

POINT NO POINT SECTION 4.6 CLAM REGULATION FOR REGION 8

The following regulation is promulgated by the Point No Point Treaty Council and shall govern the commercial clam fisheries conducted off-reservation and on inter-tidal public lands within Region 8 by the Port Gamble S'Klallam and the Jamestown S'Klallam Tribes (PNPTC member Tribes). The term of this regulation is from February 1 through December 31, 2023, and is intended to regulate the oyster harvest by these member Tribes in Region 8 under provisions of Paragraph 4.6 of the U.S. District Court Order of August 28, 1995 (Implementation Order) in U.S. v Washington, Sub-proceeding 89-3. In the event the Region 8 Bivalve Management Plan is completed before the end of this regulation term, this regulation will be superceded by a new regulation conforming to the provisions of the Region 8 Bivalve Management Plan.

FILING ORGANIZATION: POINT NO POINT TREATY COUNCIL

REGULATION NUMBER: #S23-012

DATE ADOPTED: MARCH 6, 2023

REGULATION MODIFIED REGULATION #S23-001, SECTION 5.

REGULATION SUPERCEDED: NONE

CATCH AREAS: SHELLFISH AREA 25C:  
PORT GAMBLE HERITAGE PARK (250900) PORT GAMBLE BAY

FISHERY TYPE: COMMERCIAL

SPECIES: NATIVE LITTLENECK AND MANILA CLAMS

ON/OFF RESERVATION: OFF

LEGAL GEAR: HAND HELD PRYING TOOLS

EFFECTIVE DATE(S): MARCH 15, 2023

OPEN DAYS AND HOURS: PORT GAMBLE HERITAGE PARK (250900) PORT GAMBLE BAY  
MONITORED, OPEN FOR CLAMS:  
WED (3/15) 4:00 PM THRU 8:00 PM,  
TRIBAL QUOTA: 4,500 POUNDS.

OTHER RESTRICTIONS:

1. AS PER REGULATION #S23-001. THIS OPENING IS FOR THE PORT GAMBLE S'KLALLAM TRIBE ONLY.
2. HARVEST LIMITED TO CLAMS 1.5 INCHES IN LENGTH OR GREATER.

3. COMMERCIALY HARVESTED CLAMS MUST BE SOLD WITHIN 12 HOURS OF THE CLOSING TIME OF THE FISHERY, OR PLACED IN REFRIGERATED CONTAINERS.
4. A LABEL ISSUED BY THE HARVESTERS TRIBAL FISHERIES OFFICE MUST BE AFFIXED TO EACH BAG OR CONTAINER OF COMMERCIALY HARVESTED CLAMS IMMEDIATELY FOLLOWING HARVEST. THE LABEL MUST BE CLEARLY VISIBLE WITHOUT OPENING THE BAG OR CONTAINER. EACH LABEL SHALL INCLUDE THE FOLLOWING INFORMATION:
  - i) TRIBE
  - ii) TRIBE CERTIFICATION NUMBER
    - a. PORT GAMBLE – WA589HA
    - b. JAMESTOWN – WA588SS
  - iii) HARVESTER NAME AND/OR ID NUMBER
  - iv) HARVEST DATE
  - v) DOH GROWING AREA DESIGNATION
  - vi) BEACH NUMBER (BIDN)
  - vii) SHALLFISH TYPE
  - viii) QUANTITY HARVESTED
  - ix) TAG SEQUENCE NUMBERREQUIRED INFORMATION ON THE LABELS SHALL BE ENTERED LEGIBLY USING AN INDELIBLE MARKER.
5. THIS HARVEST OPENING WILL OCCUR WITH AN ON THE BEACH MONITOR ACCOUNTING FOR CATCH AT THE END OF THE FISHERY. THE TRIBAL HARVEST LIMIT FOR THIS OPENING IS 4,500 POUNDS AT PORT GAMBLE HERITAGE PARK. ONCE THE LIMIT HAS BEEN REACHED ON THE BEACH BY ALL TRIBAL HARVESTERS, AS DETERMINED BY THE BEACH MONITOR, THE BEACH WILL BE CLOSED BY THE MONITOR.
6. ALL DIGGERS MUST CHECK IN WITH THE MONITOR PRIOR TO ENGAGING IN ANY HARVEST ACTIVITY.
7. HARVESTERS ARE REQUIRED TO REPORT THEIR CATCH TO THE MONITOR ON THE BEACH IMMEDIATELY FOLLOWING THE HARVEST. HARVEST CAN NOT BE REPORTED TO THE FISHERIES OFFICE AFTER THE CLOSURE OF THE FISHERY. FAILURE TO REPORT HARVEST TO THE MONITOR WILL BE A VIOLATION OF THIS REGULATION.
8. ALL DIGGERS MUST REPORT THEIR HARVEST AND INTENDED BUYER TO THE MONITOR PRIOR TO LEAVING THE BEACH. FAILURE TO COMPLY WITH THIS PROVISION WILL BE A VIOLATION OF THIS REGULATION.
9. ALL HARVESTING WILL CEASE WHEN THE OPENING EXPIRES OR WHEN THE MONITOR CLOSES THE FISHERY, WHICHEVER COMES FIRST. HARVESTING ACTIVITY INCLUDES ALL DIGGING, COLLECTING AND SACKING OF CLAMS.
10. TRIBAL HARVESTERS WHO SELL TO A BUYER OTHER THAN THAT REPORTED TO THE MONITOR MUST NOTIFY THEIR RESPECTIVE TRIBAL FISHERIES OFFICE OF THE DISCREPANCY WITHIN 12 HOURS OF THE TIME OF SALE.
11. HARVESTERS ARE NOT ALLOWED TO CROSS PRIVATE PROPERTY IN ORDER TO ACCESS TIDELANDS FOR COMMERCIAL PURPOSES WITHOUT THE CONSENT OF THE PROPERTY OWNER(S).

COVID-19 RESTRICTIONS:

1. HARVESTERS MUST MAINTAIN A DISTANCE OF AT LEAST 6 FEET BETWEEN THEMSELVES AND ALL OTHER HARVESTERS, MONITORS, ENFORCEMENT AND BUYERS THROUGHOUT THIS OPENING.
2. HARVESTERS WITH COLD OR FLU-LIKE SYMPTOMS ARE NOT ALLOWED TO PARTICIPATE IN THIS OPENING. HARVESTERS EXHIBITING THESE SYMPTOMS MAY BE ASKED TO LEAVE THE TIDELANDS.

CATCH REPORTING:

ALL COMMERCIAL HARVEST MUST BE REPORTED ON TREATY INDIAN FISH RECEIVING TICKETS. THE GROWING AREA AND BIDN MUST RECORDED ON THE FISH TICKET AT THE POINT OF SALE.

JUSTIFICATION:

HARVEST AVAILABLE TRIBAL RESOURCE.

POINT NO POINT TREATY COUNCIL  
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