

Aquatic Plants (1 proposal, plus one to be deliberated at UCI)

**PROPOSAL 21**

**5 AAC 37.200. Seasons; and 5 AAC 37.300. Harvesting requirements for macrocystis kelp.**

Allow commercial harvest of aquatic plants in Cook Inlet, as follows:

5 AAC 37.200 is amended to read:

(c) Aquatic plants may be taken only as follows:

(1) Area H (Cook Inlet): from January 1 through December 31 unless closed by emergency order and only under the conditions of a permit issued by the commissioner, or the commissioner's authorized representative.

5 AAC 37.330 is authored and reads:

5 AAC 37.330. Commissioner's permits for aquatic plants in Registration Area H.

(a) Aquatic plants that have been naturally dislodged from the substrate and are located at or above the daily high tide line may be taken only under the conditions of a permit issued by the commissioner, or the commissioner's authorized representative.

(b) The permit required in this section

(1) may specify season dates;

(2) may specify areas of aquatic plant collection by district or by geographic location;

(3) may specify the total quantity that can be collected by the permit holder;

(4) may require completion of a written report by the permit holder submitted to the Homer ADF&G office within 30 days of harvest that includes dates of harvest, clear photographs of collected aquatic plants, and estimates of wet weight of collected plants;

(5) may include other conditions provided by regulation or that the commissioner determines are necessary for conservation and management purposes.

**What is the issue you would like the board to address and why?** Historically there has been interest in the small scale harvest of aquatic plants, (seaweed, kelp, etc.) for use in a variety of commercial products in the lower Cook Inlet area. Since the mid-1970s beached kelp has been collected in Anchor Point for use in a potting soil mix which is sold statewide. This proposal seeks to add regulatory language that defines the process stakeholders must follow in order to commercially harvest aquatic plants in Cook Inlet.

My family has been picking up washed up seaweed from the beach since the early 60, s for garden fertilizer, later, my father developed a formula to utilize fish waste, seaweed and peat for a composting process. That finished compost is the main ingredient used to manufacture two potting soils that is distributed throughout Alaska. This has become the center piece to a \$500,000- gross agriculture business that employs 10 people and supports many other home and agriculture enterprises. Without the seaweed ingredient, none of this would be possible.

The issue is multifaceted. First, Fish and Game does not know production rates of seaweed and what keeps it sustainable. They do not know what roll dead washed up seaweed plays in that sustainability. Another issue is what is commercial or home use and what amounts are those. For instance, I will collect 6 small pickups and it is called commercial, but my neighbor will collect

10 pickups for his berry patch and that is called home use. Another may just collect a bucket full for his flower patch.

Who needs a permit and who doesn't? And for what purpose. Does anyone get grandfathered in or who decides by what criteria, amounts, geographic area or timing. Parameters would be based on what data. Will permits be personality driven since the proposal may specify many requirements. Permits and their variations in my estimation, place an undue burden on a small business and on home gardeners, some of which are becoming commercial.

Anecdotally, from a lifetime of collecting seaweed, I have to say the volume of seaweed washed up on the beach is increasing by a lot, probably due to climate change, so I see our collective beach seaweed gathering having no negative impact on the production of seaweed.

I would like to attend your meeting and to be able to discuss the issue with the board and be available for questions. At this time, I believe that out of all the folks who collect seaweed from the beach, I have been the only one who has been required to get a permit for this activity.

**PROPOSED BY:** Al Poindexter

(HQ-F19-001)

\*\*\*\*\*

*\*Proposal 241 will be heard at the LCI meeting, and heard and deliberated on at the UCI meeting.*

**PROPOSAL 241**

**5 AAC 77.xxx. New section.**

Establish provisions for the personal use of aquatic plants in the Anchorage-Matsu-Kenai Nonsubsistence Area, as follows:

5 AAC 77.528 is created and reads:

5 AAC 77.528. Personal Use Aquatic Plant Fishery. Aquatic plants may be harvested by hand for personal use at any time and there are no bag or possession limits except that:

(a) within the Anchorage Nonsubsistence Area defined in 5 AAC 99.015(3), there are no harvest limits, except that along the shoreline adjacent to the Kenai Peninsula road system, the daily harvest and possession limit is 10 pounds wet weight of aquatic plants, with no limits to the harvest of aquatic plants that have been naturally dislodged from the substrate;

**What is the issue you would like the board to address and why?** Current regulations for the personal use harvest of aquatic plants, (5 AAC 77.001(c)) require that aquatic plants may only be harvested according to the provisions laid out in Chapter 77. There are no provisions in Chapter 77 for the harvest of aquatic plants in Cook Inlet. Current regulations in Chapter 37 allow harvest for non-commercial use outside of non-subsistence areas in Cook Inlet with a daily harvest and possession limit of 10 pounds per day, but prohibit (due to lack of provisions allowing it) personal use harvesting of aquatic plants within the Anchorage non-subsistence area described in 5AAC 99.015(a)(3). The towns of Kenai, Soldotna, Seward and Homer are located in this area. Currently, many local residents do not realize that there is no provision for the personal use harvest of aquatic plants. There is currently a significant harvest of personal use kelp on various species for garden compost and other household uses.

This proposal seeks to provide the regulatory provisions necessary to harvest aquatic plants for personal use, and to provide limited opportunities for the harvest of aquatic plants within the non-subsistence area in the Cook Inlet area.

**PROPOSED BY:** Eliza Eller

(HQ-F19-007)

\*\*\*\*\*