



2522 Kwina Road, Bellingham, Washington 98226-9217

November 7, 2016

Mr. Herb Pollard, Chair
And Members of the Pacific Fishery Management Council
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

Dear Mr. Pollard and Members of the Pacific Fishery Management Council,

RE: Future Council Meeting Agenda and Workload Planning/
Regulatory Amendment to HMS Permit Regulations

I write as Chair of the Native Environmental Science Department of Northwest Indian College (NWIC) in Bellingham, WA and as a facilitator to NWIC's annual Vine Deloria, Jr. Indigenous Studies Symposium to request that the Council set aside time to consider amending the Pacific Highly Migratory Species (HMS) regulations to extend permit eligibility to American Indians Born in Canada at its March 2017 meeting.

Current HMS permit regulations include the general eligibility requirement that a vessel owner be a citizen of the United States.¹ We request that HMS permit regulations be amended such that American Indian Born in Canada status² is accepted as an alternative to the citizenship requirement, thus extending permit eligibility to this special population which, for many state and federal purposes, is already treated as analogous to U.S. citizenship.

As your reading of the materials underlying this request will reveal; extending HMS permit eligibility to American Indians Born in Canada not only satisfies the spirit behind the Vessel documentation laws requiring U.S. citizenship, but is also consistent with and complementary to permitting exemptions already in place in the Federal Regulations based on Indian treaty rights.³

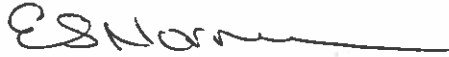
¹ 50 CFR 660.707, 46 USC § 12103(b), and replicated at Page 2 of the Pacific HMS Vessel Permit Application.

² Defined by Section 289 of the Immigration and Nationality Act to include Canadians with a 50% or greater native bloodline. The status is rooted in the Jay Treaty of 1794, which is still treated as in force by the U.S. Department of State. Its relevant rights and benefits are today codified at § 289 of the Immigration and Nationality Act.

³ 50 CFR § 660.706.

I urge you to consider the attached materials underlying this request, and set aside time to discuss the matter in full at your March 2017 meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "ES Norman", with a long horizontal flourish extending to the right.

Emma S. Norman
Department Chair, Native Environmental Science



November 8, 2016

Mr. Herb Pollard, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, #101
Portland, OR 97220

RE: Agenda Item C.6: Future Council Meeting Agenda & Workload Planning

Dear Chair Pollard and Council Members:

Ocean Conservancy, Natural Resources Defense Council, Wild Oceans, and the Nature Conservancy recommend designating the Ad-hoc Ecosystem Workgroup (EWG) as a permanent and standing management team. To best achieve the benefits associated with Ecosystem-Based Fisheries Management (EBFM) and employ the Fishery Ecosystem Plan (FEP) a management team dedicated to advising the Council is essential. The EWG has performed a highly valuable role within the Council process, not only facilitating the organization and completion of two FEP initiatives, but also helping the Council review and address other important ecosystem-level items such as the National Marine Fisheries Service (NMFS) climate science Western Regional Action Plan, the California Current Integrated Ecosystem Assessment State of the California Current Report, and the NMFS EBFM Road Map. To improve the ability of the group to advise the Council we recommend adding a NMFS Integrated Ecosystem Assessment seat, as well as a seat for the United States Fish and Wildlife Service.

We greatly appreciate the hard work of the EWG and the steps the Council has taken to implement EBFM, and recommend making the EWG permanent to recognize and continue these successes.

Sincerely,

Handwritten signature of Corey Ridings.

Corey Ridings
Ocean Conservancy

Handwritten signature of Seth Atkinson.

Seth Atkinson
Natural Resources Defense Council

Handwritten signature of Theresa Labriola.

Theresa Labriola
Wild Oceans

Handwritten signature of Gway R. Kirchner.

Gway Kirchner
The Nature Conservancy