



## Fact Sheet: Shore Fishery Leasing

As manager of state-owned tide and submerged lands, the Department of Natural Resources issues shore fishery (set net) leases under Alaska Statute 38.05.082. A shore fishery lease gives the leaseholder first priority to use the lease site for commercial salmon set net fishing. This “first priority” applies only when the leaseholder is personally fishing the site.

### **Is a shore fishery lease required for set net fishing?**

No. A shore fishery lease is not required for set net fishing. However, an individual may choose to obtain a shore fishery lease because it guarantees they will be able to fish in the same location each year. Individuals with a valid shore fishery lease may exclude others from set net fishing in their leased site when they are physically present and fishing the site.

### **Who may apply for a shore fishery lease?**

An applicant for a shore fishery lease must be a citizen of the United States who is at least 18 years of age and must have a valid limited entry permit (LEP) or an interim-use salmon set net permit for the area within which a lease is requested. A shore fishery lease for a minor who is at least 10 years of age and has a valid LEP may be issued in the name of the legal trustee. On the date of the minor’s 18th birthday the lease automatically transfers to the minor’s name.

### **When may I apply for a shore fishery lease?**

You may apply for a shore fishery lease between June 1 and October 15 each year.

### **How do I apply for a shore fishery lease?**

First, decide where you want to locate your set nets. Then ensure the area is open to commercial set net fishing, which is managed by the Alaska Department of Fish and Game (ADF&G). Generally, if the tide or submerged lands are not already leased to another set netter, you may stake your lease area between May 2 and October 15. You have 30 days after staking the site to file your shore fishery lease application with the Department of Natural Resources (DNR) at the address listed at the end of this fact sheet. Your application must be submitted between June 1 and October 15, include a location map, and meet the other requirements listed in DNR’s Shore Fisheries Leasing regulation 11 AAC 64.260.

### **What fees are associated with a shore fishery lease?**

A non-refundable application fee is required with each application. There is a shore fishery diagram review fee. The first year’s annual lease rent must be paid before the lease is issued. Applicants must also pay the cost associated with having a shore fishery diagram prepared by a licensed surveyor.

### **Do I have to stake my site?**

Yes, unless this activity results in trespass on private property. Before submitting an application, each site must be staked as described in 11 AAC 64.090. The location stake must carry a sign with the applicant’s name, mailing address, limited entry permit number and date of staking. The shore fishery lease application must then be filed within 30 days after staking the site. Staking may occur between May 2 and October 15 of each year.

### **Does staking give me exclusive use of a site?**

No. Staking is part of the application process for a shore fishery lease. It notifies others that you have applied for a lease at the staked site. You do not have first priority to fish the site until your lease is issued.

### **What areas are open to shore fishery leasing?**

Only certain areas in Southcentral Alaska are open. They are located in the Alaska Peninsula area, Bristol Bay, Kodiak Island waters, Cook Inlet, and the Eshamy Bay district in Prince William Sound. These areas are defined in the ADF&G Board of Fisheries commercial finfish regulations.

### **May I locate my site anywhere I wish within the open areas?**

No. You must contact ADF&G to find out what tide and submerged lands are open to commercial set net fishing on a permanent basis.

**Does the state have a list of set net sites available for leasing?**

No. You must locate your own site within the open areas by using DNR's online GIS system, Alaska Mapper. Alaska Mapper instructions are available on the DNR Public Information Center website.

**How long is a shore fishery lease valid?**

Per statute, a lease is issued for up to 10 years. At least 90 days before the lease expiration date, the leaseholder may request in writing for an extension of the lease term if the lease is in good standing and the lessee is qualified.

**How many setnet sites may I lease?**

The number of nets varies depending on the commercial finfish regulations for the area. For example, three nets are allowed under a single lease in Cook Inlet while only two nets are allowed under a single lease in Bristol Bay.

**Do I have to apply separately for each set net site?**

No. Sites, up the maximum number allowed in your area, that are within a reasonable distance from each other may be included in one application.

**May I use my shore fishery lease area for purposes other than salmon fishing?**

No. A shore fishery lease is issued only for the purpose of commercial salmon set net fishing. No other activities or structures are allowed.

**What is a shore fishery diagram?**

It is a detailed map, completed by a licensed surveyor, that shows the exact location of your site and its relationship to local landmarks and adjacent or neighboring sites. It is more detailed than the location map included with your application and is the official location of your lease.

**Who is responsible for preparing the shore fishery diagram?**

It is the applicant's responsibility to hire a licensed surveyor to complete the diagram. After your shore fishery lease application has been through public notice, you will receive a packet with detailed instructions for preparing a diagram. You must submit the preliminary diagram within 90 days of receiving the packet. Diagram instructions are available on the DNR Shore Fish website.

**Do I have to survey my set net site?**

Although it is generally not required, having a field survey completed for your site(s) is recommended. Under unusual circumstances, such as where shoreline erosion or accretion causes problems in locating the site, or conflicts appear to exist with neighboring sites, you may be required to survey your site.

**May I construct improvements within my shore fishery lease area?**

No. You may not construct improvements such as a cabin or storage building within your lease area. The lease is only for set netting on the tide and submerged land and does not give the lessee any rights to the adjacent uplands.

**Must I physically fish the leased site myself?**

Yes. You must **personally** fish each site of each leased tract as depicted on your shore fishery diagram for at least four legal fishing periods during the commercial fishing season at least every other year, Failure to do so is grounds for lease termination.

**May I move my nets within my lease area?**

No. You are required to fish your lease as drawn in your diagram. Leases are issued using minimum distances established by ADF&G. Failure to fish the site as depicted on your shore fishery diagram is grounds for lease termination.

**May I change the location of my lease site after the lease has been issued?**

Yes, but only after applying for a lease amendment and the amendment has been approved. An amendment application may be submitted during the lease application period between June 1 and October 15 of any year. Most amendment applications require the same fees and steps as a new lease application.

**May I sublease my set net site?**

There is currently no established sublease process for shore fishery leases.

**May I assign my shore fishery lease to another person?**

Yes. You may assign your lease (transfer all your lease rights) to a person who is qualified to apply for a lease and if the lease payments are current. An assignment fee is required to process this transaction. Qualifications and procedures for an assignment are described in 11 AAC 64.430 - .440.

**If my family and I have been fishing the same section of beach for several generations, do we have "grandfather" rights to fish a site and exclude all others?**

No. No one has exclusive rights to a set net site because of current or historical family use. However, the length of time a person has commercially fished a certain site is part of a shore fishery lease application.

**If I acquire an unleased site from a family member or another set netter who has fished it for several years, can I claim this time when I apply to lease the site?**

No. You can only claim the time you have personally fished a site.

**What other information is helpful before applying for a shore fishery lease set net site?**

A shore fishery leaseholder does not own the tide and submerged lands leased to them. A shore fishery lease is not required to participate in a shore fishery. Persons or family members who have historically fished a location have no special rights to that site. However, a shore fishery lease gives the leaseholder the first right of priority to commercial set gillnet for salmon at their leased location

but only if the leaseholder is present and fishing the site. If the leaseholder is not present and fishing, anyone else may fish the leased site. Use of the lease site is also subject to conditions in the lease such as other reasonable concurrent uses and public access to navigable waters and other tide and submerged land. Regardless of any private transactions between individuals, the lease remains in the original lessee's name until a lease assignment has been approved by DNR's Shore Fishery Leasing Program.

**For information about shore fishery leases, search the State of Alaska website at [alaska.gov](http://alaska.gov) for the DNR Shore Fishery Leasing Program or contact:**

Department of Natural Resources  
Division of Mining, Land and Water  
Shore Fishery Leasing Program  
550 West 7th Avenue, Suite 900C  
Anchorage, AK 99501-3577  
Phone: (907) 269-8543 or (907) 269-8503

Department of Natural Resources  
Public Information Center  
550 West 7th Avenue, Suite 1360  
Anchorage, AK 99501-3561  
Phone: (907) 269-8400  
Fax: (907)269-8901  
[dnr.pic@alaska.gov](mailto:dnr.pic@alaska.gov)

Statewide TTY - 771 for Alaska Relay or 1-800-770-8973

**For information about commercial fishing, contact:**

Alaska Department of Fish and Game  
333 Raspberry Road  
Anchorage, AK 99518-1599  
Phone: (907) 267-2105

Commercial Fisheries Entry Commission  
8800 Glacier Hwy., #109  
PO Box 110302  
Juneau, AK 99811-0302  
Phone: (907) 789-6150