



# LEGAL REQUIREMENTS FOR AIS BIOSECURITY AT FISH HATCHERIES

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# PROJECT OVERVIEW AND OBJECTIVES

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- Received funding from FWS Region 6 to investigate extent to which state law requires or encourages implementation of BMPs for AIS biosecurity planning at fish hatcheries.
- Analysis limited to the eight states in the Mountain-Prairie Region (Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, Wyoming).

# METHODS

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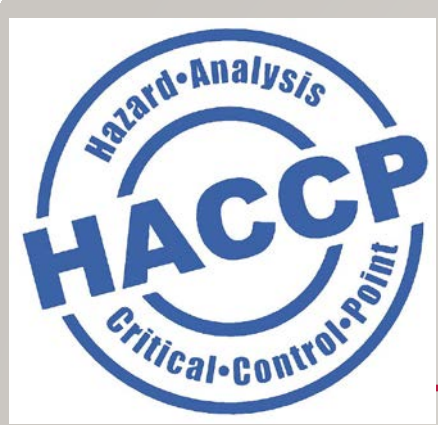


- Inventoried the laws, regulations, and policies related to fish hatcheries in the eight states.
- Reviewed scientific and grey literature to identify BMPs for AIS biosecurity measures.
- Analyzed state law for provisions that encouraged or required implementation of identified BMPS.

# BMPs IDENTIFIED FROM LITERATURE

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1. Hazard Identification/Risk Assessment
2. Biosecurity Plan
3. Property Management
4. Facility Siting and Design
5. Treatment of Intake and Discharge Water
6. Inspection and Certification Requirements
7. Isolation and Quarantine
8. Disinfection of Fish Eggs
9. Decontamination of Trucks and Equipment
10. Staff Training
11. Recordkeeping Requirements
12. Reporting Requirements



# HAZARD IDENTIFICATION/ RISK ASSESSMENT

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- Kansas is the only state that mentions a risk assessment process in law, but not geared to AIS.
- FWS policy (750 FW 1) requires Fish and Aquatic Conservation Program staff to engage in HACCP planning.

# PROPERTY MANAGEMENT

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- Measures that restrict access to hatchery staff and approved visitors.
- Some states have provisions prohibiting visitors from bringing fishing gear or entering sensitive fish health areas, but no provisions found directly discussing specific property management measures.

# FACILITY SITING AND DESIGN

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- Some facility siting and design requirements in federal law, although they are not specific to AIS (e.g., EPA's Concentrated Aquatic Animal Production (CAAP) facilities regulations).
- Several examples in state law, such as restrictions on siting within 100-year floodplains and requirements that screens be installed on pipes.

# TREATMENT OF INTAKE AND DISCHARGE WATERS

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- Primarily regulated under the National Pollutant Discharge Elimination System (NPDES) permit program administered by EPA or delegated states.
  - *CAAP regulations do not include any specific AIS controls.*
- Most states incorporate these provisions into state law by referencing the federal regulations.



Hatchery discharge pipe on Cardigan River,, Prince Edward Island. Photo courtesy of <http://www.theguardian.pe.ca>



# INSPECTION AND CERTIFICATION REQUIREMENTS

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- States address this more than any other BMP. However, most do not require inspection and certification specifically for AIS, but rather for pathogens and signs of disease.
- FWS R6 has an internal policy requiring hatcheries be inspected for AIS prior to shipping fish across state lines, largely follows the Colorado River Fish & Wildlife Council requirements for Colorado River states.

# DECONTAMINATION OF TRUCKS AND EQUIPMENT

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- No specific provisions found.
- However, all states in the Mountain-Prairie Region have enacted some type of legal requirement for inspection and decontamination of boats, trailers, and related equipment to address AIS risks from the movement of watercraft.
- Hatchery operations may fall outside the scope of some of these WID requirements.

# FOR MORE INFORMATION

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Download the Report Online:

<http://nsglc.olemiss.edu/publications/files/hatchery-bmp-report.pdf>