

REGULATIONS REVIEW UPDATE MARCH 20TH 2019

Proposed Amendments to the Fisheries Act – Bill C68

Current amendments to Bill C-68 are located here: <http://www.parl.ca/DocumentViewer/en/42-1/bill/C-68/third-reading>.

- 1) Regarding Bill C68 no further update on this; the web page still shows as in Committee stage at Senate (same as Feb 2019)
- 2) We speculate 18 months to two years for the BCSFRs review process, post Bill C-68, depending on any re-prioritization after the election process, so therefore we anticipate that there will be plenty of time to complete a review and make recommendations within the full SFAB process.

Of interest to the recreational fishing sector is the proposed text in the following section:

Paragraph 43(1)(m) of the Act is replaced by the following:

(m) if a close time, fishing quota or limit on the size or weight of fish or fishing gear or equipment has been fixed in respect of an area under the regulations, authorizing persons referred to in paragraph (l) to vary the close time, fishing quota or limit or fishing gear or equipment in respect of that area or any portion of that area;

This means that variation orders may, vary - close time, fishing quota or limit **or fishing gear or equipment** - where any of these have been set by regulation. Until the passage of Bill C68 fishing gear or equipment cannot be varied directly (i.e. is fixed for the year either by regulation, or by Condition of License). After the passage of Bill C68 the BC Sport Fishing Regulations may then be reviewed and amended in a subsequent regulatory process to allow optimal flexibility around use of gear and e.g. varying gear selection such as leader lengths for selective fishing.

Changes to the BC Sport Fish Regulations (BCSFRs) subsequent to the passage of Bill C-68

- a. The timeline for this regulatory process is dependent on govt. priorities, as there are approx. 40 separate regulations governed by the Fisheries Act, including the BCSFR, so could be several years to complete.
- b. It is expected that any/all text in the BCSFRs will be potentially subject to amendment.

The opportunity and challenge to the SFAB is to review the current BC Sport Fish Regulations. We have an opportunity to recommend additions, changes, etc. to the items currently in the BCSFRs. It is apparent that we will have the opportunity of conducting this review through the entire of the SFAB process, Fall 2019 SFAC meetings and the Feb 2020 Main Board meeting. If needed, we might be able to extend the review through to the April 2019 Main Board Meeting

1—To help with the review, we will have posted to the DFO Drop Box the current BC Sport Fishing Regulations. You will be notified once it is posted.

2—What is needed is for the various Local and Regional Committees to review their fisheries and to identify any gear or equipment that should be considered for change allowing it to be varied in season.

3—We ask that in your review, don't be too concerned about whether your suggestion might be something that can already be done. If you are unsure, identify it. It is anticipated that some of the suggested changes will:

- Already be able to be done.
- Will not be able to be processed at this time as they require a regulatory change.

We need the SFAC's to really think outside the box and imagine fisheries where there are changes in stock abundance that require either some new or unique form of selective fishing technique, and/or where there is increased abundance which makes possible a new fishing opportunity that up to now hasn't existed – that way we are calling out the need to think outside the box of what you know today, and imagine what conditions might exist in the future

Please put any suggested changes on the attached worksheet -complete the contact info (sfac- contact person- describe benefit- identify species) # all suggested changes and use as many lines as needed to explain the desired change and the benefits to fisheries that the change will have.

BC Sport Fishing Regulations – proposed Omnibus Bill changes

A number of changes to the BC Sport Fishing Regulations are under review. Some of these changes pertaining to the recreational fishery have been outstanding for several years. Specifically, the proposed amendment will:

1. Require the release of female Dungeness and Red Rock Crabs. This is to ensure that a viable breeding

population of Dungeness Crabs and Red Rock Crabs is sustained by making the release of female crabs mandatory under the regulations. This is consistent with the requirement in the commercial fishery.

2. Require the use of barbless hooks in the tidal portion of the Fraser River. This is to reduce post release mortality of fin fish in the tidal portion of the Fraser River by requiring the use of barbless hooks by all anglers. Already in place for salmon, but not for other species. The Province is especially concerned with steelhead and White Sturgeon survival..

3. Require rot cords in all recreational traps to prevent “ghost fishing” by lost or forgotten traps. Rot cord breaks down over time to render lost traps ineffective. Already required in commercial traps and recreational crab traps; this amendment would extend the requirement to prawn and octopus traps.

4. Enable the use of variable leader lengths for selective fishing. This is intended to curtail the use of extended leaders at times of low abundance of vulnerable stocks to reduce the likelihood of foul hooking.

5. Remove the text “in ink” from s.22 and replace with “permanently.” This amendment has been subsumed into a separate regulatory amendment process. (see above).

6. Revoke aggregate daily quotas from the non-tidal waters section of the regulations. The province of British Columbia has identified intensive fishing on specific species in specific non-tidal waters as a means to combat the spread of identified aquatic invasive species. The aggregate daily limits currently set out in the BCSFR cannot be varied for specific bodies of water, and therefore do not permit directed intensive fishing. This is consistent with provisions in the Aquatic Invasive Species Regulations.

7. Require sinking or weighted buoy lines for recreational trap fishing. Floating buoy-lines in recreational trap fisheries have been identified as posing a hazard to boaters due to the possibility of the line becoming entangled in a vessel’s propeller, possibly resulting in a sudden stop or break-down on the water and repair costs for vessel damage.

8. Require operators’ telephone numbers on recreational trap buoys. Markers or buoys used in trap fishing are required to carry the name of the operator of the trap. The operator’s telephone number would aid in contacting the operator in cases where trap gear has been removed from the water or lost and recovered.

Once the consultation period opens, the SFAB and others will be invited via our web page to recommend any changes to the suggested regulatory changes as noted above.