

# One-Page Issue Summary: Bristol Bay 32-Foot Vessel Length Limitation

## Issue Overview

The Bristol Bay salmon drift gillnet fishery is governed by a 32-foot vessel overall length limitation under 5 AAC 06.341. This rule, originally established in 1949 and last substantively defined in 1991, was intended to limit vessel size, maintain fleet equity, and restrict structural advantages. While certain items are excluded from the measurement (anchor rollers, fish drop-out baskets, gillnet rollers, trim tabs, outdrives, outdrive guards), these exclusions were meant for necessary gear only, not to provide flotation, hull extension, or additional working space.

The “Race for Fish” in Bristol Bay is tempered by the 32-foot vessel overall length limitation. Without it or with a greater length limit, the disparity between vessels will grow larger, creating an even greater disparity between watershed residents and those who live outside the area.

A 2003 report titled “AN ANALYSIS OF OPTIONS TO RESTRUCTURE THE BRISTOL BAY SALMON FISHERY” which was prepared for BBEDC and the Joint Legislative Salmon Task Force highlighted the reasons to keep the 32-foot vessel length unchanged.

[Bristol Bay Salmon Restructuring Study Final Report](#)

[Bristol Bay Salmon Restructuring Study Flyer](#)

There have been two BOF findings on the 32-foot vessel length. The first, in 1981 (81-92FB), and the second, in 2019 (2019-295-FB), both underscore the importance of maintaining the 32-foot vessel length.

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## Key Problems Identified

AWT field measurements and enforcement experience indicate widespread deviations that are not allowed by regulation, including:

- **Oversized or extended anchor rollers** longer, taller, or wider than the allowed 8 inches.
- **Fish drop-out baskets** made from sealed aluminum tubing that provide flotation, contrary to definition.
- **Gillnet roller support structures** built off the stern, effectively extending the hull and expanding deck work area.
- **Outdrive mounting boxes and hull extensions** (sometimes several feet long) that add flotation or planing surface, violating regulations unless within an 18-inch trim tab.
- **Outdrive guards** constructed from airtight tubing or fitted with decking, providing flotation or platform space despite the requirement for skeletal, non-functional design.

- **Trim tabs** exceeding 18 inches or designed as enclosed, buoyant extensions of the hull.
- **Additional unregulated appendages** on bows or transoms that extend beyond 32 feet and fall outside the defined exceptions.

These modifications undermine the current regulations and create inequities and disparities among the fleet.

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## Legal Interpretation of When the 32' Limit Applies

A 2025 legal memorandum analyzing **5 AAC 06.341** and **5 AAC 39.120** concludes the following

- **The 32-foot limit applies to any vessel registered for Bristol Bay salmon net fishing**, based on CFEC area registration—not whether the vessel is actively fishing.
- **The rule applies year-round**, regardless of vessel status or location. This includes vessels that are:
  - Actively fishing
  - Moored
  - Hauled out
  - Under construction or modification
  - In a shipyard
- **AWT is authorized to measure vessels anywhere** and may issue citations or initiate action affecting a vessel's salmon net registration if the vessel exceeds the 32-foot limit at any time during the registration year.

This interpretation clearly shows when and where compliance matters and reinforces the need for clear and enhanced enforcement practices.

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## Enforcement of the Current Regulation is the Preferred Path Forward

- **AWT** needs sufficient capacity to enforce the current 32-foot regulation
- **Enforcement is becoming more complex.** Modern appendages blur the line between allowed gear and prohibited hull extensions, requiring greater AWT resources
- **Fleet equity is eroding.** Operators who comply with the current regulation are at a disadvantage.

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MUNDT MACGREGOR LLP.  
ATTORNEYS AT LAW

## MEMORANDUM

To: Anthony Zoch; Jeff Regnart  
From: Duncan R. McIntosh  
Date: September 26, 2025  
Re: 32-Foot Overall Length Limitation on Bristol Bay Salmon Net Fishing Vessels

**I. Introduction:**

There is broad recognition that the 32-foot vessel overall length limitation on Bristol Bay salmon gillnet vessels is being exceeded by some vessels.<sup>1</sup> There is seemingly less certainty, however, regarding precisely when that vessel length restriction applies. This memorandum examines that question, and concludes that the length limitation applies to, and is enforceable against, any vessel that holds a CFEC Commercial Vessel License with a Bristol Bay Salmon Net Area registration. As such, the vessel length limitation applies irrespective of where a vessel is located – at sea, at the dock, or in the shipyard – and whether or not it is engaged in fishing at the time. For that reason, the Alaska Wildlife Troopers could measure drift gillnet vessels in the shipyard and, based on those measurements, issue citations to vessels that exceed the maximum permitted length.

**II. Analysis:**

The 32-foot overall length limitation on Bristol Bay drift gillnet vessels is imposed by 5 AAC 06.341. It provides that, “No vessel *registered for salmon net fishing* may be more than 32 feet in overall length.”<sup>2</sup> As such, by the plain language of the regulation, the length limitation applies if and when a vessel is registered for salmon net fishing in Bristol Bay.

5 AAC 06.341 contains a series of definitions, which helpfully clarify the meaning of the length limitation. The phrase “registered for salmon net fishing” is not

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<sup>1</sup> See for instance the February 14, 2023, letter from Colonel Bernard Chastain, then Director of the Alaska Wildlife Troopers, to all Bristol Bay Commercial Salmon Drift Gillnet Permit holders.

<sup>2</sup> A copy of the entirety of 5 AAC 06.341 is attached as Exhibit A.

defined. However, that is understandable as this term really affords no opportunity for confusion; a vessel is registered for salmon net fishing at the time of and as part of application for a Commercial Fisheries Entry Commission (“CFEC”) Commercial Vessel License, as contemplated by 5 AAC 39.120(c),<sup>3</sup> which provides in relevant part:

(c) Area registration requirements for salmon net fishing vessels are as follows:

(1) a person who owns a fishing vessel to be used to take salmon with net gear, or his authorized agent, shall register for an area by designating on the vessel license application or renewal form the vessel’s one area of intended salmon net gear operation for the year; it is unlawful for a vessel to engage in salmon net fishing in an area other than the single area selected;

For purposes of disambiguation – just in case that is necessary – while 5 AAC 39.120(a) requires that all commercial fishing vessels “register” with the CFEC before taking fish in Alaskan waters, that requirement applies to all commercial fishing vessels – it is not salmon specific – and is therefore clearly not the “registering for salmon net fishing” that is intended by 5 AAC 06.341. Similarly, 5 AAC 06.370 requires all Bristol Bay salmon drift gillnetters to “register” for a Bristol Bay district (e.g., Togiak, etc.), but this is a Bristol Bay subarea/district registration, not a registration for salmon net fishing generally, and is similarly not what is intended. “Registered for salmon net fishing” as used in 5 AAC 06.341 means registering for a salmon net area as contemplated by 5 AAC 39.120(c).

The wording of 5 AAC 06.341 means that the 32-foot overall length limitation is enforceable against any vessel with a CFEC Commercial Vessel License that includes a Salmon Net Area registration for Bristol Bay for the applicable year. There is nothing in the regulation that suggests that a vessel needs to be actively fishing in order for the limitation to apply. Of course, if that had been the intention, it would be easy to phrase the regulation that way – as a prohibition applicable only to vessels actively engaged in (and not merely registered for) salmon net fishing in Bristol Bay. For instance, it could have said, “No vessel that exceeds 32 feet in overall length may engage in salmon net fishing,” or “No vessel may take salmon with a net if in excess of 32 feet in overall length.” You do not have to look far to find regulations structured that way; see e.g., 5 AAC 06.331(f) (“A person may not operate more than two set gillnets”). But 5 AAC 06.341 is not worded that way. There is no ambiguity in the regulation, and no reason to impute a limitation to vessels that are actively fishing.

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<sup>3</sup> A copy of the entire regulation is attached as Exhibit B.

Because the length limitation applies to any vessel registered for salmon net fishing in the Bristol Bay area, 5 AAC 06.341 permits the measurement of such vessels by Alaska Wildlife Troopers whether fishing or not, at sea or not, or in the shipyards; and it permits the issuance of citations for infractions (or, presumably, the revocation of the Salmon Net Area registration) for vessels that exceed 32-feet in overall length under those same circumstances. We can find no limitation on that authority, and we see no basis on which to impute any.

**III. Conclusion:**

The 32-foot overall length limitation applies to any vessel registered for salmon net fishing in Bristol Bay. It applies, and could be enforced, against any such vessel, whether fishing or not, in the shipyard or at sea, if registered for salmon net fishing for the then current calendar year.

## [5 Alaska Admin. Code 06.341](#)

Current through Register 254 (July, 2025).

**Alaska Administrative Code** > **Title 5. Fish and Game** > **Part 1.**  
**Commercial and Subsistence Fishing and Private Nonprofit Salmon and Shellfish Hatcheries.**  
 > **Chapter 06. Bristol Bay Area.** > **Article 3. Salmon Fishery.**

### **5 AAC 06.341. Vessel specifications and operations.**

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(a) No vessel registered for salmon net fishing may be more than 32 feet in overall length. An anchor roller may not extend more than eight inches beyond the 32-foot overall length, and any portion that extends beyond the 32-foot overall length may not be more than eight inches in width or height.

(b) For the purposes of this section,

- (1) “anchor roller” means a device used solely in aid of deploying and retrieving anchor gear, and does not provide any additional flotation, planing surface, or structural support to the vessel;
- (2) “fish drop-out basket” means a device used solely to prevent the loss of fish from a gillnet after the fish leaves the water and before it is brought on board the vessel; a “fish drop-out basket” does not provide any additional flotation, planing surface, or structural support to the vessel;
- (3) “gillnet roller” means a device used solely in aid of deploying and retrieving drift gillnet gear; a “gillnet roller” does not provide any additional flotation or planing surface to the vessel;
- (4) “outdrive” means part of the propulsion system of a vessel used for either steering or thrust; an “outdrive” does not provide any additional flotation or planing surface to the vessel;
- (5) “outdrive guard” means a device of skeletal construction used solely to protect the outdrive unit of a vessel; an “outdrive guard” does not provide any additional flotation or planing surface and is not used for any other purpose such as a bench, platform, or storage area;
- (6) “overall length” means the straight-line measurement between the extremities of the vessel, but does not include fish drop-out baskets, anchor rollers, gillnet rollers, trim tabs, outdrives, or outdrive guards;
- (7) “trim tabs” means an extension of the bottom of a vessel, at the transom, which is no more than 18 inches long at its longest point; “trim tabs” do not provide any increased flotation, and their sole function is to provide trim to a vessel while underway.

### **Statutory Authority**

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**Authority:** AS 16.05.251

### **History**

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(In effect before 1981; am 6/28/81, Register 78; am 6/10/90, Register 114; am 5/14/98, Register 146)

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## [5 Alaska Admin. Code 39.120](#)

Current through Register 254 (July, 2025).

**Alaska Administrative Code** > **Title 5. Fish and Game** > **Part 1.**  
**Commercial and Subsistence Fishing and Private Nonprofit Salmon and Shellfish Hatcheries.**  
 > **Chapter 39. General Provisions.** > **Article 1. General.**

### 5 AAC 39.120. Registration of commercial fishing vessels.

(a) A person who owns a commercial fishing vessel or that person's authorized agent shall register that vessel by completing a vessel license application or renewal form and submitting it to the Commercial Fisheries Entry Commission, unless the vessel is not required to be licensed under AS 16.05.495. Vessel registration is required before fishing or transporting unprocessed fish in any waters of Alaska. A vessel, if it is in compliance with all regulations governing registration and if it displays a license issued under AS 16.05.530, unless the vessel is not required to be licensed under AS 16.05.495, is considered to be registered under the laws of the state and may take or transport unprocessed fish. It is unlawful to take, attempt to take, or possess unprocessed fish aboard a vessel in the waters of Alaska unless the vessel is registered under the laws of the state. For purposes of this subsection,

- (1) "employ," as used in AS 16.05.475, means taking or attempting to take fish, or transporting fish which have been taken or any operation of a vessel aiding or assisting in the taking or transporting of unprocessed fish;
- (2) "in compliance with all regulations governing registration" includes vessel registration required by [5 AAC 28.020](#), [5 AAC 31.020](#), [5 AAC 31.030](#), [5 AAC 32.020](#), [5 AAC 32.030](#), [5 AAC 34.020](#), [5 AAC 34.030](#), [5 AAC 35.020](#), [5 AAC 35.030](#), [5 AAC 38.020](#), and 5 AAC 38.030, and includes district or subdistrict registration requirements of 5 AAC 03 — 5 AAC 38, and includes the provisions of this section;
- (3) "registered under the laws of the state" means that a vessel displays a license described in [20 AAC 05.1958](#) and issued under AS 16.05.530, unless the vessel is not required to be licensed under AS 16.05.495, and that the registration provisions of 5 AAC 03 — 5 AAC 39 have been complied with and evidence of compliance is immediately available at all times during fishing or transporting operations, and can be shown upon request to an authorized representative of the department.

(b) Area registration requirements for shellfish vessels are as specified in the registration regulations in 5 AAC 31 — 5 AAC 38.

(c) Area registration requirements for salmon net fishing vessels are as follows:

- (1) a person who owns a fishing vessel to be used to take salmon with net gear, or his authorized agent, shall register for an area by designating on the vessel license application or renewal form the vessel's one area of intended salmon net gear operation for the year; it is unlawful for a vessel to engage in salmon net fishing in an area other than the single area selected;
- (2) in this section the term "area" means any registration area listed in (d) of this section, except that
  - (A) in salmon net Registration Area T, a vessel must also be registered by the department for a fishing district as required by [5 AAC 06.370](#);
  - (B) in salmon net Registration Area Y, a vessel must also be registered by the department for a fishing district as required by [5 AAC 05.370](#);

(C) a purse seine vessel registered for salmon net Registration Area M is also registered to operate purse seine gear in Registration Area F during the same registration year;

(3) a vessel registered for an area of salmon net fishing in compliance with (c)(1) of this section will be issued, by the Commercial Fisheries Entry Commission, a vessel license area tab for that year; it is unlawful for a vessel to fish in the area of registration unless the vessel displays the area tab on the vessel license number plate; no vessel owner or operator may possess for each vessel, or no vessel may display, more than one vessel license area tab;

(4) a person who owns a fishing vessel registered for an area of intended operation in compliance with (c)(1) of this section or his authorized agent may register it for a different salmon net registration area under the following conditions:

(A) the reregistration of a salmon net fishing vessel shall be authorized by the

(i) commissioner upon receipt of proof in writing that the vessel has been lost through sinking, destruction, or extensive mechanical breakdown, or that the vessel operator has suffered serious injury, sickness or death during the open season; or

(ii) Commercial Fisheries Entry Commission upon receipt of a written certification or personal affidavit stating that the vessel has not been used for salmon net fishing in the original area of registration during the current registration year;

(B) a person authorized to reregister a vessel must complete a reregistration form issued by the Commercial Fisheries Entry Commission and submit it to the commissioner together with any previously issued vessel license area tab;

(C) it is unlawful for a vessel to fish in the area of reregistration unless the vessel displays the appropriate area tab on the vessel license number plate;

(D) area reregistration under this section shall supersede the original area registration as if the original area registration had never been made;

(E) once a vessel has reregistered for another net registration area to replace a lost vessel, that vessel can not transfer back to its original net registration area during that season;

(5) repealed 4/16/83.

(d) Salmon net gear registration areas are as follows:

| Code<br>Letter | Area  |
|----------------|---|
| A              | Southeastern Alaska Area ( <a href="#">5 AAC 33.100</a> )   |
| D              | Yakutat Area ( <a href="#">5 AAC 30.100</a> )   |
| E              | Prince William Sound Area ( <a href="#">5 AAC 24.100</a> ) and the<br>Yakataga District of the Yakutat Area ( <a href="#">5 AAC 30.200(a)</a> ) |
| F              | Atka-Amlia Islands Area ( <a href="#">5 AAC 11.101</a> )  |
| H              | Cook Inlet Area ( <a href="#">5 AAC 21.100</a> )  |
| K              | Kodiak Area ( <a href="#">5 AAC 18.100</a> )  |
| L              | Chignik Area ( <a href="#">5 AAC 15.100</a> )   |
| M              | Aleutian Islands and Alaska Peninsula Areas<br>( <a href="#">5 AAC 12.100</a> and <a href="#">5 AAC 09.100</a> ) and, from August               |

1 through August 31, the Atka-Amlia Islands Area ([5 AAC 11.101](#)) for purse seine gear only

T — Bristol Bay Area ([5 AAC 06.100](#)) and January 1 through December 31, the Cinder River and Inner Port Heiden Sections of the Alaska Peninsula Area and August 1 through December 31, that portion of the Ilnik Section within Ilnik Lagoon and all waters inside the Seal Islands of the Alaska Peninsula Area ([5 AAC 09.200\(a\)\(1\)](#) — (3))

W — Kuskokwim Area ([5 AAC 07.100](#))

X — Arctic-Kotzebue Area ([5 AAC 03.100](#))

Y — Yukon Area ([5 AAC 05.100](#))

Z — Norton Sound-Port Clarence Area ([5 AAC 04.100](#))

(e) Evidence of proper registration or licensing must be kept immediately available at all times during fishing operations and must be shown upon request to any peace officer of the state.

(f) The provisions of this section do not apply to halibut fishing.

(g) Repealed 10/1/98.

## Statutory Authority

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Authority: AS 16.05.251 AS 16.05.475

## History

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(In effect before 1982; am 4/14/82, Register 82; am 4/16/83, Register 86; am 4/28/84, Register 90; am 5/31/85, Register 94; am 6/25/89, Register 110; am 5/13/92, Register 122; am 5/28/92, Register 122; am 7/16/92, Register 123; am 5/17/95, Register 134; am 6/2/95, Register 134; am 6/2/96, Register 138; am 6/28/97, Register 142; am 5/8/98, Register 146; am 5/31/98, Register 146; am 10/1/98, Register 147; am 7/13/2012, Register 203; am 6/1/2013, Register 206; add'l am 6/1/2013, Register 206)

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