



POINT NO POINT TREATY COUNCIL

Port Gamble S'Klallam * Jamestown S'Klallam

November 16, 2016

POINT NO POINT TREATY COUNCIL IN-COMMON WINTER STEELHEAD REGULATIONS #F16-046

The following regulations are promulgated by the Point No Point Treaty Council under authority delegated by its member Tribes, and shall apply to commercial and subsistence fisheries for steelhead in the off-reservation areas outlined below:

SECTION 1. GENERAL PROVISIONS

TOPIC 1. MANAGEMENT AREAS

These regulations shall apply to the following off-reservation areas by Tribe:

A. Marine Areas

Areas 4B, 5, 6, 6A, 6B, 6C, 6D (only Jamestown S'Klallam inshore of the exclusive harvest demarcation line), 7, 9, 12, 12A, 12B.

B. Freshwater Areas

Hoko R., Clallam R., Pysht R., Deep Crk, E. & W. Twin R., Salt Crk., Lyre R., Elwha R., Morse Crk., Dungeness R., Big Quilcene R., Dosewallips R., Duckabush R., and Hamma Hamma R.

TOPIC 2. LAWFUL GEAR

The following gear shall be lawful for steelhead fishery openings.

A. Marine Areas

- a) Drift gillnets (min. mesh 5"; length as specified in Tribal Ordinances).
- b) Set gillnets (min. mesh 5"; Length in Area 6D 100 fms.; elsewhere, 150 fms.).
- c) Hook and line gear as specified in Tribal Ordinances.

B. Rivers

- a) Set gillnets (min. mesh 5"; max length 20 fms.).
- b) Hook and line gear as specified in Tribal Ordinances.

TOPIC 3. MANAGEMENT PERIODS

A. Marine Areas

Area 6D: December 4, 2016 through April 1, 2017

Other marine areas shall remain closed to fishing for steelhead; therefore no specific management periods are necessary. Marine area openings, near river mouths, shall be governed by the freshwater management period of the adjacent river.

B. Freshwater Areas

- a) Strait of Juan de Fuca Rivers and streams mentioned in Topic 1.B (except Dungeness River): December 4, 2016 through April 15, 2017.
- b) Dungeness River: December 11, 2016 through April 15, 2017.
- c) Hood Canal Rivers: December 4, 2016 through April 15, 2017.

SECTION II. COMMERCIAL FISHERY OPENINGS

TOPIC 1. MARINE AREAS

Area 6D, West of a line drawn from Dungeness Light to the former site of the 3 Crabs Restaurant (junction of Sequim-Dungeness Way and 3-Crabs Rd.), shall be open from December 4, 2016 through February 28, 2017, according to the following schedule: 8:00 AM Monday to 4:00 PM Friday of each week.

Gillnets must be tended by fishers in Area 6D.

Fishery inseason adjustments may be made based on inseason effort and catch assessment.

TOPIC 2. FRESHWATER AREAS

Hook and line gear:

Hoko River, Clallam River, Pysht River, Lyre River, and Morse Creek open from December 4, 2016 through February 28, 2017; and Dungeness River open from December 11, 2016 through February 28, 2017.

Net fishery openings shall be announced by emergency regulations based on in-season management considerations concerning the status of the stocks.

Fishery openings for these rivers may be modified by emergency regulations as necessary. All other salmon taken in hook and line fisheries must be released unharmed, unless separate regulations permit their harvest. Openings may occur prior to the start of the management period in some areas, however, during any overlap, chum salmon management needs will be given priority.

SECTION III. SUBSISTENCE FISHERY OPENINGS

Subsistence steelhead fisheries under this regulation are authorized in all rivers listed in Section I. Fisheries for subsistence purposes under this regulation shall be permitted from 12/1/2016 through 3/15/2017. Subsistence openings for these rivers may be modified by emergency regulations as necessary.

Lawful gear shall be hook and line gear only. Net gear may be used for take home purposes only during commercial gillnet openings or by specially adopted in-season regulation.

SECTION IV. RESTRICTIONS

A. Manner of Fishing

- a) When marine fisheries are authorized, no marine nets may be operated closer than 1,500 feet from the mouth of the Dungeness River or 1,000 feet from any other stream or river mouth.
- b) When marine fisheries are authorized, no marine nets may be operated closer than 1,000 yards from the mouth of the Pysht River or the Elwha River when these rivers are closed to net fishing (the river is defined as the point where the river enters saltwater at high tide). The above river mouth areas may be opened only by emergency regulations as necessary during river openings. During such openings, only river fishing gear shall be authorized.
- c) Minimum distance between river sets (crosslines, if used) shall be 200 feet.
- d) Maximum set net pocket depth shall be 5 fathoms.
- e) Only one net may be fished by each fisher in any one river.
- f) All nets must be checked and all catches removed at least once per day.

B. Possession Limits

- a) During commercial hook and line fisheries in freshwater areas, no more than four steelhead may be caught or sold by any fisher on any given day when the river or stream is closed to commercial net gear fishing.
- b) No more than two steelhead per day may be kept by a fisher for subsistence purposes from a river or stream that is closed to all commercial fishing.

C. Area Specific Restrictions

- a) Fishers wishing to access the Morse Creek fishery from the 4-Seasons property and fishers wishing to access the Pysht River fishery from the M+R Tree Farm, must sign an access agreement, available at the Jamestown S'Klallam or the Port Gamble S'Klallam Fisheries offices, prior to fishing.

Fishers wishing to park vehicles near the Morse Creek fishery must also obtain a parking permit, available at the Jamestown S'Klallam or the Port Gamble S'Klallam Fisheries offices.

- b) Gillnets must be tended by fishers in 6D.
- c) Fishers who participate in the commercial fishery must have and use logbooks issued by their Tribal Fisheries office to record daily catches.
- d) The Lyre River, from 250' downstream to 250' upstream of the Susie Creek confluence shall be closed to all fishing through 12/31/2016 and all chum salmon caught in the Lyre River must be returned to the water unharmed.

SECTION V. EXPECTED EFFORT AND HARVEST

- A. Estimates of expected effort and expected subsistence harvests are being submitted separately by each of the member tribes.
- C. The Point No Point Treaty Council member Tribes intend to fully harvest their lawful share of steelhead salmon.



Scott Bass
Finfish Program Manager
Point No Point Treaty Council

I CERTIFY THAT COPIES OF THIS DOCUMENT WERE
MAILED PREPAID ON 11/16/16 TO ALL PERSONS
REQUIRED BY FEDERAL DISTRICT COURT'S
ORDER OF MARCH 1, 1978.

SIGNED: Shirley Boldt
TITLE: FIS manager

U.S. v. WASHINGTON
CIVIL NO. 9213 - PHASE I & II
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