RC: 287

Submitted by Joseph Person

I have a serious concern about an unintended consequence of a very minor wording error in proposal 209 as amended by RC 151. In RC 151 3.B.(i) it reads:

> "the number of set gillnets may be restricted to either three set gillnets that are each not more than 35 fathoms in length and 29 meshes in depth or two set gillnets that are not more than 35 fathoms in length and 45 meshes in depth."

It appears that the intention of the board was that should this clause be enacted by the department fisherman who choose to fish 29 mesh deep gear be able to fish a full complement of gear. (Hence 3 35 fathom or "long" nets.) However, legal gear restrictions in the UCI regulations allow a fisherman to break their 105 fathoms of gear up into 4 "short" nets if they choose. This is under 5 AAC 21.331.d:

> "A set gillnet may not be longer than 35 fathoms in length and 45 meshes in depth... ...A person may not operate more than 4 set gillnets with more than 105 fathoms of set gillnet in the aggregate"

RC 151 as written would force what I believe is an unintended 25% gear reduction on someone who fishes short nets even after they made the sacrifice to 29 meshes in depth since it explicitly states "3 nets" rather than referencing the aggregate length. A relatively small percentage of permits fish these short nets so it is obviously not seen as a significant advantage by the fishery. I believe it is primarily used by smaller operations with limited amounts of permits. It seems unnecessary to punish these few permit holders even further beyond the significant reduction in opportunity that proposal 209 represents. It is worth noting here that any further restrictions to lesser numbers of nets per permit is a significantly greater burden to a fisherman who fishes short nets. A simple change of the language from RC 151.3.b.(i) to the following would be sufficient:

> **"set gillnet gear may be restricted to either a full complement of gear as defined by regulation but restricted to 29 meshes in depth, or two set gillnets that are not more than 35 fathoms in length and 45 meshes in depth."**

The department could be consulted on the best language to preserve this intent of incentivizing fishing of 29 mesh nets by allowing those fisherman to fish a "normal" number of nets. While this is merely a minor alteration in language, the consequences to those fisherman who fish short nets is very significant in these already difficult times.