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RE: SUPPORT for HB 117

To Chair Stutes and Members of the House Fisheries Committee:

The Northwest Setnetters Association represents setnet permit holders fishing in the NW Kodiak District. More than 70% of our sites operate cooperatively, with two or more permit holders, mostly family members, working together. Since before statehood, Kodiak setnetters have built their businesses around a way of fishing where we use one or two skiffs to pick fish from multiple permits, and a single permit holder then signs the fish ticket for those fish that were delivered. Every year we are checked by State Troopers and have never had any problems fishing this way or even been given any indication that there was a concern with it until 2024, when someone was cited for fishing in this manner. Easily any of our multiple-permit operations could have been cited because this is the common way of operating, but they had no knowledge or warning that the only way of fishing they had ever known would be suddenly deemed at odds with regulations.

We firmly support this bill to preserve the status quo and allow our fishing families to continue to be able to operate without fear of citations. We appreciate that HB 117:

- Provides a legal mechanism for operations to register as co-ops with ADF&G so that accurate data can be shared by all
- Maintains multi-generational family participation by allowing elderly or those with young children, for example, to participate from the beach rather than everyone having to sign each fish ticket
- Allows fish from multiple permits to be mingled together, so that setnetters do not have to purchase additional skiffs to keep fish separate
- Ensures all permit holders are on site
- Keeps permits in our small communities rather than forcing operations to sell out because some of their holders might be elderly or unable to get in the skiff
- Supports safety by allowing two skiffs to work together to harvest fish from multiple permits, a critical buddy system that has prevented tragedy in rough, open water operations

For further reference, attached to this letter is a more detailed description of the historical nature of the fishery and the impacts of this new interpretation of the regulations on our fishing families.

Thank you for your work to help support some of the smallest-scale operators in Alaska's struggling commercial fishing industry.

Sincerely,

Adelia Myrick, NWSA President

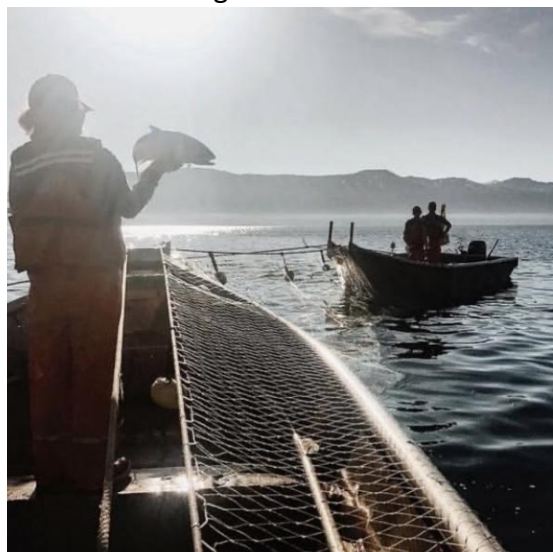
N.W. Setnetters Association Support for HB 117

Goal of Legislation:

Maintain Historical set gillnet salmon fishery catch delivery requirements.

Statement of the Problem:

Recently, an Assistant Attorney General, unfamiliar with the nature of Alaska's set gillnet fishery issued a letter stating that it is not acceptable for one permit holder to deliver fish from multiple permit holders on a single fish ticket. Alaska Wildlife Troopers issued tickets during the 2024 season. This new interpretation fundamentally alters the traditional cooperative practices of Alaska's salmon set gillnet fishery and introduces significant operational, safety, and economic challenges.



Description of the Cooperative Nature of the Setnet Fishery:

For more than a century, Alaska's set gillnet fishery has operated as a cooperative, family-oriented endeavor. Since the inception of set gillnet fisheries in Alaska, license holders and later Limited Entry Permit Holders have worked together, often in family units, to fish multiple set gillnet sites cooperatively. Fish were taken, often by more than one skiff, from several nets (fished under several licenses or permit numbers), comingled together in one skiff, and transported for delivery either to a holding skiff or directly to a tender.

Traditionally, one CFEC card was used per delivery by a single permit holder as the operator of the "unit of gear." Often the permit holder using the CFEC card for the "unit of gear" would change from delivery to delivery since all set gillnet permit holders were working cooperatively, actively fishing the "unit of gear." All fish caught by co-operative set gillnet operations are accounted for and reported to fisheries managers for management purposes.

For set gillnet fishermen and families fishing cooperatively, it has been understood that the

“unit of gear” prescribed in **5AAC 39.130** encompasses all the gear being fished co-operatively as a “unit” since this has been common practice for more than a century, long before limited entry was introduced.

The DA, by “clarifying” the statute is actually re-defining the common understanding of “unit of gear” for set gillnet fishermen working cooperatively to mean the gear attached to a single permit. The DA seems to be expecting all fish taken from the single permit’s gear to be kept separate and delivered separately. This is virtually impossible for many of the reasons described below. This shift imposes unworkable burdens on fishermen and threatens the future of cooperative set gillnetting.



Effects on the Fishery

This reinterpretation of regulations represents a dramatic departure from Alaska’s historical salmon set gillnet fishery. It creates serious challenges for the survival of Alaska’s salmon set gillnet fishery.

1. **Safety Risks:** Set gillnet skiffs often work together on the same net, especially in rough weather and exposed locations, to be near each other if a problem occurs. They then move from net to net (permit to permit) co-mingling the fish. Multiple skiffs working a net in adverse weather is necessary safety precaution. Requiring individual deliveries removes this safety net, increasing risks.
2. **Capacity Barriers:** Many set gillnet fishermen working co-operatively offload all of the skiff taken from all of the nets into holding skiffs. Holding skiffs are used to store fish between tender visits. Holding skiffs do not have the capacity to keep separate totes for fish picked from each separate permit in the co-operative fishing operation. Expecting this separation is simply impractical. Small skiffs and holding vessels lack the capacity to segregate fish by permit, especially with totes and ice onboard. Enforcing fish segregation would require additional holding skiffs and substantially

disrupts efficiency as well as fish quality.

- 3. Family Participation Limitations:** With this change in statutory interpretation, mothers with small children, older set gillnet permit holders and permit holders working as “shore support” as well as permit holders that may be picking fish from nets miles away from the tender are all expected at the tender vessel, multiple times a day, and to travel to where tender deliveries may be taking place. Set gillnetting is and was envisioned as an opportunity for families, often several generations, to work together. Expecting land-based permit holders, including elders and children, to be present for every tender delivery creates undue hardship. For example, a young mother with a nursing infant or an aging grandparent would be forced to quit fishing. ADF&G will attest that individual permit holder accounting is not needed for management purposes so long as the number of permits fished is known. The State’s language change discourages family participation and threatens the multigenerational sustainability of Alaska’s salmon set gillnet fishery.



- 4. Labor Efficiency:** Not all set gillnets fish evenly. Frequently, one net will have a ‘hit’ requiring the efforts of more than one skiff to pick the fish. Without the flexibility to move skiffs between nets, clearing fish from set gillnets would take additional hours, reducing fishing efficiencies and fish quality. The cooperative nature of set gillnet operations allows for flexible labor distribution. Moreover, the new interpretation will require substantially more time at the tender filling out fish tickets instead of focusing on fishing. Fish tickets generally take about 10 minutes to complete. For example, 5 co-operative family fishing operations with 4 permits each has historically used a single permit 3 times a day to deliver their fish (5 fish tickets x 3 deliveries = 15 fish tickets x 10 min. = 150 minutes) The new interpretation would require 4 fish tickets for each of 5 operations three times a day (20 fish tickets x 3 deliveries = 60 fish tickets x 10 min = 600 minutes or 10 hours of filling out fish tickets) WHY?