



THE TULALIP TRIBES

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The Tulalip Tribes are the successors in interest to the Snohomish, Snoqualmie, and Skykomish tribes and other tribes and band signatory to the Treaty of Point Elliott

May 14, 2008

The Honorable Carlos M. Gutierrez
Secretary of Commerce
United States Department of Commerce
14th and Constitution Avenue, NW
Washington, DC 20230

Re: Request to Declare Fisheries Resource Failure

Dear Secretary Gutierrez:

I formally request you declare a fisheries resource failure pursuant to Section 312 of the Magnuson-Stevens Fishery and Conservation and Management Act (Act) so disaster assistance can be provided to the adversely impacted commercial and subsistence fishermen, communities, small business owners, and their employers of the Tulalip Tribes Reservation in the northwest corner 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 14th 2008, the Board of Directors, the governing body of the Tulalip Tribes, declared a fisheries economic disaster throughout the Reservation due to collapse of the salmon returns, particularly the 2007 sockeye run. The exact causes of the failure are still undetermined, but are most likely linked to a number of factors including: natural conditions, such as changing ocean conditions causing poor ocean survival, and disease; continued destruction of habitat and interception in state, federal, and international waters. The Tribe is currently engaged in an assessment of these fisheries, with emphasis on salmon spawning escapement and subsistence harvest.

In 1999, the Tulalip Tribes suffered unprecedented low sockeye salmon returns. From a 10 year average (1988-1997) of 86,445 fish, the sockeye harvest dropped to essentially zero (95 fish). The average annual sockeye harvest for the ten year period (1998-2007) was 22,009 fish. The harvest in 2007 was also nearly zero (11 fish). In 2002, the Commerce Department did issue a declaration of an economic fisheries disaster for the Lummi Nation. However, neither that tribe nor the Tulalip Tribes government and its members have ever received funding under Section 312 of the Act. Therefore, the impact of the fisheries failure on tribal members is very serious. I am asking that funding be provided to include financial assistance to help re-structure the Tulalip Tribes Fishing Industry such that tribal members can have sustainable levels with the remaining fisheries resources.

Unfortunately, the failure of the salmon runs may be more pronounced this year and, due to the failures over the past few years, the devastating impact of the commercial and subsistence fisheries crash will be compounded. The 2007 salmon return in the disaster region was significantly less than the 20-year average and some returns are the lowest on record. For the 2008 season, the Department has already issued a final rule noting the low abundance of Chinook stocks, 73 Fed. Reg. 23971 (May 1, 2008). The Tulalip on-reservation catch area 8(d) fishery for 2008 is estimated to be only 2300 fish or only about 1/3 the level of the 2007 also low level. There a large number of

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families in the disaster area who are dependent on salmon for economic and social survival. Further, a major portion of the members of the Tulalip Tribes rely on subsistence fishing as a major aspect of their Native lifestyle and to supplement their cash economy. For some of these families, this fisheries failure has caused a serious depletion in traditional subsistence food sources.

A fisheries failure declaration under Section 312 is needed to make federal resources available for individual and family assistance; research, monitoring, and enforcement efforts; and community and workforce development for economic diversification.

The cumulative impact of several years of poor salmon runs has exhausted personal and community resources in a large portion of the Tribe. We will be grateful for your earliest possible action on our request for a Section 312 fishery failure.

If I may of further assistance, please call me at 360 651 4444 or have a member of your staff contact RAY FRYBERG
360 651 4483

Sincerely,



Mel Sheldon
Chairman
The Tulalip Tribes