

STEVEN H. CHESTNUT
JAMES L. VARNELL
RICHARD M. BERLEY
MARC D. SLONIM
BRIAN W. CHESTNUT
BRIAN C. GRUBER
JOSHUA OSBORNE-KLEIN

2101 FOURTH AVENUE, SUITE 1230
SEATTLE, WASHINGTON 98121-2331
TELEPHONE 206 448 1230
FACSIMILE 206 448 0962
WWW.ZCVBS.COM

JOHN B. ARUM
1961-2010

Via Email and First Class Mail

June 20, 2012

William W. Stelle, Jr.
Regional Administrator
National Marine Fisheries Service
7600 Sand Point Way NE
Seattle, WA 98115-0070

Re: Makah Treaty Groundfish Fisheries in 2013 and 2014

Dear Mr. Stelle:

On March 29, 2012, we wrote to you on behalf of the Makah Indian Tribe. Pursuant to 50 C.F.R. § 660.324(d), we advised you that the Tribe intended to continue all of its existing groundfish fisheries in 2013 and 2014, and requested that, with certain exceptions, all existing treaty groundfish regulations and allocations be continued.

One of the exceptions was the Tribe's request for an annual tribal set aside of 70 metric tons (mt) petrale sole in 2013 and 2014, associated with the Tribe's bottom trawl fishery. However, since developing that proposal, the Tribe has experienced greatly increased encounters of petrale sole in its bottom trawl fishery, including encounters throughout the shelf area. As a result of those increased encounters, the Tribe has imposed new restrictions on its fishery to limit the catch of petrale sole.

In light of this experience, the Tribe now requests a tribal set aside of 220 mt of petrale sole in 2013 and 2014. To put this request in context, it appears that the Pacific Fishery Management Council will recommend an increase in the coast-wide annual catch limit (ACL) for petrale sole from 1,160 metric tons (mt) in 2012 to 2,592 mt in 2013 and 2,652 mt in 2014. The Tribe's request for an annual tribal set aside of 220 mt of petrale sole in 2013 and 2014 is less than 10 percent of the anticipated ACL in each year.

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In all other respects, the Tribe's requests as set forth in our March 19, 2012, letter remain unchanged.

Makah representatives will be available to discuss any questions you or your staff may have regarding this matter at the upcoming Council meeting.

Sincerely,

ZIONTZ, CHESTNUT, VARNELL,
BERLEY & SLONIM



Marc D. Slonim

cc (via email only):

Frank Lockhart
Kevin Duffy
Don McIsaac
Russ Svec
Steve Joner