

A detailed photograph of a grass carp swimming in clear, greenish water. The fish is shown in profile, facing left, with its scales and fins clearly visible. The background is a soft-focus underwater scene with some green vegetation.

Grass Carp Enforcement

GREAT LAKES PANEL MEETING
NOVEMBER 13, 2019



Track and report on activities and the progress of member agencies and other partners in addressing Grass Carp priorities



Assist with coordinating member and partner agency activities related to Grass Carp priorities, including providing information and related support and identifying next steps



Identify emerging needs and issues not reflected in the current priorities and identify opportunities to address them



Develop recommendations to the ANS Task Force on priorities or other issues that require additional involvement or support from ANS Task Force members



Communicate with GLP standing committees on priorities and needs related to information and education, policy and research coordination

GLP Grass Carp Committee

GLP Grass Carp Committee



Priorities document and tracking worksheet



Letter to diploid stocking states

Input from MRBP
Distribute via CGLFA



Information on triploid certification inspection and enforcement activities

Coordinate through LAW Committee

GLP Grass Carp LE Priorities

- ▶ Natural resources management agencies should implement routine and random inspections of known and suspected live grass carp shipments to encourage compliance and deter non-compliance.
- ▶ Undertake surveillance and monitoring of key pathways of legal and illegal importation of Grass Carp to quantify the level of diploid contamination and movement of diploid stocks into the basin.
- ▶ Quantify the levels of diploid contamination of Grass Carp stocks by monitoring importations of certified triploid Grass Carp to assess effectiveness of USFWS National Triploid Grass Carp Inspection and Certification Program.

	DIPLOID	TRIPLOID
ILLINOIS	May be permitted in a closed aquaculture facility but only for the production of triploids; requires inspection and permitting of facility prior to import (no facilities currently permitted)	May be imported, transported, or stocked with Restricted Species Transportation Permit from DNR ¹
INDIANA	May be permitted in a closed aquaculture facility but only for the production of triploids (no facilities currently permitted)	May be cultured and sold with permit and reporting requirements
MICHIGAN	All activities banned ²	All activities banned ²
MINNESOTA	All activities banned ³	All activities banned ³
NEW YORK	All activities banned ⁴	May be imported, possessed and stocked by permit only ⁵
ONTARIO	All activities banned, unless dead and eviscerated ⁶	All activities banned, unless dead and eviscerated ⁶
OHIO	Importation prohibited; commercial harvest permitted	May be imported, stocked and sold with permit from Chief, Ohio DNR Division of Wildlife ⁵ ; commercial harvest permitted
PENNSYLVANIA	All activities banned ⁷	May be imported, transported, and introduced into Commonwealth waters by permit from the Fish and Boat Commission ⁵
QUEBEC	All activities banned ⁸	All activities banned ⁸
WISCONSIN	All activities banned ⁹	All activities banned ⁹
CANADA	Importation banned unless dead and eviscerated; transport, possession and release banned ¹⁰	Importation banned unless dead and eviscerated; transport, possession and release banned ¹⁰

- (1) Must be greater than four inches
- (2) Listed as a prohibited species M.C.L.A. 324.41301; activities include possess, introduce, import, sell or offer that species for sale as a live organism. Regulations technically allow possession under certain circumstances and with a permit under M.C.L.A. 324.41303 (e.g., research, education, eradication activities)
- (3) Listed as a prohibited species; activities include possess, import, purchase, transport, or introduce except under a permit for disposal, control, research, or education
- (4) Activities include import, export, own or possess, acquire or dispose
- (5) Must be U.S. Fish and Wildlife Service certified
- (6) Activities include: bring into Ontario, possess, deposit, release, transport, breed/grow, buy, sell, lease or trade; permits may be issued under certain circumstances to allow research, education, prevention, control or eradication (<https://www.ontario.ca/laws/statute/s15022> and <https://www.ontario.ca/laws/regulation/r16354>)
- (7) Activities include introduce, import, possess
- (8) Activities include aquarium fish-keeping, productions, keeping in captivity, breeding, stocking, transport, sale or purchase as live fish
- (9) Listed as a prohibited invasive species NR40.04 (2)(c)(2); regulations technically allow transportation, possession, transfer, and introduction with permit from DNR but a permit has never been issued for such activities
- (10) Canada's Aquatic Invasive Species Regulations pursuant to subsections 34(2), 36(5) and 43(1) of the Fisheries Act (<https://laws-lois.justice.gc.ca/eng/regulations/SOR-2015-121/index.html>)



Grass Carp Regulatory Enforcement Questionnaire

Grass Carp Regulatory Enforcement Questionnaire

- ▶ Distributed to LAW Committee July 2019
- ▶ 4 Sections: Expertise, Authorities, Inspections, Additional Comments
- ▶ 8 jurisdictions responded
 - ▶ 4 ban all live grass carp



Question	A	B	C	D	E	F	G	H
level of understanding of the highest risk pathways for the spread of grass carp	8	10	9	6	8	9	10	10
Are you actively involved in enforcing grass carp regulations in your jurisdiction?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
level of experience in enforcing grass carp regulations in your jurisdiction within the last 5 years	Med	High	High	Med	Low	Low	Med	Low
level of understanding of grass carp regulations in the Great Lakes	8	1	9	4	8	7	10	10

Expertise

Authorities



Does your state/province/agency have the authority to:

- ▶ Stop vehicles transporting live fish: YES (6*/8)
- ▶ Inspect vehicles transporting live fish: YES (7/8)
- ▶ Review paperwork for vehicles transporting live fish: YES (7/8)
- ▶ Test live fish shipments to verify contents: YES (7/8)

▶ *one jurisdiction reported having the “authority to stop any vehicle on public roadways for violations of a traffic law. Stopping of a vehicle solely because they are hauling live fish would not be authorized for that alone”

Question	A	B	C	D	E	F	G	H
How frequently do you carry out inspections of known and suspected live grass carp shipments?	< 1 per year	As often as they present themselves.	It depends	None / infrequent	seldom	Only as part of an investigation or complaint follow up	Several times a year	n/a
What percentage of known and suspected live grass carp shipments do you inspect?	< 5%	We don't always know what fish are being shipped because there is no reporting requirement.	Not known	None / unknown	none	>5%	100% of known shipments and suspected shipments	none
What triggers an inspection of a known or suspected live grass carp shipment?	Complaints from the public / concerns from the Fisheries Division / random inspection after seeing a fish truck	When encountered, they are inspected.	It depends. Inspections may also be driven as a response to intelligence and tips etc.	we have information suggesting that an illegal activity is occurring.	n/a	Complaint or suspected illegal activity	Grass Carp are prohibited	n/a

Inspections

Inspections



What procedures are included in your inspection:

- ▶ Paperwork review: YES (7/8)
- ▶ Visual inspection of shipment: YES (7/8)
- ▶ Other (specify)*:
 - ▶ Reports (2/8)
 - ▶ Ploidy testing (1/8)
 - ▶ Photos (1/8)
 - ▶ Sample collection (1/8)
 - ▶ Driver interview (1/8)
 - ▶ eDNA test of transport water (1/8)

Do you receive certificates from the U.S. Fish and Wildlife Service in a timeframe that allows for inspections to occur?

- ▶ No (2/8), Don't know (1/8), or N/A (5/8)

Inspections

Do you test for grass carp ploidy during inspections?

- No (5) , Yes (1), Sometimes (2)

What usability features or other characteristics would you need from a ploidy test for:

Field inspections

- Ease of use / simple / user manual
- Training course prior to issuing
- Someone to contact with questions
- Quick
- Consistent, defendable results
- Give suspicion to justify further testing

Legally defensible

- lab testing for court purposes / field test followed-up with lab test / wouldn't be final test
- expert testimony as to the accuracy of the test
- defendable scientific backing

Additional Comments

- ▶ Do you know how to contact other jurisdictional agency leads (federal/Tribal/state/provincial) that conduct enforcement for Asian carp in the Great Lakes region?
 - ▶ YES! (LAW Committee)

Additional Comments

What would improve
your enforcement
capability and/or
capacity for grass
carp regulations?

Regulations/Policy:

- ▶ Written Department policy and procedure for the stopping of fish trucks, seizures, and testing
- ▶ Close gaps aquarium industry to possess diploid grass carp
- ▶ Regionally commensurate regulations

Resources:

- ▶ Issued equipment to haul seized fish
- ▶ Closer proximity of testing sites
- ▶ Field testing ability
- ▶ More time
- ▶ Funding for testing of suspected fish

Additional Comments

What would improve
your enforcement
capability and/or
capacity for grass
carp regulations?

Information:

- ▶ A list of testing sites to test fish
- ▶ Known schedule of shipments / communication between jurisdictions of shipments
- ▶ Directory of contacts for relevant enforcement people in other jurisdictions
- ▶ Document of a comparative nature listing laws/regulations relating to Asian carp and other AIS
- ▶ Businesses / people / transports who are known to actively participate in the sale, transport and distribution of live grass carp
- ▶ Training on identification and testing for proper grass carp identification

Next Steps

- ▶ Develop write-up
- ▶ Identify opportunities to follow-up on identified gaps/needs
- ▶ Continued coordination with LAW Committee

