


Fisheries Branch Directive	Program: Aquaculture Guideline Type: Management (Management, Administrative)
Subject: ACCESS TO NATIVE SPECIES FOR COMMERCIAL AQUACULTURE PURPOSES Revision Date: June 11, 2007	Date Approved: June 11, 2007  <hr/> Director, Fisheries Branch

INTRODUCTION

MB Water Stewardship's Aquaculture Program has traditionally focused on responding to requests for aquaculture information in appropriate detail to allow interested members of the public to make an informed decision as to whether or not to enter the industry. This has included developing a comprehensive information package, including regulatory aspects, economic and financial considerations, an overview of current aquaculture activities in Manitoba, and sources of technical and small business information.

Fisheries staff participate on several federal-provincial task groups and committees focused on aquaculture policy and R & D. Staff attempt to keep informed about new technical developments or marketing opportunities in the aquaculture industry, and pass on this information to Manitoba operators.

The Department issues Fish Farming Licences to commercial fish farming operators and for fish farming in Crown waters. However, these licences are issued primarily on the basis of environmental considerations - the main goal being to control and prevent spread of disease and accidental introduction of exotic species due to aquacultural activities. Fish farming also takes place on private waters, however these "hobby farmers" are not licensed by the Department if they do not intend to operate commercially (i.e. sell fish or a fee-for-fishing experience). Legally, they still require the Department's approval to transport fish from the supplier to stock their pond. However, since the Department no longer has the no-cost fish farming permit, we consider a receipt from the supplier to be sufficient proof the fish were purchased and not taken from publicly stocked water.

The Federal Government has actively promoted aquaculture development, including opportunities for agricultural diversification and culture of new fish species, beyond the "tried and true" rainbow trout. As a result, Provincial fisheries staff are receiving increasing requests for development support and access to native species (brood stock and/or eggs). While consultants are available to provide the former, the Department is the only agency that licences the latter. Therefore, there is a need for a Provincial policy on allowing access to native fish species.

MANITOBA PRIORITIES

While aquaculture development does not clearly fall under the Department's mandate, by nature of its regulatory responsibilities, the Department is in the position of being the only agency able to licence aquaculture operations, including access to native species for culture purposes. If environmental/conservation risks can be minimized, a blanket refusal of access to native species for culture purposes may

be overly restrictive, particularly in light of Provincial Government economic development priorities, such as MB Agriculture, Food and Rural Initiatives (MAFRI)'s increasing involvement in and promotion of aquaculture as an agricultural diversification opportunity.

In addition, while the economic feasibility of native species culture is uncertain, given the abundant supply of these species for harvest in the wild, this is also not necessarily a good reason to deny access to entrepreneurs wanting to experiment with culture of native species. It is preferred that applicants have or hire the biological expertise to collect brood stock and culture fish. This would help to ensure the Department is not burdened with additional costs of staff time or operating dollars providing fish, and that brood stock are not wasted by being placed in unsuitable holding/culture facilities with little likelihood of success.

"Next Steps - Priorities for Sustaining Manitoba's Fisheries" identifies fish stock and habitat protection as the top priority area for sustainable fisheries management. Fish stock conservation and vitality are also the first priorities in allocation of fish stocks. Commercial net and tourism-related fish harvesting (and presumably harvest of brood stock/eggs of native fish for commercial aquaculture operations) are the lowest allocation priority. These priorities should be reflected in the policy for culture of native species.

PRINCIPLES/MANAGEMENT STATEMENTS:

- The policy for culture of native species will be based on the Department's mandate, priorities and principles for sustaining Manitoba's fisheries.
- The policy for culture of native species will be guided by the goals, objectives and actions specified under the Aquatic Ecosystem Strategy, including protecting and conserving the biodiversity of indigenous (native) fish communities by:
 - Ensuring development does not irreversibly alter indigenous (native) fish communities; and
 - Following protocols for controlling the intentional transportation, introduction and transfer of live fish into and within Manitoba.
- Approval of native species culture activities will only be considered where there is minimal risk of:
 - negative alterations of native fish communities;
 - negative impacts on other users of the resource;
 - release of "domesticated" native species back into Crown waters;
 - introduction or transfer of undesirable aquatic organisms into Crown waters; and
 - spread of disease in aquatic ecosystems.
- Where there are concerns or insufficient information for the Department to approve access to or transfer of native species (including genetically modified fish), the applicant's plans will be referred to the Introductions and Transfers Committee for a risk assessment.
- Where there is still insufficient information to determine that environmental/conservation impacts of an applicant's proposal are of minimal concern, the Department will exercise the precautionary principle and will not approve access to native fish stocks.

As indicated in the DFO Policy for access to wild aquatic resources, access to native fish stocks will be restricted to collection of adult brood stock only, and not eggs.

- Requests to collect fish from waters where SARA species have been identified or to culture SARA species will be referred to DFO for appropriate permitting.
- Collection of brood stock will be done in a manner that:
 - protects spawning runs of native species (either the species being collected or associated fish communities);
 - does not place unsustainable harvest pressure on local fish populations or negatively affect other users of the resource.
- Resources considered to be fully allocated (e.g. provincial walleye spawn-taking operations) will not be approved as brood stock/egg sources for commercial aquaculture operations.
- Notwithstanding the above, requests for access to native fish stocks will only be accommodated where there is minimal to no cost to the Department in terms of operating dollars and/or staff time.
- Importation of native fish species for commercial aquaculture purposes will not be permitted.

GUIDELINES/PROCEDURES

- If access to native species is approved, applicants will first be issued a Live Fish Handling Permit indicating the species, number of fish to be collected, source, harvest method and timing, reporting requirements and any other relevant conditions.
- Because the intention is to access native species for commercial aquaculture purposes, the applicant must also obtain a Fish Farming Licence.
- Fish farmers approved to culture native species will be considered for grow-out operations only. Sales of live fish for aquariums or pond stocking by hobby farmers will not be permitted. Sales of eggs or live fish for breeding stock purposes from one licensed aquaculture operation to another will be considered on a case-by-case basis.
- Applicants would be allowed one-time access only. The Department does not intend to provide access annually to "brood stock" and end up with a "take and sell" commercial "aquaculture" venture.
- It is preferred that applicants have appropriate training/background/experience (e.g. biologist background, or already has a fish farming facility), or intend to contract a consultant with expertise in collecting and culturing fish. However, the Department does not have the resources to scrutinize applicants' expertise and can at best provide sources of information and consultant contacts.
- Applicants (or consultants) should have appropriate collection/transfer equipment and holding/culture facility with no risk of escape of cultured species or discharge of facility water to Crown waters.

- Private pond stocking would be allowed if pond culture considered biologically feasible. Crown waters will not be considered for private stocking with native species (including into cages) for private commercial purposes. However, stocking of Crown waters that do not currently support a wild fishery with trout, etc. purchased by the applicant from an approved facility will still be allowed.
- Hatchery facilities plans must be reviewed and approved by Environmental Licensing staff. (Hatcheries are Class 1 developments under Environment Act.)
- "Failed" experiments:
 - No release of live fish or eggs into Crown waters is permitted.
 - Licencee must consult with Department for appropriate disposal of any remaining fish/eggs if this has not already been specified as a condition of the Live Fish Handling Permit or Fish Farming Licence.
- Reporting requirements:
 - As indicated as a condition of the Fish Farming Licence, the applicant must provide a summary of fish farming activities, as detailed on a form provided by the Department, including species and amount of fish sold. More comprehensive reporting is necessary for native species culture operations including the number of fish collected for brood stock, the success of egg production, incubation and rearing, etc. that may be specified in conditions under the Live Fish Handling Permit. This information should be submitted by the expiry date of the Fish Farming Licence and before a new licence is issued.
- Enforcement:
 - The current Fish Farming Licence requires the fish farmer to issue a receipt to all customers indicating the date and amount of fish purchased. Enforcement staff advise that (other than loadslips), none of the other Commercial Fishermen's Records Regulations would apply as fish farmers are not defined as commercial fishermen. Also, there is no quota to track and there is no way of documenting the "supply" other than the word of the fish farmer, therefore developing new regulations to track movement of cultured fish would not likely be effective in dealing with this concern.
- Marketing/Economics:
 - FFMC staff advise that they do not interpret the Freshwater Fish Marketing Act to include the requirement for them to buy cultured fish.
 - The Branch policy has been and will continue to be to provide both the public and relevant government agencies (e.g. MAFRI) with the best information we have on the economics of aquaculture and marketing challenges (e.g. through the Guide to Intensive Aquaculture).