

## **PROPOSAL 90**

### **5AAC 01.280. Subsistence fishing permits.**

Create a Tier II subsistence king salmon fishery in the Kuskokwim River, as follows:

Kuskokwim River Chinook salmon Tier II Permit Description and the Issue it addresses:

Tier II permit system – ANS has not been met, and likely will not be in the near future, current management practices are not providing what many consider a “reasonable opportunity” for all subsistence uses including the opportunity to harvest other species that do not have a conservation concerns. A Tier II system would limit the pool of qualified applicants to the Kuskokwim area.

Permit annual allocation – Based on some portion of the forecasted surplus, but not intended to meet all subsistence needs or ANS. A minimal allocation would allow for the maximum number of qualified users to obtain a permit and fish when and how it best meets their needs. The total permit allocations would be deducted from the projected harvestable surplus pre-season.

Household Permit with Proxy fishing allowed – Individual households would be responsible for managing their own permit and may collaborate with other permit holders to share and pool resources, in part restoring traditional practices.

Permit allows retention of other species and Chinook 20 inches or less do not count toward permit allocation – Provides opportunity to meet subsistence needs with other species, and may improve the quality of escapement. Jack (3 year old) Chinook typically make up less than 2% of the total return. These fish could also be deducted from the forecasted surplus pre-season.

Tier II permit dates – June 12th – June 24th; this period protects early run headwater stocks and June 24th is around the median date of run timing for all subareas near Bethel. By June 24th approximately a third of the chum salmon run has passed Bethel, and less than a quarter of the sockeye salmon run. Bethel and the surrounding Villages account for approximately 80% of the total Chinook harvest. This permitted fishing period could provide 12 days of uninterrupted fishing opportunity (for all species) to permit holders in the early part of the season without significantly compromising conservations objectives.

Tier I fishery opener – If at some point after the Tier II closure date and the in-season run assessment suggest additional (beyond the Tier II allocation) fish are available for harvest the Department can use emergency authorities to allow for additional harvest opportunity under a Tier I system using time, area, gear management actions.

Proposed regulatory language:

5 AAC 01.280 Subsistence fishing permits.

[FISH MAY BE TAKEN FOR SUBSISTENCE PURPOSES WITHOUT A SUBSISTENCE FISHING PERMIT]

**Except as provided in this section, fish may be taken for subsistence purposes without a subsistence fishing permit.**

**In times of king salmon conservation, the commissioners may, by emergency order, close the subsistence fishery and immediately reopen the fishery with the following provisions. In the Kuskokwim River drainage, king salmon may only be taken by a Household subsistence fishing permit. A king salmon subsistence fishing permit may be issued to Households who demonstrate a subsistence pattern of use for king salmon as described in the Tier II fishery framework as outlined in AS 16.05.258 (b)(a);**

**Season dates for Household permits are June 12th through June 24th ;**

**Annual permit limits will be determined based on a percentage of annual forecasted surplus king salmon, and the number of permit applications received.**

**The application period for community and household permits is [MONTH AND DAY] through [MONTH AND DAY] annually;**

**Only one subsistence fishing permit will be issued to each household annually;**

**Proxy fishing by a subsistence permit holder for another Household permit holder is allowed;**

**Individual households permit holders are only eligible to be listed on only one subsistence fishing permit for proxy fishing annually;**

**All species caught while fishing for king salmon must be retained;**

**Fish caught during open fishing periods do not count toward the annual household permit allocation;**

**King salmon 20 inches or less do not count toward the annual household permit allocation;**

**Permit must be in possession while fishing or transporting fish;**

**All fish harvested must be recorded on the permit, in ink, before concealing the fish from plain view or transporting the fish from the fishing site; for the purposes of this paragraph, “fishing site” means the location where the fish is removed from the water and becomes part of the permit holder’s annual allocation;**

**Permits must be returned or harvest reported when fishing is completed or by the date specified on the permit;**

**Permits must be returned to the department no later than [Month and Day], or a permit for the following year may be denied as provided in 5 AAC 01.015;**

**This regulation expires January 1st, 2026.**

**What is the issue you would like the board to address and why? Since 2009 Kuskokwim River Chinook salmon returns have been severely depressed and are showing little to no sign of returning**

to their historic averages, this despite meeting escapement goals and objectives in most of those years. As a consequence, and in an effort to rebuild the Chinook run subsistence harvest has been significantly reduced to meet the established drainage-wide Sustainable Escapement Goal of 65,000-120,000 fish. The established ANS for Chinook salmon on the Kuskokwim is 67,200 - 109,800 fish, which has not been met for a decade, see figure below.

The fishing opportunity that has been provided uses time, area and gear restriction. The majority of the harvest has been taken by providing short open periods for drift gill net fishing once or twice a week and then closing the river to all drift fishing until the next opening. This all or none strategy is basically the same employed for commercial fishing, and while it may be effective at meeting conservation goals and providing what could be considered “reasonable” opportunity, it is not one that aligns with traditional and cultural practices.

Public testimony over the last decade of restricted fishing has been filled with reports of; crowded or “combat” fishing conditions, difficult drying conditions later in the season leading to spoilage, personal conflicts with scheduled openings, poor weather, abandonment of fish camps, theft of unattended fish on drying racks, bears and flies, etc., the list goes on. While it is unlikely that returns will recover in the near future that could support sufficient harvest levels to achieve ANS, an opportunity to address these other concerns and ease the burden on subsistence fishers is to establish a Kuskokwim River Chinook salmon permit system as outlined in this proposal.

Because of the allocative nature of this proposal only the Alaska BOF has the authority to establish such a permit system, much like the BOF proposed in 2016 in proposal 276, which was tabled.

**PROPOSED BY:** Central Kuskokwim Advisory Committee (EF-F22-015)  
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