



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

RC8 Department of
Fish and Game

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To: Mr. John Jensen, Chair
Alaska Board of Fisheries

Date: October 10, 2017

From: Sam Cotten, Commissioner
Alaska Department of Fish and Game

Subject: Yukon River subsistence fishing,
Subdistricts 4-B and 4-C

The Ruby Tribal Council submitted an on-time proposal to the Alaska Board of Fisheries (board) requesting an opportunity to harvest Yukon River coho salmon using drift gillnet gear in Districts 4-B and 4-C during daylight hours August 15–31. The fishery would occur when coho salmon are running well in late August, and would attempt to make up for fewer subsistence opportunities because of king salmon subsistence fishing window closures earlier in the season.

However, the Arctic-Yukon-Kuskokwim area fisheries are not on the call for proposals for this cycle. Because this proposal addresses subsistence fishing, the board may wish to consider their request under the subsistence petition policy at 5 AAC 96.615. *Subsistence proposal policy*.

This letter provides information from the Alaska Department of Fish and Game (department) staff concerning the request.

Action Requested

The Ruby Tribal Council is requesting to harvest coho salmon with standard-length drift gillnets with 6-inch mesh in Yukon River Districts 4-B and 4-C during daylight hours August 15–31.

Background

In 1993, the board made a positive customary and traditional use (C&T) finding for all salmon in the Yukon Area and established an amount reasonably necessary for subsistence (ANS) of 348,000–503,000 salmon for all species combined (5 AAC 01.236). In 2001, the board replaced that ANS with species-specific ANS determinations for each of 4 species of salmon harvested in the Yukon Area, including a separate ANS determination for coho salmon at 20,500–51,980 fish. In 2013, the board confirmed this species-specific ANS.

The subsistence harvest of coho salmon is dependent upon the abundance of fall chum salmon and accompanying management strategies used to harvest fall chum salmon in accordance with the *Policy for the Management of Sustainable Salmon Fisheries* (5 ACC 39.222), the *Yukon River Drainage Fall Chum Salmon Management Plan* (5 ACC 01.249), the *Yukon River Coho Salmon Management Plan* (5 ACC 05.369), and the *Tanana River Salmon Management Plan* (5 AAC 05.367). Since 2012, during fall season management, all Yukon Area districts and subdistricts have either been open on their full regulatory subsistence schedules or on liberalized schedules of seven days per week, 24 hours per day. By regulation, the 2016 fall season began in District 1

on July 16. All districts and subdistricts were placed on their full regulatory subsistence fishing schedules commensurate with switching over to fall management. By August 2, subsistence fishing in all mainstem districts (1–5) was open 7 days per week, 24 hours per day.

Under Federal regulations, implemented in 2005, king salmon may be taken for subsistence uses by rural Alaska residents in the federal waters of Subdistricts 4B and 4C from June 10–July 14 by drift gillnets during regulatory opening(s) (Figure 1). Drift gillnets may be no more than 150 feet long and no more than 35 meshes deep. In consultation with the department, the allowed mesh size typically matches that which is currently allowed under state regulations; i.e., 7.5-inch, or 6-inch or smaller mesh. In addition, the tribes of Louden, Nulato, and Koyukuk have submitted agenda change request (ACR) 13 for this board cycle. ACR 13 requests to allow drift gillnets in Yukon River Subdistricts 4-B and 4-C to 1) harvest king salmon June 10–July 14 during periods open by emergency order (EO); 2) harvest chum salmon June 10–August 2 during period open by EO; and 3) harvest chum salmon after August 2. Gear length would not exceed 150 feet and 35 meshes.

Estimated indices of coho salmon run size from 2012–2016 have ranged from 162,500 to 398,350 fish, and average 284,000 fish. The preliminary 2016 coho salmon passage estimate at the mainstem sonar project near Pilot Station was 168,297 fish \pm 11,180 (90% CI), which is above the historical median of 132,929 fish.

Within the Alaskan portion of the Yukon River drainage, subsistence fishers harvested an average of 15,745 coho salmon annually over the last 10 years (2006–2015). Harvest estimates from the subsistence fishermen in Districts 4-B and 4-C communities of Galena and Ruby have averaged approximately 1,000 fish, which represents 6% of the overall coho salmon subsistence harvest.

Joint Board of Fisheries and Game subsistence proposal policy

Under the Joint Board’s subsistence proposal policy (5 AAC 96.615), the boards will consider subsistence proposals for topics that are not covered by the call for proposals. The proposal must be timely submitted and either 1) address a fish population that has not previously been considered by the board as one that is customarily and traditionally used for subsistence, or 2) the circumstances for the proposal requires expedited consideration by the board.

The policy states that the board could delegate authority to a review committee to determine whether the two conditions apply.

The board may decline to act on a subsistence proposal for any reason, including if 1) the board has previously considered the same issue and there is no substantial new evidence warranting reconsideration; or 2) board action on the proposal would affect other subsistence users who have not had a reasonable opportunity to address the board on the matter.

In this case, the proposal does address Yukon River coho salmon, which, as noted above, already have a positive C&T finding. Requests to allow drift gillnetting in Subdistricts 4-B and 4-C—for various salmon species, seasons, and methods and means—have come before the board on multiple occasions. Depending on the timeline and form of board action, there may be other subsistence users who might be affected by the board’s action on this out-of-cycle proposal. Thus, in addition to considering whether the circumstances of the proposal require expedited

consideration, the board should consider whether there is any reason to decline to act on the proposal out of cycle.

The department is neutral on the allocative aspects of this request, if any, and on whether there are circumstances that require expedited consideration by the board.

- cc: Glenn Haight, Executive Director, Alaska Board of Fisheries
Hazel Nelson, Director, Division of Subsistence
Scott Kelley, Director, Division of Commercial Fisheries
Tom Brookover, Director, Division of Sport Fisheries
Seth Beausang, Assistant Attorney General, Department of Law

Figure 1. –Location of Federal drift gillnet fishery, Subdistricts 4-B and 4-C.

