



Stillaguamish Tribe of Indians

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To: Mr. Phil Anderson, Pacific Fishery Management Council (PFMC)
Mr. Barry Thom, National Marine Fisheries Services (NMFS)

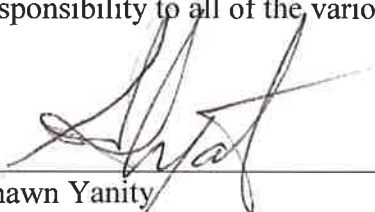
October 22, 2018

RE: Coho Rebuilding Plans, Alternative III language

Dear Mr. Anderson & Mr. Thom,

After reviewing the recent draft of the Snohomish Coho rebuilding plan, [5_Sno RP_Draft 6_100918], the Stillaguamish Tribe is not in support of the Alternative III language inserted by NMFS. Although we understand that it was adjusted in an attempt to meet the requirements of NEPA and MSA National Standard 1, it has negative implications on tribal treaty rights. As a terminal tribe, we have continually chosen conservation and increasing escapement over fishing opportunity by severe reduction or commercial closures during years of poor abundances. The proposed "zero option" ER is not acceptable as it impedes the ability to execute the basic treaty right of a limited ceremonial fishery for cultural and spiritual purposes. Although it is acknowledged in the language that PFMC does not have jurisdiction over all fisheries and the option is likely not feasible, it is concerning that the rebuilding plan does not focus on alternatives that are practical for implementation and within the Council's authority to help rebuild these overfished populations.

Another concern is the lack of consultation with the tribes from NMFS on possible effects to treaty rights prior to this last minute language insertion. The process of developing these plans has occurred since May and by not addressing this issue in a timely manner it is detrimental to the tribe's ability to have their concerns heard and addressed appropriately. Without having the open communication necessary, we feel that NOAA/NMFS is not meeting their trust responsibility to all of the various tribal interests, including those of the Stillaguamish Tribe.



Shawn Yanity
Chairman, Stillaguamish Tribe
Fishery Manager

CC: NWIFC; Rob Jones, Ashton Harp
Tulalip Tribes; Jason Gobin, Diego Holmgren