

PROPOSAL 281

5 AAC 41.070. Prohibitions on importation and release of live fish.

Allow importation of live oysters from the Pacific Coast of North America for research purposes, as follows:

5 AAC 41.070 is amended to read:

...

(b) Live oysters [NATIVE TO AND ORIGINATING] from the Pacific Coast of North America may be imported, **transported, or possessed** for aquaculture purposes, **including research**, under a [STOCK] transport permit required by this chapter, and may be released into the waters of the state only if the

- (1) broodstock is derived from oysters commercially cultured on the Pacific Coast of North America through three or more generations; and
- (2) disease history or an inspection indicates no incidence of disease that is not indigenous to the state or is not considered to be a risk to indigenous stocks, and oyster health or marketability.

...

What is the issue you would like the board to address and why? Oysters are not native to the State of Alaska. While Alaskan waters are ideal for growing oysters, the waters are too cold for them to reproduce. Artificially spawning oysters in a hatchery setting is possible but not a cost-effective solution for supplying oyster spat to the aquatic farm industry. Oysters originating from the Pacific Coast of North America may be imported into Alaska for aquaculture purposes under terms of a stock acquisition permit, but they may not be imported, transported, or possessed for research purposes. This was likely an oversight when regulations related to aquatic farms were originally adopted because focus was on growing the aquaculture industry, not research. The governor’s Mariculture Task Force has set a goal to grow a \$100 million mariculture industry in 20 years. That growth will require research on aquatic farm species in Alaska. Research facilities have available funding and are ready to begin work immediately but are currently unable to legally obtain or possess Pacific oysters. Importation or possession of oysters in waters of Alaska or in laboratories for research purposes will not compete with the aquatic farm industry because oyster spat is readily available from commercial hatcheries outside the state and research facilities would be prohibited from selling oysters (AS 16.40.100. Aquatic Farm and Hatchery Permits).

PROPOSED BY: Alaska Department of Fish and Game. *(formerly known as ACR #2)*
