

FILING ORGANIZATION: POINT NO POINT TREATY COUNCIL

REGULATION NUMBER: #S21-120

DATE ADOPTED: AUGUST 20, 2021

REGULATION MODIFIED REGULATION #S21-014, SECTION 6.

REGULATION SUPERCEDED: #S21-097

CATCH AREAS: SHELLFISH CATCH REPORTING AREA 23D,  
DUNGENESS WEST TRACT #00320, EAST STRAIT

SHELLFISH CATCH REPORTING AREA 25A,  
PROTECTION ISLAND #01000, EAST STRAIT

FISHERY TYPE: COMMERCIAL

SPECIES: GEODUCK CLAM (*Panopea generosa*)

ON/OFF RESERVATION: OFF

LEGAL GEAR: HIGH PRESSURE WATER JET, NOT TO EXCEED 5/8 INCH DIAMETER  
NOZZLE.

EFFECTIVE DATES: APRIL 1, 2021 THROUGH DECEMBER 31, 2021

DAYS/HOURS: OPEN THE FOLLOWING DAYS AND TIMES:  
FOR THE JAMESTOWN TRIBE, MONDAY THROUGH SATURDAY OF EACH  
WEEK, FROM 7:00 AM TO 3:00 PM DAILY. FOR THE PORT GAMBLE  
TRIBE, TUESDAY THORUGH FRIDAY OF EACH WEEK, FROM 7:00 AM TO  
3:00 PM DAILY. FOR BOTH TRIBES THE FISHERY WILL START THURSDAY,  
APRIL 1 AT 7:00 AM AND CONTINUE WEEKLY, EXCEPT TRIBAL HOLIDAYS.  
FOR THE PORT GAMBLE TRIBE, HARVEST MAY OCCUR ON MONDAYS IF  
THERE IS A VALID PSP SAMPLE FROM THE PREVIOUS WEEK. THE PORT  
GAMBLE MONITOR WILL DETERMINE ON A WEEKLY BASIS WHETHER  
FISHING WILL OCCUR ON MONDAY. ALL WEEKLY FISHERY EXTENSIONS  
WILL BE COORDINATED WITH TRIBAL ENFORCEMENT PERSONNEL.

OTHER RESTRICTIONS:

1. AS PER PNPTC REG. #S21-014.
2. THIS REGULATION GOVERNS THE FISHING ACTIVITY OF BOTH THE JAMESTOWN S'KLALLAM  
HARVESTERS AND THE PORT GAMBLE S'KLALLAM HARVESTERS.

3. THE BOUNDARIES OF THE GEODUCK TRACT WILL BE MARKED BY BUOYS OR DEFINED BY THE MONITOR.
4. DURING THE FISHERY, NO VESSEL AT ANCHOR MAY CROSS THE TRACT BOUNDARY WITHOUT THE PERMISSION OF THE MONITOR. ANY VESSEL THAT DOES SO SHALL BE CONSIDERED FISHING IN CLOSED WATERS.
5. DIVE TENDERS MUST REMAIN ON DECK AT ALL TIMES WHEN DIVERS ARE IN THE WATER.
6. EACH GEODUCK CLAM MUST BE EXCAVATED INDIVIDUALLY FROM THE BOTTOM. THE PRACTICE OF "SIDE MINING" IS PROHIBITED. NO GEODUCK CLAM THAT IS PARTIALLY OR WHOLLY EXCAVATED MAY BE REPLACED IN THE SUBSTRATE. ALL GEODUCKS EITHER PARTIALLY OR WHOLLY EXCAVATED MUST BE RETAINED AND THE WEIGHTS RECORDED.
7. ALL GEODUCK HARVESTED DURING THIS FISHERY MUST BE OFFLOADED AT PORT ANGELES HARBOR FOR DUNGENESS WEST (#00320) AND JOHN WAYNE MARINA FOR PROTECTION ISLAND (#01000). OTHER OFFLOAD SITES WILL BE STIPULATED BY EMERGENCY REGULATION.
8. A MINIMUM DISTANCE OF 600 FEET MUST BE KEPT BETWEEN HARVESTING VESSELS. THE MINIMUM DISTANCE CAN BE REDUCED BY THE MONITOR TO 300 FEET, IF WEATHER CONDITIONS ALLOW.
9. EACH VESSEL'S GEODUCK HARVEST MUST BE WEIGHED BEFORE THE VESSEL LEAVES THE HARVEST AREA. IF WEIGHOUT ON THE TRACT IS NOT PRACTICAL, THE ALTERNATE WEIGHOUT SITE WILL BE PORT ANGELES HARBOR FOR DUNGENESS WEST (#00320) AND JOHN WAYNE MARINA FOR PROTECTION ISLAND (#01000).
10. ALL COMMERCIAL AND TAKE HOME HARVEST MUST BE REPORTED ON THE OFFICIAL TRIBAL WEIGHOUT FORM, AT THE DESIGNATED WEIGHOUT SITE.
11. IT IS UNLAWFUL TO HARVEST ON THIS TRACT WITHOUT THE PRESENCE OF THE MONITOR, EITHER ON-THE-WATER OR WITHIN VISUAL DISTANCE.
12. THE FISHERY WILL BE MANAGED ACCORDING TO THE 2020-21 GEODUCK HARVEST MONITORING AND COMPLIANCE STANDARDS CONTAINED IN THE STRAIT OF JUAN DE FUCA GEODUCK HARVEST MANAGEMENT PLAN, EXCEPT THAT DIVERS MAY BE ALLOWED TO HARVEST BEYOND THE BOUNDARY OF TRACT BUOY MARKERS ON ANY TRACT IF THESE MARKERS ARE REPOSITIONED AT LEAST 300 FEET INSIDE OF THE ACTUAL TRACT BOUNDARY.
13. DIVERS ARE NOT ALLOWED IN IN THE WATER BEFORE THE OPENING TIME OF 7:00 AM.
14. ALL COMMERCIAL GEODUCK SALES MUST BE MADE TO TRIBALLY APPROVED BUYERS WHO HAVE FILLED OUT A BUYER'S AGREEMENT WITH EITHER THE PORT GAMBLE OR JAMESTOWN TRIBE.

JAMESTOWN SPECIFIC PROVISIONS:

1. IF NITROX BREATHING GAS MIXTURE IS USED, DIVE PROFILES MUST ADHERE TO THE STANDARD AIR/NO DECOMPRESSION LIMITS.
2. FOR THE JAMESTOWN TRIBE, THE MAXIMUM AMOUNT OF TAKEHOME HARVEST FOR JAMESTOWN FISHERS IS 12 POUNDS/DAY.

PORT GAMBLE SPECIFIC PROVISIONS:

1. THE 2021-2022 PORT GAMBLE S'KLALLAM TRIBE SUBTIDAL GEODUCK REGULATION #S21-003 IS ADOPTED INTO THIS REGULATION BY REFERENCE. ALL REQUIREMENTS AND

STANDARDS IN THAT REGULATION SHALL BE ENFORCED AGAINST PORT GAMBLE HARVESTERS DURING THIS FISHERY.

2. FOR THE PORT GAMBLE TRIBE, ALL DIVER BOATS MUST NOTIFY THE MONITOR ONCE DURING THE TIME BETWEEN THE SURFACING OF ONE DIVER AND THE SUBMERGENCE OF ANOTHER DIVER.

EXPECTED EFFORT:

ACCESS TO THIS FISHERY IS RESTRICTED TO SPECIFIC MEMBERS OF THE PORT GAMBLE AND JAMESTOWN TRIBES. ELIGIBLE FISHERS ARE LISTED AT THE RESPECTIVE TRIBAL FISHERIES OFFICE. THE AVERAGE COMBINED TRIBAL EFFORT DURING THE TERM OF THIS REGULATION IS EXPECTED TO BE TWELVE VESSELS PER DAY.

EXPECTED HARVEST:

FOR THE REMAINDER OF THE TERM OF THIS REGULATION THE EXPECTED HARVEST FROM THE JAMESTOWN TRIBE WILL NOT EXCEED 32,512 POUNDS, AS AVAILABLE FROM APPENDIX C OF THE 2021-2022 EASTERN STRAIT OF JUAN DE FUCA GEODUCK HARVEST MANAGEMENT PLAN; THE EXPECTED HARVEST FROM THE PORT GAMBLE TRIBE WILL NOT EXCEED 111,423 POUNDS, AS AVAILABLE FROM APPENDIX C OF THE 2021-2022 EASTERN STRAIT OF JUAN DE FUCA GEODUCK HARVEST MANAGEMENT PLAN. THIS REGULATION WILL BE MODIFIED IF THE EXPECTED HARVEST IS TAKEN BEFORE DECEMBER 31, 2021.

CONTACT INFORMATION:

THE PORT GAMBLE HARVEST MONITOR DURING THE TERM OF THIS REGULATION IS TED SEACHORD, CELL # 360-731-2978. THE JAMESTOWN HARVEST MONITOR DURING THE TERM OF THIS REGULATION IS ANDREW MINKS, CELL # 360-582-6355.

JUSTIFICATION:

CONTINUE HARVEST OF THE TREATY SHARE OF GEODUCK IN THE EASTERN STRAIT. THIS REGULATION PROVIDES NOTICE THAT THE JAMESTOWN S'KLALLAM TRIBE HAS HARVESTED THEIR 2021-2022 SHARE AND IS NOW TARGETING THEIR CARRYOVER SHARE AS PROVIDED BY THE 2021-2022 EASTERN STRAIT OF JUAN DE FUCA GEODUCK HARVEST MANAGEMENT PLAN.