



# Point No Point Treaty Council

Port Gamble S'Klallam • Jamestown S'Klallam

## 2018-2019 Point No Point Treaty Council In-Common Sea Cucumber Regulation #S18-143

October 8, 2018

The following regulation is promulgated by the Point No Point Treaty Council and shall govern the conduct of off-reservation commercial and subsistence sea cucumber fisheries by the Port Gamble S'Klallam and the Jamestown S'Klallam Tribes (PNPTC Member Tribes). This regulation is intended to conform to agreements reached between the Puget Sound Treaty Tribes and the State of Washington as contained in the 2018-19 Sea Cucumber Harvest Management Plan (Excluding Central Puget Sound). In the event the Regional Management Plan for Sea Cucumber (Excluding Central Puget Sound) is not completed before the projected start of tribal fisheries in each cucumber district, emergency regulations will be filed under Paragraph 4.6 of *United States v. Washington*, 898 F. supp. 1453 (W.D. Wash. 1995), as amended by the Stipulation and Order Amending Shellfish Implementation Plan, dated April 8, 2002, (hereafter "Implementation Order"). These emergency regulations will remain in place either until they expire or until they are superseded by new regulations filed in accordance with provisions of the final annual management plans for this region. The term of this regulation is from August 1, 2018 through July 31, 2019. Ceremonial and on-reservation fisheries shall be conducted under the provisions of the individual Tribal Fisheries Ordinances and Regulations. All areas not specifically opened by this regulation shall remain closed to the harvest of sea cucumbers. Only gear and methods specifically authorized by this regulation may be legally used.

### 1. SPECIES

Sea Cucumber (*Parastichopus californicus*)

### 2. FISHING AREAS

For the Jamestown S'Klallam and Port Gamble S'Klallam Tribes: Catch Reporting Areas: 20B, 22A, 23A, 23B, 23C, 23D, 25A, 25B, 25C, 25D, 25E, 27A, 27B (north of an east-west line from Ayock Pt.) and catch area 29.

### 3. MANAGEMENT PERIOD

August 1, 2018 through July 31, 2019.

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#### **4. FISHERIES OPENINGS**

All areas listed in Section 2 of this regulation, with exceptions listed in Section 5 below, will be opened by emergency regulation, and will remain open through March 31, 2019, or until each total tribal regional harvest quota is taken, whichever comes first. For the 2018-2019 season, Tribal and State Managers agree to close the sea cucumber fishery from April 1 to June 15 to protect the peak spawning period of *P. californicus*. Any surplus quota remaining on March 31 will again be available for harvest on June 16 until the end on the management period on July 31.

The sea cucumber management regions are designated as follows:

- A. San Juan Region: District 1, Marine Fish/Shellfish Catch Management Areas 20B & 22A.
- B. Western Strait of Juan de Fuca Region: District 2-1, Marine Fish/Shellfish Catch Management Areas 23A, 23C, 23D, 29.
- C. Eastern Strait of Juan de Fuca Region: District 2-2, Marine Fish/Shellfish Catch Management Areas 23B, 25A, 25B, 25C, 25D, 25E.
- D. Hood Canal Region: District 4, Marine Fish/Shellfish Catch Management Areas 27A, 27B, 27C.

#### **5. CLOSED AREAS**

The following specific areas shall remain closed to fishing at all times:

- A. Those waters of San Juan Channel and Upright Channel within the following lines: north and west of a line from the northernmost point of Turn Island on San Juan Island to Flat Point on Lopez Island and thence projected from Flat Point true west to Shaw Island, north of a line projected from the northernmost point of Turn Island true west to San Juan Island, west of a line from Neck Point on Shaw Island to Steep Point on Orcas Island, and south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island.
- B. Those waters of Haro Strait north of a line projected due-west from the southernmost point of Cattle Point on San Juan Island to the international border, and south of a line projected due-west from a point one-quarter mile north of Lime Kiln Light on San Juan Island to the international border.

- C. Those waters within one-quarter mile of Tatoosh Island at 0.0 tide height.
- D. Argyle Lagoon: Those University of Washington-owned tidelands and all bedlands enclosed by the inner spit of Argyle Lagoon on San Juan Island.
- E. Those waters of the Strait of Juan de Fuca in the vicinity of Low Point that are west of 123 degrees 48.3 minutes west longitude and east of 123 degrees 52.7 minutes west longitude.

**6. GEAR USE LIMITATIONS**

- A. Dive Fishery: Harvest equipment is restricted to individual harvest by hand. Divers may harvest sea cucumbers using surface supplied or self-contained breathing apparatus.

**7. HARVEST RESTRICTIONS**

- A. Harvest limits for each sea cucumber management district will conform to the total Treaty Share as indicated in the 2018-2019 Sea Cucumber Harvest Management Plan, or as agreed to by the regional managers, and are summarized as follows:

District 1. San Juan Islands:	45,500 pounds
District 2-1. West Strait of Juan de Fuca:	59,741 pounds
District 2-2. East Strait of Juan de Fuca:	30,086 pounds
District 4. Hood Canal:	0 pounds*

\*Due to persistent low dissolved oxygen events in Hood Canal, the parties agree that no sea cucumber fisheries will occur in this region during the 2018-19 season.

- B. All tribal commercial sea cucumber harvesters planning to participate in the 2018-2019 commercial sea cucumber fishery must register at their tribal fisheries office prior to participating in the fishery. At the time of registering, the name of the harvester and vessel each harvester plans to dive from shall be reported.
- C. All harvesting shall be conducted in accordance with individual tribal management ordinances/plans, rules, and safety standards governing sea cucumber and other dive fisheries.

- D. All areas are currently closed to sea cucumber trawl fisheries. Trawl fisheries may resume in certain areas with the agreement of appropriate State and Tribal parties.
- E. The subsistence fishery daily catch limit per fisher for all areas is 25 sea cucumbers per day. There are no size limits.

## **8. HARVEST REPORTING**

- A. All tribal sea cucumber harvesters, both commercial and take home, must provide daily harvest information to their respective tribal fisheries office. This harvest information can be reported either by a telephone call within 24 hours of each harvest or by mailing/delivering daily harvest logs the first Wednesday of each month. Commercial dive harvest information will include the following for each day fished: date of harvest, vessel name or boat registration number, location fished (nearest landmark, bay or LORAN/GPS reading), pounds landed, average depth of harvest, number of divers, and total diver hours spent fishing. Commercial trawl harvest information, if allowed, will include the following for each day fished: date, vessel name or boat registration number, location fished (nearest landmark, bay, or LORAN/GPS reading), pounds of cucumbers caught, pounds of cucumbers sold, trawl width, tow speed, duration of tow, depth fished, pounds of Dungeness crab caught and shell condition thereof, pounds of fish caught, and the total pounds of other non-cucumber species taken.
- B. All commercial and take home catches shall also be reported on Treaty Indian Fish Receiving tickets as specified in Tribal Fisheries Ordinances. It should be noted on the ticket whether the harvest was reported as whole weight cucumbers or a presumptive split and drained weight. If a presumptive split and drained weight is used to report landings of whole weight cucumbers, a correction factor of 0.50 will be applied to the whole weight to estimate the split and drained weight. Harvest summaries by region will be sent to all affected parties on a monthly basis.
- C. For the 2018-2019 season, the PNPTC Tribes will provide cucumber harvest summaries to the database maintained on the Northwest Indian Fisheries Commission web site.

## **9. EMERGENCY REGULATIONS**

The above regulations may be amended at any time by emergency regulations. Prior to harvest, each fisher shall check with their tribal fishery office for emergency regulation changes.

**10. AUTHORITY**

The above in-common regulations are promulgated by the Point No Point Treaty Council under the authority delegated by the member Tribes.



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Austin Paul, Subtidal Shellfish Manager  
Point No Point Treaty Council

I CERTIFY THAT COPIES OF THIS DOCUMENT WERE  
MAILED PREPAID ON 10/8/18 TO ALL PERSONS  
REQUIRED BY FEDERAL DISTRICT COURT'S  
ORDER OF MARCH 1, 1978

SIGNED: Shannon Baldt  
TITLE: I/S MANAGER