

# POLICY INTENTIONS PAPER

## Controlled Alien Species Regulation

The Government of B.C. intends to introduce prevention measures to effectively deal with non-native aquatic species that can potentially harm B.C.'s fish and wildlife resource (see Intention 1). Therefore, amendments will be made to the Controlled Alien Species (CAS) Regulation to prohibit or restrict identified aquatic invasive species that present a significant risk to B.C. While the main focus of the amendments is to address the threat of aquatic invasive species, minor changes will be made to the existing provisions and schedules of the CAS Regulation to provide additional clarification on the intent of the current provisions (see Intentions 2 and 3).

### **INTENTION 1:**

The B.C. Government will be addressing the threat posed by aquatic invasive species by introducing amendments to the CAS Regulation. The proposed restrictions are similar to those found in other Canadian provinces and U.S. states. The intent is to introduce specific proactive measures which could help efforts to prevent damage to B.C.'s fish and wildlife resource, and to recreational and commercial interests.

Aquatic invasive species include fish and mussels that are not native to B.C. These species compete with our native fish for food and habitat, prey on our native species, and cause changes in water quality or habitat so that our native species can no longer survive. For example, the introduction of an invasive catfish caused the extinction of a stickleback species-pair that were listed under the federal *Species at Risk Act*; these fish had been found only in B.C.

Invasive mussel species will attach to all hard surfaces and can clog water intakes, which can result in huge replacement and cleaning costs for irrigation, dams and hydropower facilities, and boat and marina owners. Aquatic invasive species can also cause declines in fish populations that are important for commercial, recreational and First Nations fisheries. For example, if Zebra or Quagga mussels become established in lakes they significantly reduce the quantity of plankton, which is the primary food source for juvenile sockeye salmon. The proposed amendments are intended to prevent these aquatic invasive species from entering B.C. and causing damage to our native fish, wildlife and ecosystems.

The following species have been identified as presenting a significant threat at this time and are

considered high risk:

- Snakeheads (Family Channidae)
- Dreissenid mussels (zebra, quagga, and Conrad's false mussels)
- Gobies (round, monkey, tubenose and Amur gobies)
- Oriental weatherfish
- Bullhead and channel catfishes (Family Ictaluridae)
- Western mosquitofish
- Asian carps (specifically grass, silver, bighead and black carps)
- Bitterlings
- Tench
- White cloud mountain minnow

Note: in some cases, due to possible problems with identification, all species in a group are listed.

The species are proposed to be banned if they are a species that are:

- known or strongly suspected of being capable of surviving and reproducing in B.C.'s freshwater environments;
- known to exhibit invasive characteristics, including the ability to spread significantly beyond the place of entry and that have been evaluated as having significant environmental and/or economic consequences if they become established; or,
- already known to be at risk of introduction to B.C. through live fish trafficking (aquarium trade or live food trade) or as hitchhikers (for example, organisms that attach to a boat, trailer or other equipment, and can then be transported to a new water body).

At this time, the intent is to introduce a ban on possessing, shipping/transporting, and breeding of live specimens of the aquatic invasive species listed. These prohibitions apply to live individuals of the various fin-fish species, but apply to both live and dead individuals of the three mussel species. The proposed penalties for contravening these restrictions will be the lowest penalty, known as "Tier 3" penalties under the *Wildlife Act*. This means a person could face up to \$50,000 in fines or a term of imprisonment up to six months on a first conviction or both. However, as release of the species presents the most significant threat and most significant impact to the economy and environment, anyone who releases a listed species into non-tidal waters in B.C. will face the severest penalty under the *Wildlife Act*. A person could face up to \$250,000 in fines or up to two years in jail on a first conviction, or both, for releasing a species into any freshwater body in B.C.

Certified educational or certified research institutions, such as universities, would be exempt from prohibitions related to breeding, possession, and shipping/transporting, however, the institution will be subject to the severest penalty if the institution releases the species.

Some of these species, such as the invasive mussels, are aquatic hitchhikers. For the three invasive mussel species the prohibitions will apply to both live and dead mussels to ensure that there is no possibility of any viable mussels or larvae entering B.C. (for other species, the prohibitions only apply to live fish). The intent of the amendments is to require that all boat owners ensure their boats and equipment are free of any invasive species. A boater may be stopped by an officer to ensure that his or her boat is free from all live and dead mussels. If a boat is found to be contaminated with these species of mussel, the boater will be required to decontaminate their boat and equipment. Before any boats are launched into B.C. waters, they must be free of these species of mussel. This may mean that boaters will have to drain any standing water in their boat (e.g. bilge, hoses, cooling intakes, live wells etc.) if they have been in contaminated waters.

The goal of these changes in regulation is to ensure these aquatic alien invasive species do not enter B.C., and do not get released into our native ecosystems. If these proposed amendments are passed, by complying with these new amendments and ensuring that boats are free from all invasive species, we will help preserve our natural heritage for generations.

## **INTENTION 2:**

Add definitions of accredited zoo or aquarium, certified education institution and certified research institution to the CAS Regulation.

The addition of the three definitions listed above would serve two purposes:

- 1) To clarify that:
  - a. a zoo or aquarium, with regard to CAS, is a zoo or aquarium that meets or exceeds accreditation standards as set out by the Canadian Association of Zoos and Aquariums (CAZA); and
  - b. an education or research institution, with regard to CAS, is an education or research institution that meets or exceeds the standards as set out by the Canadian Council on Animal Care (CCAC).
- 2) To support exemptions for the proposed ban on aquatic invasive species.

The proposed addition of definitions for accredited zoos and aquariums; certified educational institutions; and certified research institutions, as they relate specifically to CAS, will add clarity and robustness to the current policy and procedures. The CAZA accreditation and CCAC certification have been chosen as standards that the ministry supports because of their commitment to professionalism, their robust and rigorous attention to public safety and animal welfare, and their nationally recognized and endorsed procedures for responding to emergencies.

### INTENTION 3:

The B.C. Government intends to refine and clarify which species of the genus *Varanus* (monitor lizards) are Prohibited and which ones are Restricted. The current CAS Regulation language refers to a two metre rule with regard to Prohibited species, but does not list which species are captured under this rule. The proposed change is to explicitly list these species and to increase clarity with regard to Prohibited or Restricted species of monitor lizards.

It is the Government of B.C.'s goal that the number of Prohibited CAS individuals in the province (species listed in Schedule 1 of the CAS Regulation) be reduced over time (i.e. as people move out of the province or animals pass away from natural causes) because of the potential threat they pose to public health and safety (with the exception of CAZA accredited zoos, and research and educational institutions certified with a valid Certificate of GAP – Good Animal Practice® from the Canadian Council on Animal Care).

If an animal is listed as Prohibited, it is illegal to possess, breed or transport that animal unless a person has been issued a permit to do so. It is also illegal to release any species listed as Prohibited, regardless of the circumstances. The general intent is that permits for Prohibited CAS are not lightly given and there are a number of criteria that should be met in order to convince the Director of Wildlife to view permit applications for these animals in a favourable light.

If an animal is listed as Restricted, the only prohibition that applies is that a person may not release it. There is no permit required and all other activities are allowed. However, if (and only if) a lizard on the Restricted list grew to two metres or more, it would become Prohibited, and a person would need a permit to possess, breed or transport any of these larger individuals.

If you would like more information on the general intent of the Controlled Alien Species Regulation, please review the [policy](#) and [procedures](#) that can be found on-line.

Feedback is being sought on the proposed list of Varanidae (below) with regard to the species (and all related subspecies) within this family (and its one genus, *Varanus*) that can grow to two metres or more and that could pose a potential threat to public safety (i.e. serious injury or death). The list below has been compiled as a result of feedback from experts in Canada, the USA and the UK.

#### PROPOSED LIST OF PROHIBITED SPECIES WITHIN THE GENUS *VARANUS*:

*Varnaus bengalensis*, [Bengal monitor]  
*Varanus giganteus*, [Perentie]  
*Varanus komodoensis*, [Komodo dragon]  
*Varanus niloticus*, [Nile monitor]  
*Varanus salvadorii*, [Crocodile monitor]  
*Varanus salvator*, [Water monitor]

*Varanus varius*, [Lace goanna]

These proposed species have the potential to regularly grow over two metres long and have the potential to inflict serious injury to the public. B.C. would be staying consistent with Alberta's Controlled Animals List by listing these seven species as Prohibited. The only species proposed for inclusion on the Prohibited List that does not normally reach lengths over two metres is *Varanus varius* which has the potential to grow up to two metres, but may not regularly reach those lengths. However *Varanus varius* has slicing dentition and this dentition coupled with the large size create a very high potential to cause serious injury.

**PROPOSED LIST OF RESTRICTED SPECIES WITHIN THE GENUS *VARANUS*:**

All species within the genus *Varanus* with the exception of those listed as Prohibited.

The implications of this proposed inclusion would be that if a species is listed as Restricted, it would be legal to possess, breed, transport, buy or sell, or display it provided it was smaller than two metres long. By having all species of the genus *Varanus* on the Restricted List (with the exception of those listed as Prohibited), if an individual of any species were to reach two metres or more in total length, they would automatically be included on the Prohibited List and all prohibitions associated with that list would apply. This would account for any future changes in taxonomy, which this taxonomic group seems to often experience. Therefore, the only restriction for those species listed on the Restricted list would be that they must not be released.