

**PROPOSAL 239**

**5 AAC 55.055. Prince William Sound noncommercial shrimp fishery management plan. and 5 AAC 02.210. Subsistence shrimp fishery.**

Allow noncommercial vessels to have additional shrimp pots on board, as follows:

5 AAC 55.055. (a) (3) is amended as follows: "(D) Paragraph (C) above shall not be interpreted to prohibit carrying of spare pots."

**What is the issue you would like the board to address and why?** Current regulations prohibit carrying of extra shrimp pots on board a vessel. While making it easy for LE personnel to enforce a pot limit simply by counting the number of pots on a boat, this restriction creates unnecessary hardship on participants in the fishery, flies in the face of common sense (is the ferry captain who hauls 3 boats with shrimp pots on board also guilty?) and also sets up the unknowing/unaware participant to commit a crime by the simple act of "being prepared." "Innocent until proven guilty" is the law of the land; the crime is actually fishing more pots than authorized (not possessing more pots), and this is what should be enforced--the actual act itself, rather than wild speculation or mind-reading as to why a vessel has spare pots.

While engaged in fishing, it is customary for Sport, Subsistence, Commercial and Personal Use participants to carry extra rods, reels, terminal tackle, landing nets, etc., for use in the event of breakage or loss. Shrimp pots also can be lost or damaged, and common sense dictates spares should be readily available. Having spares available is environmentally responsible in that doing so prevents unnecessary trips (usually via a fossil-fueled boat) back to port and/or home/store to procure replacements, reconciles law with common practice regarding spare tackle and ensures participants are able to enjoy productive time on the water.

**PROPOSED BY:** David Neetz

(EF-F20-058)

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