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***Invasive Species Centre Comments on Environmental Registry of Ontario #019-7360, Regulating ten species and four genera as invasive species under Ontario's Invasive Species Act, 2015***

The Invasive Species Centre (ISC) is a not-for-profit organization established by the Ontario and Canadian Governments to coordinate projects and connect stakeholders, knowledge, and technology to prevent and reduce the spread of invasive species that harm the environment, economy, and society. We are pleased to have the opportunity to provide feedback on ERO #019-7360, *Regulating ten species and four genera as invasive species under Ontario's Invasive Species Act, 2015*. With more than 12 years of experience working with the Province of Ontario on key invasive species issues, and after submitting previous public comments on past ISA ERO postings, the ISC is pleased to provide feedback at this stage, with the hope of improving our collective ability to prevent future species invasions.

**Overall, the ISC strongly supports the proposed direction to add ten species and four genera under Ontario's Invasive Species Act.** The proposed regulations will increase provincial and all partners' oversight of species that can be sold and distributed via various retail and trade settings, with the goal of ensuring fewer introductions and releases as a result.

Invasive species cost Ontario an estimated \$3.6 million annually, with these costs being expected to grow exponentially over the coming years. According to a recent risk assessment conducted by the U.N.-led Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES), the cost of invasive species globally exceeded \$423 billion annually in 2019, with costs having at least quadrupled every decade since 1970. Invasive species pose a threat to Ontarians and their access to natural resources by driving native species extinctions, which in turn leads to high economic impacts of management. Prevention of invasive species introductions is the most cost-effective means of managing the impacts of invasions, and regulating additional species at the provincial level will help avoid many introductions and subsequent dispersal.

The proposal to include additional species in the Invasive Species Act also responds to the recent 2022 Auditor General's Report on invasive species management in Ontario. It addresses one of their key recommendations for quicker regulation of additional invasive species and is in line with the proposition to regularly update the Act – with the latest round of species additions being last year in January 2022. The Report also identifies additional enforcement under the Invasive Species Act as another key opportunity to drive action under associated regulations.

**Species Specific Feedback**



- The ISC supports this round of additional species regulations to provide wider regulatory coverage of some species-specific concerns in Ontario. We believe the species the Ministry has identified are thoughtful priorities and have clearly demonstrated threats against Ontario's environment, economy, and society.
- Inclusion of additional prohibitions related to marbled and red swamp crayfish are welcome additions to the proposed regulatory changes, especially considering the new detection of marbled crayfish in southern Ontario this summer. The socio-economic impact of red swamp crayfish and marbled crayfish would be substantial because of their impacts on infrastructure, aquaculture, recreational and commercial fishing as well as through reducing water quality and biodiversity.
- The ISC also supports regulating species that are already present in Ontario to slow their spread to additional jurisdictions, including Eurasian watermilfoil. With this said, we also recommend that additional resources and supports be put in place to manage existing invasive species in Ontario. Members of the public often express concern over growing populations on their properties and seek the ISC's help for solutions, which are often difficult to advise without concrete tools or government support.
- Regulating flowering rush is also a positive regulatory action. When established in irrigation canals, reservoirs, and stormwater management ponds, flowering rush can have a direct impact on water supply by reducing availability. The ISC recently completed a risk assessment on flowering rush for Fisheries and Oceans Canada and found that partners in western provinces have found eradication of populations to be very difficult. Nonetheless, restricting the spread of flowering rush in Ontario is constructive.
- The ISC supports regulating tree-of-heaven as a restricted species as it is a highly aggressive plant that has detrimental impacts on native plant species and built infrastructure. It is also the preferred host for the highly invasive spotted lanternfly. Although not known to be sold in Ontario, limiting human intervention and interaction that facilitates its spread is a positive step in mitigating both increased tree-of-heaven spread and potential for the establishment of spotted lanternfly.
- Regulating nutria is another important milestone that the ISC supports. The proposed regulation leverages the lessons learned from other jurisdictions, including British Columbia, and is vital to protecting the natural resources of Ontario. It would also prevent the establishment of any industry related to the sale and reproduction of nutria.

### **Organisms in Trade**

- Addressing species that belong to the Organisms in Trade (OIT) pathway is key in preventing their sale and spread. OIT refers to species that are marketed and exchanged in human-dominated and -mediated spaces such as the commercial trade, electronic commerce (e-commerce), live bait and food, individual pet ownership, horticulture, and water garden industries. OIT is one of the most significant pathways of spread for invasive species in an increasingly digital and dynamic international landscape, and the ISC welcomes species belonging to this pathway to be regulated in Ontario. Among the new list of proposed



species, those belonging to the OIT pathway include ide, Eastern and Western mosquito fishes, red shiner, oxygen weed, floating primrose-willow, flowering-rush, nutria, tree-of-heaven, azolla, salvinia, procambarus, and pacifastacus. As was demonstrated in 2022 when the province regulated the watercraft pathway, regulating pathways is an advantageous means of closing a regulatory gap and increasing the efficiency in preventing invasive species spread. This current regulatory package doesn't address a specific pathway at a regulatory level, and exploring pathways like OIT, in future regulation packages is recommended.

- Positively, regulating species belonging to the OIT pathway will limit the spread of species via formal retail sales, importation, and exportation. The less formal 'trade' market has been a challenging pathway to address, however, these proposed changes will enable new outreach and education opportunities for the ISC. We would advise that e-commerce also be regulated in this sphere to limit sales from online retailers. This could include enhancing enforcement of the Invasive Species Act in online settings by encouraging members of the public to report invasive species that they encounter online, additional monitoring of online sales, and prohibiting online importation of species purchased online.
- Regulating species belonging to the OIT pathway is critical at a time where the recreational aquarium keeping has seen growth due to COVID-19 related behaviours. With new interest in fish and pet keeping, the ISC is concerned about longer-term implications for AIS spread due to unwanted species release as we transition to pre-pandemic activities.
- Aligning this regulation with the guidance of the widely promoted *Don't Let It Loose* messaging would be a wise approach for the province. This will allow organizations such as the Invasive Species Centre to continue to promote the existing best practices and key messaging as we have done in the past.

### Summary

In summary, the ISC strongly supports MNRF's proposal #019-7360 to expand the use and scope of the Invasive Species Act, 2015. New regulation of the proposed species is significant to addressing key invasive species opportunities to protect Ontario's environment, economy, and society. Importantly, we would also recommend that additional efforts be made to support enforcement under the Invasive Species Act in the future, that investments to support communities facing existing invasions be considered, and that pathways be addressed in future regulatory changes. We welcome continued dialogue with MNRF and other partners in exploring how we can all collectively contribute to these regulatory changes, their communication and additional considerations for future regulations. The ISC is well positioned to continue to support MNRF in our shared goals of preventing invasive species impacts in the province of Ontario.

Sincerely,

Colin Cassin  
Invasive Species Centre