House Bill 201 Could Be a Game Changer for New Mexico Aquaponics and Aquaculture Growers

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Over the past few years, interest in aquaculture and aquaponics (a food production system that combines aquaculture and hydroponics) in particular has grown significantly in New Mexico. The prospect of growing 2 crops (fish and vegetables) simultaneously in a sustainable, recirculating, low water use system has fueled this interest. Tilapia is one of the most widely cultivated freshwater fish in the world, second only to the carp, and is considered to be the most important aquaculture species of the 21st century. Reasons for its widespread use in aquaculture include its ability to grow well at high densities in the confinement of tanks and its tolerance of fluctuating water conditions. Additionally there is a great deal of information available on the biology and culture of tilapia both in recirculating systems and ponds.

Tilapia has become one of the more popular seafood entrees in the U.S. As the total demand for seafood continues to increase, and wild catch has reached maximum sustainable yield, aquaculture products have filled the growing demand. Global production of farmed tilapia continues to increase and has outpaced all other species, including farmed salmon and catfish. Among the top ten seafoods consumed in the US, tilapia is fourth after shrimp, tuna and salmon. U.S consumption of the “aquatic chicken” as tilapia is often called, from domestic and imported sources continues to increase at a rate of 20% per year.

Because tilapia is so amenable to tank culture, and because of the growing demand for tilapia in the U.S., it is the first species people turn to when considering the propagation of fish for commercial or personal consumption. It is the logical choice for aquaponics growers interested in culturing a food fish that is widely consumed and easy to grow. Unfortunately, state laws regarding the importation and propagation of tilapia in New Mexico have long been a source of frustration to aquaponics and aquaculture growers alike. The importation and culture of tilapia, a species that is non-native to New Mexico was forbidden, and new applications to the New Mexico Game and Fish (NMGF) for permits to grow tilapia were denied.

That is all about to change with the passage of House Bill 201 in April. In February of this past year, House Bill 201 was introduced by State Representative Alonzo Baldonado of Valencia County. The bill proposed to amend Section 17-2-3 NMSA 1978 Subsection C to add tilapia to the list of protected species regulated by the state game commission. The NMGF had determined that HB 201 would have no negative budgetary impact on the department and could provide some economic benefit to the state by facilitating the growth of the aquaponic/aquaculture industry. NMGF affirmed that by adding tilapia to the list of protected species in New Mexico, the species could be managed to protect native flora and fauna while allowing potential economic growth in the aquaponics/aquaculture industry. The bill was
passed almost unanimously by both the Main House and the Senate and was signed into law by Governor Martinez in April. The law will come into effect on July 1 of this year.

With the passage of the bill and the increasing number of inquiries regarding rearing fish for personal or commercial consumption, it had become clear to the NMGF that the existing regulatory framework was inadequate to address this issue in a way that both protects New Mexico’s natural resources but also allows economic development of the aquaculture/aquaponics industry. It was apparent that there was a need for a reevaluation of the existing rules related to the propagation of fish species in New Mexico. The rules were reviewed and proposed amendments to the existing rules were made. The NMGF has proposed changes to the Importation Rule (19.35.7 NMAC) and the Class A Lake Rule (19.35.9 NMAC) to facilitate propagation of tilapia. The proposed changes include requirements related to which species of tilapia that may be imported and cultured, who may obtain fish capable of reproducing and fish health testing. The draft rules have been posted on the NMGF website [http://www.wildlife.state.nm.us/commission/proposals-under-consideration/](http://www.wildlife.state.nm.us/commission/proposals-under-consideration/) for public comment. These draft rules will be presented to the State Game Commission at their upcoming meeting in June. Final rule adoption would occur in August or September. The passage of HB201 in conjunction with amendments to existing NMGF rules regarding importation and culture of tilapia here in New Mexico should pave the way for greater opportunities for growth of the New Mexico aquaponics and aquaculture industry.
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