

WRITTEN EVIDENCE

APPENDIX E

IN THE MATTER OF
TRANS MOUNTAIN PIPELINE ULC
TRANS MOUNTAIN EXPANSION PROJECT

DECLARATION OF JASON GOBIN

I, JASON GOBIN, state and declare as follows:

1. My name is Jason Gobin. I am the Fish and Wildlife Director for the Tulalip Tribes. In this position, I oversee management of all the Tribe's activities relating to finfish, shellfish, wildlife, forestry, hatchery production, as well as our marina. I supervise a staff of approximately 30 people. I have served in this role for 1.5 years. Previously, I managed the Tulalip Tribes' Forestry Department and logging enterprise and was Vice Chair of the Tulalip Fish and Wildlife Commission. I also represent the Tulalip Tribes in a number of intertribal and governmental forums related to fisheries and habitat management, including Northwest Indian Fish Commission, Inter-tribal Timber Council. I offer this testimony in my official capacity as a representative and official of the Tulalip Tribes, and am personally knowledgeable about the matters discussed in this declaration.

2. The Tulalip Tribes is the successors-in-interest to the Snohomish, Snoqualmie, Skykomish and other allied tribes and bands signatory to the 1855 Treaty of Point Elliott. Our tribal population is about 4,300 and growing, with 2,600 members residing on the 22,000 acre Tulalip Indian Reservation located north of Everett on the mouth of the Snohomish River and Port Susan and Port Gardner. The reservation includes 16 miles of marine shoreline along the Salish Sea, reflecting our heritage and culture as a marine tribe.

3. There are approximately 60 employees of the Tulalip tribal government that are devoted to the management and protection of natural resources, reflecting the importance of these considerations to the Tribe.

4. Fishing is very important to the Tribe economically. Based on permit data available to me, approximately 355 Tribal members received permits and directly engaged in some fishing activity in 2014, roughly similar to prior years, for an aggregate value of approximately \$5,691,634 of the 2014 commercial fisheries. Tribal fishers are engaged in the harvest of all commercially valuable species, including salmon, Dungeness crab, geoduck and spot prawns. Over the last five years the tribe harvested commercially 5,234,429 pounds of salmon, 2,699,740 pounds of Dungeness crab, and 845,828 pounds of geoduck clams—species that currently make up the bulk of the commercial catch. However, the Tribes have also harvested many other species (for example, clams, sea cucumber, shrimp, halibut, dogfish, lingcod, skates, black cod, and flounders) in the commercial fisheries in different proportions in

different years. These fisheries are ever changing over time depending on stock conditions and markets. Also, the tribal membership engages in ceremonial and subsistence harvest for many commercial and non-commercial finfish, shellfish, wildlife and plant species in the marine environment. These make up key parts of the traditional diet of the Tulalip tribal members. A 2013 study by the United States Environmental Protection Agency documented fish consumption rates of Tulalip Tribal members that was 5 times higher than the average fish consumption rate of the general population in the United States.

5. Today, it is very difficult to make an adequate income from fishing activities, due to the degradation of habitat and the resulting loss of fisheries resources and increase in fishing restrictions intended to protect weak or endangered stocks. Even so, a significant number of tribal members and their families derive some portion of their income from fishing activities. Along with the 181 permitted commercial fishers, there are between 100-150 Tribal members working as deckhands for permitted fishers.

6. Each permit we issue means employment and income not just for that fisher and their families, but also for others who work with them. For example, in 2014 we issued 56 permits just for the commercial Dungeness crab fishery. All boats carry at least two people, meaning that there were at least 112 Tribal members directly deriving income from that one fishery. Similarly, we have 51 registered commercial divers, who dive for geoduck as well as sea cucumber and urchins. There are at least three people per boat for such trips, meaning the benefit is spread much more broadly than just the 51 fishers and their families. There are many jobs that are in place to support treaty fisheries, such as our marina personnel, fisheries managers and fish and wildlife enforcement staff.

7. Tulalip tribal fishers regularly fish a large portion of the Salish Sea; from Seattle in the south, to the Canadian border in the north, to Dungeness spit in the west. The San Juan Island waters adjacent to the shipping lanes and the Canadian border are a particularly important area for the harvest of sockeye salmon. These valuable sockeye runs travel across the marine shipping lanes in route to the Fraser River. Tribal fishers sell their harvests widely up and down the Salish Sea utilizing a number of public ports. Harm to any of these areas would have significant negative implications for the Tribe.

8. While this declaration provides information about economic value of fishing resources to the Tribe, it is not possible to overstate the central cultural importance of these activities. Although the economic benefits of fishing to the Tribe are very significant, it is critical to understand that their value is more than monetary—the loss of these resources cannot be mitigated through money or any other means. Fishing represents the continuation of our culture and way of life since time immemorial. While the rules and structures of fishing have changed in modern times, fishing is an integral part of our culture. For thousands of years, our people have lived on the marine waters of the Salish Sea harvesting salmon, many other fish species and shellfish. Fishing constituted our economic base prior to European contact, through both trade and sustenance, and continues to this day.

9. I understand that Kinder Morgan is seeking permission to construct a project that would dramatically increase the amount of oil tanker traffic in or near the Tribes' historic and

current fishing areas, and that if allowed, the project would both interfere with tribal fishing and increase the risk of spills of oil and marine fuel. This activity represents a significant threat to the economic and cultural welfare of the Tribe. This project constitutes an unacceptable risk to our rights, heritage, culture and economy, and I am not aware of any way that such risk can be mitigated except by denying authorization to construct this project.

I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Signed this 20 day of May, 2015, at Tulalip, Washington.



Jason Gobin
Fish and Wildlife Director, Tulalip Tribes