



Alaska Department of Fish and Game
Board of Fisheries
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ALASKA BOARD OF FISHERIES
Committee on Coastal Erosion Impacts on Set Gillnet Operations

January 4, 2016, Teleconference

MEETING SUMMARY

- 1. Introductions and committee purpose** – Chair Reed Morisky provides committee overview for the meeting attendees. Chair Morisky then opened the phone for attendance/introductions which include:

Fairbanks: ADF&G Office, Ptarmagin Conference Room. Chair Morisky, Jeff Estensen, ADF&G/Division of Commercial Fisheries (DCF), Nissa Pilcher, ADF&G/Boards Support.

Anchorage: Atwood Conference Center, Robert B Atwood Building. Member Bob Mumford, Christy Colles, Department of Natural Resources/Division of Land, Mining, and Water (DNR/DLM&W), Andrew Miller, DNR/DLM&W, Steve Grabacki, Steve Hall, Department of Public Safety (DPS)/Alaska Wildlife Troopers, Neil Dewitt, Anchorage Advisory Committee, Barbara Block, Janet Armstrong Schlagel, Dick Hamilton, Patty Hamilton, Seth Beausang, Department of Law/Natural Resources, Arni Thomson.

Juneau: ADF&G Headquarters Building, Commissioner's Conference Room. Glenn Haight, ADF&G/Boards Support, Forrest Bowers, ADF&G/DCF

Dillingham: ADF&G Office, Fritz Johnson, Board of Fisheries, Molly Dischner, KDLG News, Robert Heyano, Dianne Wetter, Curt Armstrong, Alanna Hurley, Tom O'Connor, Taryn O'Connor-Brito, ADF&G/Boards Support.

King Salmon: ADF&G Office. No attendance

Teleconference: Tom Kluberton, Board of Fisheries, Gene Sandone, Bristol Bay Economic Development Corporation.

- 2. Public testimony:** The committee heard from Alannah Hurley, Curt Armstrong, Dianne Wetter, Janet Armstrong-Schlagel, Dick Hamilton, and Gene Sandone.
- 3. Review of board authorities, DNR permitting, and legal considerations:** The Department of Law spoke to the Board of Fisheries authority to set fishing areas consistent with Alaska Statute 16.05.251.



DNR discussed the process of obtaining a set net site lease. An applicant will stake a site and apply during the appropriate application period. DNR looks at maps and other information. New sites require a public comment period and communication with other agencies – ADF&G and DPS. In general, erosion issues are difficult leasing issues. DNR will stay consistent with ADF&G rules and lease as many set gillnet sites as possible. DNR employs criteria for evaluation set net lease applications including: historic use of site for set gillnetting, the length of time the applicant has engaged in set gillnetting, the proximity of the past fishing site of the applicant to the land to be leased, the present ability of the applicant to utilize the location to its maximum potential, and other factors relevant to the equitable assignment of the disputed area. (AS 38.05.082)

Department of Law further commented on DNR leasing regulations that may find connection to erosion issues. In regulation 11 AAC 64.391 Extension of Lease, the agency will extend a lease up to 10 years “if no changes in site or tract location have occurred, the beach has remained stable, ...”. Law further observed in the state’s lease agreement for shore fishery, the state does not provide warranty for a usability of a leased site (Item #3), and land that accretes through natural or artificial causes contiguous to the leasehold does not transfer to the leaseholder absent a separate lease (Item #19).

4. **Draft criteria:** Chair Morisky indicated he will report on this meeting to the board under miscellaneous business at the next Board of Fisheries, Arctic / Yukon / Kuskokwim (AYK) meeting. As a starting point he would offer the following criteria (including several provided by Ms. Armstrong Schlagel in her public testimony).
 - a. The proposal –
 - i. is related to coastal erosion.
 - ii. identifies the historical use of the site.
 - iii. indicates involvement of others.
 - iv. would not impact escapement.
 - v. will not increase the number of sites legally fished.
 - vi. will not adversely affect those who have historically fished this area.
 - vii. results in a historical fairness.

5. **Next steps** – As indicated, Chair Morisky will report to the full board at AYK meeting.

Adjourned at 10:08 am.