

A-priority 16-050780



# QUILEUTE TRIBAL COUNCIL

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June 23, 2016

SF → 19

The Honorable Penny Pritzker  
Secretary, U.S. Department of Commerce  
1401 Constitution Ave NW  
Washington, D.C. 20230

2016 JUL 14 PM 2:43  
EXECUTIVE SECRETARIAT

Dear Secretary Pritzker:

Recently the Quileute Tribe has and continues to experience an economic disaster within our treaty fishing community due in both to public health concerns that caused the closure of the tribally managed Dungeness crab fishery and dwindling available catch that may be connected to ocean conditions such as ocean acidification.

Last year a massive, persistent Harmful Alga Bloom (HAB) caused by phytoplankton and ocean conditions caused Dungeness crab and other shellfish resources in our Usual and Accustomed Fishing Area (U & A) to accumulate the neurotoxin domoic acid at levels considered unsuitable for human consumption. This neurotoxin causes nausea, diarrhea, vomiting and at high levels even death.

Quileute Tribe's Shellfish Monitoring Program in coordination with the Washington State Departments' of Health (DOH) and Fish and Wildlife (WDFW) and the Quinault Nation monitor shellfish and seawater for the presence of HAB producing phytoplankton and the availability of the toxin Domoic Acid to shellfish. In May of 2015 of this coordinated effort, sampling revealed a story of increasing toxin levels that quickly became alarming from the perspective of human consumption. In August of 2015 both the Quileute Tribe and Washington State closed their respective Dungeness fisheries (see Attachment 1 & 2: closure notices). Subsequently the Quileute Tribe did not re-open its fishery until late in November of 2015.

Unlike state (non-treaty) fishers, the Quileute fisherman are limited by their treaty as to the geographic range where they may fish. Under the treaty our fisherman cannot leave their treaty area to fish. A map of our fishing grounds for crab is attached (Attachment 3). If changes of climate or ecological changes hit that particular area, even if not another, we are adversely impacted and cannot fish elsewhere. While we cannot be certain of the marine conditions that created the inability to harvest a greater number, some natural factor had to be involved, to explain the empty crab pots our fisherman experienced over and over.

SF we just need an acknowledgement - kath N.

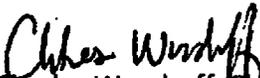
Dungeness crab is one of the highest valued commercial fisheries in the Quileute Tribes' Treaty Fishery. Annual harvest rate averages (previous 10 years) at 432,345 pounds of crab, however in the 2013/2014 season we only harvested 65,165 pounds of crab (15% of average) and then in the 2015/2016 season only 62,335 pounds of crab have been harvested to this date. At these levels, Quileute fishers are harvesting less than 20% of their usual harvest rate. The direct economic impact from these conditions is estimated to be at least \$3 million. This estimate is based on an ex-vessel value of commercial landings over the previous 5 years and does not account for other commercial impacts or those of the fishing industry beyond commercial fisheries.

The Quileute Tribe considers these estimates of impact to date as significant and we request that you declare a fishery resource disaster under section 308 (d) of the interjurisdictional Fisheries Act of 1986 (16 U.S.C. § 4107 (d)), and a commercial fishery failure under section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act of 1976 (16 U.S.C. §1861 a (a)).

Your finding that a disaster should be declared will greatly assist our ability to recover from this event. We are seeking compensation for the lost fishery revenue as well as funding to protect the resource and prevent some of these losses in the future. We will appreciate your earliest possible formal action on our request.

If I can be of further assistance, please contact me at (360) 374-6163 or [chas.woodruff@quileutenation.org](mailto:chas.woodruff@quileutenation.org) or have a member of your staff contact our Natural Resources Director, Mel Moon, at (360) 374-3133, [mel.moon@quileutenation.org](mailto:mel.moon@quileutenation.org).

Sincerely,

  
Charles Woodruff, Chairman  
Quileute Tribal Council

Attachment(s):      (1)      Closure Quileute Crab  
                              (2)      Closure Washington State  
                              (3)      Map Fishing Area

cc: The Honorable Patty Murray, U.S. Senator  
The Honorable Maria Cantwell, U.S. Senator  
The Honorable Derek Kilmer, U.S. Congressman



## Quileute Natural Resources QUILEUTE INDIAN TRIBE

401 Main Street • Post Office Box 187  
LaPush, Washington 98350

Phone: (360) 374-5695 • Fax: (360) 374-9250



### QUILEUTE INDIAN TRIBE DUNGENESS CRAB REGULATIONS 2014/2015 August 5, 2015

## Emergency Closure Notice

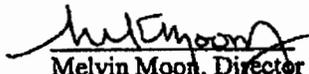
**Due to high levels of biotoxin in crab recently detected off the coast of Washington north to Queets River, the Quileute Tribe is closing the Commercial and Ceremonial and Subsistence crab fishery for the remainder of the season, effective August 6<sup>th</sup> at 12:00 am through October 16<sup>th</sup> 11:59 pm. All pots must be pulled by August 10<sup>th</sup>. Any pots remaining in the water beyond August 10<sup>th</sup> will be declared derelict gear and subject to removal.**

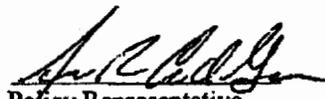
**FISHERY:** COMMERCIAL and C&S

**SPECIES:** Dungeness Crab (Cancer magister)

**AREA:** From 48°07'36 North Latitude (Sand Point) south to 47°31'42" North Latitude (Queets River) west to 125° 44'00" west Longitude.

This regulation supersedes any previous regulation of the Quileute Tribe for all Harvest of Dungeness Crab.

  
Melvin Moon, Director  
Quileute Natural Resources

  
Policy Representative  
Quileute Natural Resources Committee



State of Washington  
Department of Fish and Wildlife

48 Devonshire Road, Montesano, Washington 98563-9618 (360) 249-4628 FAX (360) 249-1229

June 5, 2015

Contact: Dan Ayres 360-249-4628 (ext. 209)

**WASHINGTON COASTAL DUNGENESS CRAB INDUSTRY NOTICE**

**IMMEDIATE CLOSURE**

**Effective immediately**, WDFW is implementing the following change to coastal commercial Dungeness crab regulations:

**The coastal waters between the Washington/Oregon border (46°15.00) and Point Chehalis (46°53.18), including the Columbia River and Willapa Bay are CLOSED to the harvest and possession of Dungeness crab.**

This action is a result of increasing levels of domoic acid in recent Dungeness crab samples. These levels now exceed the closure criteria established by the Washington Department of Health.

All crab gear must be removed from the area between the Washington Oregon border and Point Chehalis by 12:01 AM, June 10, 2015. If extenuating circumstances make this impossible for any fisher, you can contact us to request an extension.

**THIS CLOSURE INCLUDES BOTH COMMERCIAL AND RECREATIONAL DUNGENESS CRAB FISHING.**

The area north of Point Chehalis remains open to both commercial and recreational Dungeness crab fishing. Vessels that participate in the coastal Dungeness crab fishery in the area north of Point Chehalis or south of the WA/OR border may possess crab for delivery into Washington ports south of Point Chehalis (46°53.18), provided the crab were taken north of Point Chehalis (46°53.18) or south of the WA/OR border.

Notification to WDFW Enforcement is required when transiting crab through closed areas.

- Notification is to be made 24-hours prior to entering the area north of the Washington/Oregon border (46°15.00) or south of Point Chehalis (46°53.18) by calling 360-581-3337, and reporting the vessel name, operator name, estimated amount of crab to be delivered in pounds, and the estimated date, time, and location of delivery.

# Quileute Ocean U&A

