



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

RC 017
Department of
Fish and Game

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TO: Karl Johnstone, Chair
Alaska Board of Fisheries

THRU: Jeff Regnart, Director
Division of Commercial Fisheries

DATE: March 12, 2014

SUBJECT: Petition to allow
dip nets in
Kuskokwim River
subsistence fishery
during times of king
salmon conservation

FROM: John Linderman, Region III Regional Supervisor
Division of Commercial Fisheries

This letter provides Alaska Department of Fish and Game (department) staff assessment of a petition received from the Kuskokwim River Salmon Management Working Group on March 3, 2014 to the Alaska Board of Fisheries (board) to consider an emergency action out of cycle.

Action Requested

This petition requests the board to add dip nets as legal subsistence gear for the taking of salmon other than king salmon in the Kuskokwim River during times of king salmon conservation.

Background

Longstanding regulations in the Kuskokwim Management Area allow for salmon to be taken for subsistence purposes by gillnet, beach seine, a hook and line attached to a rod or pole, handline, or fish wheel. Gillnets are the primary gear type used in the Kuskokwim River subsistence salmon fishery. During times of king salmon conservation gillnet mesh size may not exceed six inches and fish wheels must be equipped with a live box. All king salmon caught in fish wheel live boxes, beach seine gear, and with hook and line attached to a rod or pole must be returned to the water alive.

In January 2013, the board adopted a new Kuskokwim River Salmon Management Plan (management plan) that further allows the department to restrict gillnet mesh size to four inches or less until sockeye and chum salmon abundance exceeds king salmon abundance. Another provision in the management plan allows the department to establish fishing periods during which king salmon may be harvested only by persons 60 years of age or older when the surplus of king salmon is limited.

Since 2010, the Kuskokwim River has experienced poor king salmon returns and average to above average sockeye and chum salmon returns. Total run estimates for Kuskokwim River king salmon in 2010, 2012, and 2013 are the three lowest on record. Escapements in 2010 and 2013 were below the Kuskokwim River drainagewide escapement goal that was established in 2013 and the majority of tributary escapement goals were not met in these years. A combination of salmon fishing closures and restrictions limiting the use of gillnets to six inch or less mesh size were implemented by emergency order in 2011 and 2012. In 2013 subsistence salmon fishing in the river was open all season, but gillnets were restricted to six inch or less mesh size by emergency order.

Subsistence harvests of king salmon from the Kuskokwim River in 2011, 2012, and 2013 were below amounts reasonably necessary for subsistence uses (ANS) as a result of the low returns and subsistence fishing restrictions. While subsistence fishing restrictions in 2011 and 2012 reduced fishing opportunity for sockeye and chum salmon in the river, ANS was met for these species in each year. It is possible Kuskokwim River subsistence fishermen may increase harvest of chum and sockeye salmon when the king salmon subsistence fishery is severely restricted. In 2012, a year of severe subsistence restrictions, Kuskokwim River king salmon harvest was 72% below average, whereas chum and sockeye salmon harvests were 27% and 6% above average, respectively.

The 2014 Kuskokwim River king salmon run is expected to be similar to 2013, which was the lowest on record. The management expectation is to close the subsistence king salmon fishery in and reduce incidental harvest of king salmon to a level that would allow for achievement of escapement goals. Due to overlapping run timing of sockeye and chum salmon with king salmon, subsistence fishing opportunity for these species in the river is also expected to be significantly reduced.

Dip nets were allowed in Yukon River districts 1 and 2 in 2013 to provide harvest opportunity on surplus summer chum salmon in the subsistence and commercial fisheries while conserving king salmon. The use of dip net gear accounted for approximately 188,000 summer chum salmon harvested in the district 1 and 2 commercial fisheries that would have otherwise not occurred. Relatively minimal impacts to king salmon were observed in this fishery, and approximately 900 king salmon were reported as released alive from dip nets during commercial fishing periods. Concurrent subsistence fishing opportunity using dip nets in lower Yukon River districts provided additional harvest opportunity that would have otherwise not occurred.

Based on the successful implementation of dip net gear in lower Yukon River salmon fisheries, dip nets have the potential to increase harvest of sockeye and chum salmon in the Kuskokwim River subsistence fishery. Because impacts to king salmon would be expected to be minimal using dip net gear, additional fishing opportunity could be provided in the Kuskokwim River using this gear to harvest chum and sockeye salmon earlier in the season. It would be critical that any gear specifications and operations allow king salmon to be safely and easily returned to the water alive.

Finding of Emergency

Under the criteria listed in the Joint Board Petition Policy used by the board in determining whether or not an emergency exists, paragraph (f) of 5 AAC 96.625 reads, in pertinent part:

...In this section, an emergency is an unforeseen, unexpected event that either threatens a fish or game resource, or an unforeseen, unexpected resource situation where a biologically allowable resource harvest would be precluded by delayed regulatory action and such delay would be significantly burdensome to the petitioners because the resource would be unavailable in the future.

At this time, there is not an unforeseen or unexpected event that threatens a fish resource. There is potentially an unforeseen, unexpected resource situation where a biologically allowable resource harvest would be precluded by delayed regulatory action. Since Kuskokwim River king salmon run timing overlaps up to 80 percent of the sockeye salmon run and 60 percent of the chum salmon run, subsistence salmon fishing closures in 2014 directed at the conservation of king salmon are expected to impact the level of harvest and opportunity on a biologically allowable surplus of chum and sockeye salmon under current rules. The next Arctic-Yukon-Kuskokwim board meeting is scheduled for 2015/2016, which is two fishing seasons from now.

Summary

It is difficult to determine that a finding of an emergency under 5 AAC 96.625 (f) has been satisfied by this petition. Abundance of Kuskokwim River king salmon has been very low for several years and is not expected to change in the near term. While subsistence fishing opportunity for sockeye and chum salmon will be reduced in the river as a result of king salmon conservation, it is unclear if this will result in a situation where a biologically allowable resource harvest would be precluded.

cc: Cora Campbell, Commissioner
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