



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



SUBSISTENCE FISHING

SPECIAL ACTION

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

Special Action No.: 3-KS-07-17 Issued at: Bethel, Alaska
July 7, 2017

Effective Date: July 7, 2017 12:01 A.M.
Unless superseded by subsequent Special Action

EXPLANATION:

This emergency special action rescinds all previously issued special actions regarding the management of Chinook Salmon in the Kuskokwim River drainage, and Yukon Delta National Wildlife Refuge (Refuge) waters will open to the harvest of Chinook Salmon by non-Federally qualified subsistence users. The ratio of Chum and Sockeye Salmon to Chinook Salmon at the Bethel Test Fishery (BTF) has averaged 29:1 over the past ten days, demonstrating that the salmon fishery has transitioned from a Chinook Salmon fishery to a Chum and Sockeye Salmon fishery and subsequent subsistence fishing opportunity will not greatly diminish the final number of Chinook Salmon escaping to spawning grounds. Therefore the Federal in-season manager has determined that there are no additional reasonable measures to conserve Chinook Salmon within Refuge waters.

This action was made after consultation with the Inter-Tribal Fish Commission (KRITFC) and the Alaska Department of Fish and Game (ADF&G). The subsistence salmon fishery will be managed by the ADF&G through Emergency Orders in consultation with the Kuskokwim River Salmon Management Working Group (KRSMWG), KRITFC, and the U.S. Fish and Wildlife Service.

The Alaska Department of Fish Game will manage fishing openings, closings and fishing methods. Under Emergency Order 3-S-WR-01-17, subsistence fishing with gillnets is closed in the Kuskokwim River mainstem and the following salmon-bearing tributaries:

- The Kwethluk River drainage including its confluence with Kuskokuak Slough and downstream to ADF&G regulatory markers located at the downstream mouth of the slough.
- The Kasigluk and Kisaralik River drainages including Old Kuskokuak Slough to ADF&G regulatory markers at the confluence of Old Kuskokuak Slough with 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.

Additionally, subsistence fishing with hook and line for Chinook Salmon is closed. Any Chinook Salmon caught must be returned alive to the water.

Fish wheels are required to have a live box with no less than 45 cubic feet of water and must be checked at least every 6 hours. Fish wheels may be equipped with a chute and must be closely attended while in operation. All Chinook Salmon must be returned alive to the water.

Subsistence fishing with dip nets and beach seines is open. Any Chinook Salmon caught in a dip net or beach seine must be returned immediately to the water alive.

REGULATION

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

For the Kuskokwim area, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.

JUSTIFICATION

Subsistence

Salmon are critical to the cultural and traditional needs of people residing in the Kuskokwim River drainage. Chinook Salmon harvest by local residents has been severely restricted or eliminated in recent years in an effort to provide stock conservation. State actions between May 20 and June 12 closed the river and salmon producing tributaries to the use of gillnets, and only dipnets, beach seines, fish wheels, and rod and reel have been allowed so that Chinook Salmon could be live released. Additionally, the State of Alaska provided three opportunities for the use of 4 inch or less mesh size gillnets between May 20 and June 12. On June 12, the Federal in-season manager provided one 12-hour fishing opportunity for Federally-qualified users with 6-inch mesh drift gillnets where an estimated 5,500 salmon were harvested between Tuntutuliak and Akiak (i.e., that portion of the Refuge where a large majority of subsistence harvest occurs), of which 2,360 were Chinook Salmon. On June 24, the Federal in-season manager provided a second 12-hour fishing opportunity for Federally-qualified users where an estimated 33,500 salmon were harvested between Tuntutuliak and Akiak, of which 4,560 were Chinook Salmon. A 6-hour fishing opportunity was provided on July 1, where an estimated 30,190 total salmon were harvested between Tuntutuliak and Akiak, of which 990 were Chinook Salmon, and on July 3, an additional 12-hour opportunity was provided when an estimated 17,950 total salmon were harvested between Tuntutuliak and Akiak, of which 690 were Chinook Salmon. During the June 12 opener, a total of 523 drift boat trips were estimated to have participated. During subsequent openers, this number decreased continuously with only 250 drift boat trips estimated to have participated during the July 3 opener. The observed 50% decline in user participation, coupled with exclusive access by Federally qualified users during the four opportunities provided, demonstrates that a priority for Federally qualified users has been afforded.

This year's estimated harvest to date and future management options were discussed with the KRITFC In-season Management Committee on June 16, 20, 23, 30, and July 6, 2017. The consensus from the July 6 meeting was that it was appropriate to rescind the Federal closure to the harvest of Chinook Salmon by non-Federally qualified subsistence users. The Alaska Department of Fish Game will manage fishing openings, closings and fishing methods.

Biological

Harvest management of Federal public waters will transition to a State-managed fishery because increased abundance of Chum and Sockeye Salmon in the Kuskokwim River greatly reduces the likelihood of


harvesting significant numbers of Chinook Salmon and a large portion of the 2017 Chinook Salmon run has moved upriver of the Yukon Delta National Wildlife Refuge.

Chum and Sockeye Salmon runs begin later than the Chinook Salmon run and this year their combined total has exceeded the number of Chinook Salmon at the BTF every day since June 12, 2017. For the past ten days, the ratio of Chum and Sockeye Salmon to Chinook Salmon at the BTF has averaged 29:1, demonstrating that the salmon fishery has transitioned from a Chinook Salmon fishery to a Chum and Sockeye Salmon fishery. The Federal in-season manager has determined that future subsistence fishing harvests will be largely comprised of species other than Chinook Salmon and that subsequent subsistence fishing opportunity will not greatly diminish the final number of Chinook Salmon escaping to spawning grounds.

The U.S. Fish and Wildlife Service, KRITFC, ADF&G, and KRSMWG have agreed to continue to work together to prescribe harvest management for salmon in a manner that will minimize exploitation of Chinook Salmon. These factors provide suitable protection for Chinook Salmon conservation while providing subsistence users of the Kuskokwim River drainage with opportunity to target salmon species other than Chinook Salmon. As a result, salmon management within Federal public waters will transition to a State-managed fishery.

FEDERAL SUBSISTENCE BOARD

By delegation to:


 Ken Stahlnecker, Refuge Manager
 Yukon Delta National Wildlife Refuge

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