

BRINE SHRIMP CULTIVATION

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Joseph L. Hull

AN ACT RELATING TO AQUACULTURE AND AQUATIC WILDLIFE; MAKING AN EXCEPTION TO THE PROHIBITION ON SITING AN AQUACULTURE FACILITY ON A NATURAL BODY OF WATER FOR AQUACULTURE FACILITIES ON THE GREAT SALT LAKE THAT CULTIVATE BRINE SHRIMP; ALLOWING LIVE BRINE SHRIMP OR BRINE SHRIMP EGGS FROM THE GREAT SALT LAKE TO BE USED IN AQUACULTURE FACILITIES FOR THE CULTIVATION OF BRINE SHRIMP; AND REQUIRING THE WILDLIFE BOARD TO MAKE RULES ALLOWING BRINE SHRIMP OR BRINE SHRIMP EGGS FROM THE GREAT SALT LAKE TO BE CAPTURED WITHIN OR TRANSFERRED TO AQUACULTURE FACILITIES AND USED FOR COMMERCIAL PURPOSES.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

4-37-111, as enacted by Chapter 153, Laws of Utah 1994

4-37-202, as enacted by Chapter 153, Laws of Utah 1994

ENACTS:

23-15-15, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **4-37-111** is amended to read:

4-37-111. Prohibited sites.

[Aquaculture] (1) Except as provided in Subsection (2), aquaculture and fee fishing facilities may not be developed on:

[(1)] (a) natural lakes;

[(2)] (b) natural flowing streams; or

[(3)] (c) reservoirs constructed on natural stream channels.

28 (2) An aquaculture facility for the cultivation of brine shrimp is not restricted from being
29 sited within the Great Salt Lake.

30 Section 2. Section **4-37-202** is amended to read:

31 **4-37-202. Acquisition of aquatic animals for use in aquaculture facilities.**

32 (1) ~~[Live]~~ Except as provided in Subsection (2), live aquatic animals intended for use in
33 aquaculture facilities may be purchased or acquired only from:

34 (a) aquaculture facilities within the state that have a certificate of registration and health
35 approval number;

36 (b) public aquaculture facilities within the state that have a health approval number; or

37 (c) sources outside the state that are health approved as provided in Part 5.

38 (2) Live brine shrimp or brine shrimp eggs from the Great Salt Lake may be used to
39 cultivate brine shrimp in an aquaculture facility sited within the lake provided the Division of
40 Wildlife Resources certifies the Great Salt Lake as health approved.

41 ~~[(2)]~~ (3) A person holding a certificate of registration for an aquaculture facility must
42 submit annually to the department a record of each purchase of live aquatic animals and transfer
43 of live aquatic animals into the facility. This record must include the following information:

44 (a) name, address, and health approval number of the source;

45 (b) date of transaction; and

46 (c) number and weight by species.

47 ~~[(3)]~~ (4) The records required by Subsection ~~[(2)]~~ (3) must be submitted to the department
48 before a certificate of registration is renewed or a subsequent certificate of registration is issued.

49 Section 3. Section **23-15-15** is enacted to read:

50 **23-15-15. Wildlife Board to make rules allowing brine shrimp to be captured within**
51 **or transferred to aquaculture facilities and used for commercial purposes.**

52 (1) As used in this section, "commercial purposes" means the:

53 (a) controlled cultivation, harvest, and sale of brine shrimp or brine shrimp eggs; or

54 (b) harvest and sale of wild brine shrimp or brine shrimp eggs held in captivity within an
55 aquaculture facility.

56 (2) The Wildlife Board shall make rules allowing brine shrimp and brine shrimp eggs in
57 the waters of the Great Salt Lake to be captured within or transferred to an aquaculture facility
58 sited within the lake and used for commercial purposes.

59 (3) The rules required by Subsection (2) shall specify the compensation or fees an
60 aquaculture facility must pay to acquire wild brine shrimp or brine shrimp eggs that will be used
61 for commercial purposes.

Legislative Review Note
as of 12-17-99 1:06 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel