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Via Email and First Class Mail

November 4, 2025

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

Re: Makah Treaty Groundfish Fisheries in 2027-2028

Dear Ms. Quan:

We have been asked to write to you on behalf of the Makah Indian Tribe. Pursuant to 50 C.F.R. § 660.50(d), please be advised that the Tribe intends to continue all its existing groundfish fisheries in 2027 and 2028 and, with the exception of the changes specified below, requests that all existing treaty groundfish regulations, allocations, and set asides be continued.

Petrable sole. In line with the emergency rule adopted by the Council at the September 2025 PFMC meeting, the Tribal set-aside for petrale sole will increase to 322 metric tons (mt) in 2026. It is our understanding that the overall annual catch limit (ACL) for petrale sole adopted for 2026 is likely to continue into 2027 and 2028 under the biennial harvest specifications and management measures cycle. With this in mind, the Tribe requests that the Tribal set aside also be maintained at its updated 2026 value in the upcoming cycle.

Yelloweye rockfish. With the anticipation that in 2027 yelloweye rockfish will be determined to be rebuilt, the ACL is projected to increase to 112.9 mt under the default harvest control rule (HCR). The Tribe proposes to increase the Tribal set aside to 16 mt, an increase that is proportional to the ACL increase. The Tribe would also implement a precautionary trip limit of 500 lbs of yelloweye per vessel. The Tribe understands that the Council is considering a precautionary HCR for this species as part of Groundfish Management Team's (GMT) overwinter analysis. Should the Council adopt a Preliminary Preferred Alternative for yelloweye rockfish in 2027 and 2028 that is lower than 112.9 mt, the Tribe would consider adjusting the set aside request proportionally.

Any Tribal set aside requests which are amended after the November 2025 PFMC meeting could be signaled at the GMT Overwinter meeting in 2026 to facilitate the Team's analysis of alternatives and then formally submitted to the Council in March or April of 2026.

Whiting. The Tribe anticipates that it will have two or three catcher boats participating in the Pacific whiting fishery in 2027 and 2028 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 LLP

A handwritten signature in blue ink, reading "Brian C. Gruber". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Brian C. Gruber
Attorneys for the Makah Indian Tribe

cc (via email only):
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Keeley Kent
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Russell Svec