

Sponsor Statement for HB 513

Shellfish Mariculture

“An Act relating to issuance of permits for aquatic farming of shellfish.”

Shellfish mariculture represents a major economic development opportunity for Alaska and its communities, particularly in rural areas where it has been difficult to identify private sector development options.

There was clear intent to support the development of mariculture when the Legislature enacted the limited entry constitutional amendment, adopted by Alaskan voters, which states:

“No exclusive right or special privilege of fishery shall be created or authorized in the natural waters of the State. This section does not restrict the power of the State to limit entry into any fishery for purposes of resource conservation, to prevent economic distress among fishermen and those dependent on them for a livelihood and to promote the efficient development of aquaculture in the State.”

Section 8.15 The Alaska State Constitution

[This legislation](#) represents a compromise between competing users and attempts to balance the constitutional issues of common property resources, the limited entry and aquaculture constitutional amendment, and sustained yield principles in Alaska’s constitution.

Basically, the legislation says that when there are significant stocks on a proposed farm site where there is no current commercial fishery, the divers or public would have first opportunity to harvest the resource for a period of time, after which the remaining stocks would be available to the farmer for cultivation and eventual harvest. The farmer would have to reseed the area to the original population levels at the farmer’s cost.