

DNR Shore Fishery Leasing Program

*Shore Fishery Leases for Commercial Set Net
Salmon Fishing on State-owned and Managed Tidelands*

THE BUSINESS OF FISH

April 2013



State of Alaska
Department of Natural Resources
Division of Mining, Land & Water
Shore Fishery Leasing Unit



TOPICS



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WHAT IS A SHORE FISHERY LEASE ?

A Shore Fishery Lease is a limited exclusive interest or first priority right to use a leased site, and to exclude other fisherman only when the lessee is physically present and fishing. Importantly it does not create an exclusive right to the fishery, which would be unconstitutional (Art 8, Sect 15).





CONSTITUTIONAL AND DEPARTMENT **MANDATES**

Policy Statement for Natural Resources ~

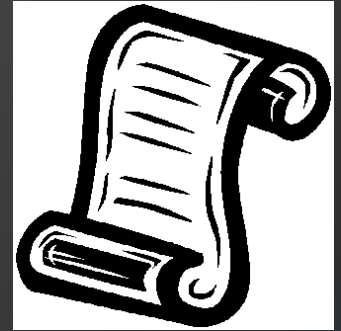
Article VIII, Section 1 of the Alaska Constitution states:

“It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest.”

Mission Statement for the Department ~

“To responsibly develop Alaska’s resources by making them available for maximum use and benefit consistent with the public interest”.

AUTHORITY (SET NET LEASING)



- As manager of the state tide and submerged lands the Department of Natural Resources issues Shore Fishery Leases for commercial set net salmon fishing.
- Shore Fishery Leases are governed by an individual set of Statutes and Regulations as provided under **AS 38.05.082 (Statute) and 11 AAC 64 (Regulation).**
- Per 38.05.082.(b) The Director may lease tide and submerged lands for the purpose of fisheries development that includes the utilization of shore gill nets or set nets for the taking of salmon.





HISTORY OF THE PROGRAM

- ⦿ Created in 1964, and first leases issued that year
- ⦿ Initiated to resolve user conflicts, by a way of deciding “who’s on first”
- ⦿ In 1975 ADF&G adopted the Limited Entry Permit (LEP) system to restrict and manage the fishery
- ⦿ Only 2,200 Limited Entry Set Net Permits statewide
- ⦿ A valid LEP is required to commercial set net fish for salmon and is administered through ADF&G
- ⦿ Participation in the DNR Shore Fishery Leasing Program is not mandatory (do not need a lease to fish)
- ⦿ However there are many advantages to having a DNR lease



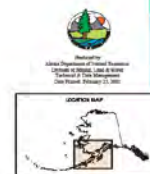
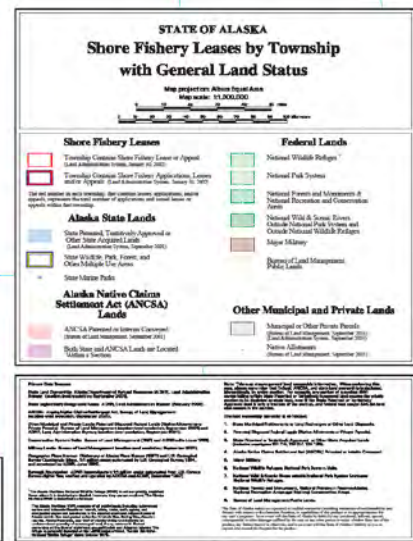
PROGRAM STATUS AND LEASE LOCATIONS



- 3 Staff in the Unit (1 Manager and 2 Specialists)
- Of the 2,200 LEP's statewide, DNR administers **1,081** active leases
- Set net leases are located throughout the waters of **Southcentral Alaska**
- Of the 1,000 LEP's in Bristol Bay, there are well over **600 DNR leases**
- Per regulations the **maximum number of sites** allowed per lease is that number established under ADF&G regulations **for each permit**
- In Bristol Bay we (DNR) can issue either **one 50 fathom net, two 25 fathom nets** or a single **25 fathom net** per individual lease



SETNET LEASE LOCATIONS



DNR SHORE FISHERY LEASES

(Upper Bristol Bay)



- Shore Fishery Leases
- Game Management Units
- Townships (6 x 6 miles)
- Anadromous Streams



Produced: May 2010
Raymond Keough
DNR, SCRO, Shorefishery Unit



WHY GET A SHORE FISHERY LEASE ?

- A lease gives an individual a **first priority right to personally fish the lease site, and the right to exclude others** (Only when the lessee is personally fishing)
- Provides an individual commercial fisherman a level of **protection/right for an important fishing area**
- A lease provides adjudicators and land managers a way of knowing that there is **an existing authorization in the area** that should be considered during the decision making process for any proposed action or authorization on state land in the area
- Provides land managers with current **contact information for public notice purposes**



HOW TO GET A SHORE FISHERY LEASE ?

- An individual can obtain a DNR set net lease by a new application, assignment or amendment.

YOU MUST:

- Hold a valid **Limited Entry Permit** for commercial set net fishing in the area you wish to lease
- Be a **U.S. Citizen**
- Be **18 years or older** or have a Trustee
- **Stake** the site(s)
- Pay the applicable **Fees**



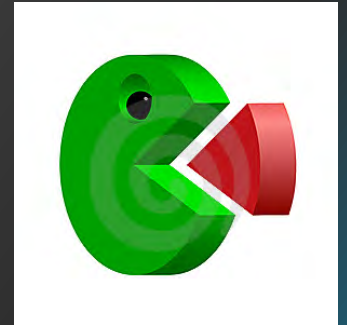
THE APPLICATION PROCESS

- **Stake the site(s)** between May 2 and October 15
- **File an application** within 30 days of staking the site and between June 1 and October 15
- Applications are sent out for **Public Notice**
- Prepare **Shore Fishery Plat**/Diagram
- **Lease Issuance** (10 years)



HOW MUCH DOES IT COST ?

- Application Fee \$100
- Diagram Review Fee \$150
- Assignment fee \$100
- Lease Rental \$300 per year
- Plat / diagram
(depending on surveyor/
draftsperson) \$900 +/-



HOW TO KEEP THE LEASE IN “GOOD STANDING” ?



- Maintain a valid **Limited Entry Permit**
- **Personally Fish the site** at least 4 openings every other year
- Pay your **\$300** Annual Rent

NOTE:

- The Buying and Selling of DNR Leases is not part of the Program, and not recognized by the Department.
- And the subleasing of sites is not permitted



ADF&G DUAL PERMIT HOLDERS

- Per the amendment to ADF&G regulation 5 AAC 06.331(u) a person holding two Bristol Bay Set Net Permits was allowed to fish two permits (permit stacking)

*This provision ended December 31, 2012.
Permit Stacking is no longer allowed in
Bristol Bay*





WEBSITE

PLEASE VISIT OUR SHORE FISHERY LEASING WEBSITE
FOR INFORMATION @

<http://dnr.alaska.gov/mlw/shore/>



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QUESTIONS AND ANSWERS



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