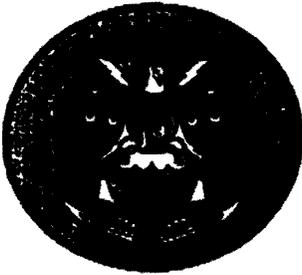


OCT-09-2008 10:25

P.05/08



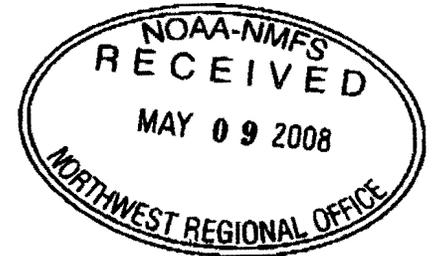
Lower Elwha Klallam Tribe

2851 Lower Elwha Road
Port Angeles, WA 98363

(360) 452-8471
Fax: (360) 452-3428

May 6, 2008

The Honorable Carlos M. Gutierrez
Secretary of Commerce
United States Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230



Dear Mr. Secretary Gutierrez,

On behalf of the Lower Elwha Klallam Tribe (Elwha Tribe), I formally request you declare a fisheries resource failure pursuant to Section 312 of the Magnuson-Stevens Fishery and Conservation and Management Act, so disaster assistance can be provided to the adversely impacted commercial and subsistence fishermen, communities, small business owners, and their employees on the Lower Elwha Klallam Reservation and surrounding communities of the Olympic Peninsula of Washington State. I am hopeful you will be able to act quickly to mitigate this situation before the human and ecological impacts are magnified.

On May 6th 2008, the Lower Elwha Klallam Business Council, the governing body of the Elwha Tribe, declared a fisheries economic disaster throughout the Reservation due to the catastrophic collapse of the salmon runs last season, and expected low returns this season, especially that of the Fraser River sockeye fishery (Resolution enclosed). The exact causes of the failure are still undetermined, but are most likely linked to a number of factors including changing ocean conditions resulting in poor survival, disease, and prior interceptions of salmon in Alaskan and Canadian waters.

Historic Elwha Tribal landings of sockeye have numbered in the tens of thousands during the late 1980's. More recent data indicates an average harvest of 4,332 for the years 1998 through 2000. For the years 2003 through 2007, total sockeye harvested by the Elwha Tribe numbered 119, 0, 50, 311, and 0, respectively. With a combination of limited fishery openings designed to protect listed salmon stocks, poor ocean conditions, and a high diversion rate through the Strait of Georgia during warm El Nino events, our fishers have had little access to a once bountiful sockeye harvest returning to the Fraser River.

This last year's total closure was more pronounced, and coupled with failures over the past few years, the devastating impact to commercial and subsistence fisheries has been compounded. A disaster declaration under Section 312 is needed to make federal resources available for individual and family assistance, in terms of low interest loans

OCT-09-2008 10:25

(small business and personal) and community and workforce development to increase economic diversification. Washington State tribes are co-managers of the fisheries resource and have a treaty-secured right to 50% of this resource. Not only is there the issue of the treaty right, but tribal communities in general experience much higher levels of unemployment and have a higher proportion of their population which is dependent on fisheries activities than their non-tribal neighbors. The 2000 US Census indicates that the unemployment rate of the Elwha Tribe is approximately 10.2%. The per capita income for the Tribe is just \$8,769. Much of this income is fisheries generated.

In conclusion, salmon not only represent an economic resource to the Elwha Tribe, but the foundation of our cultural survival. We depend on salmon for our sustenance, religion, and identity. Please remember when making your decision, that your trust responsibility includes these non-monetary values, in addition to economic benefits.

Thank you for your consideration. If you have any questions, please contact Doug Morrill (360-457-4012 Ext 18) or Sonya Tetnowski (360-452-8471 Ext 115).

Sincerely,



Frances G. Charles
Tribal Chairwoman

Enc. Resolution – Declaration of Fisheries Economic Disaster

Cc: The Honorable Patty Murray, US Senator
The Honorable Maria Cantwell, US Senator
The Honorable Norm Dicks, Congressman
Mike Grayum, NWIFC