

FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: July 12, 2012

Agenda Item: Classification of Exotic Wildlife - Tilapia

Division: Fish and Wildlife **Action Needed:** Deny proposed rule

Time Needed on Agenda for this Presentation: 15 minutes

Background:

On May 10, 2012 the Classification Review Committee recommended that the FWP Commission adopt a tentative rule classifying Tilapia (*Oreochromis* spp.) as a Controlled Species. The Department conducted a hearing and solicited public comments on the proposed classification. Based on public comments and further analysis on the potential risk if Tilapia were to escape or illegally released into Montana waters, the Classification Review Committee is now recommending that the Commission deny the proposed rule. As a result, Tilapia would remain a prohibited species in Montana. Side-note: The Classification Review Committee evaluates petitions for classification and makes a recommendation to the FWP Commission based on: a) the environmental impacts caused by the animal if it is released or escapes from captivity, including ecological and economic impacts; b) the risk the animal would pose to health or safety of the public, wildlife or agriculture; and c) the ability to readily control and contain the animal in captivity.

Public Involvement Process & Results:

The Department conducted a 30-day comment period and one public hearing in Helena. The Department received six comments. Three of the comments strongly discouraged the classification of Tilapia as Controlled and favored a Prohibited classification. Main concerns raised were on the invasive nature of Tilapia and potential risks to the aquatic ecosystem in Montana. The other three comments received were in general support of the proposed rule with some edits.

Alternatives and Analysis:

Alternative A: Deny proposed rule classifying Tilapia as a Controlled Species. As a result, Tilapia would remain prohibited in Montana. This alternative offers the greatest assurance that Tilapia won't be introduced into Montana waters. Alternative B: Adopt rule classifying Tilapia as a Controlled Species. Although the proposed rule includes requirements for the care and housing of Tilapia for the purpose of preventing illegal or accidental introduction into Montana waters, the potential risk and impact on aquatic resources outweighs the benefits from allowing people to raise Tilapia.

Agency Recommendation & Rationale:

The Classification Review Committee recommends that the FWP Commission deny the proposed rule classifying Tilapia (*Oreochromis* spp.) as a Controlled Species (Alt. A). Tilapia would remain a prohibited species in Montana. This recommendation is based on public comments and further analysis on the potential impacts of this species on current fish and forage species in the event it escapes captivity or is illegally introduced. The Committee concluded that the potential impact resulting from escaped or illegally stocked fish, combined with the high number of culture operations that could develop under a Controlled Species classification, creates an unacceptable level of risk.

Proposed Motion:

I move that the commission deny the adoption notice that proposed a rule classifying Tilapia (*Oreochromis* spp.) as a Controlled Species.