

## FP25-16 Executive Summary

<b>General Description</b>	<p>Proposal FP25-16 requests the Federal Subsistence Board modify regulations in the Bonanza Creek drainage and a portion of the Kanuti River drainage to allow rod and reel gear only and an Arctic Grayling harvest and possession limit of 10 per day.</p>
<b>Proposed Regulation</b>	<p>§__.27(e)(3) Yukon-Northern Area</p> <p>***</p> <p><i>(xvi) Unless otherwise specified in this section, you may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, long line, fyke net, dip net, jigging gear, spear, lead, or rod and reel, subject to the following restrictions, which also apply to subsistence salmon fishing:</i></p> <p>***</p> <p><b><i>(H) In the Bonanza Creek drainage and a portion of the Kanuti River drainage (upstream from a point 5 miles downstream of the State highway crossing), you may harvest fish other than salmon with rod and reel only; the grayling harvest and possession limit is 10 per day.</i></b></p>
<b>OSM Conclusion</b>	<b>Support</b>
<b>Yukon-Kuskokwim Delta Subsistence Regional Advisory Council Recommendation</b>	<b>Support</b>
<b>Western Interior Alaska Subsistence Regional Advisory Council Recommendation</b>	<b>Support</b>
<b>Eastern Interior Alaska Subsistence Regional Advisory Council Recommendation</b>	<b>Support</b>

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<b>North Slope Subsistence Regional Advisory Council Recommendation</b>	<b>Take no action</b> —defer to home region
<b>Interagency Staff Committee Comments</b>	The Interagency Staff Committee found the analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Advisory Council recommendation and the Federal Subsistence Board action on this proposal.
<b>ADF&amp;G Comments</b>	<b>Neutral</b>
<b>Written Public Comments</b>	<b>None</b>

**STAFF ANALYSIS**  
**FP25-16**

**ISSUES**

Proposal FP25-16, submitted by the Western Interior Alaska Subsistence Regional Advisory Council (Western Interior Council), requests the Federal Subsistence Board (Board) modify regulations in the Bonanza Creek drainage and a portion of the Kanuti River drainage to allow rod and reel gear only and an Arctic Grayling harvest and possession limit of 10 per day.

**DISCUSSION**

The Western Interior Council submitted this proposal to establish a Federal subsistence priority, maintain healthy populations of fish, and align Federal regulations in the area. The Board, following the recommendations of the Western Interior Council, rescinded the closure to the harvest of nonsalmon fish in the Bonanza Creek drainage and a portion of the Kanuti River drainage during the previous fisheries regulatory cycle. Currently, Federal subsistence harvest limits for rod and reel match State sport fish harvest limits in both areas. The Western Interior Council believes increasing harvest limits of Arctic Grayling above what is allowed in State regulations is necessary to establish a Federal subsistence priority. The Western Interior Council also believes limiting harvest to rod and reel only will ensure the continued viability of populations in these areas. Finally, this proposal will align Federal regulations in these systems with current Federal regulations in the Jim River drainage.

**Existing Federal Regulation**

**§ \_\_.27(e)(3) Yukon-Northern Area**

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*(v) Except as provided in this section, and except as may be provided by the terms of a subsistence fishing permit, you may take fish other than salmon at any time.*

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*(ix) You may not subsistence fish for salmon in the following drainages located north of the main Yukon River:*

*(A) Kanuti River upstream from a point 5 miles downstream of the State highway crossing;*

*(B) Bonanza Creek;*

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*(xvi) Unless otherwise specified in this section, you may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, long line, fyke net, dip net, jigging gear, spear, lead, or rod and reel, subject to the following restrictions, which also apply to subsistence salmon fishing:*

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*(B) You may not use an aggregate length of set gillnet in excess of 150 fathoms, and each drift gillnet may not exceed 50 fathoms in length.*

*(C) In Districts 4, 5, and 6, you may not set subsistence fishing gear within 200 feet of other fishing gear operating for commercial, personal, or subsistence use . . .*

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*(xvii) In District 4, from September 21 through May 15, you may use jigging gear from shore ice.*

#### **§\_\_\_.27 (b) Subsistence Taking of Fish**

*(16) Unless specified otherwise in this section, you may use a rod and reel to take fish without a subsistence fishing permit. Harvest limits applicable to the use of a rod and reel to take fish for subsistence uses shall be as follows:*

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*(ii) Except as otherwise provided for in this section, if you are not required to obtain a subsistence fishing permit for an area, the harvest and possession limits for taking fish for subsistence uses with a rod and reel are the same as for taking fish under State of Alaska subsistence fishing regulations in those same areas. If the State does not have a specific subsistence season and/or harvest limit for that particular species, the limit shall be the same as for taking fish under State of Alaska sport fishing regulations.*

#### **Proposed Federal Regulation**

##### **§\_\_\_.27(e)(3) Yukon-Northern Area**

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*(xvi) Unless otherwise specified in this section, you may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, long line, fyke net, dip net, jigging gear, spear, lead, or rod and reel, subject to the following restrictions, which also apply to subsistence salmon fishing:*

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*(H) In the Bonanza Creek drainage and a portion of the Kanuti River drainage (upstream from a point 5 miles downstream of the State highway crossing), you may harvest fish other than salmon with rod and reel only; the grayling harvest and possession limit is 10 per day.*

## **Existing State Regulation**

### **Yukon Area—Subsistence**

#### **5 AAC 01.225. Waters closed to subsistence fishing**

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*(b) The following drainages located north of the mainstem Yukon River are closed to subsistence fishing:*

*(1) Kanuti River upstream from a point five miles downstream of the state highway crossing;*

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*(3) Bonanza Creek;*

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### **Yukon River Area—Sport**

#### **5 AAC 73.010. Seasons, bag, possession, and size limits, and methods and means for Yukon River Area**

*(a) Except as otherwise specified in this section or through an emergency order issued under AS 16.05.060, sport fishing is permitted year round in the waters of the Yukon River Area.*

*(b) Except as otherwise specified in (c) of this section, the following are the general bag, possession, and size limits for finfish and shellfish in the waters of the Yukon River Area:*

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*(3) Arctic char/Dolly Varden and lake trout:*

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*(B) in all flowing waters: the bag and possession limit is 10 fish of all species combined, of which only two fish may be 20 inches or greater in length, and of which only two fish may be lake trout;*

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*(5) Arctic grayling: the bag and possession limit is five fish, with no size limit;*

*(6) sheefish: the bag and possession limit is 10 fish, with no size limit;*

*(7) northern pike: the bag and possession limit is 10 fish, with no size limit;*

*(8) burbot: the bag and possession limit is 15 fish, with no size limit;*

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*(10) finfish and shellfish species that are not specified in this section: there are no bag, possession, or size limits;*

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

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*(4) in the Dalton Highway corridor (Trans-Alaska Pipeline corridor) within the Yukon River Area, which is described as a corridor five miles wide on each side of the Dalton Highway north of the Yukon River, excluding the Ray River,*

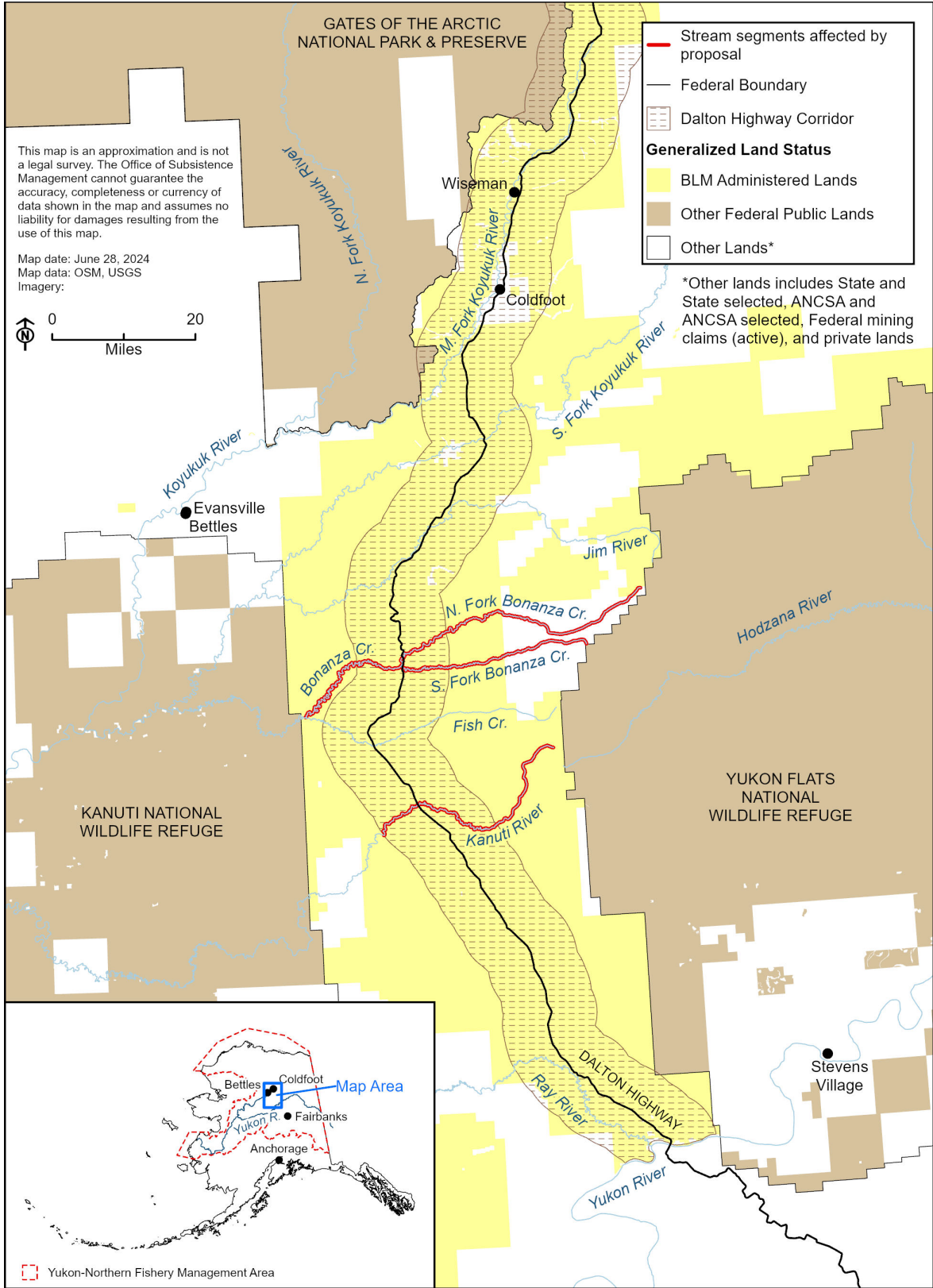
*(A) sport fishing for salmon is closed;*

*(B) lake trout may be taken only by catch-and-release fishing, and may not be possessed or retained; all lake trout caught must be immediately released;*

*(C) the bag and possession limit for northern pike is five fish, of which only one fish may be 30 inches or greater in length;*

### **Extent of Federal Public Lands/Waters**

For purposes of this analysis, the phrase “Federal public waters” is defined as those waters described under 36 CFR §242.3 and 50 CFR §100.3. The entire length of Bonanza Creek and the portion of the Kanuti River described in this proposal (upstream from a point 5 miles downstream of the State highway crossing; henceforth referred to as the Kanuti River) are on general domain land managed by the Bureau of Land Management (BLM; **Figure 1**). On general domain lands, Federal subsistence regulations apply only to non-navigable waters.



**Figure 1.** Map of the Dalton Highway Corridor (red lines), Bonanza Creek (highlighted), and the portion of the Kanuti River being considered in this proposal (highlighted).

## **Customary and Traditional Use Determinations**

Residents of the Yukon-Northern Area have a customary and traditional use determination for freshwater species other than salmon in the Yukon River drainage.

## **Regulatory History**

Under State regulations, Bonanza Creek and the Kanuti River upstream from a point five miles downstream of the Dalton Highway have been closed to subsistence fishing since the late 1970s, beginning with the construction of the Dalton Highway (Holen et al. 2012). The Dalton Highway was opened to public travel in 1994 which provided new access to lakes and streams along the route. Increases in recreational fishing effort and harvest resulted in reductions in the sport fishing bag limits for Northern Pike and Arctic Grayling, no retention of Lake Trout, and a salmon fishing closure extending five miles on either side of the Dalton Highway (Stuby 2023).

In 1992, the Federal Subsistence Management Program promulgated regulations governing the harvest of fish for subsistence uses in non-navigable waters within and adjacent to Federal public lands (57 Fed. Reg. 22940 [May 29, 1992]). These regulations incorporated many provisions from State of Alaska subsistence fishing regulations, including the previous subsistence fishing closures in the Bonanza Creek and the Kanuti River drainages.

The Federal subsistence fishing closures for Bonanza Creek and the Kanuti River were reviewed by the Board during the 2023–2025 Fisheries Regulatory Cycle. The Western Interior, Yukon-Kuskokwim Delta, and Eastern Interior Councils recommended rescinding the closures to nonsalmon species only to support subsistence harvest opportunity while also protecting salmon. The North Slope Council recommended rescinding the closures to all species to benefit subsistence uses and provide a Federal subsistence priority in the areas. The Seward Peninsula Council took no action because the closures were outside their region. The Board voted to rescind the closures to nonsalmon species only due to current conservation concerns for salmon.

## **Biological Background**

The nonsalmon fish community in Bonanza Creek and the Kanuti River is comprised of Arctic Grayling, Burbot, Slimy Sculpin, Whitefish, Longnose Sucker, and Northern Pike (Andersen et al. 2004, BLM 2005, ADF&G 2022). Most information related to the habitat use, seasonal movements, and population status of these species (excluding Slimy Sculpin) was provided by local experts during a Traditional Ecological Knowledge study conducted by the Alaska Department of Fish and Game (ADF&G) Division of Subsistence (Andersen et al. 2004). The information collected in this study, which is described below, applies to the broader Koyukuk River drainage. When available, information specific to Bonanza Creek or the Kanuti River is also provided.



### Arctic Grayling

Local knowledge indicates Koyukuk River drainage Arctic Grayling spend most of their time in clear, quickly moving water in tributary streams and headwater areas whenever this habitat is clear of ice. They are reported to move into this habitat after breakup in April or May, spawning shortly afterwards and feeding on insects. Later, the larger Arctic Grayling occupy higher quality feeding areas farthest upstream and smaller fish occupy poorer feeding areas downstream (Hughes 1992, Andersen et al. 2004). Arctic Grayling move from tributary streams to overwintering areas in deeper water downstream during September and October. Local knowledge indicates that Arctic Grayling is usually the last species to leave the tributary streams in the fall. Arctic Grayling overwinter in the Koyukuk River mainstem and large tributaries, as well as lakes in the far upper portions of the Koyukuk drainage (Andersen et al. 2004, Wuttig et al. 2015).

According to local experts, the population of Arctic Grayling in the Koyukuk drainage appeared healthy and abundant at the time of the interviews. However, they are susceptible to large mortality events from periodic flooding in the upper portion of the Koyukuk drainage (Andersen et al. 2004).

### *Bonanza Creek*

Arctic Grayling abundance and age composition were assessed in Bonanza Creek in 1996 (Fish 1997). Abundance of Arctic Grayling (>150 mm FL) was estimated using mark recapture techniques in a 3.3 mile section of Bonanza Creek that crosses the Dalton Highway. The estimated abundance of Arctic Grayling within the study area was 1,152 fish (SE = 445) which resulted in a density of 349 fish/mile. Fork lengths (measured from snout to fork of tail) ranged from 163 mm (6.4 in) to 386 mm (15.2 in) and averaged 266 mm (10.5 in).

### Burbot

According to local experts, Burbot are only found in major tributaries of the Koyukuk drainage. Burbot may occupy headwater lakes or the mainstem of the Koyukuk River year-round. Most river Burbot follow a different seasonal movement pattern than other Alaskan fish by being most active during fall and winter. Burbot will move upstream along shallow water areas beginning around October through January (Andersen et al. 2004). Spawning takes place during late January/early February (Stuby et al. 2022).

### Whitefish

Local experts indicate whitefish move upstream in the Koyukuk River just before and during spring break up. As the water becomes fast and high due to spring run-off, the fish move into calmer side waters, returning when water levels drop. They repeat this movement whenever water levels rise. Some whitefish spend summers feeding in lakes, while others stay in the Koyukuk River and major sloughs (Andersen et al. 2004). In fall, whitefish move towards spawning areas upstream, then descend downstream after spawning around September and October. Whitefish are said to overwinter in an inactive state in deep lakes from December to March. Round Whitefish is a “clear water fish” that

prefers to spend time in smaller streams and headwaters, “similar to grayling” (Andersen et al. 2004: 93).

Local knowledge indicates the abundance and quality of whitefish in the Koyukuk drainage has declined over the previous 60 years. These declines were attributed to changes in habitat and die-offs resulting from being stranded in shallow lakes during high water periods (Andersen et al. 2004).

#### *Kanuti River*

Several whitefish species that include Broad, Humpback, and Round Whitefish and Least Cisco have been captured in the Kanuti River (Brown 2009). In addition, Humpback Whitefish and Least Cisco spawning has been documented in the Kanuti River, downstream of the closure area (Brown 2009).

#### Longnose Sucker

Local knowledge indicates that Longnose Sucker are present in small numbers in the Koyukuk River drainage but occur in relatively high numbers in the Kanuti River. Longnose Sucker occupy mainstems, sloughs, large and small tributaries, and lakes during the open water period, and move into deep portions of the main lower Koyukuk River during winter. Spawning occurs in small streams after breakup (Andersen et al. 2004).

#### Northern Pike

According to local experts, Northern Pike in the Koyukuk drainage overwinter in deep lakes and move into shallow lakes and sloughs in spring. Northern Pike may also overwinter in the mainstem Koyukuk River (Wuttig et al. 2015). Spawning takes place in spring soon after ice-out (Wuttig et al. 2015). After mid-September, Northern Pike move back towards the main river and deep lakes (Andersen et al. 2004). Northern Pike displayed small-scale localized movements and fidelity to their spawning and summer feeding locations in the Koyukuk River (Wuttig et al. 2015).

### **Cultural Knowledge and Traditional Practices**

Wiseman and Coldfoot are the communities most likely to harvest fish in Bonanza Creek and the Kanuti River due to their proximity to the systems. In addition to these communities, which are located on the road system, the communities of Evansville and Bettles are connected to the Dalton Highway via a winter road to Evansville from January through March (Holen et al. 2012). However, there is a mismatch between the timing of this road opening and that of nonsalmon fishing by these communities (Andersen et al. 2004). Furthermore, an ADF&G Division of Subsistence survey indicated that residents of Bettles and Evansville focus their subsistence use in areas closer to these communities (Holen et al. 2012).

The community of Stevens Village also has access to the Dalton Highway as it crosses the Yukon River, via boat and snow machine (Trainor 2022, pers. comm.). However, a subsistence survey of Stevens Village conducted from 1984 to 1985 showed that residents focus most of their subsistence

fishing activity closer to their community on the Yukon River (Sumida 1988); a more recent ADF&G Division of Subsistence survey did not map subsistence use areas (Brown et al. 2016).

### Wiseman and Coldfoot

Wiseman and Coldfoot are very small communities located on the Dalton Highway. Both communities are located upon the traditional homelands of the Koyukon Athabascan people, an area which has also been influenced by historical interaction with the Iñupiat. Both Wiseman and Coldfoot were established as the result of the gold mining industry in the late 1800s and early 1900s. Coldfoot was abandoned by 1930, before being re-settled in the 1970s in connection with construction of the Dalton Highway and the Trans-Alaska Pipeline. As of 2018, there were an estimated eight full-time residents in Coldfoot and 11 in Wiseman (ADLWD 2019). The 2020 census indicates that the population of Coldfoot has risen to 34 and that of Wiseman has decreased to five (ADLWD 2023). The area also includes a small number of residents along the Dalton Highway Corridor in camps and other isolated households. ADF&G Division of Subsistence conducted its only subsistence survey of Wiseman and Coldfoot in 2012, for the 2011 calendar year.

At the time of ADF&G's survey, there were five year-round households in Wiseman, and all were surveyed. Four of these households attempted to fish, and all households used fish, although in small quantities (Holen et al. 2012).

### Nonsalmon fish

According to Holen et al., "Since the salmon fishing closure was initiated, non-salmon fish have become even more important to Wiseman residents" (2012: 369). Nonsalmon fishing was reported as occurring close to Wiseman and Coldfoot adjacent to the Dalton Highway, as well as on the South Fork Koyukuk River and as far south as the Jim River (Holen et al. 2012; **Figure 2**). During the study period, four of the five Wiseman households fished for nonsalmon species, resulting in an estimated 13 pounds of nonsalmon fish per person, or 5% of Wiseman's total wild food harvest in weight. The three most significant nonsalmon harvests in terms of edible weight included Arctic Grayling, Longnose Sucker, and Burbot (Holen et al. 2012, ADF&G 2020; **Table 1**).

In 2011, about 52% of Wiseman's nonsalmon fish harvest (measured in edible weight) was taken with gillnet or seine, about 28% was taken with "other subsistence methods," which includes set lines, and the remainder was taken by rod and reel, which was not considered a subsistence method. However, the only nonsalmon species that participants reported taking by rod and reel was Lake Trout; a little less than half of the Lake Trout harvest was taken with this gear. The fish most significant in terms of subsistence harvest were taken entirely with subsistence gear during the study period, described in more detail below, although Wiseman's harvest methods for Longnose Sucker and whitefish species were not quantified in the relevant subsistence survey report (Holen et al. 2012).

### *Arctic Grayling*

In this description of harvest practices for Arctic Grayling and for other species, below, ethnographic data are drawn both from ADF&G's subsistence survey in Wiseman for the 2011 calendar year (Holen et al. 2012) and from a Traditional Ecological Knowledge Study conducted by ADF&G Division of Subsistence from 2001 to 2003 (Andersen et al. 2004). The latter study incorporated interviews with 29 key respondents who were life-long residents of the Koyukuk River drainage communities of Alatna, Allakaket, Bettles/Evansville, Hughes, Huslia, Koyukuk, and Wiseman. Where available, information specific to practices by residents of Wiseman is emphasized.

In the Koyukon language Arctic Grayling are called *tleghelbaaye*, which likely refers to their gray coloring (Andersen et al. 2004). Fall and early winter are the preferred times for harvesting Arctic Grayling by Koyukuk River communities (Andersen et al. 2004). In the 2011 study year, Wiseman residents harvested Arctic Grayling with gillnet or seine (25%) and "other subsistence methods" (75%) (Holen et al. 2012). Residents of the wider region fish for Arctic Grayling with hook and line starting when rivers begin to freeze, usually in October. They use rod and reel in open eddies until freeze-up is complete, after which they fish through holes in the ice. Arctic Grayling are also sometimes caught during fall seining for whitefish. Arctic Grayling are easily preserved by freezing, and people prefer to eat them raw and frozen. As winter progresses, Arctic Grayling are further downstream in deep water and are less accessible (Andersen et al. 2004).

### *Burbot*

Burbot are known as *tl'eghes*, in the Koyukon dialect of the lower Koyukuk River, and *tsoneye* in the upper river dialect. Burbot can be an important subsistence resource for Koyukuk River communities in winter when other fish are not available. They are harvested beginning in the fall. In the middle Koyukuk River conditions are ideal for Burbot traps in winter, but in areas closer to the headwaters Burbot are most commonly taken with set hooks through the ice beginning around October. According to a resident of Wiseman, Burbot have also traditionally been taken from lakes in the summer with spears (Andersen et al. 2004). During the 2011 study year, Wiseman residents took Burbot entirely with subsistence gear "other than gillnet or seine" (Holen et al. 2012).

In the fall and winter Burbot can be preserved by natural freezing, but do not preserve well, and people prefer to eat them soon after they are harvested. The fatty liver is the most prized part of the fish. For subsistence purposes, people prefer to catch them before they spawn, when they are a better source of fat. Burbot return downstream beginning in February (Andersen et al. 2004).

### *Whitefish*

The generic term for whitefish in the Koyukon language is *ts'ol*. There are two species of large whitefish in the Koyukuk drainage, Broad Whitefish (*taaseze* or "water bear") and Humpback Whitefish (*holehge*, "it swims upwards"). There are also two species of small whitefish, Least Cisco (*tsaabaaya*) and the Round Whitefish (*hultten*). According to local experts, the latter is only thinly distributed in the Koyukuk drainage (Andersen et al. 2004).

One key informant said that he had observed a decline in whitefish populations over the previous sixty years, and that the fish had also become less fatty. He attributed this decline to habitat change and especially to decreased weeds and insects, as well as increased silt and water temperatures. Whitefish are susceptible to die-offs after being trapped in shallow lakes during high water periods (Andersen et al. 2004).

Gillnets are used to catch whitefish in the spring after breakup and in the fall as fish move between seasonal habitats. Whitefish are considered to be in prime condition in fall. After freeze-up they can be caught with set nets. Least Cisco may be caught with seining nets, although river conditions prevent the use of these in the upper portion of the river. In the summer, whitefish are sometimes incidentally caught in nets used for salmon. Round Whitefish are very thinly distributed and are not commonly caught. Wiseman's harvest methods for whitefish were not specifically described in Holen et al. (2012).

#### *Longnose Sucker*

The Koyukon term for Longnose Sucker is *toonts'ode*, "something bad went into the water" (Andersen et al. 2004). Longnose Sucker are mostly caught in the Koyukuk River drainage as bycatch in nets set out for whitefish in the spring. In areas suitable to the harvest method, they are sometimes taken during fall whitefish seining. Finally, they are sometimes taken in the winter with under-ice Burbot traps. In the past, spring-harvested Longnose Sucker were important for feeding both humans and dogs, but today they are primarily used as dog food. The many small bones in the fish make the end portion of Longnose Sucker inedible for humans (Andersen et al. 2004). Wiseman's harvest methods for Longnose Sucker were not specifically described in Holen et al. (2012).

#### *Northern Pike*

Northern Pike are known as *k'oolkkoye* in the Koyukon language and are an important food resource that is available year-round. Northern Pike are present, but not common in the Koyukuk River near Bettles, and are not present in the Middle Fork of the Koyukuk near Wiseman.

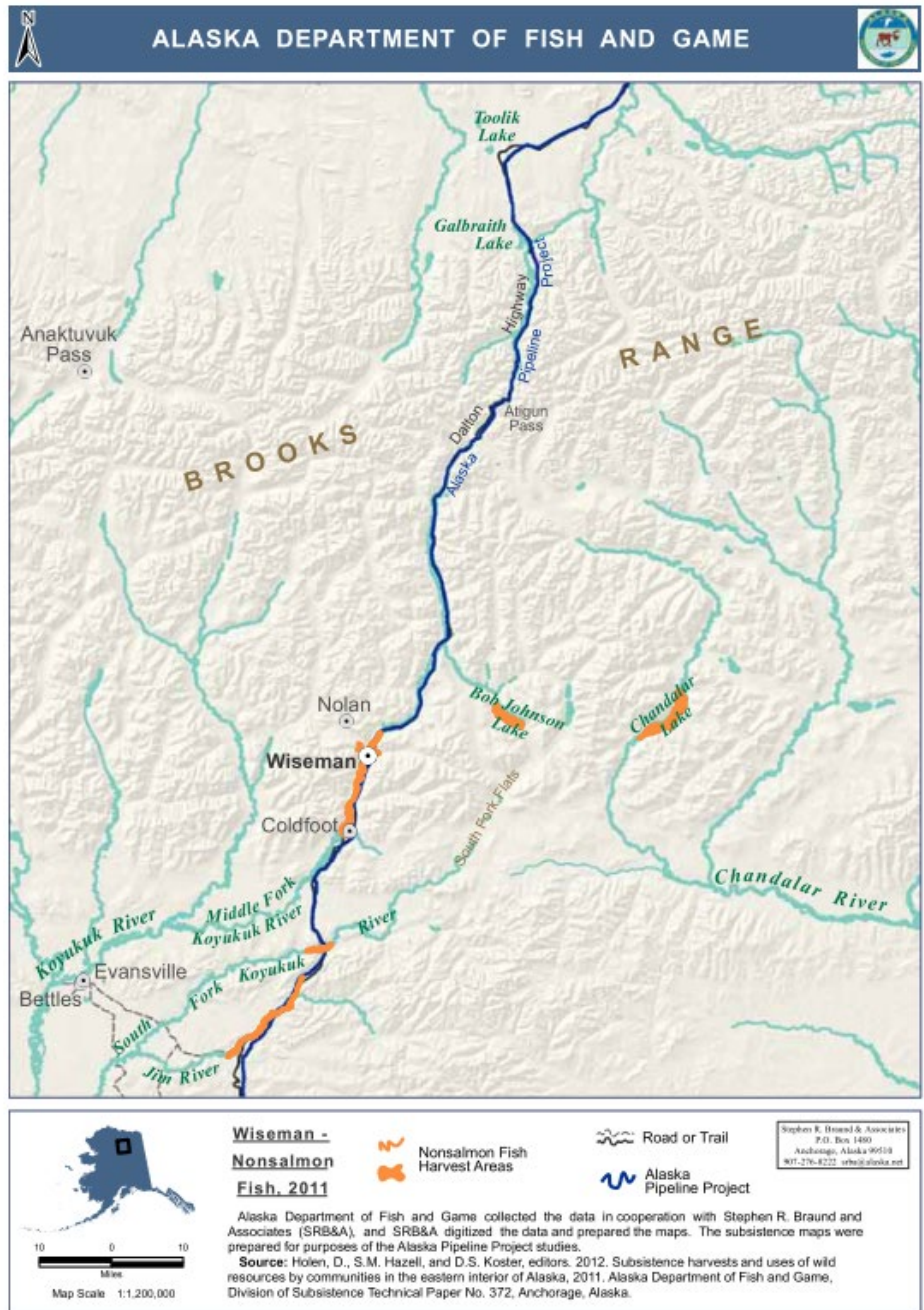
On the Koyukuk River, Northern Pike are caught with gillnets in spring and fall. "Pike are sometimes caught during the summer using artificial lures and rod and reel gear in area lakes or specific river or slough locations known for being good pike fishing. Pike are also frequently taken as by-catch in summer nets and fishwheels targeting salmon" where conditions permit use of this gear (Andersen et al. 2004: 74). In winter they can be harvested with a hook through the ice where streams leave or enter lakes.

Key informants from the wider region reported harvesting Northern Pike with gillnets, fish traps, and hook and line gear. According to Andersen et al., "The ability to take pike using unusual methods contributed to the utility of pike as a subsistence resource" (2004:75). During the subsistence survey study year, Wisemen residents harvested Northern Pike entirely with gillnets or seines (Holen et al. 2012).

Coldfoot was also surveyed by ADF&G Division of Subsistence for the 2011 calendar year. At that time, there were five year-round households in Coldfoot, four of which were surveyed, representing 10 individuals. No use of nonsalmon fish was documented in Coldfoot during the study period (Holen et al. 2012).

**Table 1:** Estimated number of nonsalmon fish and corresponding pounds per person harvested by Wiseman households in the 2011 calendar year (ADF&G 2020).

<b>Fish species</b>	<b>Estimated number of fish</b>	<b>Estimated pounds per person</b>
Arctic Grayling	111	5.97
Longnose Sucker	40	2.15
Burbot	9	1.66
Northern Pike	4	1.38
Char	11	1.11
Lake Trout	9	0.97
Whitefish	25	0.96
Dolly Varden	2	0.13



**Figure 2.** Wiseman's nonsalmon fish search and harvest areas, 2011. Source: Holen et al. 2012.

### Harvest History

There is no subsistence harvest information to report in Bonanza Creek or the Kanuti River because these systems are closed under State subsistence regulations and, until recently, under Federal regulations. Harvest is allowed under State sport fishing regulations and is not limited to federally qualified subsistence users.

The majority of sport fish harvest along the Dalton Highway corridor for the Yukon River Management Area is for Arctic Grayling (Stuby 2023). Sport fish harvest estimates are not available for specifically Bonanza Creek or the Kanuti River. Sport fish harvest estimates for Arctic Grayling in streams along the Dalton Highway south of Atigun Pass report an average of 277 fish annually during 2012–2022. Fishing effort for this entire area for all species during 2012–2022 was approximately 1,063 angler days (Stuby 2023). Sport fishing effort and harvest in Alaska have been estimated and reported annually since 1977 using a mail survey. Estimates based on fewer than 12 responses indicate that sport fishing occurred and are subject to high variance. Most estimates for the Dalton Highway from 2012 to 2022 were based on fewer than 12 respondents (Stuby 2023). These data suggest that sport fish harvest and effort do not cause conservation concerns for Arctic Grayling in Bonanza Creek or the Kanuti River.

### **Effects of the Proposal**

If Proposal FP25-16 is adopted, subsistence gear types will be limited to rod and reel in the Bonanza Creek and Kanuti River drainages and harvest limits for nonsalmon fish will match State sport fishing harvest and possession limits except for Arctic Grayling, which will have a harvest and possession limit of 10 per day (the current State sport fish harvest and possession limit is five per day). This proposal will align Federal regulations in the area, increase harvest opportunity for Arctic Grayling by federally qualified subsistence users, and provide a subsistence priority as mandated by ANILCA. However, this proposal will misalign Federal and State harvest and possession limits for Arctic Grayling which may increase user confusion, regulatory complexity, and enforcement concerns. No conservation concerns exist for this proposal as salmon fishing will remain closed and nonsalmon fishing will be restricted to rod and reel only.

If Proposal FP25-16 is not adopted, nonsalmon fish will continue to be harvested using all legal gear types. Federal subsistence harvest will remain unrestricted when using gillnets, beach seines, fish wheels, long lines, fyke nets, dip nets, jigging gear, spears, and leads. Federal subsistence harvest will only match State sport fishing harvest limits for rod and reel. Allowing unrestricted harvest for gear types other than rod and reel in an easily accessible system may lead to overharvest and local depletion of stocks. If conservation concerns do arise, the Federal in-season manager may issue special actions to set provisions for the fishery, such as stipulating gear types and setting harvest limits to protect populations in the area.

### **OSM CONCLUSION**

#### **Support Proposal FP25-16**

##### **Justification**

Adopting this proposal will benefit federally qualified subsistence users and help maintain healthy populations of fish in the Bonanza Creek and Kanuti River drainages. Current Federal regulations allow unrestricted harvest of nonsalmon fish using gear types other than rod and reel. Limiting harvest to rod and reel only and matching State sport fish harvest limits for species other than Arctic Grayling



will reduce the risk of overharvest and local depletion of stocks. Increasing the harvest and possession limits of Arctic Grayling will provide a subsistence priority for federally qualified subsistence users and justify the time and expense of traveling to harvest this species. The Federal in-season manager may use their delegated authority to restrict gear types and/or harvest limits to protect Arctic Grayling populations in the area should a conservation concern occur from increased harvest limits.

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## **SUBSISTENCE REGIONAL ADVISORY COUNCIL RECOMMENDATIONS**

### **Yukon-Kuskokwim Delta Subsistence Regional Advisory Council**

**Support** FP25-16. The Council supported the additional Grayling harvest opportunity for federally qualified subsistence users and noted the increased importance of nonsalmon fish harvest during times of salmon conservation. Additionally, the Council supports the subsistence harvest of fish that prey upon juvenile salmon.

### **Western Interior Alaska Subsistence Regional Advisory Council**

**Support** FP25-16. The Council noted that poor salmon returns on the Yukon River have shifted local effort to nonsalmon species, and that this proposal will benefit subsistence users without negatively impacting Arctic Grayling populations.

### **Eastern Interior Alaska Subsistence Regional Advisory Council**

**Support** FP25-16. The Council supported the proposal because it will benefit local federally qualified subsistence users by allowing them to harvest a few additional Grayling. The Council noted that there are no conservation concerns for Grayling based on Western biology or traditional ecological knowledge.

### **North Slope Subsistence Regional Advisory Council**

**Take no action** on FP25-16. The Council deferred to the home region.

## **INTERAGENCY STAFF COMMITTEE COMMENTS**

The Interagency Staff Committee found the analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Advisory Council recommendation and the Federal Subsistence Board action on this proposal.

## **ALASKA DEPARTMENT OF FISH AND GAME COMMENTS**

### **Fisheries Proposal FP25-16**

This proposal would rescind the current Federal Fisheries Closure being reviewed in FCR23-03 to the harvest of non-salmon fish in the Bonanza Creek drainage and the Kanuti River drainage from a point five miles downstream of the State highway crossing by federally qualified users (FQU) and modify regulations to allow rod and reel gear only and an Arctic grayling harvest and possession limit of 10 fish per day. This proposal will align federal regulations in these systems with current federal regulations for the Jim River drainage.

### **Position**

The Alaska Department of Fish and Game (ADF&G) is **NEUTRAL** on this proposal. Given the low population of the nearby communities of Wiseman and Coldfoot, we are not concerned about excessive harvest occurring under a 10 fish per day bag limit. In addition, ADF&G will still be tracking harvest

under the state subsistence permit so harvest levels can be monitored to ensure the sustainability of the Arctic grayling harvest in these drainages. If harvest levels do increase ADF&G will seek to reduce the federal bag limit to the current ADF&G bag limit of 5 fish per day.

### **Background**

During March 7, 2023, the Western Interior Regional Advisory Council (WIRAC) voted unanimously to submit a proposal to the Federal Subsistence Board (FSB) to rescind FCR 23-03. Current Federal regulations close the Bonanza Creek drainage and a portion of the Kanuti River to subsistence harvest of all fish species to be consistent with state regulations.

The South and North Forks of Bonanza Creek cross the Dalton Highway at MP 123 and 124, respectively, and the Kanuti River Crosses at MP 107. Sport fishing is allowed and general regulations for the Yukon Management Area apply; however, special regulations apply where Bonanza Creek and the Kanuti River are located within a 5-mile radius of either side the trans-Alaska Pipeline corridor (details below). The predominant species targeted in the sport fishery is Arctic grayling with a daily bag and possession limit of 5 per day, no size limit. The WIRAC voted to allow for a limited harvest of 10 Arctic grayling by FQUs.

### **Impact on Subsistence Users**

Federally qualified users will be allowed a harvest of 10 Arctic grayling per day from the Bonanza Creek drainage and a portion of the Kanuti River.

### **Impact on Other Users**

As long as the number of FQUs remains low, then there will be no regulatory impact on the sport fisheries because exploitation rates will presumably remain sustainable and additional restrictions on the sport fishery should be unnecessary.

### **Opportunity Provided by State**

**State customary and traditional use findings:** The Alaska Board of Fisheries (BOF) has closed the Bonanza Creek drainage and a portion of the Kanuti River to subsistence fishing.

#### ***5 AAC 01.225. Waters closed to subsistence fishing.***

*(b) The following drainages located north of the mainstem Yukon River are closed to subsistence fishing:*

*(1) Kanuti River drainage upstream from a point five miles downstream of the state highway crossing;*

*(3) Bonanza Creek drainage;*

**Amounts Reasonably Necessary for Subsistence:** Alaska state law requires the BOF to determine the amount of the harvestable portion of a fish population that is reasonably necessary for customary and traditional uses. This is an ANS. The BOF does this by reviewing extensive harvest data from all Alaskans, collected either by ADF&G or from other sources.

ANS provides the BOF with guidelines on typical numbers of fish harvested for customary and traditional uses under normal conditions. Fishing regulations can be re-examined if harvests for customary and traditional uses consistently fall below ANS. This may be for many reasons: fishing regulations, changes in fish abundance or distribution, or changes in human use patterns, just to name a few.

**5 AAC 01.236. Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses.**

(a) *The Alaska Board of Fisheries (board) finds that the following fish stocks are customarily and traditionally taken or used for subsistence:*

- (1) *king, summer chum, fall chum, coho, and pink salmon in the Yukon Area;*
- (2) *freshwater fish species, including sheefish, whitefish, lamprey, burbot, sucker, grayling, pike, and char;*

**General Regulations for the Yukon Management Area**

**5 AAC 73.010. Seasons, bag, possession, and size limits, and methods and means for Yukon River Area**

(a) *Except as otherwise specified in this section or through an emergency order issued under AS 16.05.060, sport fishing is permitted year-round in the waters of the Yukon River Area.*

(b) *Except as otherwise specified in (c) of this section, the following are the general bag, possession, and size limits for finfish and shellfish in the waters of the Yukon River Area:*

- (1) *king salmon 20 inches or greater in length: the bag and possession limit is three fish, of which only two fish may be 28 inches or greater in length;*
- (2) *salmon, other than king salmon: the bag and possession limit is 10 fish, with no size limit;*
- (3) *Arctic char/Dolly Varden and lake trout:*
  - (B) *in all flowing waters: the bag and possession limit is 10 fish of all species combined, of which only two fish may be 20 inches or greater in length, and of which only two fish may be lake trout;*
- (5) *Arctic grayling: the bag and possession limit is five fish, with no size limit;*
- (6) *sheefish: the bag and possession limit is 10 fish, with no size limit;*
- (7) *northern pike: the bag and possession limit is 10 fish, with no size limit;*
- (8) *burbot: the bag and possession limit is 15 fish, with no size limit;*

**Special Regulations for the Yukon Management Area**

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

(4) *in the Dalton Highway corridor (Trans-Alaska Pipeline corridor) within the Yukon River Area, which is described as a corridor five miles wide on each side of the Dalton Highway north of the Yukon River, excluding the Ray River,*

- (A) *sport fishing for salmon is closed;*
- (B) *lake trout may be taken only by catch-and-release fishing, and may not be possessed or retained; all lake trout caught must be immediately released;*
- (C) *the bag and possession limit for northern pike is five fish, of which only one fish may be 30 inches or greater in length;*

**Conservation Issues**

Under current state regulations, there are no conservation issues for Bonanza Creek and the Kanuti River, including the accessible portions that cross the Dalton Highway. The ADF&G anticipate no conservation issues if the proposed amendment is accepted by the FSB if FQUs will be primarily from Wiseman and Coldfoot, which according to the 2010 census have small resident populations of 14 and 13, respectively.

**Enforcement Issues**

Conflicting state and federal regulations for the Jim River could complicate enforcement.