

# DNR Shore Fishery Leasing Program

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

## BRISTOL BAY FISH EXPO

June 2018



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



# TOPICS

- What is a Shore Fishery Lease
- Constitutional Mandate
- Authority
- History
- Status of the Program
- Benefits of a Shore Fishery Lease
- Qualifications to Obtain a Lease
- Application Process
- Cost
- Lease Compliance
- Website
- Question and Answers



# 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 fishermen 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

## *Constitutional 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)



- Shore Fishery Leases are governed by an individual set of Statutes and Regulations as provided per 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

- Created in 1964
- Initiated to resolve user conflicts
- In 1975 ADF&G adopted the Limited Entry Permit (LEP) system
- There are approximately 2,120 Limited Entry Salmon Set Net Permits within leasable areas
  - Approximately 4,343 Limited Entry Set Net Permits statewide
- A valid LEP is required to commercial set net fish for salmon
- Participation in the DNR Shore Fishery Leasing Program is not mandatory
- There are advantages to having a DNR lease



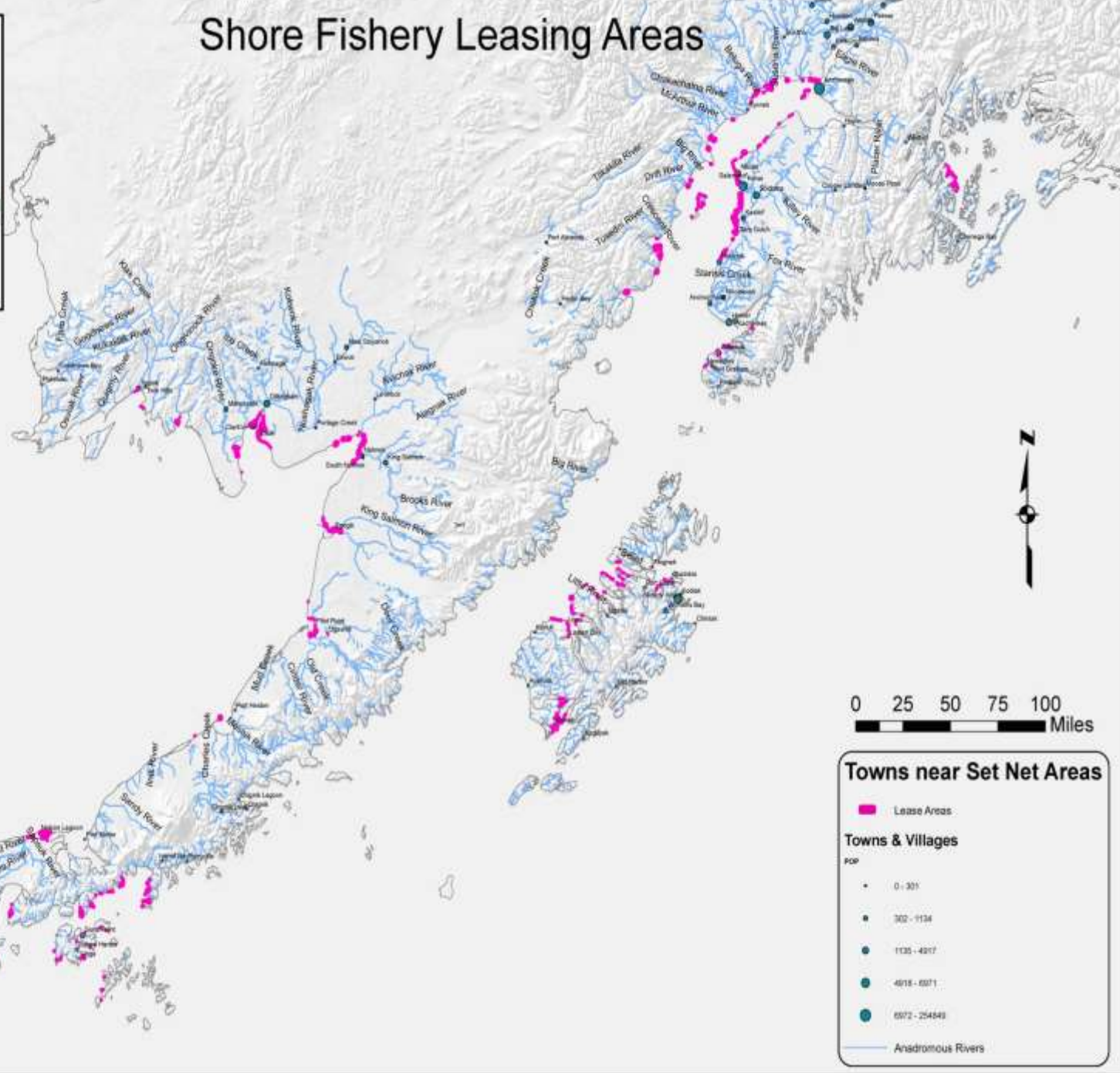
# STATUS OF THE PROGRAM



- 3 Staff manage the Shore Fishery Leasing Program
- Of the **2,120** LEP's in leasable areas, DNR administers approximately **1,091** active leases
- Shore fishery leases are located in Bristol Bay, Cook Inlet, Prince William Sound, Kodiak, and the Alaska Peninsula
- Of the approximately **1,040** LEP's in Bristol Bay, there are approximately **587** active DNR leases
- Per regulation the maximum number of sites allowed per lease is that number established under ADF&G regulations for each permit (except in Cook Inlet)
- In Bristol Bay DNR can issue a lease for either one 50 fathom net, two 25 fathom nets, or a single 25 fathom net per individual lease



# Shore Fishery Leasing Areas

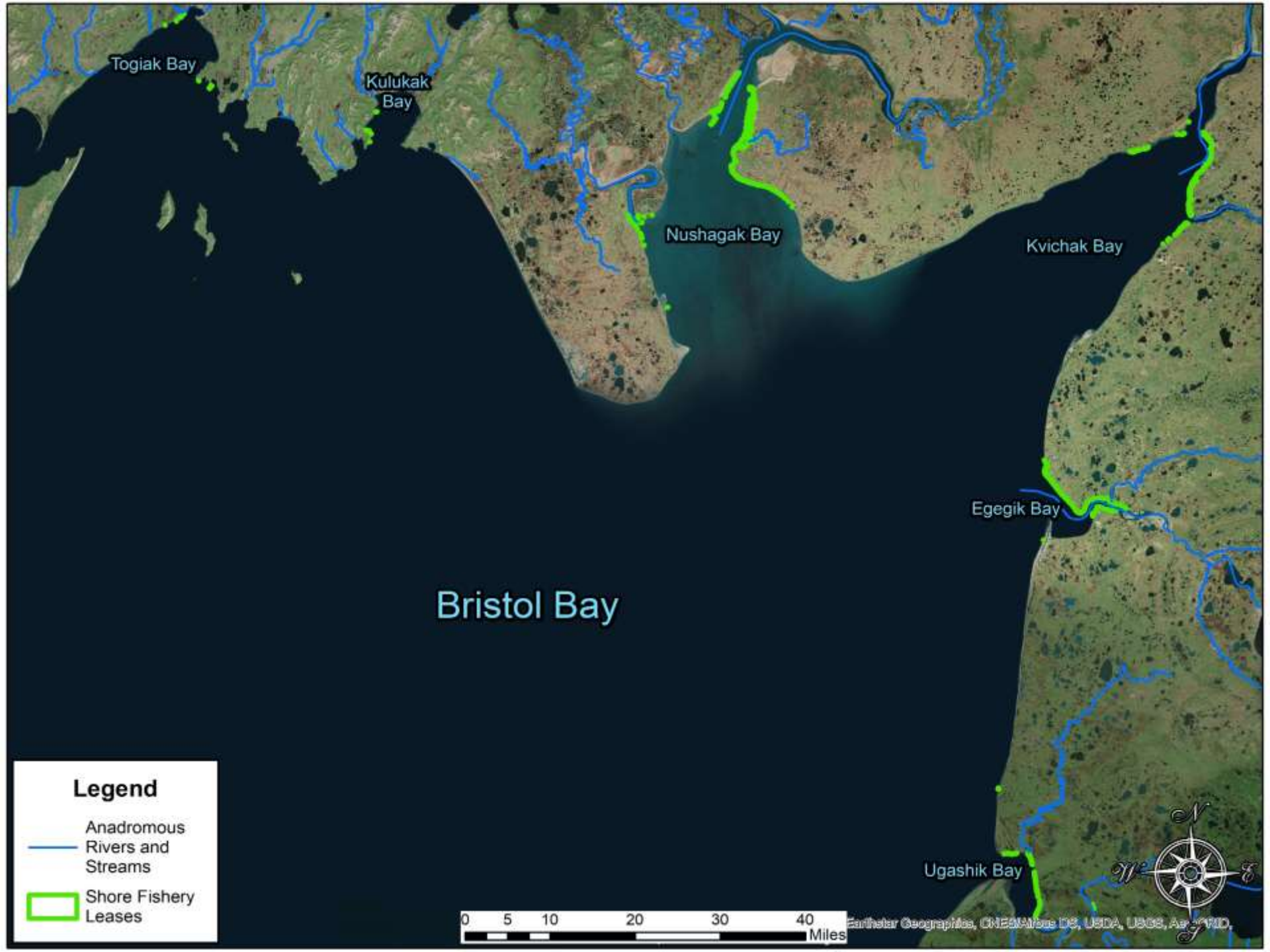


0 25 50 75 100 Miles

### Towns near Set Net Areas

- Lease Areas
- Towns & Villages**
- pcr
- 0 - 301
  - 302 - 1134
  - 1135 - 4217
  - 4218 - 6971
  - 6972 - 25449
- Anadromous Rivers





Togiak Bay

Kulukak Bay

Nushagak Bay

Kvichak Bay

Egegik Bay

Bristol Bay

Ugashik Bay

### Legend

- Anadromous Rivers and Streams
- Shore Fishery Leases



Earthstar Geographics, CNE&A/USGS, USGS, Ag. 2010





# BENEFITS OF A SHORE FISHERY LEASE

- A lease gives an individual a first right of priority to personally fish the lease site
- Provides an individual commercial fisherman a level of protection/right for a fishing area
- A lease provides a valid and existing right
- Provides land managers with current contact information for public notice purposes



# QUALIFICATIONS TO OBTAIN A LEASE

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

## YOU MUST:

- Hold a valid Permanent LEP for commercial set net fishing in the area you wish to lease
- U.S. Citizen
- 18 years or older or have a Trustee
- Stake the site(s)
- Submit a completed application
- Diagram drafted by licensed surveyor
- Pay all applicable fees



# 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 Agency and Public Notice
- Have a Shore Fishery Diagram prepared by a licensed surveyor
- Lease Issuance of up to 10 years





# HOW MUCH DOES IT COST ?

- ☪ Application Fee \$100 \*(\$300)
- ☪ Diagram \$1000 +/-
  - ☪ (cost varies by surveyor)
- ☪ Diagram Review Fee \$150 \*(\$450)
- ☪ Lease Annual Rent \$300 per year

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- ☪ Assignment Fee \$100 \*(\$250)
- ☪ Amendment Fee \$100 \*(\$200)
- ☪ Extension Fee \$100 \*(\$250)

\* Fee Increase Beginning July 1





# LEASE COMPLIANCE



- Maintain a valid and permanent Limited Entry Permit
- Personally fish the site at least 2 openings every year or 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 DNR.
- It is not the practice of DNR to permit subleasing of sites.





# 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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