

Alaska State Legislature

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REPRESENTATIVE Paul Seaton

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Mariculture has the potential to diversify the economic base of coastal communities impacted by the changing dynamics of the fishing industry. HB 43 allows this expansion of this clean water industry by permitting geoducks to be farmed subtidally in the Gulf of Alaska even if wild geoducks are not present. The bill does not exempt farmers from any health, safety, or other transfer provisions relating to hatchery seed.

The Alutiiq Pride Shellfish Hatchery is the only hatchery that supplies mariculture spat and seed in the State. It was initiated by the State to be a self-sustaining operation in association with the private mariculture farms permitted by the State. Their business plan relies on the sale of geoduck seed. However, the informal policy of the Department of Fish and Game prevents geoduck seed from being utilized by farms anywhere outside of southeast Alaska. These restrictions on the sale of geoduck seed cause the sole hatchery for the mariculture industry in Alaska to require continual subsidy by the State. HB 43 will allow the mariculture industry to develop around the Gulf of Alaska, providing a potentially strong market for seed and private sector financing for the operation of the hatchery.

As non-mobile filter feeders, farmed geoducks will not prey on any local commercial, sport or personal use fish. There have been no reports of species displacement in sedimentary habitat by geoduck clams. Farmed geoducks will not interfere with personal recreational boaters as they are cultivated in the sediment below low tide and without the numerous buoys and floating cages used in oyster farms. No infectious disease has been identified in any wild geoduck population or the geoduck farming industries of Washington, British Columbia, or Alaska.

The conflict surrounding geoducks in southeast Alaska is between the dive fishermen who harvest wild stock and farmers who wish to farm in areas with existing wild stock. HB 43 would evade this conflict because there is no wild stock in the proposed area. This bill will not override any Department of Natural Resources farm site leasing or Department of Fish & Game permit regulation.

HB 43 eliminates unnecessary hindrances to the growth of the mariculture industry in Alaska providing a potential alternative economic base for coastal communities while adequately considering the health of our marine ecosystem.

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MEMORANDUM

January 20, 2009

SUBJECT: Sectional Summary for HB 43 (Work Order No. 26-LS0227\A)

TO: Representative Paul Seaton
Attn: Katie Koester

FROM: Brian J. Kane *BJK*
Legislative Counsel

You have requested a sectional summary of HB 43, a bill relating to aquatic farming and geoducks.

A sectional summary of a bill should not be considered an authoritative interpretation of the bill. The bill itself is the best statement of its contents.

Section 1 of the bill adds a new subsection to AS 16.40.100 stating that the commissioner may not use the absence of wild geoduck stock within a management area as the basis for a denial of an aquatic farming permit. Also, if the commissioner issues a permit for an aquatic farm for geoducks in a management area that does not have a wild geoduck stock, then that permit shall not allow farming in the intertidal habitat or environment.

Section 2 of the bill adds a new section to AS 16.40 stating that, consistent with AS 16.40.140(b) - (d), a certified hatchery may transfer geoduck seed to an aquatic farm located in a fisheries management area contiguous to the Gulf of Alaska.

BJK:ljw
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