



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

EMERGENCY SPECIAL ACTION

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

Emergency Special Action No.: 3-KS-08-18 Issued at: Bethel, Alaska
June 27, 2018

Effective Date: June 29, 2018 12:00 PM (noon)

Expiration Date: June 29, 2018 6:00 PM unless superseded by subsequent Emergency
Special Action

EXPLANATION:

This emergency special action opens a 6-hour opportunity for Federally qualified subsistence users identified in the Section 804 subsistence user prioritization analysis, which includes residents of the Kuskokwim River drainage and the villages of Cheformak, Kipnuk, Kwigillingok, and Kongiganak, to harvest Chinook Salmon on Federal public waters of the Kuskokwim River main stem from the mouth to a line downstream of Kalskag at the south edge of Uknavik Slough and then due east to the edge of the bluff line on June 29, 2018. During this opportunity, Federally qualified subsistence users may fish on June 29, 2018 from 12:00 PM (noon) until 6:00 PM.

The following salmon tributaries of the Kuskokwim within the boundaries of the Refuge, will remain closed to the harvest of Chinook Salmon by Federally-qualified users:

- The Eek River;
- 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; and
- the Aniak River drainage to ADF&G regulatory markers at its confluence with the Kuskokwim River.

Non salmon tributaries within 100 yards of their confluence with the Kuskokwim River main stem will open to the harvest of Chinook Salmon.

All drift or set gillnets are limited to 6-inch or less mesh and may not exceed 45 meshes in depth. Nets from the Yukon Delta National Wildlife Refuge (Refuge) boundary at the Kuskokwim River mouth to the Johnson River cannot exceed 50 fathoms (300 feet) in length. Nets up river from the Johnson River cannot exceed 25 fathoms (150 feet) in length.

Subsistence fishing for Chinook Salmon with dip nets, beach seines, fish wheels, and rod and reel may also be used during this opportunity. 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 must be equipped with a chute and must be closely attended while in operation.

Once this emergency special action expires on June 29, 2018 at 6:00 PM, Federal public waters of the Kuskokwim River from the mouth to a line downstream of Kalskag at the south edge of Uknavik Slough and then due east to the edge of the bluff line, identified in Emergency Special Action 3-KS-03-18, which was issued on June 6, 2018, will remain closed to the harvest of Chinook Salmon by Federally qualified subsistence users.

This subsistence fisheries management action was coordinated with representatives from the Western Interior (WIRAC) and Yukon Kuskokwim Delta (YKDRAC) Subsistence Regional Advisory Councils, the Kuskokwim River Inter-Tribal Fish Commission (KRITFC), the Alaska Department of Fish and Game (ADF&G), the Kuskokwim River Salmon Management Working Group (KRSMWG), and the Office of Subsistence Management to the extent possible. Further Chinook Salmon fishing openings, closings, and fishing methods for Federally qualified subsistence users will be announced by subsequent emergency special action, after coordination with the above mentioned entities.

REGULATION

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

Unless re-opened by the Yukon Delta National Wildlife Refuge Manager, Federal public waters of the Kuskokwim River main stem, including the following salmon bearing tributaries within and adjacent to the exterior boundaries of the Yukon Delta National Wildlife Refuge:

- *The Eek River;*
- *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; and*
- *The Aniak River drainage to ADF&G regulatory markers at its confluence with the Kuskokwim River;*

are closed to the harvest of Chinook Salmon by Federally qualified subsistence users. 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 identified under a ANILCA Section 804 analysis, which includes residents of the Kuskokwim River drainage and the villages of Chefornak, Kipnuk, Kwigillingok, and Kongiganak.

Federally qualified subsistence users as identified under the ANILCA Section 804 analysis can harvest Chinook Salmon in Federal public waters of the main stem of the Kuskokwim River from the mouth to a line downstream of Kalskag at the south edge of Uknavik Slough at (latitude 61° 20' 20" N, longitude 160° 41' 13" W) and then due east to the edge of the bluff line at (latitude 61° 20' 20" N, longitude 160° 34' 52" W) and non-salmon tributaries within 100 yards of their confluence with the Kuskokwim River main stem from June 29, 2018 at 12:00 PM (noon) until June 29, 2018 at 6:00 PM. Gillnets are restricted to 6-inch or less mesh and may not exceed 45 meshes in depth and 50 fathoms (300-feet) in length below the Johnson River and 25 fathoms (150 feet) in length above the Johnson River. Subsistence fishing for Chinook Salmon with dip nets, beach seines, fish wheels, and rod and reel may also be used during this opportunity. 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 must be equipped with a chute and must be closely attended while in operation. The following waters will remain closed:

- *The Eek River;*
- *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; and*
- *The Aniak River drainage to ADF&G regulatory markers at its confluence with the Kuskokwim River;*
- *The waters of the Kuskokwim River main stem from the Yukon Delta NWR boundary at Aniak starting at (latitude 61° 34' 58" N, longitude 159° 31' 03" W) downstream to a line formed from the point on the southeast corner of the sandbar (latitude 61° 35' 37" N, longitude 159° 33' 16" W) due south to the northwest corner of the runway (latitude 61° 35' 16" N, longitude 159° 33' 28" W), and from the refuge boundary at (latitude 61° 34' 27" N, longitude 159° 31' 02" W) to a line formed across the mouth of Aniak Slough from (latitude 61° 34' 27" N, longitude 159° 31' 18" W) northwest to (latitude 61° 34' 33" N, longitude 159° 31' 29" W).*

JUSTIFICATION

Subsistence

Salmon, particularly Chinook, are critical to the cultural and traditional needs of people residing in the Kuskokwim River drainage. Harvest by local residents has been severely restricted in recent years in an effort to provide stock conservation. This targeted, but limited, subsistence fishing opportunity will provide residents identified through the ANILCA 804 Subsistence User Prioritization Analysis with an opportunity to continue subsistence uses of Chinook Salmon.

On June 12, the Federal in-season manager provided one 12-hour fishing opportunity with 6-inch mesh drift gillnets where an estimated 7,360 salmon were harvested, of which 5,340 were Chinook Salmon. On June 16, the Federal in-season manager provided a second 12-hour fishing opportunity with 6-inch mesh drift gillnets where an estimated 8,960 salmon were harvested, of which 5,710 were Chinook Salmon. On June 24, the Federal in-season manager provided a third 12-hour opportunity where an estimated 18,650 salmon were harvested, 6,100 of which were Chinook Salmon. Given the fishing opportunities, people are still hungry for Chinook Salmon and are highly anticipating more fishing opportunities for Chinook Salmon to continue their traditional way of life and provide for their families. Many of the KRITFC members have continued to express subsistence shortfalls for their families and way of life. The need for a Chinook Salmon harvest opportunity on June 29th was discussed with the In-Season Management Committee comprised of the KRITFC, the ADF&G, and representatives from the KRSMWG, the WIRAC, and the YKDRAC during the weekly planning meetings. After consultation with the In-season Management Committee the decision was made to provide for some additional subsistence harvest by having a 6-hour opening on the main stem of the Kuskokwim River within the Refuge starting at 12:00 PM (noon), Friday, June 29, 2018 while minimizing the risk of overharvesting. The 6-hour opening is scheduled during this time period on this day to allow subsistence users to fish during the incoming tide.

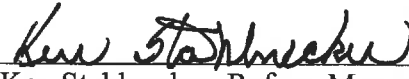
Biological

The Federal in-season manager supports managing the fishery based on a forecast and a conservative escapement objective for 2018. For planning purposes, managers are using the mid-point of the forecast range, which is 133,000, for the expected run size. Given the poor returns in recent years, corresponding fisheries restrictions, and an interest in facilitating stock rebuilding, the Federal In-Season Manager and In-Season Management Committee have established an escapement target of 110,000 Chinook Salmon. Based on the best assessment information currently available (preseason forecast, in-season run assessment, and in-season harvest estimates), our analysis of the likely harvest outcome from this opportunity will give an increased chance of falling below the 110,000 fish escapement target as compared to the previously-identified level of risk using the pre-season forecast alone. The In-Season Management Committee recognizes and accepts that this opportunity will further reduce the likelihood of meeting their defined escapement target of 110,000 fish. The Federal In-Season Manager is providing this opportunity because the analysis suggests a 90% likelihood of falling within or above the established escapement goal range of 65,000 to 120,000 fish. If this opportunity would not be provided, the same analysis suggests that the probability of falling within or above the established escapement goal range is 93%.

Because the harvest during this opportunity is unlikely to compromise attaining the established escapement goal range, will only last 6 hours, and will be using Chinook Salmon conservation gear (6-inch or less stretched mesh gillnets), the action is inherently a conservative management action that protects the viability of the Chinook Salmon population while allowing the continuation of subsistence uses.

FEDERAL SUBSISTENCE BOARD

By delegation to:


Ken Stahlnecker, Refuge Manager
Yukon Delta National Wildlife Refuge

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Executive Director, Kuskokwim River Inter-Tribal Fish Commission
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Chair, Western Interior Alaska Subsistence Regional Advisory Council
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