



U.S. Fish and Wildlife Service
Bureau of Land Management
National Park Service
Bureau of Indian Affairs

Federal Subsistence Board

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Anchorage Alaska 99503



Forest Service

SUBSISTENCE FISHING

SPECIAL ACTION

Under Authority of 50 CFR Part 100.10 and .19
36 CFR Part 242.10 and .19

Special Action No.: 3-KS-03-17 Issued at: Bethel, Alaska
May 30, 2017

Effective Date: June 12, 2017 12:01 p.m., noon

Expiration Date: June 12, 2017 11:59 p.m., midnight unless superseded by subsequent
Special Action

EXPLANATION:

This emergency special action opens a 12-hour opportunity for Federally qualified subsistence users identified in the Section 804 analysis, which includes residents of the Kuskokwim River drainage and the villages of Cheformak, Kipnuk, Kwigillingok, and Kongiganek, to harvest Chinook Salmon on Federal public waters of the Kuskokwim River on June 12, 2017. During this opportunity, Federally qualified subsistence users may fish on June 12 from 12:01 p.m. (noon), until 11:59 p.m. (midnight) in Federal public waters of the main stem Kuskokwim River. All drift or set gillnets are limited to 6-inch or less mesh and may not exceed 45 meshes in depth. Nets from the Yukon Delta National Wildlife Refuge (Refuge) boundary at the Kuskokwim River mouth to the Johnson River cannot exceed 50 fathoms (300 feet) in length. Nets up river from the Johnson River to the Refuge boundary at Aniak cannot exceed 25 fathoms (150 feet) in length.

Salmon tributaries of the Kuskokwim within the boundaries of the Refuge, which include the Eek, Kwethluk, Kasigluk, Kisaralik, Tuluksak, and Aniak rivers, will remain closed to the harvest of Chinook Salmon, as will the Old Kuskokuak where the Kisaralik and Kasigluk drain and the Kuskokuak between the lower confluence with the Kuskokwim River and the upper confluence with the Kwethluk River. This is to protect Chinook bound for the Kwethluk, Kasigluk and Kisaralik Rivers. Non salmon tributaries remain open 100 yards upstream of their confluence with the Kuskokwim to gear outlined in permanent regulation.

Once this emergency special action expires on June 12, 2017 at midnight, Federal public waters of the Kuskokwim River will remain closed to the harvest of Chinook Salmon by Federally

qualified subsistence users using all gear types based on Federal Special Action 3-KS-02-17, which was issued on May 24, 2017.

This action was made after consultation with the Inter-Tribal Fish Commission (KRITFC) and the Alaska Department of Fish and Game (ADFG). Further Chinook Salmon fishing openings, closings, and fishing methods for Federally qualified subsistence users will be announced by subsequent special action, after consultation and coordination with the KRITFC and the Alaska Department of Fish and Game ADFG.

REGULATION

50 CFR 100.27(e)(4)(ii) is temporarily amended to read:

Unless re-opened by the Yukon Delta National Wildlife Refuge Manager, Federal public waters in that portion of the Kuskokwim River drainage and its salmon tributaries, within and adjacent to the exterior boundaries of the Yukon Delta National Wildlife Refuge, are closed to the harvest of Chinook salmon by Federally qualified subsistence users. Salmon tributaries are the Eek, Kwethluk, Kasigluk, Kisaralik, Tuluksak and Aniak and their tributaries. Based on observed run strength and in consideration of conservation concerns and escapement goals, the Yukon Delta National Wildlife Refuge Manager may open Federal public waters of the Kuskokwim River to the harvest of Chinook salmon by Federally qualified subsistence users identified under a ANILCA Section 804 analysis, which includes residents of the Kuskokwim River drainage and the villages of Chefornak, Kipnuk, Kwigillingok, and Kongiganek.

Federally qualified subsistence users as identified under the ANILCA Section 804 analysis can harvest Chinook Salmon in Federal public waters of the Kuskokwim River from June 12, 2017 at 12:01 p.m. (noon) until June 12, 2017 at 11:59 p.m. (midnight). Gillnets are restricted to 6-inch or less mesh and may not exceed 45 meshes in depth and 50 fathoms (300-feet) in length below the Johnson River and 25 fathoms (150 feet) in length above the Johnson River. All fish caught during this opening are legal and may be retained.

JUSTIFICATION

Subsistence

Salmon, particularly Chinook, are critical to the cultural and traditional needs of people residing in the Kuskokwim River drainage. Harvest by local residents has been severely restricted or eliminated in recent years in an effort to provide stock conservation. This targeted, but limited, subsistence fishing opportunity will provide local residents with an opportunity to continue subsistence uses of Chinook Salmon through the intents of ANILCA Section 815. Chinook Salmon are critical to the subsistence way of life.

The subsistence harvest of salmon has been restricted for several years to conserve Chinook Salmon. The subsistence gillnet fishery was closed beginning May 20 through Alaska Department of Fish and Game (ADFG) Emergency Order with one fishing opportunity per week through June 11, 2017 per state regulation. Given the closure, people are hungry for fish and it is anticipated that a substantial harvest effort will occur with an initial subsistence fishing opportunity. Many of the Kuskokwim River Inter-Tribal Fish Commission (KRITFC) members

have expressed subsistence shortfalls for their families and way of life. The need for a Chinook Salmon harvest opportunity on June 12th has been discussed with the KRITFC during the weekly meetings. The recommendation of the KRITFC In-season Management Committee to conserve the run and provide for some subsistence harvest is to have a 12-hour opening on the main stem of the Kuskokwim River within the Refuge starting at noon, 12:01 pm, Monday, June 12 to get harvest information and minimize the risk of overharvesting. The 12-hour opening also allows for fishing on the tides and for everyone to have an opportunity to harvest Chinook Salmon. Drift and set gillnets will be limited to 6-inch or less mesh and may not exceed 25 fathoms in length above the Johnson River or 50 fathoms in length below the Johnson River.

Biological

Since 2010, the Kuskokwim River has experienced poor runs of Chinook Salmon, and 2013 was the lowest run on record. In 2015, the total run was estimated at 172,000 Chinook Salmon with an estimated subsistence harvest of 16,000 Chinook Salmon. The 2016 total run was estimated at 177,000 Chinook Salmon with an estimated subsistence harvest of 30,600. If the 2017 return is within the forecast of 132,000 to 222,000, there will be enough fish to meet escapement goals and provide for limited Chinook Salmon subsistence harvest. However, a subsistence harvest at the level of the long-term average of 87,000 Chinook Salmon would not be possible at the lower end of the forecasted run. Thus, some harvest restrictions are warranted during 2017 to meet biological requirements while providing limited subsistence harvest opportunity once the run has been assessed and the early portion of the run has been allowed to reach the middle and upper sections of the drainage.


The Federal in-season manager supports managing the fishery based on a risk-averse forecast and a conservative escapement objective for 2017. Given the uncertainty in the estimated 2016 Chinook Salmon run which is used to forecast the 2017 run size, management will initially anticipate a 2017 Chinook run size of 150,000. This anticipated run size was determined by averaging the 2016 drainage-wide run size estimates from the ADF&G run reconstruction (177,000 fish) and the mark-recapture models (128,800 fish). The resulting average, which equally weights these two information sources, is 152,900 (rounded to 150,000) Chinook Salmon. Given the poor returns in recent years, corresponding fisheries restrictions, and an interest in facilitating stock rebuilding, the KRITFC has expressed an interest in targeting 90% of the top end of the drainage-wide escapement goal range of 65,000 to 120,000 Chinook Salmon for the Kuskokwim River. Ninety percent of the top end of the established goal range represents a target of approximately 110,000 Chinook Salmon. The difference between the 2017 anticipated run size and the escapement target suggests a conservative harvest objective of 40,000 Chinook Salmon.

The harvest objective is well below the long-term average subsistence harvest of approximately 87,000 Chinook Salmon annually in the Kuskokwim River drainage. Thus, harvest restrictions are necessary for the continued viability of Chinook Salmon and to ensure the continuation of subsistence uses. The Federal in-season manager supports providing limited, controlled fishing opportunities to target 40,000 Chinook Salmon in 2017.

The initial limited, controlled fishing opportunity will consist of a 12-hours opening for Federally qualified subsistence users to target Chinook Salmon on Federal public waters of the

Kuskokwim River. The 12-hour opening opportunity will improve assessment of run strength while furthering stock conservation by limiting the duration of the subsistence fishing opportunity. Based on actual harvests, catch rates, and continuing indices of run strength and run timing, future subsistence opportunities will be considered to reach the subsistence harvest target of 40,000 Chinook Salmon.

FEDERAL SUBSISTENCE BOARD

By delegation to: 
Ken Stahlnecker, Refuge Manager
Yukon Delta National Wildlife Refuge

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