



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-01-17 Issued at: Bethel, Alaska
May 3, 2017

Effective Date: June 12, 2017 12:01 a.m.
Expiration Date: August 10, 2017 11:59 p.m., unless superseded by subsequent Special Action

EXPLANATION:

Waters under Federal subsistence fisheries jurisdiction of the Kuskokwim River main stem and salmon tributaries including the Eek, Kwethluk, Kasigluk, Kisaralik, Tuluksak, and Aniak rivers will be closed to the use of all gillnets by all users to provide for escapement of Chinook salmon. Non salmon tributaries remain open to all users 100 yards upstream of their confluence to means and methods outlined in permanent regulation by the Alaska Department of Fish and Game (ADFG) and the Federal Subsistence Management Program (FSMP). Fishing using gear other than gillnets remains open to all users under permanent regulations, however, all Chinook salmon caught must be immediately released. Fishing openings and closings using gillnets for Federally qualified subsistence users will be announced by subsequent special action, after consultation and coordination with the Kuskokwim River Inter-Tribal Fish Commission and the ADFG. Targeting species other than Chinook salmon using means and methods other than gillnets remain legal to all users under permanent regulation by the ADFG and the FSMP.

REGULATION

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

Unless re-opened by the Yukon Delta National Refuge Manager, Federal public waters in that main stem portion of the Kuskokwim River and its salmon tributaries, within and adjacent to the exterior boundaries of the Yukon Delta National Wildlife Refuge are closed to fishing with gillnets. Salmon tributaries are the Eek, Kwethluk, Kasigluk, Kisaralik, Tuluksak and Aniak and their tributaries.

Targeting Chinook salmon is prohibited with all other means and methods. All Chinook salmon harvested using other means and methods must be immediately released. In non-salmon tributaries 100 yards upstream of their confluence with the Kuskokwim, salmon harvested incidentally with gillnets may be kept. Targeting non Chinook species using means and methods other than gillnets in all waters, and all species with all means and methods in non-salmon tributaries remain under permanent and emergency regulation by the Alaska Department of Fish and Game and permanent regulation of the Federal Subsistence Management Program.

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.

JUSTIFICATION

The closure to the use of all gillnets on Federal public waters of the Kuskokwim River was issued to manage for continued viability of populations of Chinook salmon and to provide for the continuation of future subsistence uses of those populations. The Federal in-season manager will assess the run of Chinook salmon and provide harvest opportunity with subsequent special actions. The decision to reopen Federal public waters to Federally qualified subsistence users will be made in consultation with the Kuskokwim River Inter-Tribal Fish Commission and the Alaska Department of Fish and Game, and the Yukon Kuskokwim Delta Subsistence Regional Advisory Council. This action is necessary to assure the continued viability of Chinook salmon, including the allowance of adequate escapement to portions of the drainage upstream of Federal public waters, and to provide future harvest opportunities to Federally qualified subsistence users.

State regulations are in place to close the commercial, sport, and subsistence Chinook salmon fishery through June 11 and to limit the use of 4" mesh set nets to one opportunity per week during this state closure to target non-salmon species. This action provides necessary protection for Chinook salmon conservation while providing rural users of the Kuskokwim drainage with opportunity to target non-salmon species. Support for this state action has been articulated by the many groups representing rural subsistence users in the Kuskokwim River drainage and assimilation of this closure conforms to the federal mandate and is necessary for reasons of administration of future federal restrictions that will be implemented to provide for continued viability of the Chinook salmon resource.

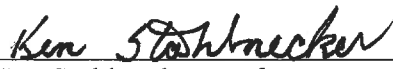
Since 2010, the Kuskokwim River has experienced poor runs of Chinook salmon, and 2013 was the lowest run on record. In 2015, the total run was estimated at 172,000 Chinook salmon with an estimated subsistence harvest of 16,000 Chinook salmon. The drainage-wide escapement for 2016 was estimated at 172,000 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 sustained at the lower end of the projected 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 closure of salmon-bearing tributaries is due to the low Chinook salmon returns to Kuskokwim River tributaries over the last several years. While escapement goals were met or exceeded for the majority of weir projects in 2016, conservation measures are warranted in the 2017 season to aid in the recovery of these stocks. Chinook salmon returns in the Kwethluk River have fallen below the lower bound of the escapement goal in six of the last eight years, and escapement in the Aniak, Kisaralik and Tuluksak rivers has been far below average. The Eek River is closed as a salmon spawning stream to conserve salmon going upstream to spawn. Even a very limited subsistence harvest could impact the likelihood of achieving sufficient escapement; therefore, the tributary-specific restrictions are necessary for the conservation of healthy populations of Chinook salmon.

FEDERAL SUBSISTENCE BOARD

By delegation to:


 Ken Stahlnecker, Refuge Manager
 Yukon Delta National Wildlife Refuge

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