

21-073546



MUCKLESHOOT TRIBAL COUNCIL

39015 172nd Avenue S.E. • Auburn, Washington 98092-9763
(253) 939-3311 • Fax (253) 931-8570



April 5, 2021

The Honorable Gina M. Raimondo
Secretary of Commerce
United States Department of Commerce
1401 Constitution Ave., NW
Washington, D.C. 20230

2021 APR 22 AM 11:40
U.S. EXECUTIVE SECRETARIAT

Re: 2017 and 2019 Green River/Duwamish River Commercial Fisheries Disaster for Muckleshoot Indian Tribe

Dear Secretary Raimondo:

In my May 14th, 2020 letter, I formally requested that the Secretary of Commerce declare an economic fishery disaster under Section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act for the 2019 Green River/Duwamish River fisheries. I now formally request that an economic fishery disaster also be declared for the 2017 Green River/Duwamish River fisheries so that disaster relief assistance can be provided to our fishers. Muckleshoot fishers were adversely impacted by the extremely low runs of salmon in the Green River in 2017 and 2019.

There are many causes that contributed to the decline in survival for both 2017 and 2019 fishing years. The primary cause that stands out was due to the constant ongoing poor ocean conditions. These poor ocean conditions affect all four of the salmon species (Chinook, coho, chum and pink) for both years returning back to the Green River/Duwamish River system. It is hard to put your finger on any one specific cause but we do know that ocean surface temperatures have been consistently high over the last number of years, really since 2014 when the "Blob" developed in the Pacific Ocean off of the Washington coast. When there are warmer sea surface temperatures

the resulting effect is that it will then have a negative impact on juvenile salmon survival. Since this watershed is in a highly industrial urban area, most of the Green River/Duwamish River fisheries are heavily dependent on hatchery releases (Chinook, coho and chum). Juvenile hatchery fish are raised to a certain size which is dependent on their species, then released at the proper time so they can rapidly migrate through this very degraded fresh water habitat area into the marine area to keep their survival in the fresh water area as high as possible. In conclusion, when looking at the factors it seems to consistently point in the direction of the marine area where the majority of the juvenile fish did not survive which produced poor adult returns contributing to those disaster fisheries in both years.

Due to these disasters, the Muckleshoot fishing community has lost approximately 1.31 million dollars in commercial fishing-based revenue. This number accounts for both 2017 and 2019 losses, but does not reflect the additional cost for boat operations, or gear purchase/maintenance during the relevant period. It also does not account for the negative impacts to our culture and our way of life, which are irreversible.

The 2017 Green River/Duwamish River commercial coho revenue was down 50.6% when compared to the most recent five-year average (excluding 2015, which was a disaster year), and the 2017 Green River chum revenue was down 66.3% when compared to the most recent five-year average. Similarly, in 2017, the pink fishery revenue, an odd-year fishery, was down 99.7% when compared to the previous two-year average (excluding 2015, which was a disaster year). The 2017 chinook fishery revenue was down 43.8% when compared to revenue in 2018, which is the only comparable year given that the fishery was closed during the previous seven years due to conservation measures.

The salmon from the Green River/Duwamish River fisheries, like all salmon, is extremely important to our Muckleshoot people and always has been. The lack of chinook, chum, coho and pink impacted our entire tribe. We are fishing people—it is central to our culture and way of life, as well as our economy. We have always relied on the water and our natural resources for our health and livelihoods. With very little chinook, chum, coho or pink to harvest, our entire community suffered and needs financial relief to get through these difficult times.

The 1974 federal court decision in *United States v. Washington*, affirmed the treaty tribes' right to half of the harvestable salmon and established the tribes as comanagers of Washington state fisheries. As a federally recognized tribe and sovereign nation, we have the right to request and receive disaster relief under the Department of Commerce and Congressional appropriation. We ask that under your authority, and in cooperation with the National Oceanic and Atmospheric Administration Fisheries and the Muckleshoot Tribe, that you coordinate with all parties to issue a Fisheries Economic Disaster Declarations as authorized under Section 312(a) of the Magnuson-

Stevens Fishery Conservation and Management Act. Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jaison Elkins', written over a horizontal line.

Jaison Elkins
Chairperson
Muckleshoot Indian Tribe

cc: The Honorable Patty Murray
The Honorable Maria Cantwell
The Honorable Kim Schrier

Attachment



MUCKLESHOOT TRIBAL COUNCIL

39015 172nd Avenue S.E. • Auburn, Washington 98092-9763
(253) 939-3311 • Fax (253) 931-8570



RESOLUTION NO. 21-031

RESOLUTION DECLARING A FISHERY RESOURCE DISASTER FOR THE TRIBE'S 2017 GREEN RIVER/DUWAMISH RIVER SALMON COMMERCIAL FISHERIES AND AUTHORIZING A REQUEST TO THE SECRETARY OF COMMERCE FOR A DECLARATION OF FISHERY RESOURCE DISASTER AND FOR ECONOMIC RELIEF

WHEREAS, the Muckleshoot Indian Tribal Council is the duly constituted governing body for the Muckleshoot Indian Reservation by authority of and is herein acting solely pursuant to its constitution and bylaws approved May 13, 1936 by the Secretary of the Interior, and as amended June 28, 1977 and not pursuant to its Indian Reorganization Act Corporate Charter ratified October 31, 1936; and,

WHEREAS, due to undetermined as well as natural and/or manmade causes beyond the control of fisheries managers to mitigate, likely including unfavorable ocean conditions such as the vast expanse of unusually warm marine water, nicknamed "the blob," that occurred in 2015, the Muckleshoot Indian Tribe's fisheries, particularly the Green River pink, coho, and chum stocks, fell to calamitous lows in 2017; and,

WHEREAS, the Tribe's Green River coho harvest was 58.1% below normal in 2017, consisting of 14,320 fish caught; and

WHEREAS, the Tribe's Green River chum harvest was 72% below normal in 2017, consisting of merely 5,799 fish caught in 2017; and

WHEREAS, the Tribe's Green River pink harvest was 99.5% below normal for this odd-year only fishery, consisting of 272 fish caught; and

WHEREAS, the Tribe's Green River Chinook harvest was 45.5% below the normal in 2017, consisting of 5,712 fish caught in 2017; and

WHEREAS, these extreme declines and other fishery declines are creating dire economic crises for the Tribe's members who are commercial and subsistence fishers and for the Tribally-owned fish buying company, Muckleshoot Seafood Products;

WHEREAS, the Secretary of Commerce is authorized to declare a fishery resource disaster under the Magnuson-Stevens Fishery Conservation and Management Act and the Interjurisdictional Fisheries Act and to provide economic assistance to the affected fishing community provided monies are appropriated by Congress;

Resolution No. 21-031

Page - 1



MUCKLESHOOT TRIBAL COUNCIL



39015 172nd Avenue S.E. • Auburn, Washington 98092-9763
 (253) 939-3311 • Fax (253) 931-8570

May 14, 2020

O S EXECUTIVE SECRETARIAT

2020 JUL 21 PM 12: 00

The Honorable Wilbur Ross
 Secretary of Commerce
 United States Department of Commerce
 1401 Constitution Ave., NW
 Washington, D.C. 20230

Re: 2019 Green River Commercial Fisheries Disaster for Muckleshoot Indian Tribe

Dear Secretary Ross:


I am writing to formally request that you declare an economic fishery disaster under Section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act so that disaster relief assistance can be provided to our fishers. Muckleshoot fishers were adversely impacted by the extremely low runs of salmon in the Green River in 2019.

For example, the 2019 Green River commercial coho harvest was only 17.3% of the most recent six-year average (excluding 2015), and the 2019 commercial Green River chum harvest was only 10.9% of the most recent six-year average (excluding 2015). Similarly, the harvest in 2019 pink fishery, an odd-year only fishery, was only 1.3% of the previous six-year average (excluding 2015). The chinook fishery harvest, which has been closed in years before 2017 due to rebuilding the stock, was only 26.1 % of the previous two-year average (2017 & 2018).

The salmon from the Green River fisheries, like all salmon, is extremely important to our Muckleshoot people and always has been. The lack of chinook, chum, coho and pink impacted our entire tribe. We are fishing people—it is central to our culture and way of life, as well as our economy. We have always relied on the water and our natural resources for our health and livelihoods. With very little chinook, chum, coho or pink to harvest, our entire community suffered and needs financial relief to get through these difficult times.

As a federally recognized tribe and sovereign nation, we have the right to request and receive disaster relief under the Department of Commerce and Congressional appropriation. We ask that under your authority, and in cooperation with the National Oceanic and Atmospheric Administration Fisheries and the Muckleshoot Tribe, that you coordinate with all parties to issue a Fisheries Economic Disaster Declaration as authorized under Section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act. Thank you for your consideration of this matter.

Sincerely,



Jaison Elkins
Chairperson
Muckleshoot Indian Tribe

cc: The Honorable Patty Murray
The Honorable Maria Cantwell
The Honorable Kim Schrier

Attachment



MUCKLESHOOT TRIBAL COUNCIL

39015 172nd Avenue S.E. • Auburn, Washington 98092-9763
(253) 939-3311 • Fax (253) 931-8570



RESOLUTION NO. 19-277

RESOLUTION DECLARING A FISHERY RESOURCE DISASTER FOR THE TRIBE'S 2019 GREEN RIVER SALMON COMMERCIAL FISHERIES AND AUTHORIZING A REQUEST TO THE SECRETARY OF COMMERCE FOR A DECLARATION OF FISHERY RESOURCE DISASTER AND FOR ECONOMIC RELIEF

WHEREAS, the Muckleshoot Indian Tribal Council is the duly constituted governing body for the Muckleshoot Indian Reservation by authority of and is herein acting solely pursuant to its constitution and bylaws approved May 13, 1936 by the Secretary of the Interior, and as amended June 28, 1977 and not pursuant to its Indian Reorganization Act Corporate Charter ratified October 31, 1936; and,

WHEREAS, due to undetermined as well as natural and/or manmade causes beyond the control of fisheries managers to mitigate, likely including unfavorable ocean conditions such as the vast expanse of unusually warm marine water, nicknamed "the blob," that occurred in 2015 and 2019, the Muckleshoot Indian Tribe's fisheries, particularly the Green River pink, coho, and chum stocks, fell to calamitous lows in 2019; and,

WHEREAS, the Tribe's Green River coho harvest was 82.7% below normal in 2019, consisting of 5,593 fish caught; and

WHEREAS, the Tribe's Green River chum harvest was 89.1% below normal in 2019, consisting of an unprecedented low of merely 1,717 fish caught in 2019; and

WHEREAS, the Tribe's Green River pink harvest was 98.7% below normal for this odd-year only fishery, consisting of 448 fish caught; and

WHEREAS, these extreme declines and other fishery declines are creating dire economic crises for the Tribe's members who are commercial and subsistence fishers and for the Tribally-owned fish buying company, Muckleshoot Seafood Products;

WHEREAS, the Secretary of Commerce is authorized to declare a fishery resource disaster under the Magnuson-Stevens Fishery Conservation and Management Act and the Interjurisdictional Fisheries Act and to provide economic assistance to the affected fishing community provided monies are appropriated by Congress;

NOW THEREFORE BE IT RESOLVED, that the Muckleshoot Tribal Council:

1. declares a fishery resource disaster for the above-referenced 2019 Green River chum, pink, and coho fisheries; and

Resolution No. 19-277

Page - 1

2. authorizes the Chairman of the Tribe, or in his absence, the Vice-Chairman to request that the Secretary of Commerce declare a fishery resource disaster relating to said fishery resource failures and failures for other species as warranted by the data and to request that Congress and/or the Secretary of Commerce provide economic assistance to aid affected Muckleshoot fishers and Muckleshoot Seafood Products and/or to fund projects that are designed to restore the affected fisheries and/or prevent similar failures in the future and/or to otherwise assist the affected commercial fishers and/or ameliorate the economic and social effects of the above-referenced fishery failures.

NOW THEREFORE BE IT FURTHER RESOLVED that the Chairman of the Tribal Council or, in his absence, the Vice-Chairman, is hereby authorized to sign all letters and negotiate and execute all contracts, agreements and amendments thereto on behalf of the Tribe without further adoption of a resolution in the securing and performance of this activity throughout its duration provided that such authorization does not exceed the specific intent and terms of the aforementioned document and/or activity, and is executed in compliance with all applicable Tribal, federal and other ordinances, laws, regulations, policies and procedures.

CERTIFICATION

As Secretary of the Muckleshoot Indian Tribal Council, I hereby certify that the above resolution was duly adopted at a regular meeting of the Tribal Council on the 13 day of December, 2019, held on the Muckleshoot Indian Reservation, Auburn, WA, at which a quorum was present by a vote of 5 for, 0 against and 0 abstentions.



Tribal Council Secretary



Tribal Council Chair/Vice-Chair