

Proposal 44

This proposal would like the board to require the setnet permit holder to be on the skiff anytime that skiff is operating a setnet. The problem with this proposal is that it contradicts Alaska State Statue Sec. 16.05.253 OPERATION OF STATIONARY FISHING GEAR which states that the permit holder must be present **except** when the permit holder is traveling, selling fish or at other stationary gear.

There is nothing in the language of the PWS regulation that shows intent to supersede the Alaska State Statue. It is clear that the statement "shall be performed or assisted" is defined by the state statue which does not require the permit holder to be present on the skiff during the operation of stationary gear.

Proposal 40

When I submitted this proposal, I was asked what was the issue I would like the board to address. Without a valid issue, there would be no justification for approving the proposal. Proposal 40 has a valid issue of drifters setting their nets the minimum distance from a setnet which results in the tides' current pushing the driftnet too close to the setnet to be legal. Forcing drifters 30 fathoms further away from the setnet before they fix their nets in shallow water would solve the issue. This proposal would not prevent drifters who are actually drifting from fishing any waters which they can currently legally fish.

Proposals 42, 43 and 45

On the other hand, Proposals 42, 43 and 45 have a common issue they would like the Board to address that has been fabricated to lend support for the proposals. I quote from the proposals:

...this has kept the drift fleet from historic access, ...lack of access to traditional beach drifts, ...keep the drift fleet from historic beach areas

An attempt is made to make it appear as if drifters were fishing at the head of Main Bay and setnetters later on moved into their traditional and historic fishery. The reality is setnetters were fishing the head of Main Bay at the beginning of the fishery. The first return to Main Bay was 1983. With my written comments, I've included a state shore lease map showing setnet sites registered 50 fathoms apart by 1986.

The traditional use of a fishery is important when considering a proposal. If drifters want to claim a traditional right to justify severe restrictions on setnetting, they need to give proof. Setnetters can show they were fishing the head of Main Bay since the start of the fishery,

The issue proposals 42, 43 and 45 want the board to address is bogus. Without a valid problem, there is no validity or need for these proposals so they should all three be rejected.

Thank You