



NISQUALLY INDIAN TRIBE

Department of Natural Resources

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July 31, 2016

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

Re: Request for a 2015 Fishery Disaster Declaration

Secretary Pritzker,

On behalf of the Nisqually Indian Tribe ("Tribe") and its tribal fishers, I request that you declare a fishery disaster for the 2015 Chinook, Coho, and Chum fisheries in the Nisqually River watershed pursuant to your authority under either the Magnuson-Stevens Fishery Conservation Act ("MSA") or the Interjurisdictional Fisheries Act ("IFA"). The Nisqually Tribe and its fishers suffered incredible financial harm from the collapse of the 2015 Chinook, Coho, and Chum fisheries and assistance from the MSA or IFA would help alleviate some of the hardships.

Our fisheries are managed to achieve our escapement objectives and our recovery goals under the Endangered Species Act for chinook and steelhead in the Nisqually River. Complicating this management intent is the fact that the Nisqually River is geographically and biologically located at the extreme end of the return adult salmon's journey. Preterminal fisheries are all based on preseason forecasts and typically are able to adjust to meet their preseason expectations. We are left with whatever escapes those fisheries and typically fall short of preseason planning to accommodate escapement.

In 2015 we experienced that phenomenon again in the Nisqually. Our chinook preseason expectation for harvest was about 5,800 salmon but our realized catch was 4,400, an almost 25% reduction. Coho was much worse with an expectation of 4,200 and an actual catch of 800, an almost 80% reduction. Our chum salmon also came back in smaller numbers than expected with a forecasted catch of 14,000 and an actual catch of 6,200, an almost 55% reduction.

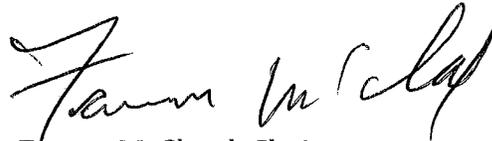
It is also important to look at these numbers in the context of the Nisqually River and recent year's management complexities. First and foremost, the Nisqually fishermen depend on each and every fish making it back to the River. Although the numbers related to the reduction may seem small, when we start with a rather small return to support our community even the smallest loss is amplified.

Although the most recent years reflect small returns to the Nisqually, it was only a few years ago when the returns were much larger. In 2007 we landed approximately 23,000 chinook; in 2012 we landed 8,300 coho; and, in 2011 we landed 45,000 chum salmon. Worsening environmental factors in the ocean and Puget Sound compounded by the recent El Nino and warmer than normal summers and the management implications of ESA have all conspired to reduce our salmon runs to the levels seen in 2015. We have gone from meeting the needs of our community to seeking relief in a matter of one cycle of salmon.

The Tribe and its fishers rely heavily on the bounty of the waters to support our people spiritually, physically, and financially. The 2015 fishing season failure caused a great deal of suffering for our Tribe. There was less food on our families' tables and money in our fishers' pockets. Losing out on almost an entire season worth of income is catastrophic for our fishers and their families. The assistance provided under the MSA and IFA would go a long way in alleviating some of this misfortune while helping with recovery efforts.

The Tribe appreciates your consideration of this most urgent request and hopes that you will move quickly to assess it and provide the Tribe with a fishery disaster declaration.

Sincerely,

A handwritten signature in black ink, appearing to read "Farron McCloud". The signature is fluid and cursive, with a large initial "F" and a long, sweeping underline.

Farron McCloud, Chairman

cc: The Honorable Patty Murray, United States Senator
The Honorable Maria Cantwell, United States Senator
The Honorable Denny Heck, United States Congressman
The Honorable Derek Kilmer, United States Congressman

Nisqually Indian Tribe
Tribal Council Resolution No. 63 -2016

**A RESOLUTION APPROVING THE NISQUALLY INDIAN TRIBE TO SEEK A
FISHERY DISASTER DECLARATION**

WHEREAS, the Nisqually Indian Tribe is the successor descendent entity of the Nisqually Nation signatory to the Treaty of Medicine Creek of 1854 (10 Stat. 1132), and unto this day has retained and maintained its Tribal identity, its governing body, and its sovereign powers; AND

WHEREAS, the Nisqually Indian Tribe is a federally recognized American Indian Tribe organized under its governing Constitution and Bylaws approved by the U.S. Secretary of the Interior on September 9, 1946 and amended on October 28, 1994, pursuant to Section 16 of the Indian Reorganization Act, 25 U.S.C. 476; AND

WHEREAS, the Nisqually Tribal Council is the duly constituted governing body of the Nisqually Tribe, and the Tribal Council is the duly elected representative body of the General Council by the authority of the Tribe's Constitution and Bylaws, as amended; AND

WHEREAS, the Nisqually Indian Tribe reserved its' right to fish and harvest shell fish at its usual and accustomed area in the 1854 Medicine Creek Treaty; AND

WHEREAS; fishing is essential to the Nisqually peoples' existence and is a cornerstone of Nisqually culture and spirituality; AND

WHEREAS, Nisqually fishers feed their families, earn a living, and provide for the Tribal community through their catches; AND

WHEREAS, the Nisqually Indian Tribe is recognized as a leader in habitat protection and salmon revitalization in Washington State; AND

WHEREAS, the Nisqually Indian Tribe invests heavily in salmon revitalization through the operation of the Clear Creek and Kalama Creek hatcheries; AND

WHEREAS, despite the Nisqually Indian Tribe's best efforts the 2015 fishing season was a major failure throughout the Tribe's usual and accustomed area including the Nisqually River and Chambers Creek; AND

WHEREAS, the Chinook catch was less than half of what was projected (forecast 21,000 versus actual catch of 9,000), the Coho run has been dismal for several years, and the Chum run lagged far below forecasts; AND

WHEREAS, the Nisqually Indian Tribe and its fishers have been adversely impacted by the 2015 fish failure; AND

WHEREAS, the Magnuson-Stevens Fishery Conservation Act and the Interjurisdictional Fisheries Act provide relief for fishery disasters such as the one experienced by the Nisqually Indian Tribe and its fishers in 2015; AND

THEREFORE BE IT RESOLVED, that the Nisqually Indian Tribe shall seek a fishery disaster determination from the Secretary of Commerce; AND

BE IT FURTHER RESOLVED THAT, the Nisqually Natural Resources Department will coordinate with the National Oceanic and Atmospheric Administration on the assessment of the 2015 fishing season; AND

BE IT FINALLY RESOLVED THAT, if the Nisqually Indian Tribe obtains a fishery disaster declaration it will appeal to Congress for appropriate relief.

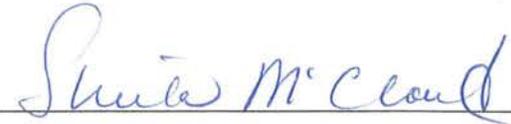
Certification

I certify that the above Resolution was adopted at a regular meeting of the Nisqually Tribal Council held on the 7th day of **July** 2016 at the Nisqually Administration Building, at which time a quorum was present and voting 6 FOR 0 AGAINST 0 ABSTENTIONS.

ATTEST:



Farron McCloud, Chairman
Nisqually Indian Tribe



Sheila McCloud, Secretary
Nisqually Indian Tribe