

FCR25-01 Executive Summary

General Description	Closure Review FCR25-01 reviews the closure of the Unalakleet River upstream of the confluence of Chirosky River to the taking of Chinook Salmon for all users.
Current Regulation	<p>§___.27(i)(2)</p> <p><i>(C) Federal public waters of the Unalakleet River, upstream from the mouth of the Chirosky River, are closed to the taking of Chinook salmon from July 1 to July 31, by all users. The BLM field manager is authorized to open the closed area to Federally qualified subsistence users or to all users when run strength warrants.</i></p>
OSM Preliminary Conclusion	Maintain status quo
Seward Peninsula Subsistence Regional Advisory Council Recommendation	
Interagency Staff Committee Comments	
ADF&G Comments	
Written Public Comments	None

FEDERAL FISHERIES CLOSURE REVIEW

FCR25-01

ISSUE

FCR25-01 is a standard review of a Federal subsistence fishery closure to the harvest of Chinook Salmon in the Unalakleet River upstream from the mouth of the Chirosky River¹. It is the Federal Subsistence Board's (Board) policy that Federal public lands and waters should be reopened when the closure is no longer necessary. The purpose of this closure review is to determine if the closure is still warranted and to ensure the closure does not remain in place longer than necessary.

Closure Location and Species: Unalakleet River upstream of the confluence of Chirosky River—Chinook Salmon

Current Federal Regulation

Norton Sound-Port Clarence Area

§ __.27(e)(2)(ii)

(C) Federal public waters of the Unalakleet River, upstream from the mouth of the Chirosky River, are closed to the taking of Chinook salmon from July 1 to July 31, by all users. The BLM field manager is authorized to open the closed area to Federally qualified subsistence users or to all users when run strength warrants.

Closure Dates: July 1 through July 31

Current State Regulation

5 AAC 01.160. Fishing seasons and periods

(b) In the Norton Sound District, fish may be taken at any time except as follows:

(2) in Subdistricts 2 - 6, commercial fishermen may not fish for subsistence purposes during the weekly closures of the commercial salmon fishing season, except that from July 15 through August 1, commercial fishermen may take salmon for subsistence purposes seven days per week in the Unalakleet and Shaktoolik River drainages with gillnets which have a mesh size that does not exceed four and one-half inches, and with beach seines;

¹ "Chirosky" is the most common accepted spelling, but the Federal regulations contain the spelling "Chirosky."

(3) in the Unalakleet River from June 15 through July 15, salmon may be taken only during periods established by emergency order from 8:00 a.m. Monday until 8:00 p.m. Tuesday and from 8:00 a.m. Friday until 8:00 p.m. Saturday;

(6) notwithstanding the provisions of (2) and (3) of this subsection, in Subdistricts 5 and 6, salmon other than king salmon may be taken from July 1 through August 10 by beach seine with a mesh size no larger than four and one-half inches; all king salmon caught must be returned immediately to the water alive; if the commissioner determines that it is necessary for the conservation of king salmon, the commissioner may, by emergency order, close the season and immediately reopen the season during which the fishing time, area, and beach seine mesh size may be adjusted;

5 AAC 70.011 Northwestern Area – Sport Fishing

(c) The following are the exceptions to the general bag, possession, and size limits, and fishing seasons specified in (a) and (b) of this section for the Northwestern Area:

(9) in the Unalakleet River drainage,

(A) the bag and possession limit for king salmon is two fish, of which only one fish may be 20 inches or greater in length;

(B) the annual limit for king salmon 20 inches or greater in length is two fish; an angler fishing for king salmon must possess and complete a current year's nontransferable harvest record as described in 5 AAC 70.024(b);

Regulatory Year Initiated: 2009

Extent of Federal Public Lands/Waters

For purposes of this discussion, the phrase “Federal public waters” is defined as those waters described under 50 CFR 100.3. For the Unalakleet River drainage Federal public waters include the upper 81 river miles of the Unalakleet River (106 river miles in total length) (**Figure 1**). This portion of the river is designated a National Wild River and is administered by the Bureau of Land Management (BLM).

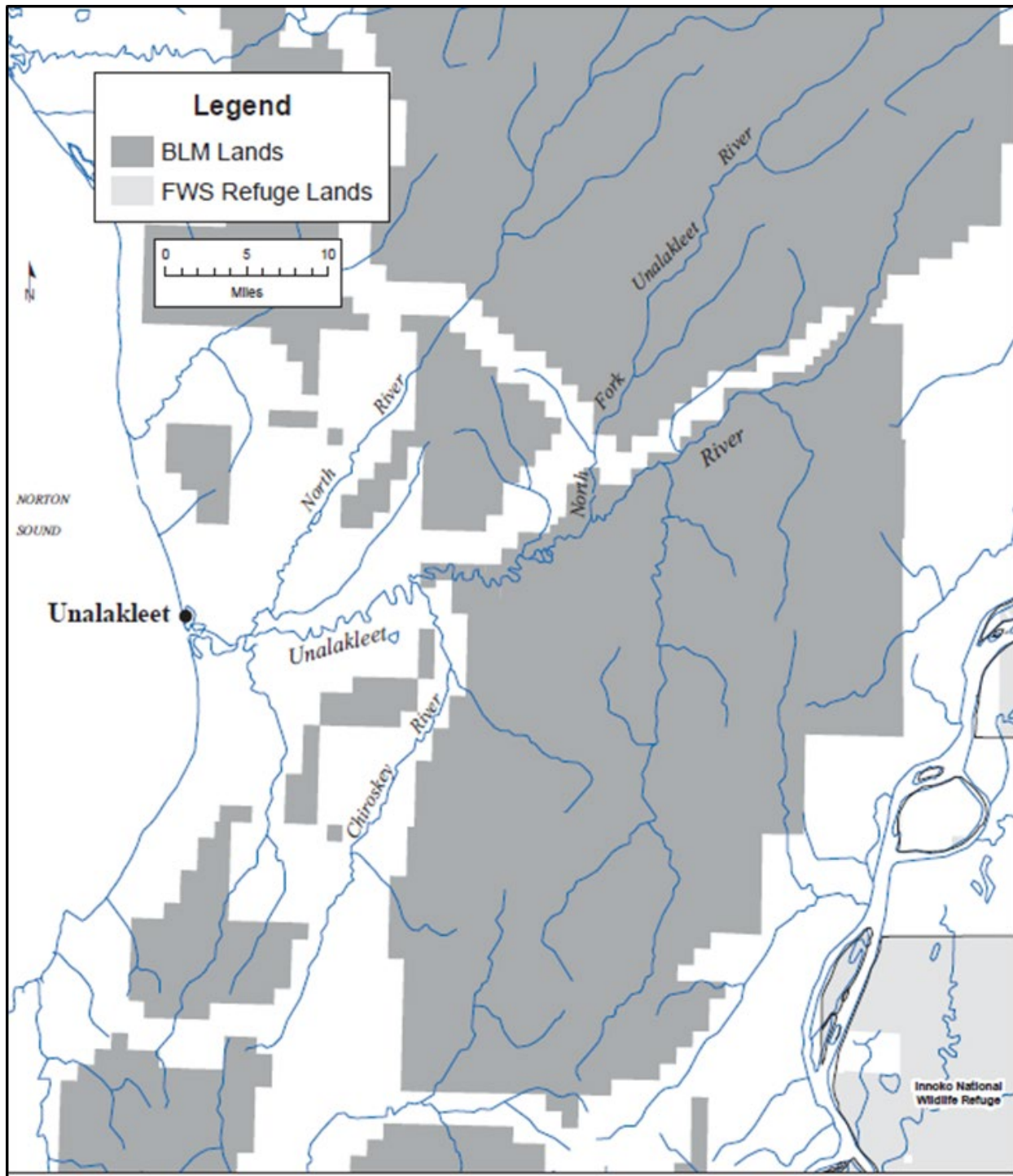


Figure 1. Unalakleet River Drainage. Source OSM 2009.

Customary and Traditional Use Determination

Residents of the Norton Sound-Port Clarence Area have a customary and traditional use determination for salmon in the Unalakleet River. (See Norton Sound-Port Clarence Area map in Federal Subsistence Harvest of Fish and Shellfish regulation book).

Regulatory History

Federal public waters of the Unalakleet River were closed to the taking of Chinook Salmon through Special Action authority in 2006 through 2008. Proposal FP09-14 was submitted by Kathy Johnson on behalf of the Native Village of Unalakleet. The original proposal applied only to non-Federally qualified users and suggested an earlier closure window. The request was subsequently modified by the proponent to reflect the current closure. The proponent submitted this proposal as a conservation measure to provide Chinook Salmon additional protection while traveling to spawning grounds. At its January 2009 meeting, the Federal Subsistence Board (Board) adopted this proposal with modification, as recommended by the Seward Peninsula Subsistence Regional Advisory Council (Council), and with additional modification to specifically refer to the BLM field manager and provide management flexibility. The closure became effective April 1, 2009.

Closure last reviewed

The closure of the Unalakleet River Federal public waters to the harvest of Chinook Salmon from July 1 to July 31 was reviewed during the 2021-2023 fisheries regulatory cycle (FCR21-01). The Seward Peninsula Subsistence Regional Advisory Council, which represents the subsistence users with customary and traditional use determination for Chinook Salmon on the Unalakleet River, expressed concern for the low Chinook Salmon returns and recommended maintaining the closure until escapement numbers increased. At its January 2021 meeting, the Board adopted continuation of this closure. During the 2024 All Regions Subsistence Council meeting held in Anchorage on March 5-8, the Seward Peninsula Regional Advisory Council was presented with the closure review ahead of the window to submit a proposal and the Council agreed no proposal was needed.

Justification for Original Closure (ANILCA Section 815 (3) criteria)

Section §815(3) of ANILCA states:

Nothing in this title shall be construed as – (3) authorizing a restriction on the taking of fish and wildlife for nonsubsistence uses on public lands (other than national parks and park monuments) unless necessary for the conservation of healthy populations of fish and wildlife, for the reasons set forth in section 816, to continue subsistence uses of such populations, or pursuant to other applicable law.

The Board recognized the support from local subsistence users, affected villages, and the State's local fish and game advisory committee to close Federal public waters in the interest of protecting fishery resources and rebuild the salmon stocks. It was clear to the Board that even though few fish would likely be gained initially by this action, the action would have an impact and it was important to the local users to rebuild the stocks. The Board's action captured the intent of the Council's recommendation for flexibility with the closure and assigned authorization to the BLM field manager to lift the closure when run strength warranted such action.

Council Recommendation for Original Closure

Support Proposal FP09-14 **with modification** to close the Federal public waters of the Unalakelet River upstream from the mouth of the Chirosky River to the taking of Chinook Salmon from July 1– July 31 to all users. The recommended July closure could be amended by the in-season manager if the run strength warranted it.

The modified regulation read:

Norton Sound — Port Clarence Area

§ __.27(i)(2)(ii) In the Norton Sound District, you may take fish at any time except as follows (B) In the Unalakelet River from June 1 through July 15, you may take salmon only from 8:00 a.m. Monday until 8:00 p.m. Saturday;

(1) Federal public waters of the Unalakelet River, upstream from the mouth of the Chirosky River, are closed to the taking of Chinook salmon from July 1 to July 31, by all users. This closure may be relaxed by the inseason manager if run strength warrants.

State Recommendation for Original Closure

Oppose. Adoption of this proposal will not improve the health of the Unalakelet River Chinook Salmon stock and will not improve opportunity for subsistence use. In years of low returns, State closures or restrictions are in place before Chinook reach the waters subject to Federal jurisdictional claims. The proposed closure does not meet the requirements of the Board’s Closure Policy adopted August 2007.

Biological Background

The majority of Chinook Salmon subsistence harvest occurs under State jurisdiction in marine waters at the mouth of the Unalakelet River. Federal waters include the upper 81 river miles of the Unalakelet River, which is designated a National Wild River and administered by the BLM. This portion of the river contains spawning habitat used by Chinook Salmon.

Returns of Chinook Salmon to the drainage have been poor since 2000. No escapement goal for this species is established for the Unalakelet River, and weir counts have ranged from 40 – 6,641 since 2010. The Chinook Salmon escapement of 6,641 fish in 2019 was the highest on record while the lowest return of 40 fish occurred in 2023 (Table 1). Over time the Chinook Salmon escapements into the Unalakelet Rivers have not increased in response to commercial and sport fishing closures and increasingly restrictive subsistence fishing.

Table 1. Chinook Salmon sport fishery harvest and estimated escapement into the Unalakleet River 2010-2023 (Menard et al. 2019, Clark 2023).

Year	Sport Harvest	Unalakleet River Weir Count
2010	*61	1,021
2011	*54	1,030
2012	*0	823
2013	*0	667
2014	*0	1,126
2015	*0	2,789
2016	*78	505
2017	*13	2,934
2018	*0	3,326
2019	*0	6,641
2020	0	NA
2021	*0	518
2022	0	119
2023	*0	40

In 2020 the Unalakleet River Weir was not operational due to the pandemic.
Asterisk (*) denotes years where sport fishing closures occurred for Chinook Salmon.

Cultural Knowledge and Traditional Practices

The community of Unalakleet is located at the mouth of the Unalakleet River in eastern Norton Sound. The Kaltag Portage, an important trade route, ran from Kaltag along the Unalakleet river, ending at Unalakleet (Pratt 2012). Since the mid-nineteenth century the Unalakleet River has marked a rough linguistic boundary between speakers of Iñupiaq to the north and Central Yup'ik speakers to the south (Woodbury 1984). In 2022, the estimated population of Unalakleet was 722 (ADLWD 2022).

Through interviews conducted in 2008 and 2009 and updated in 2014, Kawerak social scientists documented Unalakleet's Traditional Ecological Knowledge about Chinook Salmon (Raymond-Yakoubian and Raymon-Yakoubian 2015). In interviews, knowledge holders shared that Chinook Salmon returning to the Unalakleet area had become less abundant and smaller over time. Decreased abundance was first noticed in the 1980s and 1990s. Knowledge holders also shared that an increasing portion of Chinook harvested were "Jack Kings." Residents observed that herring in Chinook Salmon's stomachs had become smaller over time, and in some cases the salmon's stomachs were empty. Because of serious concerns over the Chinook Salmon population, "a number of people in Unalakleet have self-imposed restrictions on their harvest of varying levels (including not fishing for them at all) to ensure the preservation of the king runs" (Raymond-Yakoubian and Raymon-Yakoubian 2015: 122).

Postseason salmon harvest surveys are conducted annually by ADF&G, Division of Subsistence in the eastern and southern Norton Sound, including the Unalakleet Subdistrict. For this area, these postseason surveys are the primary method of estimating annual harvest. **Table 2** shows the results of these surveys for Chinook Salmon and all salmon harvested by residents of Unalakleet fishing within the Unalakleet Subdistrict from 2016 to 2020. Data for years after 2020 are not yet available.

Table 2. Chinook and total salmon subsistence harvest by residents of Unalakleet within Subdistrict 6 (Unalakleet Subdistrict) from 2016 to 2020, as documented in postseason subsistence surveys (Fall et al. 2019, Fall et al. 2020, Brown et al. 2021, Brown et al. 2022, Brown et al. 2023).

Year	Number of Chinook Harvested	Chinook Percentage of Total Salmon Harvest	Total Number of Salmon Harvested
2020	1,778	11%	16,262
2019	1,444	8%	17,281
2018	810	6%	13,493
2017	496	2%	24,174
2016	687	3%	21,503
Avg	1,043	6%	18,543

While postseason surveys are regularly conducted by ADF&G, Division of Subsistence for Unalakleet, only one comprehensive subsistence survey has included the community’s salmon harvest. This survey was conducted by Kawerak for the 2006 study year (Ahmasuk and Trigg 2007). That year, an estimated 2,343 Chinook Salmon were harvested by residents of Unalakleet, representing 7% of the community’s total harvest of wild foods. According to the survey results, 20% of this harvest was taken by rod and reel, and 48% by “other gear.” Of those households surveyed, 66% harvested Chinook Salmon, and 42% received Chinook Salmon from others (Ahmasuk and Trigg 2007).

Harvest History

Due to low numbers of returning Chinook Salmon, the commercial directed fishery has been closed since 2005 (Menard 2020). In addition, restrictions to the State subsistence fishery have often been required to reach escapement on the Unalakleet River. Sport harvest of Chinook Salmon on the Unalakleet continues to be low (**Table 1**).

State Management

The Unalakleet and Shaktoolik Subdistricts are managed as one fishery by the Alaska Department of Fish and Game (ADF&G) because past studies have shown that salmon bound for these subdistricts intermingle (Menard et. al. 2020). Beginning in 2004, the Alaska Board of Fisheries (BOF) identified Chinook Salmon in the Unalakleet and Shaktoolik subdistricts as stocks of yield concern. In February 2007, the BOF reconfirmed the identification of Unalakleet and Shaktoolik Chinook Salmon as stocks of yield concern (Menard 2007). The BOF took further action at its February 2007 meeting to increase escapement by adopting a more conservative Chinook Salmon management plan (5AAC 04.395).

Under the new management plan, a subsistence fishing schedule was placed into regulation, as well as

reductions in the sport fishing daily bag and annual possession limits. Additionally, commercial fishing directed at Chinook Salmon can only occur if ADF&G projects the midpoint of the North River tower sustainable escapement goal range will be achieved.

Alternative(s) Considered

If FCR25-01 were to be lifted and allowed fishing, conservation concern for Chinook Salmon exists. Currently as written, the Federal in-season manager does have the authority and discretion to open the harvest of Chinook Salmon if the run improves which allows flexibility during this time of conservation.

Effects

A conservation concern for Unalakleet River Chinook Salmon exists and there is no evidence of a rebounding population. Conservation is a priority given the dramatic declines in Chinook Salmon in this river. If the closure is lifted, a genuine possibility of extirpation exists.

OSM CONCLUSION

- Retain the Status Quo**
- Rescind the Closure**
- Modify the Closure to...**
- Defer Decision on the Closure or Take No Action**

Justification

Unalakleet River Chinook Salmon runs have decreased dramatically in recent years, with the worst run in history occurring in 2023, with only 40 Chinook Salmon. A Chinook Salmon-directed commercial fishery remains closed, and the State subsistence and sport fisheries continue to be greatly restricted or closed. With current low returns, conservation efforts in Federal public waters of the Unalakleet River should continue until a positive trend is established.

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