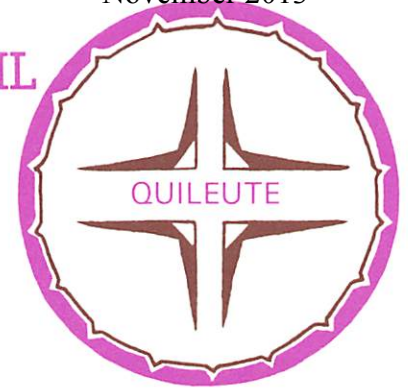




QUILEUTE TRIBAL COUNCIL

POST OFFICE BOX 279
LA PUSH, WASHINGTON 98350-0279
TELEPHONE (360) 374-6163
FAX (360) 374-6311



November 2013

Testimony Quileute Tribe on Agenda item H.7 EFH Review Phase 2 Report and Proposals to Modify EFH

As the National Marine Fisheries Service (NMFS) and Pacific Fisheries Management Council (Council) are considering the information that has been generated as part of the EFH 5 year review, we have the following perspective to provide to the record on this topic.

During the adoption of the multiple EFH protection closure areas in 2006, the Quileute Tribe in conversations with our federal trustees at NMFS expressed our concerns regarding the application of these closures to treaty fishing areas in the Northwest. As stated at that time, the application of rules, regulations and management actions that can affect Tribal Usual and Accustomed Areas ("U & A") can only occur through a consultation dialogue individually with each of the potentially affected tribes, and it must occur during the planning phase of an action. Specific to the 2006 adoption of the West Coast EFH areas, this had not occurred. NMFS responded to our objection and in the Amendment 19 rule-making process removed its application to treaty fisheries.

Since 2006, as you know, Quileute's Natural Resources Department in concert with its Fisheries Committee has been actively developing its management plans to participate in the Pacific Hake fishery. In assessing information such as bycatch impacts for this fishery and others, our knowledge and understanding of other groundfish fisheries in Quileute's U & A has increased, along with concern over potential impacts. We have concerns regarding not only the amount of resource that is being extracted but also the methods and resource implications on the tribal and non-tribal fisheries. It is our understanding that the Quileute Tribe has always reserved the right to up to 50% of the marine resources in our U & A; yet, when we request a complete tally of resources being extracted from our U & A from fishery management entities, we are met with excuses as to why that information is not available (proprietary, confidential, etc.). However, we continue to need this data to inform our management decisions in regards to our internal planning, as well as providing for the development of our recommendations to NMFS on potential management actions along the west coast.

In our view, the creation of management strategies that provide protection for all phases of life history of marine species not only is beneficial, but also critical for wise planning. This can occur through refined definitions of equipment, area, or the timing of fishing activities. Whether through modification of EFH or other regulations, we support clear steps to ensure our fisheries are available to our tribe in years to come. As the EFH review process comes to a close and the Council contemplates its recommendations to NMFS regarding possible FMP amendments and regulatory changes, the Quileute Tribe encourages the Council to consider the need to develop a set of measurable criteria for the following:

- 1) What will be the process for identifying potential consequential impacts to treaty secured fishing rights?
- 2) How will the shifts in non-treaty and Makah tribal fishing efforts in response to management strategies (commercial, sport, sectors) be predicted and measured?
- 3) How and when will an evaluation of the success/failure of Amendment 19 (inclusive of measurable benefits or desired future conditions) be completed?
- 4) What are the procedures for ensuring coordination between Council initiatives (EFH, ESA mandates, trawl trailing actions etc.)?

Thank you Madame Chair and Council for your consideration of the Quileute Tribe's perspective, I would be happy to answer any questions that you may have at this time.