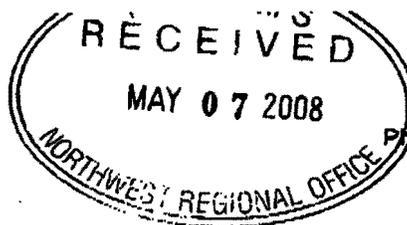
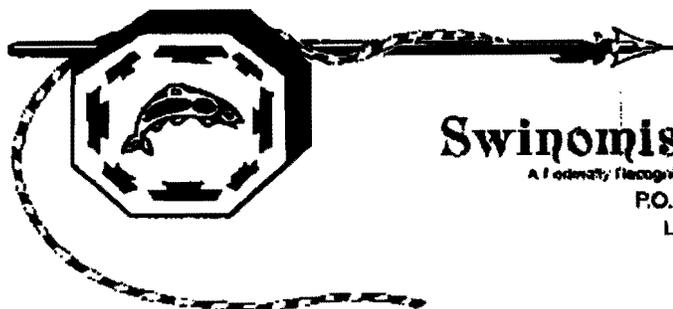


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Swinomish Tribal Community

A Federally Recognized Indian Tribe Organized Pursuant to 25 U.S.C. § 476

P.O. Box 817 • 11404 Moorage Way

LaConner, Washington 98257

May 6, 2008

The Honorable Carlos M. Gutierrez
Secretary of Commerce
Mailstop 61
14th and Constitution Avenue NW
Washington, DC 20230

Dear Mr. Secretary:

In light of the fact that the 2007 Fraser Sockeye Fishery was closed to commercial fishing, the Swinomish Indian Tribal Community hereby requests that you declare a fishery resource disaster under section 308(d) of the Interjurisdictional Fisheries Act of 1986, and a commercial fishery failure under section 312a of the Magnuson-Stevens Fishery Conservation and Management Act of 1976 (MSA). The Tribe as a sovereign nation has itself declared that it is in an Economic Fishery Resource Disaster Area. See Appendix A.

As you know, declaring a commercial fishery failure under the MSA will enable the fishing communities affected by this closure to receive vital economic assistance. With the closure of this fishery in 2007, Swinomish has experienced serious economic hardship. The 2007 Fraser sockeye salmon run was projected to return at 6.25 million fish and provide an expected Swinomish Tribal harvest of 125,000 sockeye; however, the failure of the sockeye run reduced the total to 1.4 million sockeye and therefore no fish were available for a Swinomish Tribal commercial harvest after providing for escapement. As a result, the Swinomish Fishing Community lost an estimated \$826,000 in gross revenue from the closure of the sockeye fishery that year.

The failure of the sockeye fishery in 2007, in conjunction with reductions in the Tribe's overall salmon harvest as described below, was "the straw that broke the camel's back." Due to the listing of Puget Sound Chinook under the Endangered Species, Swinomish has not opened a directed commercial fishery on Chinook salmon since 1994 for conservation reasons. Since 1975, when the Swinomish Tribe was adjudicated to

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The Honorable Carlos M. Gutierrez**April 25, 2008****Page 2 of 2**

have off-reservation fishing rights under the Treaty of Point Elliott, salmon populations (and with it the Swinomish Tribe's salmon harvests) have seriously declined. Comparing, for illustrative purposes, Swinomish's harvest in 1975 to 2007, we can see that the harvest of

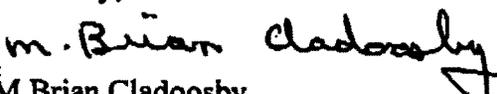
- Coho salmon declined from 28,308 to 7,467 (or 74%)
- Chinook salmon declined from 12,904 to 872 fish (or 94%)

In 2007, the Swinomish Tribal government lost an estimated \$24,780 in tax revenues from the sockeye fishery in 2007 alone. These revenues pay for essential community services for all members of the Swinomish Indian Tribal Community. For these reasons, Swinomish is an economically distressed community that lacks economic alternatives to provide job opportunities for its membership which has endured a 50% reduction in salmon permits. Each permit represents employment not only for the boat owner, but also for his or her crew. This dramatic reduction approximately results in the loss of half the jobs available for tribal members in the Tribe's salmon fisheries. Hence, economic assistance will be critical for the well-being of our fishing community.

As you know, salmon are a vital component of the Tribe's natural resources and provide significant commercial, cultural, spiritual and economic benefits to the Tribe and its members. Additionally, tribal members rely upon salmon for ceremonies and subsistence. While economic assistance will be essential to address the short-term impacts associated with the closure of this fishery, we recognize the importance of, and will continue our efforts to recover and restore, salmon populations and develop management strategies to ensure the long-term health and sustainability of our salmon fisheries. For a brief description of those efforts, please see Appendices B ,C, D and E attached hereto.

We greatly appreciate your anticipated support and leadership on this critical issue and look forward to a favorable reply.

Sincerely,


M. Brian Cladoosby
Chairman

Cc: Governor Christine M. Gregoire
Craig Bill, Tribal Liaison
Robert Lohn, Director, Region X, NOAA-F