



United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE

Yukon Delta National Wildlife Refuge

PO Box 346

Bethel, AK 99559



Emergency Special Action No.: 3-KS-01-22
Issued at: Bethel, Alaska May 2, 2022

Effective Date: June 01, 2022 12:01 a.m.

The Yukon Delta National Wildlife Refuge Manager determined that Federal management is necessary for the conservation and the continuation of subsistence uses for Chinook and Chum salmon within the Kuskokwim River drainage. This action is based on the provisions of Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) and delegation of authority letter from the Federal Subsistence Board. Plans to manage the salmon fishery are intended to take an adaptive management approach while coordinating with the Kuskokwim River Inter-Tribal Fish Commission (KRITFC), the Alaska Department of Fish and Game (ADF&G), and local interest groups.

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

(A) Unless re-opened by the Yukon Delta National Wildlife Refuge Manager, the following Federal public waters of the Kuskokwim River within and adjacent to the exterior boundaries of the Yukon Delta National Wildlife Refuge are closed to the harvest of all salmon by using gillnets by all users effective June 01, 2022:

(1) The Kuskokwim River main stem within the boundaries of the Yukon Delta National Wildlife Refuge.

(2) Tributary Details: Additionally, unless re-opened by the Yukon Delta National Wildlife Refuge Manager, the following Federal public waters within and adjacent to the exterior boundaries of the Yukon Delta National Wildlife Refuge are closed to the harvest of Chinook and Chum salmon and the use of all gillnets by all users effective June 01, 2022:

- **The Eek River;**
- **The Kwethluk River drainage beginning at its confluence with Kuskokuak Slough**
- **The Kasigluk and Kisaralik river drainages including Old Kuskokuak Slough to ADF&G regulatory markers at the confluence of Old Kuskokuak Slough and Kuskokuak Slough;**
- **The Tuluksak River drainage including its confluence with the Kuskokwim River and downstream approximately 1-mile to ADF&G regulatory markers;**
- **The Aniak River drainage to ADF&G regulatory markers at its confluence with the Kuskokwim River; and**
- **The Aniak box defined as: The waters of the Kuskokwim River main stem from the Yukon Delta NWR boundary at Aniak downstream to a line formed from the northwest corner of the runway (latitude 61° 35' 16" N, longitude 159° 33' 28" W), due north to a point on the southeast corner of the sandbar (latitude 61° 35' 37" N, longitude 159° 33' 16" W).**

Fishing from tributaries not listed above is restricted to fishing 100 yards upriver from the mouth of the river (confluence with the main stem Kuskokwim River).



United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE

Yukon Delta National Wildlife Refuge

PO Box 346

Bethel, AK 99559



(3) Federally Qualified Subsistence fishing in the main stem Kuskokwim River using dip nets, beach seines, fish wheels, and rod and reel will remain open throughout the closure and retention of Chinook and Chum salmon is allowed.

(4) Federally Qualified Subsistence Fishing Opportunities

Set gillnet opportunities for Federally qualified subsistence users (as defined by an 804 analysis from Office of Subsistence Management) will be open in Federal public waters of the main stem in the Kuskokwim River during the following dates and times:

- **June 1, 2022 from 06:00 a.m. to 10:00 p.m.**
- **June 4, 2022 from 06:00 a.m. to 10:00 p.m.**
- **June 8, 2022 from 06:00 a.m. to 10:00 p.m.**

During these three opportunities, gillnets are restricted to set gillnets with 6-inch or less mesh, 60 feet or less in length, and may not exceed 45 meshes in depth. Additionally, set gillnets must be attached to the bank, oriented perpendicular to the river and may not be operated more than 100 feet from the ordinary high-water mark. Set gillnets need to be spaced 150 feet apart from another set gillnet. The salmon bearing tributaries listed in section (A)(2) will remain closed to the use of all gillnets for all salmon and all other methods and means for Chinook and Chum salmon to all users during these periods. During set gillnet opportunities, Federally qualified subsistence users may retain all salmon during these periods in section A(1).

After each set gillnet opportunity expires, Kuskokwim waters revert to closed under section (A).

Gillnet (set or drift) opportunities for Federally qualified subsistence users will be open in Federal public waters in the main stem of the Kuskokwim River during the following dates and times:

- **June 12, 2022 06:00 a.m. to 06:00 p.m.**
- **June 16, 2022 06:00 a.m. to 06:00 p.m.**

During these two opportunities, gillnets are restricted to 6-inch or less mesh and may not exceed 45 meshes in depth and 50 fathoms (300-feet) in aggregate (total set and drift gillnet) length below the Johnson River and 25 fathoms (150 feet) in aggregate (total set and drift gillnet) length above the Johnson River. During these gillnet opportunities, Federally qualified subsistence users may retain all salmon during these periods in section A(1). The waters listed in section (A)(2) will remain closed to all gillnets for all salmon and all methods and means for Chinook and Chum salmon to all users during these gillnet periods:

After each gillnet opportunity expires, Kuskokwim waters revert to closed under paragraph (A).



United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE

Yukon Delta National Wildlife Refuge

PO Box 346

Bethel, AK 99559



Additional opportunities with the use of gillnets by Federally qualified subsistence users may be announced by subsequent special action after assessment of run strength and coordination with the KRITFC, ADF&G, and other parties identified in the Delegation of Authority provided to the Federal in-season manager by the Federal Subsistence Board.

* * * *

Justification

The closure of Federal public waters to the harvest of salmon with gillnets beginning June 1 is based on conservation concerns and provisions of opportunity for subsistence uses. Based on the 2022 ADF&G pre-season forecast of 99,000-161,000 Chinook Salmon, the depressed run in recent years resulting in the failure in the past eight years to meet long-term historical Chinook Salmon harvest (67,200-109,800 for years 1990-2009), it is evident that restrictions will be necessary to meet tributary and drainage-wide escapement goals while allowing some harvest by Federally qualified subsistence users.

The 2021 Chum Salmon run was the lowest ever recorded on the Kuskokwim. The preliminary escapement count of 4,153 Chum Salmon at the Kogrukluk River weir was well below the escapement goal range of 15,000 to 49,000 Chum Salmon. Also, passages of Chum Salmon at all other weir sites within Kuskokwim tributaries were well below average. Due to the uncertainty of returning 2022 Chum Salmon, it is evident that restrictions are necessary to protect Chum Salmon populations within the Kuskokwim River drainages.

Restricting the use of gillnets during June and July is intended to conserve Chinook and Chum salmon. It is understood that this will impact the harvest of other salmon species present due to overlapping run timing (e.g., Sockeye Salmon), but is considered necessary as gillnets are a non-selective gear type. Alternative gear types – dip nets, beach seines, fish wheels, and rod and reel – may be used throughout gillnet closures, and Federally qualified subsistence users may retain all salmon caught using these alternative gear types.

For more information, see the KRITFC-USFWS 2021 Draft Kuskokwim River Salmon Management Strategy by contacting YDNWR at (907) 543-3151.

By delegation from the Federal Subsistence Board:

Boyd Blihovde, Refuge Manager
Yukon Delta National Wildlife Refuge

DISTRIBUTION:

Anthony Christianson, Chair, Federal Subsistence Board
Sara Boario, Alaska Regional Director, USFWS



United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE

Yukon Delta National Wildlife Refuge

PO Box 346

Bethel, AK 99559



Mike Williams Sr., Chair, Kuskokwim River Inter-Tribal Fish Commission
Kevin Whitworth, Interim Executive Director, KRITFC
Raymond Oney, Chair, Yukon-Kuskokwim Delta Subsistence Regional Advisory Council
Jack Reakoff, Chair, Western Interior Alaska Subsistence Regional Advisory Council
LaMont Albertson, Co-Chair, Kuskokwim River Salmon Management Working Group
Sue Detwiler, Assistant Regional Director, Office of Subsistence Management,
Rory Stark, Special Agent in Charge, LE Division, USFWS
Vivian Korthius, Executive Director, Association of Village Council Presidents
Brian Ridley, Chief/Chairman, Tanana Chiefs Conference
Ben Mulligan, Deputy-Commissioner, Alaska Department of Fish & Game
Sgt. Brian Miller, Alaska Bureau of Wildlife Investigation
Scott Ayers, Fisheries Division Supervisor, Office of Subsistence Management
Theo Matuskowitz, Regulations Specialist, Office of Subsistence Management
Jill Klein, Alaska Regional Subsistence Coordinator, USFWS