

HJR

15



# ALASKA STATE LEGISLATURE



Rep. John Harris  
Rep. Peggy Wilson  
Rep. Jim Elkins  
Rep. Mary Kapsner  
Rep. Woodie Salmon

State Capitol, Room 124  
Juneau, AK 99801-1132  
Co-Chairs  
Rep. Gabrielle LeDoux  
(907) 465-2487 FAX 465-4956  
Rep. Bill Thomas  
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## HOUSE SPECIAL COMMITTEE ON FISHERIES

### SPONSOR STATEMENT

#### HJR 15

**“Relating to open ocean aquaculture in the federal exclusive economic zone”**

Open Ocean Aquaculture (OOA) is a concept that concerns many Americans who are involved in the seafood business and whose communities depend on the economic strength of the commercial fishing industry. This new method of seafood production has been under development for a number of years, and there is pending federal legislation drafted by the Department of Commerce that would establish a program allowing OOA in federal waters.

In response to many environmental, economic and social concerns, Alaska enacted legislation in 1990 that prohibits finfish farming in state waters. This prohibition has enabled the Alaska fishing industry to differentiate itself in the global seafood market. Our name is associated with natural, healthy and safe seafood that has inherent quality because it is not artificially raised with antibiotics, artificial coloring and industrial fish food. Alaska's relative market share of seafood has diminished with the massive increases in farmed fish production, but our products have excellent name recognition and often occupy high value niches in the market. Our commitment to wild fisheries is beginning to pay dividends to our industry and the state, as some prices that dipped to severely low levels are showing strong signs of recovery.

HJR 15 recognizes that the Alaska Legislature is committed to ensuring the biological and economic health of our fisheries and the social and economic well-being of our communities. It requests that the U.S. Congress require any federal proposal to authorize OOA to undergo a legislative environmental impact statement. It also asks that the North Pacific Fisheries Management Council be involved in any proposals regarding OOA. This is critical in that the Council was established to regulate the fisheries of the Gulf of Alaska and Bering Sea. It is essential that the Council, which generally has so well managed Alaska's federal fisheries, be a part of any discussion of OOA proposals.

[Representative Gabrielle LeDoux@legis.state.ak.us](mailto:Representative_Gabrielle_LeDoux@legis.state.ak.us)  
[Representative Bill Thomas@legis.state.ak.us](mailto:Representative_Bill_Thomas@legis.state.ak.us)

24-LS0631\Y  
Utermohle  
3/21/05

CS FOR HOUSE JOINT RESOLUTION NO. 15( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): HOUSE SPECIAL COMMITTEE ON FISHERIES

A RESOLUTION

1 Relating to open ocean aquaculture in the federal exclusive economic zone.

2 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 WHEREAS Alaska wild fish stocks are healthy and sustainable, in large part due to a  
4 strong gene pool and Alaska's history of sound fisheries management, clean water, and habitat  
5 protection; and

6 WHEREAS Alaska commercial, subsistence, and recreational fisheries are managed  
7 to achieve the state's constitutional mandate of sustained yield; and

8 WHEREAS the State of Alaska enacted legislation in 1990 to prohibit finfish farming  
9 in state waters; and

10 WHEREAS there are numerous outstanding issues and concerns regarding the social,  
11 economic, health, and environmental consequences of farmed fish, both in state and federal  
12 waters; and

13 WHEREAS open net cage fish farming poses persistent risks to the health of the  
14 marine resources of Alaska; and

15 WHEREAS there are patents pending to cultivate and introduce genetically modified  
16 fish into open waters which will pose a direct threat to wild stock fisheries; and

1           **WHEREAS** salmon farming has had severe economic impacts on coastal  
2 communities in Alaska as demonstrated by significantly lower prices for wild salmon  
3 fisheries products; and

4           **WHEREAS** Alaska coastal communities and fishing families rely on the health of  
5 wild fish stocks for a strong economy; and

6           **WHEREAS** global markets increasingly demand natural seafood products harvested  
7 sustainably from a clean environment; and

8           **WHEREAS** the seafood industry in Alaska has developed strong name recognition in  
9 the marketplace for wild, natural, and healthy seafood products; and

10           **WHEREAS** successful seafood marketing depends on product differentiation and  
11 Alaska's untarnished name is its greatest asset in the global market; and

12           **WHEREAS** the National Oceanic and Atmospheric Administration is promoting  
13 legislation to permit open ocean aquaculture in federal waters from three to 200 miles  
14 offshore of the states; and

15           **WHEREAS** the Magnuson-Stevens Fishery Conservation and Management Act  
16 provides for input from fishermen and coastal communities through regional fishery  
17 management councils; and

18           **WHEREAS** the proponents of federal open ocean aquaculture and members of the  
19 ocean aquaculture industry have not satisfactorily demonstrated that this activity will not be  
20 detrimental to the ocean resources and to the economy of Alaska coastal communities; and

21           **WHEREAS** Governor Frank H. Murkowski has proposed a five-year moratorium on  
22 all permitting, leasing, or development of ocean pen-reared shellfish and finfish in the federal  
23 exclusive economic zone off Alaska;

24           **BE IT RESOLVED** that the Alaska State Legislature is committed to ensuring that  
25 open ocean aquaculture does no harm to ecosystem integrity, to existing wild fisheries, or to  
26 the social and economic well-being of Alaska coastal communities; and be it

27           **FURTHER RESOLVED** that the Alaska State Legislature opposes open ocean  
28 aquaculture for finfish and predatory shellfish in the waters off Alaska; and be it

29           **FURTHER RESOLVED** that the Alaska State Legislature respectfully urges  
30 Congress to prohibit the issuance of any license to permit an aquaculture facility that imports  
31 exports, possesses, cultivates, sells or otherwise handles genetically modified fish in the

1 federal exclusive economic zone or has access to open waters; and be it

2 **FURTHER RESOLVED** that the Alaska State Legislature supports the regional  
3 fishery management councils under the Magnuson-Stevens Fishery Conservation and  
4 Management Act and respectfully requests that the councils be granted authority over any  
5 proposals regarding open ocean aquaculture in federal waters; and be it

6 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests the  
7 United States Congress to require any federal proposal to authorize open ocean aquaculture in  
8 the federal exclusive economic zone to undergo a legislative environmental impact statement,  
9 as required by law.

10 **COPIES** of this resolution shall be sent to the Honorable George W. Bush, President  
11 of the United States; the Honorable Ted Stevens, President Pro Tempore of the U.S. Senate  
12 and member of the Alaska delegation in Congress; the Honorable J. Dennis Hastert, Speaker  
13 of the U.S. House of Representatives; the Honorable Carlos Gutierrez, United States Secretary  
14 of Commerce; and the Honorable Lisa Murkowski, U.S. Senator, and the Honorable Don  
15 Young, U.S. Representative, members of the Alaska delegation in Congress.

# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version:           HJR 15            
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected:           Legislature            
 Title           Relating to open ocean aquaculture in the BRU           Legislative Council            
                     federal exclusive economic zone. Component:           Session Expenses            
 Sponsor           House Special Committee on Fisheries            
 Requestor           House Special Committee on Fisheries           Component No.           783          

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2004) cost:           0.0          

Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time					
Part-time					
Temporary					

**ANALYSIS:** (Attach a separate page if necessary)

This legislation has zero fiscal impact on the Legislative Affairs Agency.

Prepared by:           Karla Schofield, Deputy Director           Phone           465-8626            
 Division           Administrative Services           Date/Time           3/7/05 1:34 PM            
 Approved by:           Pamela Varni, Executive Director           Date           3/7/2005            
 Agency           Legislative Affairs Agency

# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HJR 15  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Fish and Game  
 Title Relating to Open Ocean Aquaculture RDU \_\_\_\_\_  
In the Federal Exclusive Economic Component \_\_\_\_\_  
 Sponsor House Special Committee on Fisheries  
 Requester House Special Committee on Fisheries Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2005) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)  
 Passage of this legislation would have no fiscal impact.

Prepared by: Sarah Gilbertson Phone 465-6137  
 Division: Legislative Liaison Date/Time 3/8/05 4:54 PM  
 Approved by: Acting Commissioner Wayne Regelin Date 3/8/2005  
 Agency: Alaska Department of Fish & Game



# UNITED FISHERMEN OF ALASKA

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March 8, 2005


Representative Bill Thomas, Co-Chair  
House Special Committee on Fisheries  
Alaska State Legislature  
State Capitol (Mail Stop 3100)  
Juneau AK 99801-1182

Dear Representative Thomas,

United Fishermen of Alaska (UFA) represents thirty-one Alaska commercial fishing groups and hundreds of individual fishermen, crew members and related businesses. UFA supports House Joint Resolution 15 as a clear statement to congress from the State of Alaska regarding the potential environmental and economic threat of fish farms in federal waters.

UFA shares the position in HJR 15, that any management of any offshore aquaculture be under the authority of the regional fishery management councils. UFA also supports the requirement of a legislative environmental impact statement on any federal legislation that would allow fish farms in the Exclusive Economic Zone off U.S. Waters.

Respectfully,

  
Mark D. Vinsel  
Executive Director

#### MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Druggers Association • Alaska Longline Fishermen's Association • Armstrong Keta • Al-Sea Processors Association  
Bristol Bay Reserve • Concerned Area "M" Fishermen • Cordova District Fishermen United • Douglas Island Pink and Chum  
Fishing Vessel Owners Association • Groundfish Forum • Kasilof Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association  
North Pacific Fisheries Association • North Pacific Scallop Cooperative • Northern Southeast Regional Aquaculture Association  
Old Harbor Fishermen's Association • Petersburg Vessel Owners Association • Prince William Sound Aquaculture Corporation  
Purse Seine Vessel Owner Association • Seafood Producers Cooperative • Southeast Alaska Herring Seiners Marketing Association  
Southeast Alaska Fisherman's Alliance • Southeast Alaska Regional Diver Fisheries Association • Southeast Alaska Seiners Association  
Southern Southeast Regional Aquaculture Association • United Catcher Boats • United Salmon Association • United Southeast Alaska Gillnetters  
Valdez Fisheries Development Association • Western Gulf of Alaska Fishermen

SUPPORT

# ALASKA STATE LEGISLATURE HOUSE RESOURCES COMMITTEE

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State Capitol, Juneau, Alaska 99801-1182

## Fax

To: George Utermohle

Fax #: 2029

Number of pages including cover: 1

Fm: Jim Pound 

Cc:

Date: March 21, 2005, 2:59 PM

Re: Amendments to HJR 15 24-LS0631Y

Please make the following changes to the above referenced resolution and return as a Resources CS.

Page 2, Line 28

Delete: "in the waters off Alaska"

Page 3, Line 9

Delete "law"

Insert " the National Environmental Policy Act"

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Thank you