



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

**Department of  
Fish and Game**

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TO: Karl Johnstone, Chair  
Alaska Board of Fisheries

DATE: March 12, 2014

THRU: Jeff Regnart, Director  
Division of Commercial Fisheries

SUBJECT: Petition to  
limit gillnet length  
for king salmon  
conservation in  
Kuskokwim River  
subsistence fishery

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 an additional subsistence gear limitation of 25-fathom net length 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. The aggregate length of set gillnets or drift gillnets may not exceed 50 fathoms in length. During times of king salmon conservation gillnet mesh size may not exceed six inches.

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 available for harvest 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 to the use of gillnets with 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 in 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 king salmon fishery 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 sockeye and chum salmon is also expected to be significantly reduced.

Reduction of gillnet length from 50 fathoms to 25 fathoms would not be expected to increase the harvest of chum or sockeye salmon from the Kuskokwim River drainage, nor reduce the harvest of incidentally caught king salmon. However, it would give the department increased confidence to allow for longer subsistence fishing periods due to reduced catch efficiency of 25 fathom nets.

### **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 opportunity to harvest a biologically allowable resource would be impacted 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 opportunity on a biologically allowable

harvest 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 in the river will be reduced as a result of king salmon conservation, it is uncertain whether this will result in precluding a biologically allowable resource harvest.

cc: Cora Campbell, Commissioner  
Glenn Haight, Executive Director, Boards Support Section  
Forrest R. Bowers, Deputy Director, Division of Commercial Fisheries  
Lisa Olson, Deputy Director, Division of Subsistence  
Tom Brookover, Deputy Director, Division of Sport Fish