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Via Email and First Class Mail

March 28, 2024

Jennifer Quan
West Coast Regional Administrator
National Marine Fisheries Service
1201 Northeast Lloyd Blvd
Portland, OR 97232

Re: Makah Treaty Groundfish Fisheries in 2025-2026 (Updated)

Dear Ms. Quan:

We have been asked to write to you on behalf of the Makah Indian Tribe to provide the following update to my letter dated October 19, 2023. Pursuant to 50 C.F.R. § 660.50(d), please be advised that the Tribe intends to continue all its existing groundfish fisheries in 2025 and 2026 and requests that, except as noted below, all existing treaty groundfish regulations, allocations and set asides be continued.

The Tribe requests a decrease in the petrale sole set aside. Upon further review of the 2023 petrale sole stock assessment and in light of an estimated decline in biomass due to below-average recruitment in recent years, the Tribe voluntarily reduces its set aside request from 350 mt to 290 mt in 2025 and 2026.

The Tribe requests a set aside for starry flounder of 2 mt in 2025 and 2026. A tribal starry flounder set aside of 2 mt was initially included in the 2007 harvest specifications following high catch events in the tribal bottom trawl fishery. While the Tribe did not request a starry flounder set aside in the last several harvest specification cycles, the set aside remained in the groundfish specifications. *See* Footnote ff to Table 1a of Part 660, Subpart C.¹ Upon review of catch since 2005, the tribes have found that starry flounder is not a constraining species in fisheries coastwide.

¹ Footnote ff states: "Starry flounder. 48.28 mt is deducted from the ACL to accommodate the Tribal fishery (2 mt), research catch (0.57 mt), and incidental open access mortality (45.71 mt), resulting in a fishery HG of 343.7 mt."

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The Tribe anticipates that it will have two or three catcher boats participating in the Pacific whiting fishery in 2025 and 2026 and requests an allocation of 17.5 percent of the U.S. Total Allowable Catch for its fishery in each year.

Makah representatives will be available to discuss any questions you or your staff may have regarding these matters at the upcoming Council meetings.

Sincerely yours,

ZIONTZ CHESTNUT



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