeting the source, not the end-user

Although recreational anglers are often the final vector of spread for non-native fish, they are rarely the source of the problem. Commercial bait harvesters net millions of baitfish every year, and they do so with minimal monitoring and oversight. In fact, between 2002 and 2010, approximately 56.4 million baitfish were harvested annually. Despite these numbers, baitfish harvesters are seldom required to disclose holding locations. While harvesters are required to develop and submit a Hazard Analysis and Critical Control Point Plan to the MNRF, the provisions of the plan are largely unenforceable and there is no follow-up by the Ministry to ensure harvester actions adhere to this plan. We recognize the socio-economic importance of the baitfish industry and that it also helps support fishing and tourism in Ontario. However, seeing as there are only approximately 1,100 commercial bait fishing licences issued annually, it makes far more sense to approach this issue at the harvester-level than by targeting Ontario's 1.4 million licensed anglers.

Baitfish retailers

From 2015 to 2018, the Ministry conducted an extensive monitoring program of baitfish retailers in Ontario. Despite finding significant levels of non-compliance, the program was terminated, and no such provincial monitoring is operating today. The magnitude of collecting and distributing non-target species at the dealer level is clearly significant and, thus, should be a chief focus in the fight against invasive species movement and establishment. Considering current MNRF staffing constraints, a much more impactful and efficient approach for preventing unwanted introductions of non-target species would be to prioritize inspections of higher-risk commercial pathways or activities.

Anglers have difficulty understanding bait rules

Bait dumping rules and other related regulations already exist in Ontario; however, studies indicate that anglers continue to dump their bait into waterbodies they fish. Even a relatively small number of anglers that choose to illegally release their bait could have a disproportionate influence on non-target species introduction risk. As long as bait bucket dumping continues to occur across Ontario, additional rules are likely to fall short of achieving the goals and objectives set out in the bait management strategy.

Beyond concerns over their general ineffectiveness, some aspects of the new bait management strategy may even be seriously counterproductive. Although we fully appreciate the importance of regulating the movement of live bait as an invasive species prevention measure, current restrictions around the transport of bait between Bait Management Zones (BMZs) do present a significant issue. In cases where anglers are using live bait outside of their home BMZ, the inability to transport bait back home at the end of the day will almost certainly result in more bait dumping events; a failure by the MNRF to consider the unintended impact of these changes on angler behaviour.

Resource wastage

In addition to the above, the OFAH is concerned that current rules around bait transport are wasteful of the baitfish resource and promote poor angler behaviour. Baitfish are a valuable and vulnerable natural resource, part of Ontario's natural biodiversity, and they are harvested from the very ecosystems that the OFAH and the MNRF have committed to conserve and are, therefore, deserving of respect. A system which forces anglers to potentially discard a significant number of minnows after each outing or after the two-week expiration period does not foster respect for the resource. It is wasteful and portrays our natural resources as disposable and, again, could exacerbate bait dumping events.

SMART

Fisheries management often involves implementing an action, such as a regulatory change, to achieve an objective. For this approach to be effective, objectives must be "SMART," meaning, specific, measurable, achievable, realistic, and timebound. These important criteria for setting objectives help create goals that are organized, clear, and trackable. However, these approaches have not been fully considered for the bait management strategy, the outcomes of which cannot be foreseen and are not being monitored, tracked, or evaluated.

Moving forward**Education**

Anglers are the endpoint to the baitfish pathway, the last vector of movement. Some may participate in risky behaviours like illegal bait bucket dumping, but studies show a substantial proportion of anglers are doing so because they are unaware of the prohibition on bait release. Another theme involves a misplaced belief that releasing unused bait provides forage for other fish species or is beneficial to the environment. If anglers have difficulty complying with such a fundamental, critically important law, the learning curve needed to comprehend new and even more complex rules on the harvest, movement, and use of bait will compound the likelihood that anglers will not comply with bait dumping or movement regulations.

At the core of these social variables is a general lack of understanding. What can be done to improve anglers' knowledge? Education. Like hunters or boaters, anglers would benefit from formal training in some of the basic rules and principles in Ontario. This could easily be facilitated via the Fish and Wildlife Licensing Service (FAWLS), wherein, to purchase or renew a fishing licence, people would be required to do an educational quiz. Alternatively, this strategy could apply to solely those who are purchasing a licence for the first time. Some example questions include:

- True or false: In Ontario, is it unlawful to dump your bait into or within 30 m of the water (including down an ice hole).
- Identify the invasive species (include image of Round Goby).
- True or false: Releasing native species, like Yellow Perch, into a new waterbody will hurt the ecosystem.

Not only would this simple approach to education improve regulatory compliance, but it is also a tremendous opportunity to teach anglers why these rules exist in the first place. Interestingly, the “quiz” approach might even assist in a prosecution if anglers renewing their licence had to complete the training before advancing to the licence renewal screen. As such, it removes the argument that individuals are unaware of the rules and leads to appropriate penalties in court.

Commercial regulation

We feel strongly that increased emphasis should be placed on the early stages of the baitfish pathway. Unlike other commercial activities involving natural resources, the bait industry is not closely managed or monitored despite there being many regulations and various licence conditions that apply to licence holders. With business success and profit as the primary motivation, taking the necessary steps to reduce contamination is not likely to be a priority for some harvesters and dealers. Moving forward, this must be addressed. It is worth noting that Ontario is one of the few Canadian provinces that allows the use of live bait at all.

We strongly encourage the MNRF to make it a requirement for licensed parties to indicate where their offsite bait is stored, allowing inspectors to visit harvester storage locations to detect unwanted species, and carry out appropriate enforcement actions **before** these non-native organisms are distributed to anglers.

Another recommendation would be to include inspections as a licence condition for commercial harvesters (i.e., requiring baitfish to be held on-site until inspected, where appropriate), allowing the MNRF to effectively monitor for adherence to Hazard Analysis and Critical Control Point Plans.

Similarly, we feel that it is extremely important to increase monitoring and oversight efforts with respect to baitfish dealers. Simply adding more COs to the landscape would go a long way to achieving this. Furthermore, we recommend the MNRF take advantage of the opportunities that exist in the *Fish and Wildlife Conservation Act* and the *Fisheries Act* to appoint regulatory inspectors to monitor and promote compliance to the regulations in the commercial bait sector.

In combination with these approaches, creating a vector-specific task force to carry out inspection blitzes at the BMZ-level and report back to enforcement branch would be an efficient strategy. Researchers have also pointed to dealers and their bait shops as underutilized tools for angler education. Building on this, the Ministry could make it mandatory for dealers to prominently post signage on Ontario’s bait bucket dumping rules or distribute this information with every bait receipt issued at the retail level.

Recreational regulation

Finally, regulations on the use and transport of bait by recreational anglers must be effective and practical. We strongly encourage the MNRF to rethink their approach to BMZ regulations and to create a system which counteracts the problematic nature of the current bait strategy.

We suggest one of two courses of action:

- A.** Rescind these rules and develop regulations which restrict the transport of live bait in a way that does not exacerbate harmful and wasteful behaviours like bait dumping, in addition to providing greater oversight and management of commercial harvesters and distributors and seeking out basic education requirements for anglers.
- B.** Amend current regulations to allow for the transport of dead baitfish and/or leeches across BMZ boundaries and remove the two-week expiration period. This solution would allow anglers to bring home their bait for further use, while reducing the likelihood of live release. In this scenario, we would also advocate for increased emphasis on angler education and harvester/retailer accountability (note: we recognize the word “dead” may require further elaboration in regulation and/or policy development).

Invasive species are a significant threat to our aquatic ecosystems and must be addressed through strong action. Still, any regulations put forward in response to this, or any other issue, should be demonstrably effective and responsible. The OFAH would be glad to collaborate with the Ministry on a new approach to Ontario's Sustainable Bait Management Strategy and appreciates their consideration.

Yours in Conservation,



Mark Ryckman
Manager of Policy

MR/jb

cc: Deputy Minister Monique Rolf von den Baumen-Clark
OFAH Board of Directors
OFAH Fisheries Advisory Committee
Angelo Lombardo, OFAH Executive Director
Matt DeMille, OFAH Director, Policy & Programs
Chris Robinson, OFAH Manager, Programs
Adam Weir, OFAH Fisheries Biologist

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