



U.S. Fish and Wildlife Service  
Bureau of Land Management  
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Bureau of Indian Affairs

## Federal Subsistence Board

1011 East Tudor Road, MS 121  
Anchorage, AK 99503-6199



Forest Service

### **Kuskokwim River Federal Waters Closed to Gill Nets for the Protection of Chinook, Chum, and Coho Salmon**

#### TEMPORARY SPECIAL ACTION (*Revised*)

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

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**Temporary Special Action No: FSA-YD-23-01**

Issued at: Bethel, Ak **May 18, 2023**

Effective Date: June 1, 2023, 12:01 AM

Expiration Date August 31, 2023, 11:59 PM or until superseded by special action

#### **EXPLANATION:**

The Yukon Delta National Wildlife Refuge (YDNWR) Manager determined that Federal management is necessary for the conservation and the continuation of subsistence uses for Chinook, Chum, and Coho Salmon within the Federal public waters of 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. The Federal Manager intends to use an adaptive management approach to manage the salmon fishery from June 1<sup>st</sup> to August 31<sup>st</sup>, 2023. As part of this approach the YDNWR will continue coordinating with the Kuskokwim River Inter-Tribal Fish Commission (KRITFC), the Alaska Department of Fish and Game (ADF&G), and other local partners.

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

(A) *Unless re-opened by the YDNWR 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 from June 01, 2023 at 12:01 a.m. to August 31, 2023 at 11:59 p.m.:*

(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 YDNWR 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, Chum, and Coho salmon and the use of all gillnets by all users effective June 01, 2023:*



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- *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.*
- *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).*

- (3) *For non-Federally Qualified users: dip nets, beach seines, and rod and reel fishing for Sockeye Salmon in the main stem of the Kuskokwim River will remain open throughout the closure. Retention of Chinook, Chum, and Coho salmon is not allowed.*
- (4) *For Federally Qualified Subsistence users: dip nets, beach seines, fish wheels, and rod and reel will remain open throughout the closure and retention of all salmon is allowed within the main stem of the Kuskokwim River.*

### **JUSTIFICATION:**

The closure of federal public waters to the harvest of salmon with gillnets beginning June 1 is based on conservation concerns throughout the Kuskokwim River drainage. The in-season manager may announce openings to subsistence uses when run strength and timing permit and, in a manner designed to balance long-term conservation of fisheries resources with the provision of possible opportunities for the continuation of subsistence uses.

The depressed run of Chinook Salmon in recent years has resulted in the failure to meet long-term historical Chinook Salmon harvest (67,200 – 109,800 for years 1990 – 2009) and restrictions are necessary to meet a 110,000 drainage-wide escapement goal.

The 2022 Chum Salmon run was the lowest ever recorded on the Kuskokwim. The



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preliminary escapement count of 13,471 Chum Salmon at the Kogruklu River weir was below the escapement goal range of 15,000 to 49,000 Chum Salmon for the second straight year. The Kwethluk River weir count of 2,368 Chum Salmon is the lowest count since the beginning of weir operations in 2000. Due to the uncertainty of returning 2023 Chum Salmon, restrictions are necessary to protect Chum Salmon populations within Kuskokwim River drainages.

The 2022 Coho Salmon run at Bethel Test Fishery was one of the lowest on record, second only to 2018 when monitoring operations ceased due to a shortened field season. Of the two tributaries with escapement goals within the Kuskokwim River drainage, the Kogruklu River weir was inoperable due to high water and the Kwethluk River weir had the second lowest Coho Salmon count ever recorded. Based on 2022 Coho Salmon numbers throughout the Kuskokwim River drainage, a conservative approach to Coho Salmon management is warranted.

Restricting the use of gillnets during June through August is intended to conserve Chinook, Chum, and Coho salmon. This will impact the harvest of other salmon species present due to overlapping run timing (e.g., Sockeye Salmon). Therefore, special consideration will be given to providing harvest opportunities that will target Sockeye Salmon while minimizing impacts to other salmon species.

On the main stem of the Kuskokwim River, alternative gear types including dip nets, beach seines, fish wheels, and rod and reel may be used by federally qualified subsistence users throughout gillnet closures (and remains open to Sockeye Salmon for all users). Qualified subsistence users may retain all salmon species using these methods, because harvest levels are not expected to negatively impact the salmon returns and will allow additional fishing opportunities.

A public hearing on the proposal to close the Kuskokwim River drainage to the harvest of Chinook, Chum, and Coho salmon was held on May 15, 2023. The majority of public comment was supportive of the temporary special action to close the Kuskokwim River drainage starting June 1<sup>st</sup> 2023. Public testimony shared at this meeting was considered when making the final determination to close Federal public waters of the Kuskokwim River to the harvest of salmon with gillnets effective June 1, 2023 through August 31, 2023.

Federal Subsistence Board by delegation to:

Boyd Blihovde  
Kuskokwim River In-season Manager  
Yukon Delta National Wildlife Refuge



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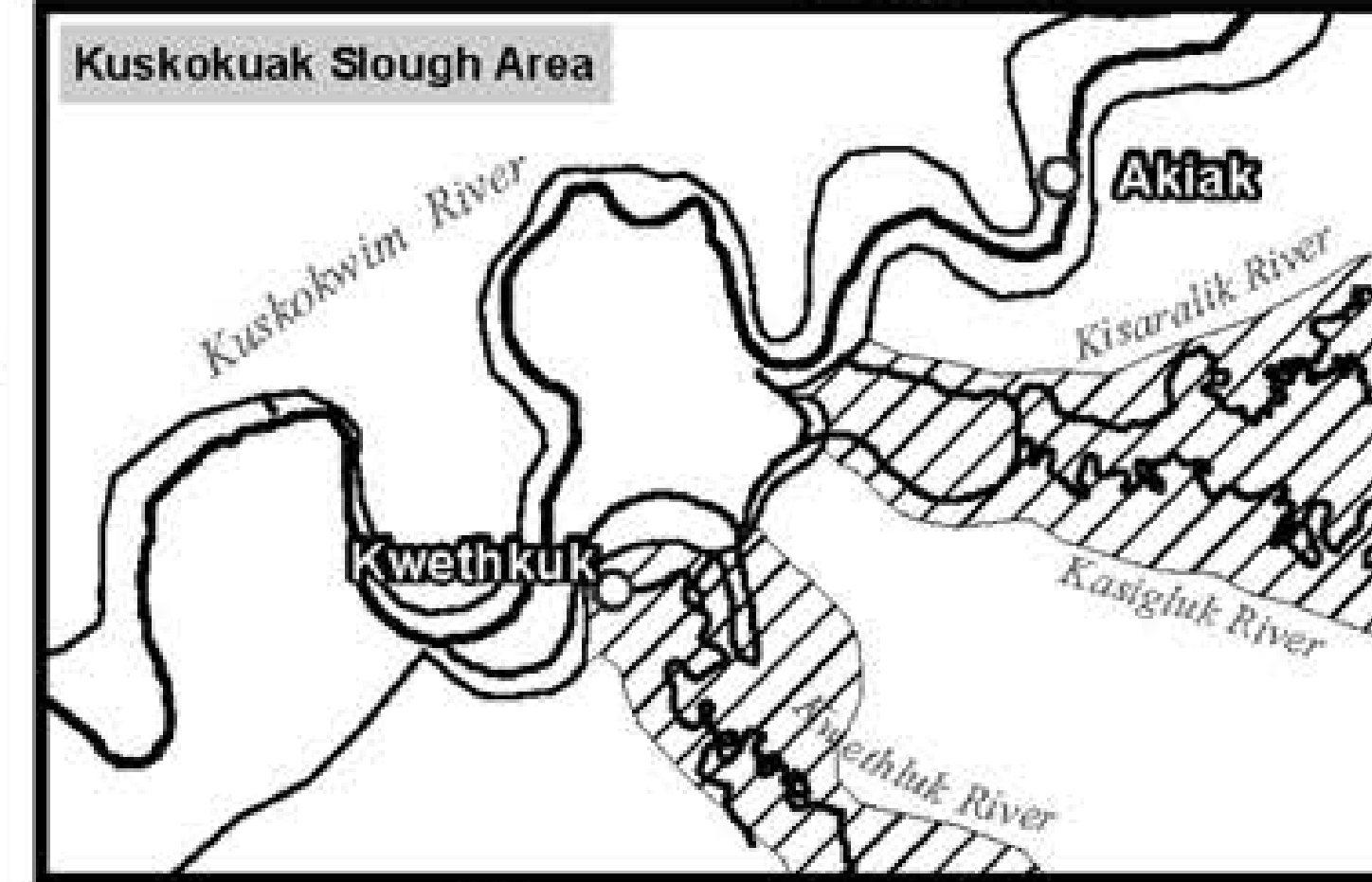
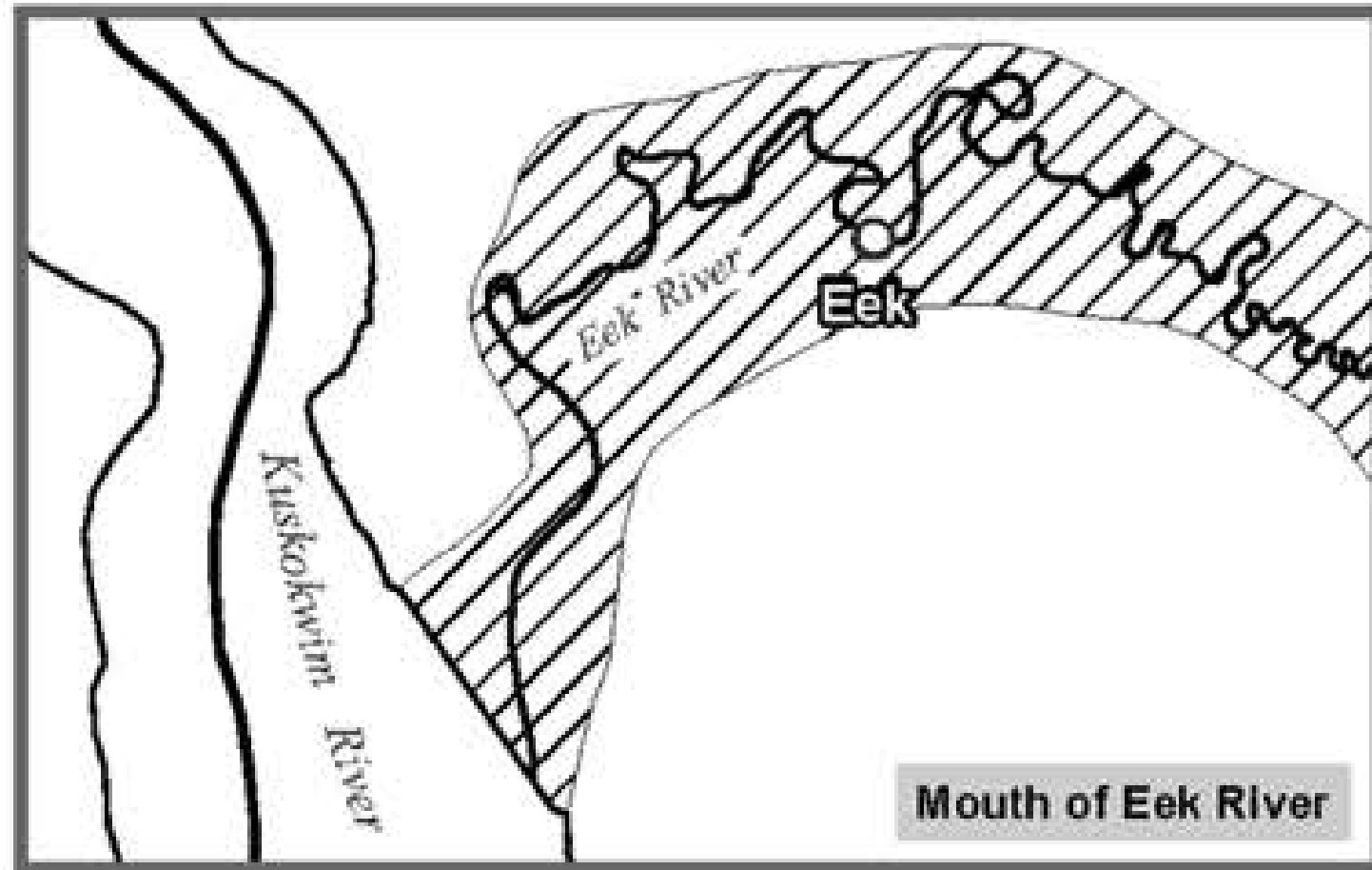
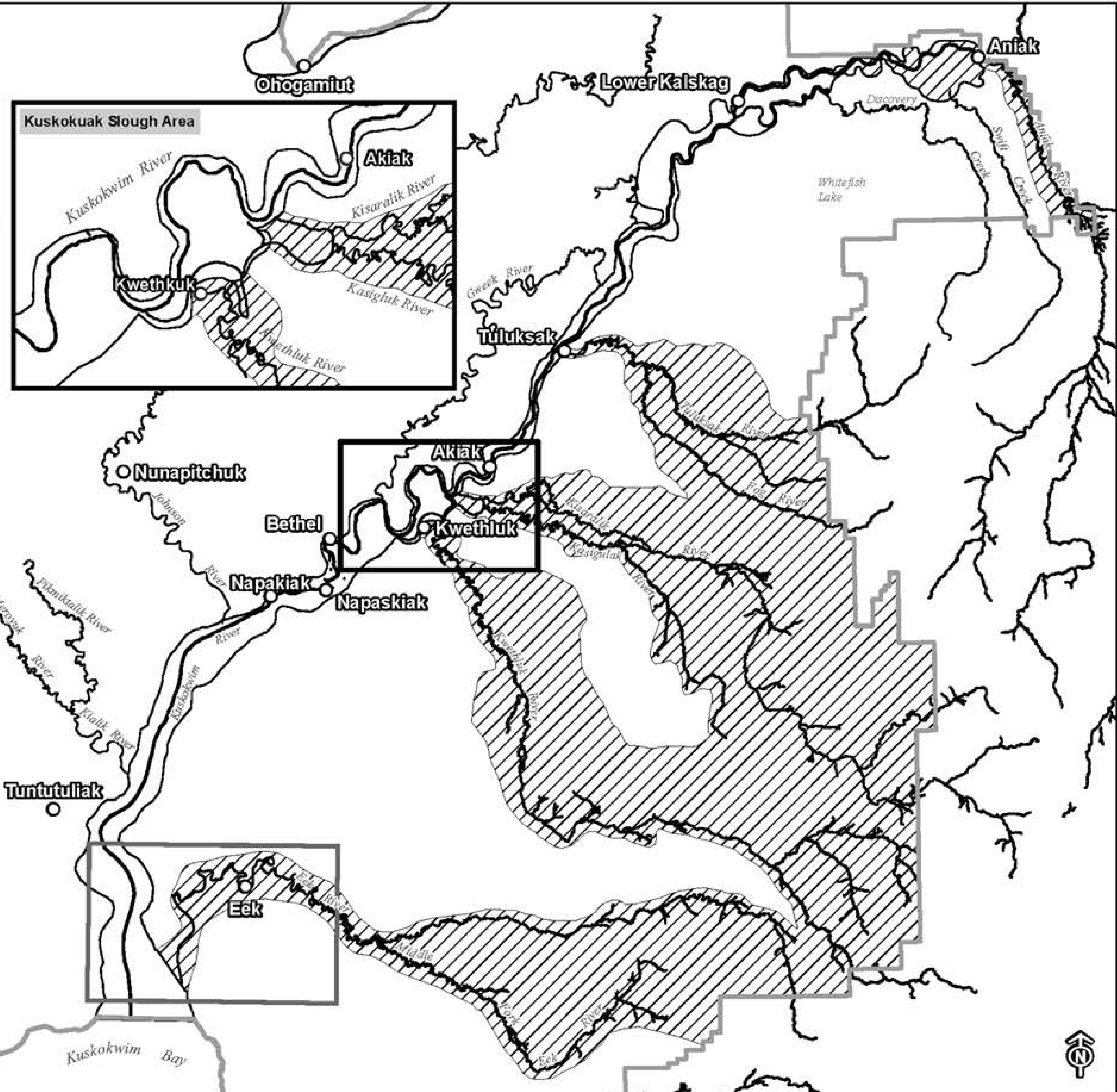
# Subsistence Fishing Notice - Set and Drift Gillnet Opportunities

Closed Waters during federal Chinook, Chum, and Coho Management

June 3, 6, 9, 2023 6:00 AM to 10:00 PM SET NET ONLY

June 12, 17, 2023 7:00 AM to 7:00 PM Set and Drift Net

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- Salmon Andromous Waters
- Mainstem of the Kuskoswim River
- Chinook, Chum, Coho, Salmon Closure
- Yukon Delta Refuge Boundary



# Subsistence Fishing Notice

Effective June 3, 2023

