



Point No Point Treaty Council

Port Gamble S'Klallam • Jamestown S'Klallam

**2016-2017
Point No Point Treaty Council
In-Common Commercial Sea Urchin Regulation
#S16-110**

September 8, 2016

The following regulation is promulgated by the Point No Point Treaty Council and shall govern the conduct of off-reservation commercial and subsistence fisheries for red and green sea urchins by the Port Gamble S'Klallam and the Jamestown S'Klallam Tribes (PNPTC Member Tribes). This regulation is intended to comply with provisions of the 2016-2017 Sea Urchin Harvest Management Plan, developed by the U.S. v. Washington Sub-proceeding 89-3 Treaty Tribes and the State of Washington. In the event the Management Plan is not completed before the projected start of tribal fisheries in each urchin district, emergency regulations will be filed under Paragraph 4.6 of *United States v. Washington*, 898 F. sup. 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 These emergency regulations will remain in place either until they expire or until they are superseded by new regulations filed in accordance with provisions of the final annual management plan. The term of this regulation is from September 1, 2016 through August 31, 2017. Ceremonial 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 commercial and subsistence harvest of sea urchins. Only gear and methods specifically authorized by this regulation may be legally used.

1. SPECIES

Red sea urchins - *Mesocentrotus franciscanus*

Green sea urchins - *Strongylocentrotus droebachiensis*

2. FISHING AREAS

For the Jamestown S'Klallam and Port Gamble S'Klallam Tribes: Marine Shellfish Management and Catch Reporting Areas 20B, 22A, 23A, 23B, 23C, 23D, 25A, 25B, 25C, 25D, 25E, 26A (S'Klallam U. & A. areas in that portion of 26A south and west of the southern tip of Possession Point on Whidbey Island), 27A, 27B (north of an east-west line from Ayock Pt.) and 29.

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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 east-west one-half mile south of Eagle Point on San Juan Island and south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island.
- C) Argyle Lagoon: Those University of Washington-owned tidelands and all bedlands enclosed by the inner spit of Argyle Lagoon on San Juan Island.
- D) Those waters within one-quarter mile of Tatoosh 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.
- F) Strait of Juan de Fuca District 5, Neah Bay, will remain closed to the harvest of red urchins.

5. GEAR USE LIMITATIONS

Harvest is restricted to hand held gear that does not penetrate the shell.

6. HARVEST LIMITATIONS

Harvest limits for each urchin species within each management region will conform to the total Treaty share as indicated in Section 8 of the 2016-2017 Sea Urchin Harvest Management Plan, and are summarized as follows:

A) Red Sea Urchins

- 1. Districts 1 & 2 San Juan Islands: 175,000 pounds
- 2. District 3 Port Angeles 54,000 pounds
- 3. District 4 Sekiu: 35,000 pounds

B) Green Sea Urchins

- 1. San Juan Islands: 175,000 pounds
- 2. Strait of Juan de Fuca: 50,000 pounds

3. OPEN TIMES AND AREAS

The sea urchin management areas are designated as follows:

A) Red Sea Urchins

San Juan Region:

This area includes District 1, Northern San Juan Islands, (Marine Fish and Shellfish (MFSF) Catch Reporting Area 20B, and those waters of Area 22A north of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island and west of a line projected true north from Limestone Point on San Juan Island); and District 2, Southern San Juan Islands, (those waters of Area 22A south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island, and Areas 23A, 23B, 25A, and 25B).

Strait of Juan de Fuca Region:

This area includes District 3, Port Angeles, (those waters of Area 23C east of a line projected true north from Low Point, and Area 23D); District 4, Seki, (those waters of Area 23C west of a line projected true north from Low Point); and District 5, Neah Bay, (Area 29 east of a line projected true north from Rasmussen Creek).

B) Green Sea Urchins

San Juan Island Region:

MFSF Catch Reporting Areas 20B, 22A, 23A, 23B, 25A, and 25B

Strait of Juan de Fuca Region:

MFSF Catch Reporting Areas 23C, 23D, and 29 east of a line projected true north from Rasmussen Creek

Specific openings for commercial and subsistence sea urchin fisheries will be announced in separate regional emergency regulations. Tribal harvesters are responsible for knowing the current applicable regulations. Information on specific openings and closures shall be available at the Tribal Fisheries Offices and the Point No Point Treaty Council Office.

4. CLOSED AREAS

The following research/management areas will remain closed to fishing for the duration of the 2016-2017 sea urchin season:

- 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

Size limits for sea urchins (diameter exclusive of spines) are as follows:

A) Red Sea Urchins:

1. San Juan Area--Minimum 3.25 inches; Maximum 5.0 inches
2. Strait of Juan de Fuca Area--Minimum 3.25 inches; Maximum 5.0 inches

B) Green Sea Urchins

All areas—Minimum size limit of 2.25 inches. No maximum size limit.

Sea urchins shall not be taken from water shallower than fifteen feet below mean lower low water.

7. OTHER RESTRICTIONS

Divers may harvest sea urchins using surface supplied or self-contained breathing apparatus. All harvesting shall be conducted so as to comply with individual tribal management ordinances/plans, rules, and safety standards governing dive fisheries, or as otherwise provided by the individual Tribes. All divers must have open water certification by NAUI, PADI or a comparable program.

8. COMMERCIAL URCHIN DIVER REGISTRATION

All tribal sea urchin harvesters participating in the 2016-2017 commercial sea urchin fishery must register at their respective tribal fisheries office prior to participating in the fishery. At the time of registering, the name of the harvester and diving vessel shall be reported.

9. COMMERCIAL CATCH REPORTING

All catches, commercial and take home, must be recorded as specified in Section 10. All commercial and take home catches shall also be reported on Treaty Indian Fish Receiving tickets as specified in Tribal Fisheries Ordinances.

10. HARVEST LOGS

All commercial tribal urchin harvesters must maintain harvest logs that describe fishing activities and catches. A log record must be made for each day of harvest for each fishing vessel. Logs shall include vessel name, harvester's name(s), harvest date, location fished (nearest landmark, bay or LORAN/GPS reading), total pounds landed by species (red or green urchin), average diving depth of harvest and diving hours. Log sheet information must be turned in to the respective tribal fisheries office each Wednesday during the fishing season. In lieu of dive harvest logs, harvesters may report this information directly to their

respective tribal fisheries office. Harvest logs are available at tribal fisheries offices and at the Point No Point Treaty Council central office.

11. EMERGENCY REGULATIONS

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

12. AUTHORITY

The above in-common fishery regulation is promulgated by the Point No Point Treaty Council, under the authority delegated by the member tribes.



Austin Paul, Subtidal Shellfish Manager
Point No Point Treaty Council

I CERTIFY THAT COPIES OF THIS DOCUMENT WERE
MAILED PREPAID ON 9/8/16 TO ALL PERSONS
REQUIRED BY FEDERAL DISTRICT COURT'S
ORDER OF MARCH 1, 1978

SIGNED: Shannon Burt
TITLE: FIS Manager