



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

January 18, 2017

Ms. Frances G. Charles  
Chairwoman  
Lower Elwha Klallam Tribe  
2851 Lower Elwha Road  
Port Angeles, WA 98363

Dear Ms. Charles:

Thank you for your letter requesting a determination of a commercial fishery failure due to a fishery resource disaster. Your request relates to the impacts to the 2014 Fraser River sockeye salmon fishery as a result of abnormally high migration diversion rate through Canadian waters.

The National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) evaluated whether a commercial fishery failure occurred due to a fisheries resource disaster. After reviewing the information provided by the Northwest Indian Fisheries Commission and the Lower Elwha Klallam Tribe and the NMFS evaluation, I have found that the request for a determination of a commercial fishery failure due to a fishery resource disaster for the 2014 Fraser River sockeye salmon Lower Elwha Klallam Tribe fishery meets the requirements for such a finding under Section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA).

This determination provides a basis for Congress to appropriate disaster relief funding under the MSA, Section 312(a), and then for the NMFS to provide assistance to the State of Washington and the affected communities. If Congress appropriates disaster relief funding, NMFS West Coast Region looks forward to working with the Lower Elwha Klallam Tribe, the other affected tribes, and the State of Washington to develop a spend plan that will create a more resilient fishery that can better withstand similar environmental disasters in the future. 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% of the cost of that activity.

If you have any further questions, please contact Jim Schufreider at (202) 482-3663.

Sincerely,

Penny Pritzker