



RESIGHINI RANCHERIA

P.O. Box 529 • Klamath, CA 95548
Tel (707) 482-2431 • Fax (707) 482-3425

May 25, 2023

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

OS EXECUTIVE SECRETARIAT
2023 JUN -7 PM 1:57

Re: Resighini Rancheria Federal Klamath River Salmon Fishery Disaster Request

Dear Secretary Raimondo:

The Resighini Rancheria is a federally recognized Tribe of Yurok people. Our reservation is located along the lower Klamath River at the top of the estuary and our ancestral territory, “extends along the Pacific Ocean coastline from the northern boundary of Damnation Creek, south to Little River; from the mouth of the Klamath River, upstream to Slate Creek; and extends west to include the Pacific Ocean. Our ancestral lands include all submerged lands, and the beds, banks and waters of all the tributaries within the area just described, as well as all usual and accustomed hunting, fishing, and gathering areas” (Article I, Section 1, Constitution of the Resighini Rancheria).

Our Tribe originated on the original Klamath River Reservation in 1855 and, as confirmed by the Bureau of Indian Affairs, has had a federally acknowledged relationship with the federal government since that time. As Yurok people, we continue to rely upon the important salmon fishery on the lower Klamath River just as our people have since time immemorial. Like other Tribal entities within the Klamath River Basin, Resighini Rancheria maintains fishing rights for ceremonial, subsistence, and commercial fisheries, which are managed consistent with federal and Tribal fishery management goals. We develop Tribal fishing regulations that are promulgated by the Tribal Council, based on the recommendations of the Tribe’s Fish and Game Commission. Our Tribe has witnessed firsthand and suffered the negative impacts from a significant reduction in the salmon fishery. These negative impacts stem from a variety of factors, including prolonged drought, insufficient water quantity, poor water quality, as well as anthropogenic causes such as overfishing, dams, and large-scale timber production in the watershed.

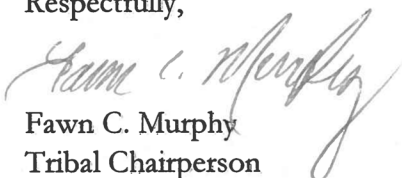
On April 6, 2023, the Pacific Fishery Management Council recommended a full closure of California’s commercial and recreational 2023 ocean salmon fisheries in response to near-historically low stock abundance forecasts for the fall-run Chinook salmon originating from the Sacramento and Klamath Rivers. The National Marine Fisheries Service and the State of California are implementing this recommendation. Furthermore, the State of California has closed the in-river full-run Chinook sports fishery.

Like our federal trustee and state partner, the Tribe is seriously concerned with the state of the Klamath River salmon fishery and is taking immediate action through implementing a closure of the Tribe's commercial 2023 ocean and river Klamath River Chinook salmon fishery. The Tribe is also projecting that given the low fish numbers, we will be unable to meet our ceremonial and subsistence ocean and river Klamath River Chinook salmon fishery needs this year.

Finally, based on the April 26, 2023, recommendation of the Tribe's Fish and Game Commission, the Tribal Council took action regarding the 2023 Klamath River and associated ocean fishing season for Resighini Rancheria Tribal Citizens. This included declaring a commercial, ceremonial, and subsistence fishery failure for the Klamath River and Ocean Tribal Fishery, which is documented in the attached Resolution 2023-13. As such, I am requesting that you use your authority under Section 312(a) of the Magnuson-Stevens Fishery Act to concur and declare a commercial, subsistence, and ceremonial fishery failure for the Klamath River and ocean Tribal fishery and begin the process for federal aid to assist our fishery-dependent Tribe.¹

The Tribal Council takes the protection and conservation of Klamath River salmon stocks seriously and we commit to continuing to do our part in regulating our Tribal Citizens to support the salmon fishery and protect our cultural lifeways and economies and Yurok people. Please direct all follow-up communication to Megan Rocha, Executive Director at megan.rocha@resighinirancheria.com.

Respectfully,



Fawn C. Murphy
Tribal Chairperson

CC:
Richard W. Spinrad, Ph.D., Under Secretary of Commerce for Oceans and Atmosphere & NOAA Administrator
Janet Coit, Assistant Administrator for National Marine Fisheries Service, NOAA Fisheries

¹ The Tribe has been provided 2020 and 2021 funding from NOAA for loss of subsistence, cultural, or ceremonial fisheries, as approved in accordance with both Section 12005 of the Coronavirus Aid, Relief, and Economic Security Act (Pub L. 116-136 (March 27, 2020) and the funding allocation determined by NOAA fisheries.



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RESOLUTION 2023-12

ADOPTED: April 26, 2023

RESOLUTION SUMMARY: 2023 KLAMATH RIVER AND OCEAN TRIBAL FISHERY DISASTER DECLARATION AND REQUEST FOR FEDERAL FISHERIES DISASTER RELIEF FUNDING

- WHEREAS,** the Resighini Rancheria is a federally recognized Indian Tribe and exercises tribal powers of self-governance under the authority of the Indian Reorganization Act of 1934 (48 Stat. 9670); and
- WHEREAS,** the Resighini Rancheria is eligible for all rights and privileges afforded to federally recognized Tribes; and
- WHEREAS,** the Resighini Rancheria Tribal Council is the duly elected governing body of the Resighini Rancheria; and
- WHEREAS,** the Resighini Rancheria is a Tribe of Yurok people and have continuously resided within our ancestral territory and relied on the associated fisheries since time immemorial; and
- WHEREAS,** the ancestral territory of the Tribe, “extends along the Pacific Ocean coastline from the northern boundary of Damnation Creek, south to Little River; from the mouth of the Klamath River, upstream to Slate Creek; and extends west to include the Pacific Ocean. Our ancestral lands include all submerged lands, and the beds, banks and waters of all the tributaries within the area just described, as well as all usual and accustomed hunting, fishing, and gathering areas” (Article I, Section 1, Constitution of the Resighini Rancheria); and
- WHEREAS,** the Resighini Rancheria Tribal Council has a duty to protect the health and wellbeing of our Tribal Citizens and the natural and cultural resources within our ancestral territory and Tribally owned lands; and
- WHEREAS,** the Resighini Rancheria has witnessed firsthand and suffered the negative impacts from a significant reduction in the Klamath River and Ocean fishery and these native impacts stem from a variety of factors that are outside of our control, including prolonged drought, insufficient water quantity, poor water quality, as well as anthropogenic causes such as overfishing, dams, and large-scale timber production; and



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- WHEREAS,** all of these impacts directly and/or indirectly impact the health, wellbeing, political and economic security, and cultural lifeways of our Tribal Citizens and our Tribal nation; and
- WHEREAS,** it is necessary to expeditiously respond, monitor, and mitigate the potential impacts of the loss of fisheries in our ancestral territory; and
- WHEREAS,** our federal trustees and state partners have taken action to close the Klamath River and ocean fisheries they manage for commercial and recreational uses; and
- WHEREAS,** in order to protect the fishery, the Resighini Rancheria Tribal Council has taken similar action to close the 2023 Klamath River and ocean commercial Tribal fishery for our Tribal citizens and projects that, given the low fish numbers, we will be unable to meet our ceremonial and substance ocean and Klamath River fishery needs this year; and
- WHEREAS,** Resighini Rancheria Tribal citizens suffer a significant loss in income and access to foods for subsistence and ceremonial use due to these closures and poor fish numbers, which cause an irreparable hardship for the Tribe; and
- WHEREAS,** this hardship constitutes a commercial, subsistence, and ceremonial fishery disaster warranting disaster relief funding pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, 16 § 1861a; and
- NOW THEREFORE BE IT RESOLVED,** that the Resighini Rancheria Tribal Council hereby declares a Klamath River and Ocean Tribal Fishery Disaster Declaration for 2023; and
- BE IT FURTHER RESOLVED,** the Resighini Rancheria Tribal Council hereby requests federal funding for commercial, subsistence, and ceremonial fisheries disaster relief; and
- BE IT FURTHER RESOLVED,** that nothing in this resolution shall be construed as a waiver of the Resighini Rancheria's sovereign immunity; and
- BE IT FINALLY RESOLVED** that the Tribal Council of the Resighini Rancheria does hereby adopt this resolution, and that the Chairperson and Secretary of the Resighini Rancheria Tribal Council are hereby authorized to sign this resolution and any and all other documents which are necessary to effectuate the intents and purposes of this resolutions.

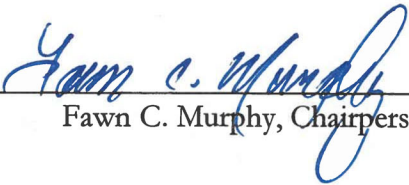


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CERTIFICATION:

I hereby certify that the foregoing resolution was adopted at a duly called poll vote of the Resighini Rancheria held on the 26th day of April 2023 in Klamath, California, at which 5 Tribal Council members responded to constitute a quorum, by a vote of 5 For, 0 Opposed, 0 Abstentions and 0 Absent.



Fawn C. Murphy, Chairperson

04/26/23
Date



Frank S. Dowd, Secretary

4-26-2023
Date