



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

## Federal Subsistence Board

1101 E Tudor Rd, MS 121  
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**

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Special Action No.:	3-KS-07-15	Issued at:	Bethel, Alaska June 16, 2015
Effective Date:	June 18, 2015 6:00 a.m.		
Expiration Date:	July 20, 2015 5:59 a.m. Unless superseded by subsequent Special Action		

### EXPLANATION:

#### **Kuskokwim River Mouth to Tuluksak**

This Emergency Special Action closes all fishing to non-Federally qualified users, and closes Chinook Salmon fishing to all user groups on the Kuskokwim River and its salmon tributaries within and adjacent to the boundaries of the Yukon Delta National Wildlife Refuge (Refuge). This action also closes the weekly gillnet opportunity from the Kuskokwim River mouth to Tuluksak for federally recognized residents, excluding to those fishing with the Community Harvest Permits. This action follows the conservation strategy discussed with the Alaska Department of Fish and Game (ADF&G) and the Kuskokwim River Inter-tribal Fish Commission on June 16, 2015.

### REGULATION

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

#### ***This Special Action supersedes Special Action 3-KS-05-15***

*Effective 6:00 a.m., Thursday, June 18, 2015, All fishing is closed to non-Federally qualified users and Chinook Salmon fishing is closed to all user groups on the Kuskokwim River and its salmon tributaries within and adjacent to the boundaries of the Yukon Delta National Wildlife Refuge. The use of gillnets by Federally qualified subsistence users is prohibited in the Kuskokwim River and its salmon tributaries downstream of Tuluksak. This area is defined as, that portion of the Kuskokwim river downstream of Tuluksak to the Kuskokwim river and all*

*salmon tributaries including the Eek, Kwethluk, Kasigluk, Kisaralik, Tuluksak, and Aniak rivers and their salmon tributaries. The upper boundary of this closure on the Kuskokwim river at Tuluksak is located at the ADF&G regulatory markers on the main stem of the Kuskokwim approximately half a mile upstream from the confluence of the mouth of the Tuluksak and the Kuskokwim. The lower Refuge boundary is a line from the west to the east bank of the Kuskokwim River located at the Kuskokwim River mouth. This boundary begins at a point on the west bank of the Kuskokwim River beginning at Latitude 59.999231°, Longitude -162.507352° and ends at a point on the East bank of the Kuskokwim River at Latitude 59.999238°, Longitude -162.187927°.*

*All fish species except Chinook Salmon may be targeted by Federally qualified fisherman using all legal subsistence gear except gillnets in the Kuskokwim River and its salmon tributaries. There are no gill net restrictions 100-yards upriver of non-salmon tributaries. Chinook Salmon incidentally harvested with all other legal gear types must be immediately released. This closure does not affect the Chinook Salmon harvest opportunity with Federal Community Harvest Permits.*

## JUSTIFICATION

### *Biological*

Due to the low Chinook Salmon returns for the last several years and the failure to meet escapement goals at two of three weir projects in 2014, conservation measures are warranted in 2015. The 2014 State of Alaska Chinook salmon drainage-wide return was estimated at 136,000 fish, well below the annual average of 243,000 fish over the last 25 years. The subsistence harvest in 2014 was estimated to be 12,000 Chinook Salmon, a historically low harvest. The drainage-wide escapement for 2014 was estimated at 124,000 Chinook Salmon. The State of Alaska drainage-wide escapement goal is 65,000–120,000 Chinook Salmon, and the 2015 return is forecasted to be between 96,000 and 163,000 Chinook Salmon. At the upper end of that range, there would be enough fish to meet escapement goals and provide for a moderate Chinook Salmon subsistence harvest. At the lower end of the projected run, however, even a very limited subsistence harvest could impact the likelihood of achieving escapement goals.

The final magnitude of the 2015 Chinook Salmon run is still very uncertain. Based on observations from the Bethel Test Fishery, it is possible that the 2015 Chinook Salmon run is significantly weaker than the 2014 run. Additional precautionary management measures are warranted until the strength of the return can be fully gauged. Previous special actions allowed Federally qualified subsistence users to target non-salmon species with four-inch mesh set gillnets during scheduled openings. These previously allowed set gillnets are primarily being utilized to target Chinook Salmon. Effort surveys indicate the number of set gillnets has increased substantially as the Chinook Salmon run has progressed and these nets are being set in Chinook Salmon locations rather than traditional whitefish locations. In addition, Federal Law Enforcement reports indicate that Chinook Salmon outnumbered all other fish harvested in set gillnets from June 10-14, 2015. Eliminating the scheduled four-inch set gillnet opportunity is warranted in order to conserve Chinook Salmon. Presently, both the Bethel Test Fishery and the tagging project near the Johnson River suggest that a higher abundance of Chinook Salmon may be entering the river. However, this closure is warranted to protect this group of fish as it begins to move up-river towards the spawning grounds. Additional fishing opportunity will be provided

once chum and sockeye salmon significantly outnumber Chinook Salmon at the Bethel Test Fishery.

Federally qualified subsistence users can still harvest fish, except Chinook Salmon, within the Refuge boundary using other legal gear types that allow for selective harvest, including dip net, beach seine, fish wheel, or rod and reel.

FEDERAL SUBSISTENCE BOARD

By delegation to:



Neil Lalonde, Refuge Manager  
Yukon Delta National Wildlife Refuge