



THE SECRETARY OF COMMERCE
Washington, D.C. 20230

DEC 10 2002

The Honorable Gary Locke
Governor of Washington
Olympia, Washington 98504-0002

Dear Governor Locke:

Thank you for your letter regarding your request to the Department of Commerce for assistance under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) for the Lummi Indian Nation due to significant reductions in the sockeye salmon fishery.

The National Marine Fisheries Service, on behalf of the Department, determined on November 13, 2002, that the sockeye fishery experienced commercial failure in 1999 and 2001, pursuant to section 312(a) of the Magnuson-Stevens Act. The commercial failure was determined to be due to a fishery resource disaster of undetermined, but most likely natural, causes, resulting in record-low run levels and harvests.

As you noted in your letter, this determination combines your request and a separate request from the Lummi Nation. Accordingly, the scope includes non-tribal, Lummi Nation fishermen and other tribal commercial sockeye fishermen. This action clears the way for assistance to address the commercial fishery failure. However, assistance depends on an appropriation from the Congress for this purpose. Furthermore, if federal funds are provided, the federal share of the cost of any activity cannot exceed 75 percent.

I appreciate your interest in this important issue. If you have any further questions, please call me or Brenda Becker, Assistant Secretary for Legislative and Intergovernmental Affairs, at (202) 482-3663.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald E. Evans". The signature is stylized with large loops and a long horizontal stroke at the bottom.

Donald E. Evans