



UNITED STATES DEPARTMENT OF COMMERCE  
The Secretary of Commerce  
Washington, D.C. 20230

May 27, 2011

Mr. Chris Colte  
Chairman, Lummi Nation  
Lummi Indian Business Council  
2616 Kwina Road  
Bellingham, WA 98226

Dear Mr. Colte:

Thank you for your letter requesting determination of a commercial fishery failure due to a fisheries resource disaster under the Magnuson-Stevens Fishery Conservation and Management Act. I have reviewed your request to declare that the 2002 Fraser River sockeye fisheries disaster be continued into the 2009 fishery. I have determined, under section 312(a) of the Magnuson-Stevens Act, that the disaster continued to exist for the Fraser River sockeye fisheries in the 2009 fishery. This determination is based on a combination of natural and unknown factors predominantly outside the control of fisheries managers to mitigate through conservation and management measures.

This determination provides a basis for Congress to appropriate disaster relief funding under the Magnuson-Stevens Act, section 312(a) and for the National Marine Fisheries Service (NMFS) to provide assistance to the State of Washington and affected communities. If Congress appropriates disaster relief funding, the NMFS Northwest Region will work with the Lummi Nation and the State of Washington to develop an economic spending plan to support activity that would restore the fishery or prevent a similar failure and assist the affected fishing communities. Section 312(a)(3) requires that the Federal share of the cost of any activity carried out under the authority of this subsection shall not exceed 75 percent of the cost of that activity.

According to the Pacific Salmon Commission, the 2010 Fraser River run size is the largest since 1913. As a result, U.S. tribal and non-tribal ex-vessel revenues have increased from the extreme low of \$76,000 in 2009 to an extreme high of \$15.7 million in 2010. Although we have determined a continuation of the 2002 disaster into the 2009 fishery, the Fraser River stock is rebuilding and, unless new information is produced, this will be the last continuation of the 2002 disaster determination.

If you have any questions, please contact April Boyd, Assistant Secretary for Legislative and Intergovernmental Affairs, at (202) 482-3663.

Sincerely,

Gary Locke

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