



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
1315 East-West Highway  
Silver Spring, Maryland 20910

February 5, 2024

Jeri Lynn Thompson  
Chair  
Tolowa Dee-ni' Nation  
12801 Mouth of Smith River Road  
Smith River, CA 95567

Dear Chair Thompson:

Thank you for your letter requesting a federal fishery resource disaster determination pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (MSA) for the 2023/24 Tolowa Dee-ni' Nation Smith River Chinook Salmon Fishery. I am responding on behalf of the Secretary of Commerce to acknowledge receipt of your request and to inform you that the Fishery Resource Disasters Improvement Act, which was passed in the Consolidated Appropriations Act of 2023, has amended the MSA, and the Secretary is required to respond with her determination within 120 days after receipt of all the necessary data to conduct the analysis.

NOAA's National Marine Fisheries Service conducts the evaluation needed for the Secretary's fishery resource disaster determinations. We will work with the Tolowa Dee-ni' Nation and the California Department of Fish and Wildlife to assess whether a fishery resource disaster has occurred under the MSA.

Based on our initial review of your request, we will need the following information to assess whether a fishery resource disaster has occurred under the MSA. You have up to 1 year from the date of this acknowledgment letter to submit all necessary information. To ensure we have a complete request, please provide all of the following information to our West Coast Region point of contact, Courtney Hann, at [courtney.hann@noaa.gov](mailto:courtney.hann@noaa.gov):

- 12 months of finalized revenue data for the affected fishery and sector(s) (i.e., headboat and charter) or components thereof of the requested fishery resource disaster.
- Annual revenues in real dollars<sup>1</sup> of the affected fishery by sector for the five most recent years when there were no positive fishery resource disaster determinations.

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<sup>1</sup> A price index must be used in order to adjust monetary estimates in previous years to 2022 dollars. We generally recommend using annual estimates of the Bureau of Economic Analysis' (BEA) Implicit Price Deflator for Gross Domestic Product (GDP deflator) because it includes prices for all domestically produced goods and services and so is broader than other indexes. Quarterly estimates may be needed if the 12-month disaster time period cuts across different calendar years (e.g., July 2021-June 2022). The BEA's annual and quarterly estimates can be found via their [interactive query tool](#).



If available/applicable, please provide additional information:

- Fishery characteristics (size and value, number of participants, whether jobs are full- or part-time, status of recovery from previous fishery resource disasters, and landings data).
- Length of time the fishery (or access to it) has been or will be restricted.
- Any additional information you are able to provide about the cause of the fishery resource disaster (e.g., published research, stock assessments, state reports, status of recovery from previous fishery resource disasters).
- Any impacts to ceremonial or subsistence fishing activities.
- If relevant, information on lost resource tax revenues for the 12 months of the disaster year and the previous 5-year average.

We look forward to working with you on this request.

Sincerely,

A handwritten signature in blue ink that reads "Janet Coit". The signature is written in a cursive style with a large initial "J" and a stylized "C".

Janet Coit  
Assistant Administrator  
for Fisheries