



Federal Subsistence Board Fact Sheet



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

Forest Service

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Fisheries Temporary Special Action Request FSA23-01: Kanektok River Chinook and Chum Salmon Fishing Closures to Non-federally Qualified Users During June 2023 and June 2024

Background: The Kanektok River drainage in the Kuskokwim Fisheries Management Area provides residents of Quinhagak with fishery resources for subsistence purposes. Currently, salmon abundance information for this system is collected only through aerial surveys that do not include assessments of Chum Salmon stocks. Kuskokwim River drainage fisheries have been closed throughout June in recent years, and some displaced fishermen have instead traveled to harvest fish in the Quinhagak area and the Kanektok River drainage.

Question 1: What is a temporary special action and how long will it last?

Answer: A temporary special action is a temporary regulatory change made to modify harvest limits, seasons, methods or means outside of the normal regulatory cycle when unusual situations arise, such as significant changes in fish or wildlife abundance. There must be public notice and a public hearing before the Federal Subsistence Board (Board) can act on a temporary special action request. The Board must consult with the State of Alaska and the Regional Advisory Council Chairs of the affected regions prior to acting on a temporary special action request. While not required, the Board is seeking recommendations from the affected Regional Advisory Councils on this proposed temporary special action as part of the Councils' regularly scheduled winter 2023 meetings. A temporary special action typically extends longer than 60 days but may not exceed one regulatory cycle. If permanent changes to Federal subsistence fisheries regulations are desired, a proposal must be submitted through the normal two-year regulatory process. The next fisheries regulatory cycle will commence in early 2024.

Question 2: What is included in the request?

Answer: The special action request submitted by the Native Village of Kwinhagak asks the Board to close Federal public waters of the Kanektok River drainage to the harvest of Chinook and Chum salmon except by Federally qualified subsistence users from June 1 through June 30, 2023, and 2024. The request cites Chum Salmon stocks in Western Alaska are in decline with the poorest returns on record, escapement goals throughout the Arctic-Yukon-Kuskokwim region not being met, and the long period of decline of Chinook Salmon stocks throughout the state as reasons for the temporary special action request. Considering these concerns, the proponent considers that precautionary management actions are necessary due to the lack of available salmon assessment data for the Kanektok River.

Question 3: How can the public comment on this specific special action request?

Answer: Two public hearings to receive public testimony have been scheduled. An in-person Public Hearing will take place in Quinhagak, Alaska, at the Bingo Hall or via teleconference (1-888- 455-7761);

Passcode: 5922158) on **Wednesday, February 15, 2023, from 6 pm to 8 pm** (or until conclusion of public comments). A second Public Hearing via teleconference only (1-888- 455-7761); Passcode: 5922158), will occur on **Tuesday, February 21, 2023, from 3 pm to 5 pm** (or until conclusion of public comments). The public will be asked to comment on the following issues at the public hearings:

- a) Should Federal public waters of the Kanektok River drainage be temporarily closed to the harvest of Chinook and Chum salmon except by Federally qualified subsistence users? [See Questions 4, 5, and 6 below]
- b) Are the start and end dates for the closure (June 1 through June 30, 2023, and June 1 through June 30, 2024) appropriate dates for this special action?
- c) Are there any other comments or issues that may help the Board make its decision on this special action request?

Summary of public testimony on the special action request will be forwarded to the Board for consideration.

Additionally, affected Regional Advisory Councils will consider the special action request as part of the Councils' regularly scheduled winter 2023 meetings. The Yukon-Kuskokwim Delta Subsistence Regional Advisory Council will consider the special action request at its meeting April 4–6, 2023. The Western Interior Alaska Subsistence Regional Advisory Council will consider the special action request at its meeting April 4–5, 2023. The Council chairs may ask for public comment at those meetings.

Question 4: What Federal public waters would be affected by this special action request?

Answer: The entire Kanektok River drainage will be affected. For purposes of this discussion, the phrase “Federal public waters” is defined as those waters described under 50 CFR 100.3 and include all inland waters, navigable and non-navigable, located within and adjacent to the exterior boundaries of the Togiak National Wildlife Refuge. The Kanektok River drainage is entirely within the exterior boundaries of the Togiak National Wildlife Refuge (see **Figure 1**).

Question 5: Who are Federally qualified subsistence users affected by this special action request?

Answer: Federally qualified subsistence users are permanent residents of a rural area or community that have a Federally recognized customary and traditional use determination for that resource. Federally qualified subsistence users of Chinook and Chum salmon in the Kanektok River drainage who would be affected by this temporary special action include most of the permanent rural residents of the Kuskokwim Fishery Management Area, except those persons residing on United States military installations located on Cape Newenham, Sparrevohn USAFB, and Tatalina USAFB. Permanent residents of over 40 communities have a customary and traditional use determination for salmon in the Kanektok River.

Question 6: How will non-Federally qualified users be affected?

Answer: Non-Federally qualified users would not be allowed to harvest Chinook and Chum salmon in the Kanektok River drainage at any time from June 1 through June 30, 2023, and 2024. In Federal regulations, taking or take means to fish, pursue, hunt, shoot, trap, net, capture, collect, kill, harm, or attempt to engage in any such conduct (see 50 CFR 100.25(a)). This includes catch and release practices.

Question 7: How can affected Tribes and Alaska Native Corporations provide information and comments?

Answer: For in-season management decisions and special actions, consultation is not always possible, but to the extent practicable, the Federal Subsistence Board will be responsive to requests from Federally recognized Tribes in Alaska and Alaska Native Claims Settlement Act (ANCSA) corporations for consultation. To request consultation with the Board please contact Orville Lind at Orville_lind@fws.gov.

Question 8: What is the remaining process for this special action request after the public hearing?

Answer: The Office of Subsistence Management is currently analyzing the potential effects of this request on Chinook and Chum salmon populations and Federal subsistence fishing opportunity. The Board will consider this special action request at a to-be-announced public Board meeting later this spring. The Board will consider all information provided in the analysis, public testimony, Tribal and ANCSA corporation consultations, recommendations of affected Regional Advisory Councils, and comments from the State of Alaska when making its decision. The Board may approve, approve with modification, reject, or defer this special action request until the next regulatory cycle.

Question 9: How can I get more information on this special action request?

Answer: Please contact Scott Ayers, Fisheries Division Leader at the Office of Subsistence Management, at (907) 744-3824 or (800) 478-1456 with questions about this special action request or visit the Federal Subsistence Management Program website (www.doi.gov/subsistence/) for more information about subsistence on Federal public lands and waters.

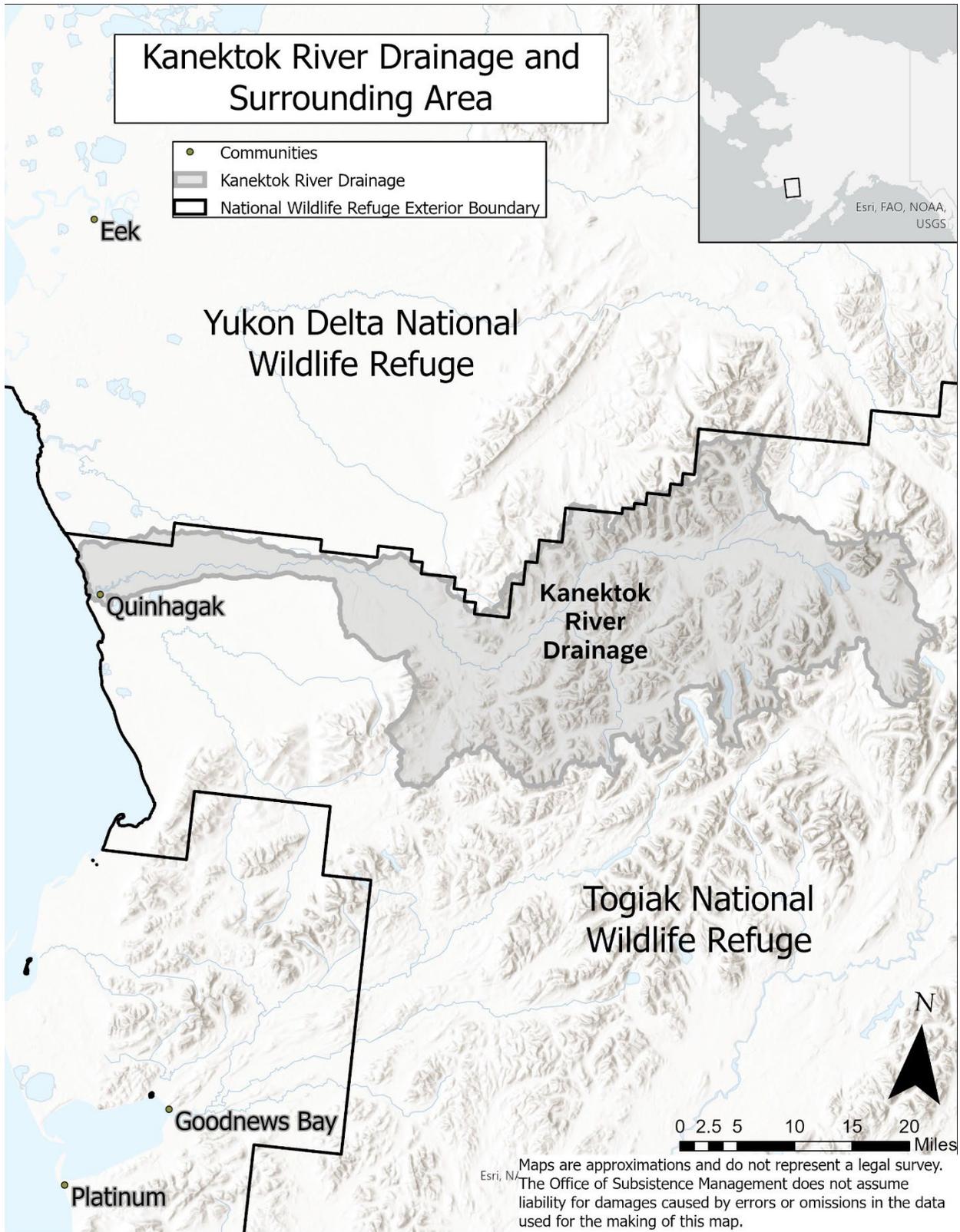


Figure 1. Map of the Kanektok River drainage and surrounding area