



## Wild Fish Conservancy

N O R T H W E S T

S C I E N C E   E D U C A T I O N   A D V O C A C Y

### **As Alaskan Chinook Crisis Deepens, Federal Court Imposes Deadline on Overdue Endangered Species Act Decision**

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WASHINGTON, D.C.— The U.S. District Court for the District of Columbia [approved a settlement](#) requiring the National Marine Fisheries Service (also known as NOAA Fisheries) to issue a decision by May 13, 2026, on whether Gulf of Alaska Chinook salmon warrant protection under the Endangered Species Act (ESA). The agreement resolves a lawsuit filed by Wild Fish Conservancy after the agency missed its statutory deadline to make the determination. At the parties' request, Judge Trevor N. McFadden approved the settlement and dismissed the case.

Even as the State of Alaska continues to oppose federal ESA protections for Chinook salmon and maintain that there is no crisis, the severity of declining Chinook runs has forced the state to take reactionary measures, including closing fisheries across much of the state. Across Southcentral Alaska, coastal communities and fishers have been forced to accept sweeping "emergency" closures as a devastating new normal. Last month, long before the ice even melted from the rivers, [state managers had to preemptively close or severely restrict king salmon fishing](#) across the Gulf of Alaska and Cook Inlet. With state biologists publicly acknowledging "historic low escapements" and a protracted period of poor productivity, the illusion of abundance has been definitively shattered.

Following an [initial finding](#) that listing may be warranted, NOAA Fisheries missed its statutory 12-month deadline to determine whether ESA protections are warranted. The Conservancy filed suit in May 2025 as a last resort to compel a timely decision, after already having to [challenge the agency's earlier delay](#) in issuing the required 90-day finding.

"We take no pleasure in bringing cases like this, but the severity of Chinook decline and the urgent need for a decision left us with little choice," said Emma Helverson, Executive Director of Wild Fish Conservancy. "After decades of management actions that have failed to halt declines across the board in the size, productivity, diversity, and abundance, our petition asks the federal government to evaluate the available scientific data and determine whether federal protections are warranted for Gulf of Alaska Chinook. This settlement ensures the agency will make that determination on a clear and binding timeline, because continued delay only allows the crisis facing Chinook populations in Alaska and the communities who depend on them to grow more severe."

In January 2024, Wild Fish Conservancy submitted a [formal petition](#) to NOAA Fisheries to establish one or more science-based conservation units– also known as [Evolutionarily Significant Units \(ESUs\)](#) – for Gulf of Alaska Chinook and to determine if federal ESA protections were needed. An ESU is a federally recognized conservation unit used to determine which populations qualify for protection under the ESA. This step is critical because Alaska’s management framework currently lacks this structured approach to identifying and conserving genetically distinct, at-risk salmon runs with robust viability analyses.

With the State of Alaska continuing incremental management actions to conserve failing Chinook runs in iconic rivers like the Kenai, Susitna, and Karluk, the limits of this approach have become increasingly clear for the communities that depend on these fisheries. The ESA establishes a structured, science-based process for evaluating a species’ status and the factors driving its decline, with the goal of identifying durable, ecosystem-wide solutions rather than relying solely on reactionary actions or emergency closures. If NOAA Fisheries determines that listings for populations of Gulf of Alaska Chinook are warranted, the ESA also requires a transparent recovery planning process that invites participation from Tribes, scientists, and affected communities to ensure the public already bearing the cost of repeated closures have a meaningful opportunity to help shape long-term solutions. This federal framework is the only way to address the broader impacts of climate change, habitat degradation, and mixed-stock ocean fisheries that state closures alone cannot fix.

It is a common misconception that an ESA listing equates to an absolute ban on all fishing. In reality, the ESA does not arbitrarily shut down fisheries; rather, it requires that harvest be strictly and scientifically managed to ensure it does not jeopardize the survival and recovery of any population. Ironically, it is the prolonged failure to implement this kind of precautionary and science-based management that has led to the devastating, blanket emergency closures that Alaskans are suffering through today in the Gulf of Alaska and the larger region. A comprehensive federal recovery plan provides the most credible pathway for rebuilding these populations to support sustainable fisheries again.

“Chinook salmon are deeply important to communities across Alaska, and we recognize that people may hold different views about federal protections,” added Helverson. “What is clear is that declining runs are already forcing repeated closures and creating real economic and social strain for fishing families and coastal communities. The longer these declines continue, the more severe those consequences will become. The Endangered Species Act provides a science-based process and resources necessary to address the root causes of decline and work toward restoring these fish that depend on.”

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Wild Fish Conservancy is represented by Kampmeier & Knutsen PLLC of Portland, Oregon and Seattle, Washington and Eubanks & Associates, PLLC, of Washington D.C..

Wild Fish Conservancy is a nonprofit conservation organization headquartered in Washington State and working from California to Alaska to preserve, protect and restore the northwest's wild fish and the ecosystems they depend on, through science, education, and advocacy.