

**PROPOSAL 35 – 5 AAC 21.330. Gear.** Define the existing seaward boundaries of areas where commercial set gillnets may be operated in the Southern District using Global Positioning System coordinates, as follows:

5 AAC 21.330(b)(1) is amended to read:

(b) Set gillnets may be used only in the following locations:

(1) Southern District: .....

(A) on Ismailof Island east of 151° 13.10' W. long., and the mainland south of Ismailof Island from 151° 13.10' W. long. [,] to 151° 12.15' W. long., **and inshore of a line from a point off of the northeast shore of Ismailof Island at 59° 36.27' N. lat., 151° 13.10' W. long., to 59° 36.11' N. lat., 151° 12.58' W. long., to 59° 35.65' N. lat., 151° 12.60' W. long., to a point off the eastern entrance to Halibut Cove at 59° 35.70' N. lat. 151° 12.15' W. long.;**

(B) between Barabara Point and a point on the north side of McDonald Spit at 59° 28.49' N. lat., 151° 36.12' W. long., **and inshore of a line between a point off shore of Barabara Point at 59° 29.31' N. lat., 151° 38.20' W. long., and another point near the base of McDonald Spit at 59° 28.80' N. lat., 151° 36.12' W. long.;**

(C) from the north side of McDonald Spit at 59° 28.69' N. lat., 151° 35.25' W. long., east along the outer shoreline of McDonald Spit, and including the entire shoreline of Kasitsna Bay to the headland at the west side of the entrance of Jakolof Bay, **and inshore of a line beginning at a point near the base of McDonald Spit at 59° 28.79' N. lat., 151° 35.58' W. long., to 59° 29.25' N. lat., 151° 34.53' W. long., to 59° 29.33' N. lat., 151° 34.47' W. long., to 59° 29.37' N. lat., 151° 34.20' W. long., to 59° 29.29' N. lat., 151° 33.89' W. long., to 59° 29.00' N. lat., 151° 33.16' W. long., to 59° 28.84' N. lat., 151° 33.18' W. long., to 59° 28.66' N. lat., 151° 33.91' W. long., to 59° 28.30' N. lat., 151° 33.84' W. long., to 59° 28.47' N. lat., 151° 32.68' W. long., to 59° 28.39' N. lat., 151° 32.11' W. long., to a point on the east shore of the entrance to Jakolof Bay at 59° 28.16' N. lat., 151° 32.03' W. long.;**

(D) the west shore of Seldovia Bay from Point Naskowhak to a point at the latitude of an unnamed creek at 59° 25.19' N. lat., 151° 44.05' W. long., **and inshore of a line starting at Point Naskowhak at 59° 27.37' N. lat., 151° 44.63' W. long., to 59° 27.45' N. lat. 151° 44.41' W. long., to 59° 27.38' N. lat. 151° 44.22' W. long., to 59° 26.96' N. lat. 151° 44.19' W. long., to 59° 26.74' N. lat. 151° 43.78' W. long., to 59° 25.90' N. lat. 151° 44.12' W. long., to 59° 25.19' N. lat. 151° 43.53' W. long.;**

(E) from the old cannery site on the south shore of Port Graham at 59° 21.06' N. lat., 151° 49.61' W. long. and along the beach to the point south of English Bay at 59° 20.98' N. lat., 151° 56.77' W. long., and inshore of a line starting at a point in English Bay at 59° 21.41' N. lat., 151° 56.77' W. long., to 59° 21.49' N. lat., 151° 56.31' W. long., to 59° 21.78' N. lat., 151° 56.10' W. long., to 59° 22.07' N. lat., 151° 55.04' W. long., to 59° 22.04' N. lat., 151° 52.37' W. long., to 59° 21.71' N. lat., 151° 51.11' W. long., to 59° 21.66' N. lat., 151° 50.19' W. long., to 59° 21.37' N. lat., 151° 49.01' W. long., to the old cannery in Port Graham located at 59° 21.06' N. lat., 151° 49.61' W. long. [59° 20.94' N. LAT., 151° 56.77' W. LONG.]; set gillnets in these waters may be used within 2,500 feet of beach areas that at mean low water are connected by exposed land to the shore;

**What is the issue that you would like the board to address and why?** This proposal seeks to define, using GPS coordinates, the existing seaward boundary of the areas where commercial set gillnets may be used in the Southern District.

Current regulation specifies that set gillnets in the Southern District may be commercially fished within 1,000 feet of mean low water of land that is connected to shore at this tidal height. There has been difficulty enforcing the seaward boundary of the area open to commercial fishing and the Alaska Department of Fish and Game (department) proposes to establish boundaries expressed by GPS coordinates to define the area where set gillnet gear may be commercially fished in the Southern District. The area defined by GPS coordinates includes the historical area where the commercial fishery has been prosecuted. Making these changes will more clearly define the area open to commercial fishing and benefit the public, enforcement, and department.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-123)  
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*(Proposal 36 was submitted by two proposers. The proposal and two justifications by each proposer are provided below.)*

**PROPOSAL 36 - 5 AAC 21.330. Gear.** Move eastern boundary near Halibut Cove where commercial set gillnet gear is permitted, as follows:

5 AAC 21.330. Gear.

(b) Set gillnets may be used only in the following locations:

(1) Southern District: within 1,000 feet of beach areas that at mean low water are connected by exposed land to the shore, except as specified in (1)(E) of this section, and only in the following locations:

(A) on Ismailof Island east of 151° 13.10' W. long., and the mainland south of Ismailof Island from 151° 13.10' W. long., to 151° [12.25' W. long.] 12.12' W. long.;

**What is the issue you would like the board to address and why?** In March 1993, DNR Shore Fisheries Leasing staff issued a shore fisheries lease that was approximately 400 feet beyond the regulatory boundary for set gillnet gear in the Halibut Cove area. This error was not identified by DNR staff in the Shore Fishery Lease section, by ADF&G staff responsible for regulating this fishery, or by Public Safety personnel responsible for regulatory compliance monitoring until June

