

# Kuskokwim River Salmon Management Working Group

1 (800) 315-6338 (MEET) Code: 58756# (KUSKO)

ADF&G Bethel toll free: 1 (855) 933-2433

June 30, 2021

This meeting of the Kuskokwim River Salmon Management Working Group was called to order at approximately 10:01 a.m. and adjourned at 12:30 p.m. A quorum was established with 12 full voting members present at the start of the meeting. Mary Peltola (2<sup>nd</sup> Member at Large) chaired the meeting.

In response to the June 28 state opening, that was not mirrored by the USFWS, a recurring theme of this meeting was the need for all groups that have a stake in salmon management on the Kuskokwim River to work better together as to reduce confusion amongst the public.

## AGENDA ITEMS

### **A. USFWS/KRITFC UPDATE:** *Audio for this update begins at 8:40 – Meeting Audio – 06/30/21*

- Boyd Bilhovde (USFWS) Spoke about the recent events from his perspective. He said all parties need to try harder to come to agreements, otherwise the public becomes confused on what is and is not legal. He said that more time needed to be afforded to discussing upcoming management decisions in these meetings. He stated that USFWS was planning to issue another Emergency Special Action for the protection of chum salmon and that it would include setting openings for Friday's, July 2 (6 am – 3 pm), 9 (6 am – 6 pm), 16 (6 am – 6 pm). He said that USFWS wants to do what they can to protect chum, while realizing the public needs to fish.
- Alissa Rogers (Lower River Subsistence) disagreed with setting exact opening dates so far in advance. She made the case that they should announce an opener and look at harvest data along with Bethel test fish and sonar data and then make decisions on additional openers.
- Nick Smith (ADF&G) asked if the USFWS had discussed live release of chum salmon from selective gear types. Mr. Bilhovde said that they had.
- Fritz Charles (1<sup>st</sup> Member at Large) said that majority of people worked weekdays in Bethel and that it would be better to have openings later in the day, such as 3 pm to 9 pm.
- Katie Russel (ONC) asked if the live-release requirements would apply to chum salmon. Mr. Bilhovde said that the USFWS looked to the state regulations for this. Nick Smith said that chum release was not in current state regulations for dipnets but was for beach seines and fish wheels.
- Kevin Whitworth (Western Interior RAC) wanted clarification on when the river opened 24/7 to gillnets last year (July 7, 2020) and stated that it was good a more conservative approach was being taken this year for the conservation of chums.
- Mary Peltola (2<sup>nd</sup> Member at Large) summarized the events that led up to the opening of the river last year (state management began July 1, 2020, and there was pressure from the public to open the river). This year is different because USFWS has an open-ended federal special action (FSA) and the chum run is worse than last year.
- Alissa Rogers (Lower River Subsistence) asked if there had been discussions about 4-inch setnets as a means of fishing for sockeye while conserving Chinook and chum salmon. Mr. Blihovde stated that they had not, but would be open to those discussions.

### **A. ADF&G MANAGEMENT ACTIONS UNDER CONSIDERATION:** *Audio begins at 23:30 – Meeting Audio - 06/30/21*

- Nick Smith (ADF&G) stated that because the chum run was looking poor, his recommendation was to require the live release of chum salmon from fish wheels and beach seines for the entire Kuskokwim River Drainage. He also wanted for the group to discuss how to provide harvest on sockeye while taking conservation measures on chums. He suggested that setnets (either 4- or 6-inch) could be a tool to do so given that sockeyes are bank-oriented and that they push chum and Chinook salmon offshore. For the following week, he said that discussions would need to be had for sections 4 and 5 for the conservation of chum salmon.
- Mary Peltola (2<sup>nd</sup> Member at Large) asked Mr. Smith if he would support the upcoming openings that Mr. Blihovde had announced. Mr. Smith said he would not support drift fishing but was open to supporting setnet opportunities for sockeye.

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- Mike Williams, Sr. (Lower River Subsistence) said that many people did not fish during the June 28 opener out of Chinook salmon concerns, but some did. He was in support of the federal opening for July 2.

## B. PEOPLE TO BE HEARD: *Non-Working Group Members: Audio begins at 40:00 – Meeting Audio – 06/30/21*

- Clarence Daniels (Bethel) – was disappointed in the way the state and federal government were contradicting one another regarding openings. He and his family have been respecting Chinook salmon conservation by not fishing much this summer. They need to fish more because they do not have any reds and chums drying yet.
- Adolph Lupie (Tuntutuliak) wanted to know if the state was taking over the river or if the feds were still managing, it was clarified that USFWS was still managing in the conservation unit. He was in support of the proposed USFWS openers so that people could get the fish they needed. He made announcements to not go out fishing on the mainstem Kuskokwim River during the June 28 opening because fines would be given out and nets taken.
- Patrick Black (Napakiak) asked if anyone at the meeting could provide proof that subsistence users were the reason behind the poor Chinook salmon and chum salmon returns. He wondered why people were not looking at False Pass and trawlers. He said that restrictions have been in place on subsistence fishermen for 10 years or so and salmon runs have not been getting better.
- Evon Waska (Bethel) said that people were afraid to fish during the June 28 opening because of citations and nets being taken away. He wanted people to work together better to reduce confusion. He was concerned for his people because they needed fish and had not yet gotten enough.
- Tad Lindley (Bethel) had questions for the USFWS about the markers at the Johnson River. Mr. Blihovde said that federal law enforcement had moved the markers back to where they were placed in 2019. Mr. Lindley asked if anyone was cited during the June 28 opening. Mr. Blihovde said that none were given from the federal side and Walter Blajeski (Alaska Wildlife Troopers; AWT) said that none were given by AWT and that people were in compliance with state regulations during the June 28 opener. Mr. Lindley asked that in the future if federal law enforcement was not going to enforce an opener that they would please say so beforehand.

## C. CONTINUING BUSINESS: *Some subsistence reports were mixed with people to be heard (refer to above summary and audio)*

- Subsistence Reports: Lowest River, ONC Inseason Subsistence Report, Lower River, Middle River, Upper River, Headwaters
  - Lowest River
    - James Charles (Downriver Elder) spoke about the June 28 opener and the confusion it caused. He said that he spoke with Adolph Lupie about whether they should fish. Mr. Lupie advised people to fish the non-spawning tributaries.
    - Adolph Lupie (Tuntutuliak) Some people are done fishing for the season, but most are still fishing. Also see statement above for people to be heard.
  - ONC Inseason Subsistence Report:
    - Danielle Lowery (ONC) gave comments from the June 28 opening at 1:20:40. Also see page 3 of the Information Packet – 06/30/21
  - Lower River
    - Fritz Charles (Bethel) did not fish on the June 28 opening, he needs another 20–30 reds and chums. He is already done with kings.
    - John Andrew (Kwethluk; Downriver Elder / YK Delta RAC) most people would typically be done fishing by now, but this year people still need to fish. During the June 28 opening some people did not fish out of concern of law enforcement. He was in support of a drift opportunity on July 2.
    - Albert Kawagely (Bethel, 1<sup>st</sup> Member at Large) reiterated the confusion around the June 28 opening. There were conflicting phone calls about it being open and people getting cited for

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fishing. He stated that the state and federal government needed to work better together.

- Middle River, Upper River, and Headwaters
  - No report given this meeting.
- Inseason Harvest Report (ONC/KRITFC):
  - Kevin Whitworth (KRITFC) gave an inseason harvest report for the June 28 opener. *Please refer to Meeting Audio – 06/30/21, starting at 1:29:27, for this presentation.*
- Overview of Kuskokwim River salmon run assessment: *Audio for this presentation begins at 1:31:30 – Meeting Audio - 06/30/21.*
  - Test Fisheries (Bethel and Aniak):
  - Sonar/Weirs/Aerial Surveys/Other:
    - Sean Larson (ADF&G) gave an update on the status of ADF&G assessment programs. He presented the assessment packet for June 28 (see *Informational Packet 6/30/21 pages 5–15*).
    - Weir counts should be coming out soon.
  - NVN Report:
    - No report given at this meeting.
  - Working Group KRITFC Representative Report
    - LaMont Albertson (Sportfishing, KRITFC) said there had been robust discussions on what measures should be taken for Chinook and chum salmon conservation. The KRITFC continues to weigh options and consult with the USFWS.
- Sport Fish Report:
  - John Chythlook (ADF&G) reported that an emergency order was recently released that closed sport fishing for chum salmon. LaMont Albertson (Sportfishing) said there was concern on the Aniak River about law enforcement of these regulations because it is estimated that there will be about 400 to 500 people sport fishing on the river this summer. Walter Blajeski (AWT) stated that there is a trooper based in Aniak. He said that the state planned on assigning patrols throughout the Kuskokwim River including the Aniak this summer.
- Trawl Bycatch Report
  - Sean Larson (ADF&G) presented a weekly trawl bycatch report and there was discussion that followed. *Please see the Information Packet – 06/30/21 page 16 for more information. Audio begins at 1:59:25 - Meeting Audio – 06/30/21*
- Donlin Gold
  - No report given, but Evon Waska (Bethel) voiced his opposition to the mine.
- Discussion of ADF&G Management considerations and discussion of possible alternatives (recommendations from the Working Group): *Audio for begins at 2:09:38 – Meeting Audio - 06/30/21*
  - Kevin Whitworth (Western Interior RAC) asked why ADF&G opposed the federal drift opener on July 2, 2021 while ADF&G opened the fishery around the same time last year. Mr. Smith stated that there were different situations between this year and last year that called for different management actions. Mr. Smith asked the Working Group to provide their recommendations for management actions this week.
  - Alissa Rogers (Lower River Subsistence) provided input on potential strategies for 4-inch setnet and 6-inch or less mesh drift net opportunities. She was more in favor of monitoring BTF and sonar passage and then offering openings than announcing a pre-set schedule. She was not in support of Motion 3 (*see below*) and said that all management parties needed to meet and discuss these matters as soon as possible.
  - Mike Williams, Sr. (Lower River Subsistence) supported the recommendation of the Friday, July 2 drift opening because many people did not fish on the June 28 state opening. He said he was also in favor of the setnet options proposed by the USFWS. He said he would like for all parties to work

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together to be in agreement for the rest of the season so there is no more confusion.

- John Andrew (YK Delta RAC) preferred drift net openings rather than set net openings. He stated that setnets sometimes get set in traditional drifting areas which can create hazards for those drifting.
- Fritz Charles (1<sup>st</sup> Member at Large) reminded the Working Group that they were a state advisory group and that they had previously voted to take no action on management issues while the Kuskokwim River was under federal jurisdiction.
- Walter Morgan (Middle River Subsistence) said that those involved in management should wait to see how the chum salmon run comes in before any large openings occur. He said he had not seen many chums near Kalskag yet.
- Allen Simeon (Upriver Elder) said that he wanted people to be able to fish for reds. He further stated that there needed to be better communication between all management parties.
- There was some further discussion brought up by Fritz Charles about the role of a state advisory group (the Working Group) and their ability to make motions or recommendations towards USFWS actions.
  - Ben Mulligan (ADF&G Deputy Commissioner) spoke to this point and about the state's constitutional obligation to manage fisheries within state waters. There were some additional statements by Mr. Mulligan, Mr. Charles, and others that can be accessed through - *Meeting Audio - 06/30/21 beginning at 2:35:20*.
- Further discussion led to Motion 3 (*see below*).
- Motion for Discussion and Action.
  - See below summary of Working Group motions.

**D. OLD BUSINESS: None at this meeting**

**E. NEW BUSINESS: None at this meeting**

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## WORKING GROUP MOTIONS:

**Motion 1: To approve the agenda. *Passed (Unanimous)***

**Motion 2: For the meeting length to be open-ended *Passed (Unanimous)***

**Motion 3: For the Working Group to support the Federal Manager's recommendation of a drift gillnet opener to occur this Friday, July 2, plus the subsequent announcements on July 9 and 16 for the conservation of chum salmon. *Passed (Unanimous)***

- **The motion was made by Mike Williams, Sr., (Lower River Subsistence) and seconded by Avery Hoffman (KRITFC). For more information, refer to above section "Discussion of ADF&G Management considerations and discussion of possible alternatives" or Meeting Audio – 06/30/21.**

**Motion 4: To adjourn. *Passed (Unanimous)***

**COMMENTS FROM THE WORKING GROUP: No further comments.**

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## WORKING GROUP ATTENDANCE:

MEMBER SEAT:	NAME:
DOWNRIVER ELDER	James Charles
UPRIVER ELDER	Allen Simeon
LOWER RIVER SUBSISTENCE	Mike Williams, Sr.
MIDDLE RIVER SUBSISTENCE	Walter Morgan
UPRIVER SUBSISTENCE	Ruby Egrass
HEADWATERS SUBSISTENCE	Absent
1 <sup>st</sup> MEMBER AT LARGE	Fritz Charles / Albert Kawagley
2 <sup>nd</sup> MEMBER AT LARGE	Mary Peltola
WESTERN INTERIOR RAC	Kevin Whitworth
YK DELTA RAC	John Andrew
COMMERCIAL FISHING	Charles Guest
SPORT FISHING	LaMont Albertson
KRITFC	Avery Hoffman
ADF&G	Nick Smith
CHAIR	Mary Peltola

## Other Participants:

### ADF&G

Comm. Fish: Ben Gray, Sean Larson, Keegan Birchfield, John Linderman, Chuck Brazil, Zach Liller, Bobette Dickerson

Sport Fish: John Chythlook, Klaus Wutig

Subsistence Division: Dave Runfola, Caroline Brown

Commissioner's Office: Ben Mulligan

USFWS: Boyd Bilhovde, Aaron Moses, Spencer Rearden, Ellis

Johnson, Chris Tulik

OSM: Cory Graham, Eva Patton

Janessa Esquible (ONC)

Danielle Lowery (ONC)

Katie Russel (ONC)

Jaden Andrew (ONC)

Deja Jackson (ONC)

Robert Lekander (ONC)

Terese Schomogyi (KRITFC)

Jennifer Hooper (AVCP)

Jim Simon (KRITFC)

Dan Gillikin (NVN)

Adolph Lupie

(KRITFC)

Joe Spaeder

(KRITFC)

Walter Blajeski

(AWT)

Tad Lindley (Bethel)

### Media:

Greg Kim (KYUK)

### WG Alternates:

Alissa Rogers (Lower River Subsistence)

## GLOSSARY OF ABBREVIATIONS:

Alaska Department of Fish and Game (**ADF&G, department, State**), Orutsararmiut Traditional Native Council (**OTNC**), Association of Village Council Presidents (**AVCP**), Georgetown Traditional Council (**GTC**), U.S. Fish and Wildlife Service (**USFWS**), Bethel Test Fishery project (**BTF**), Catch Per Unit Effort (**CPUE**), Coastal Village Seafoods (**CVS**), ADF&G Commercial Fisheries Division (**CF**), ADF&G Sport Fisheries Division (**SF**), Regional Advisory Council (**RAC**), Kuskokwim River Salmon Management Working Group (**KRSMWG, Working Group, or WG**), Sustainable Escapement Goal (**SEG**), Biological Escapement Goal (**BEG**), Management Objective (**MO**), Amounts Reasonably Necessary for Subsistence (**ANS**), Emergency Order (**EO**), Bering Sea Fishermen's Association (**BSFA**), Law Enforcement (**LE**), Kuskokwim River Inter-Tribal Fish Commission (**KRITFC**), Native Village of Napaimute (**NVN**), Yukon Kuskokwim Health Corporation (**YKHC**), Alaska State Troopers (**AST**), University of Alaska Fairbanks (**UAF**), Alaska Wildlife Troopers (**AWT**)

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