



# 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 FSA18-01: Kuskokwim River Salmon Fisheries**

**Background:** The Kuskokwim River drainage is the second largest in the state of Alaska and has provided Alaska Natives from 40 tribes and non-Native residents of the Kuskokwim watershed an abundance of fishery resources, including Chinook Salmon, for subsistence purposes. Since 2010, Chinook Salmon returns to the Kuskokwim River have been some of the lowest on record. Over the last several years, restrictions have been put in place to limit the subsistence harvest and conserve Chinook Salmon.

### **Q. What is a temporary special action and how long will it last?**

A. Special actions are temporary regulatory changes that affect specific Federal subsistence regulations. A temporary special action is a special action that is in effect for more than 60 days, but is limited to one regulatory cycle. Thus, if FSA18-01 was approved by the Federal Subsistence Board, it would only affect the Chinook Salmon fisheries in Federal public waters of the Kuskokwim River drainage for the upcoming 2018 season. Permanent changes to Chinook Salmon fishery regulations would require Federal rulemaking, which would include public notice and multiple opportunities for public comment.

### **Q. What is included in the request?**

A. Temporary Special Action Request FSA18-01, submitted by the US Fish and Wildlife Service, Yukon Delta National Wildlife Refuge (Refuge), requests the Federal Subsistence Board close Federal public waters of the Kuskokwim River drainage to the harvest of Chinook Salmon except by Federally qualified subsistence users, and further reduce the pool of eligible harvesters based on Alaska National Interest Lands Claims Act (ANILCA) 804 subsistence user prioritization analysis that was implemented in 2017. The proponent requests an effective starting date of June 12, 2018 and an end date of August 30, 2018, unless the Federal in-season manager re-opens Federal public waters of the Kuskokwim River drainage to the harvest of Chinook Salmon by non-Federally qualified users, or when it is superseded by subsequent special actions.

### **Q. How can the public comment on this specific special action request (FSA18-01)?**

A. A public hearing will be held on March 14, 2018 from 6:00 to 8:00 p.m. at the Association of Village Council Presidents (AVCP) Regional Housing Authority Conference Room in Bethel (411 Ptarmigan Street). The purpose of this hearing is to receive public testimony on the special action request. If you are not able to attend the public hearing in person, a toll free teleconference line will be available (888-455-5897, passcode 3344290).

Public testimony will be forwarded to the Board for consideration on the temporary special action request.

**Q. If adopted by the Federal Subsistence Board what Federal public waters would be affected by the special action request?**

A. For the purposes of this special action request, Federal public waters are those waters within and adjacent to the exterior boundaries of the Yukon Delta National Wildlife Refuge. These waters are generally described as the lower Kuskokwim River drainage from the mouth upriver to and including about 30 miles of the Aniak River.

**Q. Who are Federally qualified subsistence users?**

A. All permanent residents of the Kuskokwim Management Area are Federally qualified subsistence users.

**Q. What is an ANILCA Section 804 Subsistence User Prioritization?**

A. The Federal Subsistence Management Program, under Section 804 of ANILCA, uses a phased approach to opening and closing subsistence fisheries. When conservation concerns arise or the continuation of subsistence uses is threatened, the Board uses closures to all except Federally qualified subsistence users, prioritization among Federally qualified subsistence users (via a Section 804 Subsistence Users Prioritization) and full closures to manage and conserve the resource. As conservation concerns for a fish stock or a wildlife population subside or threats to the continuation of subsistence uses are resolved, the Board is also able to incrementally remove the restrictions imposed by these management tools, including a Section 804 Subsistence User Prioritization, so that harvest opportunities are available for the maximum number of users and uses.

Section 804 Subsistence User Prioritization is implemented based on the application of the following three criteria: (1) customary and direct dependence upon the populations as the mainstay of livelihood, (2) local residency, and (3) the availability of alternative resources.

**Q. Who was included in the ANILCA Section 804 Subsistence User Prioritization that was adopted by the Federal Subsistence Board in 2017?**

A. The Board determined that residents of the Kuskokwim River drainage and additionally the coastal communities of Kwigillingok, Kongiganek, Kipnuk, and Chefornak (32 of 40 communities in the customary and traditional use determination) had the highest customary dependence on Chinook Salmon from the Kuskokwim River drainage than did other communities after consideration of the three criteria in ANILCA Section 804. Presented from south to north, the area included the following villages: Chefornak, Kipnuk, Kongiganek, Kwigillingok, Tuntutuliak, Eek, Napakiak, Napaskiak, Kasigluk, Nunapitchuk, Atmautluak, Oscarville, Bethel, Kwethluk, Akiachak, Akiak, Tuluksak, Lower Kalskag, Kalskag, Aniak, Chuathbaluk, Napaimute, Crooked Creek, Georgetown, Red Devil, Sleetmute, Stoney River, Lime Village, Takotna, Nikolai, Telida, and McGrath.

**Q. What is the remaining process for this special action request after the Public Hearing?**

A. It is important to note that the items listed above are part of a special action request – the Board has not yet taken action to approve, modify or reject the request. The Office of Subsistence Management is analyzing the potential effects of the request on Chinook Salmon populations and Federal subsistence opportunity. The Board will consider all information provided in the analysis, including public testimony,

when making its decision. The Board could approve, approve with modification, or reject the special action request, or alternatively, defer the request until the next regulatory cycle. It is anticipated that the Board will consider this special action request in April 2018, though no specific date has been set.

**Q. How can I get more information on this special action request?**

A. Please contact the Office of Subsistence Management at 1-800-478-1456 with questions about special action request FSA18-01 or visit the Federal Subsistence Management Program website (<https://www.doi.gov/subsistence/>) for more information about subsistence on Federal public lands and waters.

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