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
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- Status of the Program
- Benefits of a Shore Fishery Lease
- Qualifications to Obtain a Lease
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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 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 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”.

Constitutional AND DEPARTMENT MANDATES
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.
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
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
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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