



Overview of the Ontario Invasive Species Act, 2015

Ontario's Approach to Addressing Invasive Species

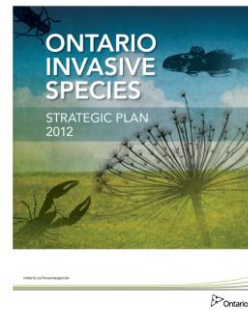
Partnerships

- Invasive Species Centre
- Ontario Federation of Angler and Hunters
- Ontario Invasive Plant Council
- Ducks Unlimited Canada
- Nature Conservancy of Canada



Policy

- Ontario Invasive Species Strategic Plan, 2012



Collaboration

- Federal Provincial Territorial Invasive Aquatic Species Task Force
- Conference of Great Lakes and St. Lawrence Governors and Premiers
- Canadian Council of Forest Ministers – Forest Pest Working Group



Legislation

- Ontario Invasive Species Act, 2015



Invasive Species Act: Key Principles

Prevention First

- Prevent new invaders from arriving and slow spread of existing invaders where possible

Science Based

- Risk assessments will at a minimum consider the species presence in Ontario, biological characteristics, risk of harm to the natural environment, dispersal ability and social or economic impacts

Enabling Framework

- Tools to support prevention, detection, control, and eradication actions by the government, partners and the public

Shared Accountability

- Enable partnerships and provide authority to delegate to, and empower others

Inter-government Cooperation

- Recognition of the mandated role of federal government. ISA complements their role, does not require province to assume new responsibilities.

Invasive Species addressed by the Act

Definition in the Act:

A species that is not native to Ontario, or to a part of Ontario, and:

- Is harming the natural environment of Ontario or of the part of Ontario in which it is present, or
- Is likely to harm the natural environment of Ontario or of a part of Ontario, regardless of whether it is present in Ontario or in a part of Ontario

Includes:

- Plants, animals, or micro-organisms (e.g., a virus) that are not native to Ontario, or to a part of Ontario, that may harm the natural environment and negatively impact associated economic and social benefits

Regulatory Powers

Species - Two classes

- *Prohibited:*
 - No person shall - Bring into Ontario, deposit, release, possess, transport, propagate, buy, sell, lease or trade
- *Restricted:*
 - No person shall bring an invasive species into Provincial Parks and Conservation Reserves; or deposit or release in Ontario
 - Additional prohibitions may be applied through regulation

Temporary Designation (Minister's Order)

- Minister may make an order to temporarily designate an invasive species under the legislation for up to **two years**.



Regulatory Powers

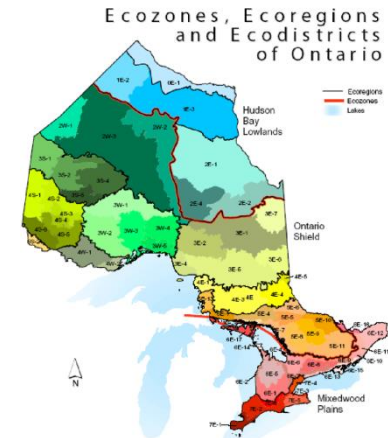
Carriers (Regulation)

- Prevent the movement of invasive species from one area to another.
- Examples: boats, bait, firewood, soil



Invasive Species Control Areas (Regulation)

- Apply measures to prevent the introduction or control the spread of one or more invasive species.



Detection, Response and Control

The Act provides inspectors, enforcement officers and the Minister scalable powers to support detection, response and control of invasive species.

Survey powers:

- To detect the presence of invasive species and monitor their spread

Unknown Species (Limited to 15 days):

- Ability to prohibit movement, isolate species/thing, set up barriers, prohibit people from moving/accessing species/thing.

Stopping conveyances:

- May stop a conveyance to assist in determining compliance.

Compliance:

- May require a person to stop any activity that is prohibited; provide direction to achieve compliance

Declaration of an invaded Place:

- Declare land, a building or structure to be an Invaded Place if there is evidence that a regulated invasive species is present and the order is required to:
 - Prevent the invasive species from spreading to areas outside of the place, or
 - To control, remove or eradicate the invasive species that is on or in the place

Enabling Regulated Activities

Authorizations

- Enable possession, transport, purchase etc. of a regulated species for the purposes of:
 - Research and Education,
 - Prevention, control or eradication of an invasive species, or
 - A purpose prescribed in regulation.

Agreements

- Minister may enter into agreements for the purposes of prevention, detection, control, and eradication of invasive species; monitoring and reporting; education and research; assessment of risk; and the preparation of prevention and response plans.

Prevention and Response Plans

- Minister may require that a Plan be prepared for invasive species
- Plans will enable enhanced partnerships and actions to support the prevention and control of invasive species.

Enforcement



MNRF Conservation Officers

- Authority for officers to obtain search warrants, conduct tests, obtain documents, seize things, make arrests and issue stop orders
- The Minister may appoint a person or classes of persons as enforcement officers.

Penalties

- **Maximum** fines of \$250,000 for individuals (plus possible imprisonment for up to 1 year) and \$1,000,000 for corporations (doubles on subsequent offences)
- Fine may be multiplied by the number of animals, plants or other organisms involved
- Fine may be increased to an amount equal to any monetary benefit obtained as a result of the commission of the offence

Cost Recovery

- a person who failed to comply would be liable for control or eradication expenses incurred by the Crown

Regulation 354/16 – Prohibited Species

Fish:

- Bighead carp
- Silver carp
- Grass carp
- Black carp
- Stone moroko
- Zander
- Wels catfish
- Family Channidae: Snakehead

Aquatic invertebrates:

- Killer shrimp
- Yabby (crayfish)
- Golden mussel

Plants:

- Hydrilla
- Brazilian elodea
- Water soldier
- European water chestnut
- Parrot feather

Prohibitions:

- No bringing into Ontario
- No deposit or release in Ontario
- No possession or transport
- No propagation
- No buying, selling, leasing or trading.

Exceptions for:

- dead and eviscerated carp(s), snakehead(s), zander
- in water movement of Water Soldier and Water Chestnut

Regulation 354/16: Restricted Species

Plants:

- Phragmites
- Dog Strangling Vine
- Black Dog Strangling Vine
- Japanese Knotweed

Prohibitions:

- No bringing into Ontario
- No deposit or release
- No propagation
- No buying, selling, leasing or trading.
- No bringing into and no possession or transportation in Provincial Parks and Conservation reserves

Exceptions for: Deposit and release as part of control or management activities and other activities the purpose of which is not to deposit or release the species e.g. agriculture, infrastructure maintenance

General Exceptions for all species (Prohibited and Restricted)

- Emergency response activities e.g., fire, police, natural disaster etc.
- Incidental catch of fish
- Preservation, possession, storage of preserved specimens

Examples of Control Projects/Pilots

Water Soldier

- Trent River, Black River, Private Ponds
- Partnership with the Ontario Federation of Anglers and Hunters, Trent University and Parks Canada

European Water Chestnut

- Voyageur Provincial Park, Rideau Canal, Wolfe Island
- Partnership with Ducks Unlimited, Parks Canada, Ontario Parks

Phragmites Emergency Response control pilot

- Rondeau Provincial Park, Long Point Area
- Partnership with the Nature Conservancy of Canada, Ducks Unlimited, and others

Questions/Discussion

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Invasive Species Act, 2015

<https://www.ontario.ca/laws/statute/15i22>