

COMMERCIAL BAIT ADMINISTRATIVE PROCEDURES

Manitoba's commercial bait fishing program is administered by Manitoba Sustainable Development, Wildlife and Fisheries Branch. Following is a summary of commercial bait licensing procedures in Manitoba. Clarification on regulations for collecting, selling, and using live bait fish and leeches, and information concerning other natural bait is also included.

BAIT FISH

1. Bait fish include the following species of fish:
 - ciscoes (tullibee)
 - minnows, excluding carp and goldfish, and including:
 - chub
 - shiners
 - dace
 - mudminnows
 - sculpins
 - sticklebacks
 - suckers
 - trout-perches

2. Licensed commercial bait fish fishers may collect, buy and sell, and live bait dealers may buy and sell only the above species. Frozen bait fish fishers generally collect shiners, including emerald and spottail shiners. Live bait fish fishers often use finescale dace, northern redbelly dace (often referred to as chubs or rainbow chubs), fathead minnows and sometimes golden shiners. Note: Anglers may also use yellow perch, goldeye or mooneye that have been caught by angling as bait; however, these species may not be harvested under a Commercial Bait Fish Fishing Licence.

BAIT BLOCKS

The province is divided into bait blocks which consist of an area of 15 minutes longitude by 10 minutes latitude (approximately 120 square miles). These blocks are numbered and are licensed to the commercial bait fish fisher or leech harvester for a period of one year (April 1 to March 31). Bait fish access rights and leech access rights are allocated separately, therefore each block encompasses a bait fish block and a leech block with the same number; the bait fish fisher and the leech harvester on a specific block are not necessarily the same person.

COMMERCIAL BAIT FISH FISHER

A commercial bait fish fisher is a person who is licensed to collect bait fish for the purpose of sale. A Commercial Bait Fish Fishing Licence costs \$52.50 for the first bait fish block and \$50.00 for each additional block. The licence is valid for one fiscal year (April 1 to March 31). Licencees must be Manitoba residents and must be at least 18 years of age.

COMMERCIAL LEECH HARVESTER

A commercial leech harvester is a person who is licensed to collect leeches for the purpose of sale. A Commercial Leech Harvesting Licence costs \$22.50 for the first leech block and \$20.00 for each additional block. The licence is valid for one fiscal year (April 1 to March 31). Licencees must be Manitoba residents and must be at least 18 years of age.

ALLOCATION OF BAIT BLOCKS

1. Only one commercial bait fish fisher or leech harvester is allowed to capture fish or leeches in each block, with the following exceptions:
 - Some blocks have sufficient resources to allow for the licensing of more than one bait fish fisher or leech harvester (joint blocks).
 - A licensed bait fish fisher or leech harvester may hire helpers to fish his/her blocks. Helpers may, but do not have to be, licensed as well. In either case, hired helpers must be identified on the block holder's licence. Block holders hiring help other than at licence renewal time in March must notify the Regional Fisheries Manager who will amend the block holder's licence with the names of the hired helpers.
 - Those waters on a block that are privately owned or accessible only via private land may be licensed to a bait fish fisher or leech harvester other than the block holder. Any fishing on private waters must be approved by the landowner.
 - Individual anglers may collect leeches for their own use and up to 4 litres of bait fish, of which no more than 15 dozen may be live bait fish. Any live bait fish or leeches that anglers collect can only be used on the waters from which they were collected.
2. **Fishers can only fish blocks and/or private waters listed on their licence.** Fishers may be able to buy access rights to dead bait blocks year-round. In order to retain a bait fish or leech block on a continuous basis, block holders must re-apply for their currently held blocks prior to March 31st each year.
3. Minimum production performance standards apply province-wide. Blocks may not be reissued to bait fish fishers or leech harvesters who have not achieved reasonable production levels. Fishers who fail to meet standards will be sent a letter giving notice that they must meet standards the following year, or they may be required to reduce the blocks they currently hold to a number appropriate to their declared production. Receipts or other documented proof of sale may be requested to support the declared production. Standards are as follows:
 - average production per block:
 - 45 litres of live bait fish
 - 4.5 kgs of frozen bait fish
 - 4.5 kgs of leeches
 - Standards will be applied on a regional basis for bait fishers with blocks in more than one region.
4. Applications for new or newly available frozen bait blocks must undergo a review process to ensure there are no other allocation restrictions that may apply. In general, available blocks will be issued on a first come – first served basis. Additional blocks will not be allocated to existing fishers or harvesters who have not met performance standards.

ALLOCATION RESTRICTIONS:

1. Closure of Northern Bait Blocks Infested with Rainbow Smelt

Due to concerns with potential spread of rainbow smelt, some unallocated northern bait blocks are no longer available for bait harvest. Fishers seeking new allocations in Northern Manitoba will be advised by the Regional Fisheries Manager as to specific blocks that cannot be allocated.

2. No New Live Bait Allocations

The Province has concerns about the potential impacts of aquatic invasive species in Manitoba waters, and all possible sources of transfers ranging from bait bucket transfers to high profile developments like Devil's Lake and the Garrison Diversion are being considered. Consequently, the Department has implemented a "no expansion" policy and is not approving any new live bait fish or leech **allocations (i.e. blocks, new waters on existing allocated blocks, and private waters)** to either existing bait harvesters or new applicants.

3. Transfer of existing access rights to live bait allocations will no longer be approved.

Live bait allocations that are not renewed by the end of the fiscal/licensing year (March 31st) will be considered retired and no longer available for harvest. In the event a live bait fish fisher or leech harvester passes away, the live bait allocation will not be transferred and will be considered retired and no longer available for harvest.

4. Species at Risk Act

Under the Canada Species at Risk Act (SARA), a federal permit may be required to fish or fishing may be restricted, in waters where there are threatened or endangered fish species. For further information, please visit the SARA website at <http://www.sararegistry.gc.ca> or contact:

Species at Risk Coordinator
Fisheries and Oceans Canada
501 University Crescent
Winnipeg MB R3T 2N6
Phone: (204) 983-4438

BAIT COLLECTION

1. A bait fisher or leech harvester may fish on his/her blocks in waters that are accessible from crown land. Waters that are accessible largely or entirely from private land are licensed separately from the block system. (See Private Waters section.)
2. Bait fish for the frozen bait market may be collected by a commercial bait fish fisher from any crown waters on his/her blocks, except for blocks in provincial parks where additional approvals may be required. (See #4.)
3. Bait fish for the purpose of live sales and leeches may only be captured from specific waters (including private waters) listed on a Commercial Bait Fish Fishing Licence or Commercial Leech Harvesting Licence. **As indicated above, no new waters or transfers for live bait fish and/or leech harvest (including private waters) will be approved.**
4. Regional Parks Branch staff must approve any bait fishing and leech harvesting activities in provincial parks.
5. **Bait fishers fishing in waters where there are threatened or endangered fish species may require a SARA permit from the federal Department of Fisheries and Oceans.**
6. While purchased frozen smelt may be used by anglers as bait, **it is illegal for commercial bait fish fishers to harvest rainbow smelt for bait.**

7. **A condition of licence is that each bait fish fisher and leech harvester must submit, for the previous year, completed production forms** supplied by the Department by the licence expiry date (March 31st). **Licences will not be renewed until production forms are submitted.** Harvesters who do not intend to renew their licences must submit production records by the expiry date listed on their current licence. Production by helpers fishing on behalf of the licensee must be recorded on the licensee's form, regardless of whether the helper is another bait fisher or not.

PRIVATE WATERS

1. Those waters on a block that are privately owned or crown waters accessible only via private land may be licensed to a bait fish fisher or leech harvester other than the block holder.
2. A bait fisher fishing private waters only will be issued a **“Private Waters” licence** at a fee of \$52.50. A leech harvester fishing private waters only will be issued a **“Private Waters” licence** at a fee of \$22.50.
3. Licensees must provide to the Regional Fisheries Manager permission in writing from the landowner to harvest bait fish or leeches from private waters.
4. Private waters being harvested for live bait fish or leech sales must be identified on the licence. **No new waters or transfers for live bait fish or leech harvest will be approved.**

IMPORTATION

1. No one may import live bait fish or leeches into the province for use as bait.
2. Federal Regulations for Importation of Frozen/Preserved Bait Fish

Under the federal Health of Animals Act and Regulations, an Import Permit issued by the Canadian Food Inspection Agency (CFIA) is now required for species of finfish that are susceptible to certain diseases and pathogens before those fish can be imported into Canada.

Fish such as emerald and spottail shiners, typically used for frozen bait, are on the federal list of susceptible species.

If you plan to import frozen/preserved bait fish into Canada, please contact CFIA to determine whether you need an Import Permit. For further information, go to the CFIA website at:

<http://www.inspection.gc.ca> and follow the links to “Aquatic Animals”.

Or contact CFIA’s Western Region Office at:

Canadian Food Inspection Agency
1115 - 57 Avenue North East
Calgary, Alberta T2E 9B2
Telephone: (403) 292-4963
Fax: (403) 292-6629

Please note that even if you do not need a CFIA Import Permit, you may be asked by CFIA to provide acceptable documentation on the source/supplier of your bait fish.

Note: CFIA is currently working with provinces on a Domestic Movement Control Program. In future a permit may be required to move fish between provinces (and even within Manitoba).

REQUIREMENTS OF COMMERCIAL BAIT FISH FISHING LICENCEES OR COMMERCIAL LEECH HARVESTING LICENCEES

1. In the case of frozen bait fish, the fisher must display on the package in which the product is marketed, in a conspicuous and permanent manner, the following information:
 - name and address of company or individual who captured or processed the product;
 - minimum weight of the package;
 - identification of any additives or preservatives which have been used in production of the product. Abbreviations are not allowed for this information;
 - notwithstanding the above, a fisher can sell bulk bait fish to another person or company to process and sell.
2. Live bait fish sales are restricted to those areas within the province where live bait fish may be legally used for angling. The fisher must issue to each purchaser of live bait fish (including live bait dealers) a receipt. In the case of anglers, this receipt must be in the form of a **three-day Live Bait Fish Transfer and Use Receipt**, indicating the number of bait fish sold and the date of issue.
3. Live Bait Fish Transfer and Use Receipts are printed annually in a different colour each year. The Department will provide fishers with a supply of receipts when they renew their licence, sufficient to meet their needs based on production reported for the previous year. **Live bait dealers should get these receipts only from the fishers supplying them.** Fishers should ensure that each time they deliver live bait fish, they give the live bait dealer only enough receipts to cover that specific delivery. Likewise, fishers who are buying live bait fish from other fishers should get enough receipts from their source to cover what they purchased for resale to anglers.
4. There are currently no restrictions on where leeches may be sold within the province. Leech harvesters must issue live bait dealers a receipt as proof that the dealer's supply was purchased from a licensed leech harvester. Three-day permits are not required at this time for leech sales directly to anglers.
5. All equipment which is used in the capture of bait fish or leeches must display the registration number or licence number of the licensed bait fish fisher or leech harvester. (Because licence numbers change every year, fishers and harvesters are issued a registration number for convenience in marking their equipment.)
6. **Licences are issued to individuals, not businesses or partnerships.** Because allocation disputes have arisen when partnerships dissolve, the Department prefers not to licence partnerships. Partners (or businesses) should decide whose name will be on the licence as the primary contact and make their own legal arrangements as to allocation of block access rights should the partnership or business dissolve. The business name may be included on the licence for information purposes. (Some licensees like to have the business name included on the licence for tax purposes.)

7. To summarize, specific conditions listed on the Commercial Bait Fishing Licence are:
- blocks allocated to the licensee;
 - type of bait the licensee is authorized to harvest, transport and sell (dead bait fish, live bait fish, leeches);
 - waters on which the licensee is approved to stock and/or harvest live bait fish or leeches (including private waters);
 - names of persons fishing on behalf of the licensee, and notice that the licensee is responsible for ensuring that a) such helpers fish in accordance with terms and conditions of the licence and the Fisheries Act and Regulations, and b) have a copy of the licence in their possession while fishing;
 - requirement for the licensee to provide all customers with a properly dated Live Bait Fish Transfer and Use Receipt;
 - notice that any pens, enclosures or containers used by the licensee to hold or transport live bait are subject to approval by an Officer, and that the licensee may at any time be asked by an Officer to demonstrate his/her ability to identify bait fish;
 - requirement for the licensee to keep and submit production records, in a form provided, to the Department by the expiry date of the licence; and
 - additional conditions which may apply (e.g. performance standards, gear restrictions, season dates, etc. See below.)
8. Under The Fisheries Act (Chapter F90), the Minister, as a term or condition of any licence, may limit or specify:
- the species and quantity of fish permitted to be taken;
 - the period during which fishing is permitted;
 - the Manitoba waters in which fishing is permitted;
 - the type and quantity of fishing gear and equipment that are permitted to be possessed or used and the manner in which they are permitted to be used;
 - the person or persons who may conduct fishing operations under the licence;
 - the measures to be taken respecting the release into waters of fish or the disposal of fish, to avoid harming existing fish stocks;
 - the information to be provided to the Director or an officer with respect to any fish caught, and the manner in which it is to be reported;
 - the consequences of contravening or failing to comply with any term or condition of the licence; and
 - any other terms or conditions that the minister considers appropriate.

SALE OF BLOCKS AND/OR BUSINESS

1. Commercial bait fish fishers and leech harvesters may sell their right of access to their blocks **(frozen/preserved bait only)** or their entire business to another licensee or to someone wishing to enter the industry. **Licensees intending to sell these rights must get approval from the Department by notifying in writing the appropriate regional bait fishing contact or Wildlife and Fisheries Branch head office to ensure there are no concerns with the transfer of access rights.**
2. Licensees selling their business or buying and selling blocks to each other **(frozen/preserved bait only)** will require an amendment to both the buyer's and seller's licence, issued by the Regional Fisheries Manager, indicating the transferred block allocations. There will be no fee involved for the remainder of that fiscal year.
3. A licensee selling his/her business will be required to turn in his/her licence.

4. New entrants buying blocks or a business (**frozen/preserved bait only**) must buy a licence listing all blocks purchased and must pay the appropriate licence fee, regardless of the time of year they purchase the blocks and/or business.
5. Because all bait fish fishers or leech harvesters on a joint block pay the same fee, a joint block owner has the same rights as the sole owner of a block and can sell his/her access rights to a jointly-owned block (**frozen/preserved bait only**). However, joint blocks are not considered economically efficient and the Department may not approve the sell or transfer. For this reason, Regional Fisheries Managers will request that joint block owners wishing to sell their share offer first right of refusal to the other owner(s) of the block.

COMMERCIAL LIVE BAIT DEALER

A Commercial Live Bait Dealer is a person who runs a bait or tackle shop, tourist resort, or similar business and is licensed to sell leeches and live bait fish in those areas in Manitoba where live bait fish and/or leeches may be legally used for angling. (For example, in Northern Manitoba where live bait fish use is prohibited, this licence would authorize sale of leeches only.) This licence, which does not include the right to harvest bait fish or leeches, costs \$12.50 and is valid for one year (April 1 to March 31). Holders of a Commercial Bait Fish Fishing Licence may also sell live bait fish, and holders of a Commercial Leech Harvesting Licence may also sell leeches, and do not need to obtain a Commercial Live Bait Dealer Licence to do so.

REQUIREMENTS OF COMMERCIAL LIVE BAIT DEALER LICENCEES

1. A Commercial Live Bait Dealer Licence does not allow for the collecting of bait fish or leeches. Dealers must purchase live bait fish from a licensed commercial bait fish fisher authorized to harvest live bait fish and leeches from a licensed commercial leech harvester, and must have a receipt as proof of purchase. **A dealer cannot sell live minnows or leeches to another dealer unless the seller is listed as a helper on the licence of the bait fisher for whom he/she is distributing.**
2. Dealer licences are intended for businesses, not for resale of bait fish or leeches out of someone's home, vehicle or on the ice.
3. Live Bait Dealer Licences are issued to individuals, not businesses. The business name may be included for information purposes.
4. The dealer must issue to each purchaser of live bait fish a three-day Live Bait Fish Transfer and Use Receipt indicating the number of dozen bait fish sold and the date of issue. **Dealers must obtain a supply of these permits from the commercial fisher who sells them their bait fish. Three-day permits are not required for leech sales at this time.**
5. Dealers are required to report the amount of live bait fish and leeches sold in the past year, as well as their suppliers, to the Department by the licence expiry date (March 31st). Forms will be provided by the Department at time of renewal. Dealers must submit a record of amount sold, regardless of whether or not you renew your licence.

OTHER NATURAL BAIT

1. Crayfish and Earthworms (Night Crawlers)
 - Due to concerns about potential transfer of the rusty crayfish, an undesirable aquatic organism with significant negative implications for Manitoba's native crayfish species, **possession of crayfish is prohibited.**

- Earthworms do not fall under Fisheries jurisdiction but they may be used as bait. A licence is not required to harvest earthworms. Earthworms may be imported as long as they are in some sterile medium such as paper mulch. They must not be imported in soil.

2. Frogs and Salamanders (Water Dogs)

- Salamanders and frogs may be used as bait but may not be imported into Manitoba. These species may only be collected during certain seasons as specified under The Wildlife Act.
- **Commercial collection and sale of frogs and salamanders falls under the jurisdiction of Wildlife and is not approved for bait purposes.** Persons interested in selling or collecting these species for commercial purposes should contact the Regional Wildlife Manager in their area.

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