

FILING ORGANIZATION: POINT NO POINT TREATY COUNCIL

REGULATION NUMBER: #S21-039

DATE ADOPTED: APRIL 29, 2021

REGULATION MODIFIED REGULATION #S21-001, SECTION 5.

REGULATION SUPERCEDED: NONE

CATCH AREAS: SHELLFISH AREA 27A:
ANDERSON LANDING (270412), HOOD CANAL #2,

SHELLFISH AREA 27B:
FULTON CREEK (270281), HOOD CANAL #4.

FISHERY TYPE: COMMERCIAL

SPECIES: OYSTERS

ON/OFF RESERVATION: OFF

LEGAL GEAR: HAND HELD PRYING TOOLS

EFFECTIVE DATE(S): MAY 12 THROUGH 13, 2021

OPEN DAYS AND HOURS: ANDERSON LANDING (270412), HOOD CANAL #2,
MONITORED, OPEN FOR OYSTERS:
WED (5/12) 10:15 AM THRU 2:15 PM,
TRIBAL QUOTA: 5,000 DOZEN,

FULTON CREEK (270281), HOOD CANAL #4,
MONITORED, OPEN FOR OYSTERS:
THU (5/13) 10:45 AM THRU 2:45 PM,
TRIBAL QUOTA: 10,000 DOZEN.

OTHER RESTRICTIONS:

1. AS PER REGULATION #S21-001. THESE OPENINGS ARE FOR THE PORT GAMBLE S'KLALLAM AND JAMESTOWN S'KLALLAM TRIBES ONLY.
2. JAMESTOWN FISHERS MUST NOTIFY THEIR FISHERIES OFFICE OF THEIR INTENTION TO PARTICIPATE IN AN OPENING AT LEAST 48 HOURS PRIOR TO THE START OF THE OPENING.
3. HARVEST LIMITED TO SINGLE OYSTERS 2.5 INCHES IN LENGTH OR GREATER.
4. USE OF LONG LINES ARE PROHIBITED. PRODUCT MAY BE LEFT ON THE BEACH BY A HARVESTER ONLY IF WEATHER CONDITIONS MAKE IT UNSAFE TO TRANSPORT OYSTERS BY BOAT. ALL

PRODUCT LEFT ON THE BEACH MUST TAGGED. BAGS MUST BE PICKED UP ONLY WHEN BAGS ARE EXPOSED. ANY OYSTERS LEFT FOR MORE THAN 48 HOURS MUST BE REDISTRIBUTED ON THE BEACH. HARVESTERS MUST NOTIFY THE MONITOR PRIOR TO LEAVING PRODUCT ON THE BEACH, AND HARVESTERS MUST NOTIFY THEIR RESPECTIVE FISHERIES OFFICE PRIOR TO RETURNING TO PICK UP BAGGED OYSTERS LEFT ON THE BEACH.

5. INSIDE THE VIBRIO "CONTROL MONTHS" OF MAY THROUGH SEPTEMBER IN THE HOOD CANAL #2 GROWING AREA, THE FOLLOWING TIME TO TEMPERATURE REQUIREMENTS FOR HARVESTED OYSTERS MUST BE FOLLOWED (INDIVIDUAL TRIBAL REQUIREMENTS, WHEN MORE RESTRICTIVE, WILL SUPERSEDE THE REQUIREMENTS BELOW):
 - a. UNLESS NOTED BELOW, OYSTERS MUST REACH AN INTERNAL TEMPERATURE OF 50 DEGREES OF LESS WITHIN 7 HOURS OF HARVEST.
 - b. IF AIR TEMPERATURE IS GREATER THAN 90 DEGREES AT THE TIME OF HARVEST, OYSTERS MUST REACH AN INTERNAL TEMPERATURE OF 50 DEGREES OR LESS WITHIN 5 HOURS OF HARVEST.
 - c. DURING THE MONTHS OF JULY AND AUGUST, IF THE WATER OR OYSTER MEAT TEMPERATURE AT THE TIME OF HARVEST IS BETWEEN 68 AND 70 DEGREES, OYSTERS MUST REACH AN INTERNAL TEMPERATURE OF 50 DEGREES OR LESS WITHIN 3 HOURS OF HARVEST.
 - d. DURING THE MONTHS OF JULY AND AUGUST, IF THE WATER OR OYSTER MEAT TEMPERATURE IS ABOVE 70 DEGREES, HARVEST MUST BE DELAYED AT LEAST 24 HOURS.
6. INSIDE THE VIBRIO "CONTROL MONTHS" OF MAY THROUGH SEPTEMBER IN THE HOOD CANAL #4 GROWING AREA, THE FOLLOWING TIME TO TEMPERATURE REQUIREMENTS FOR HARVESTED OYSTERS MUST BE FOLLOWED (INDIVIDUAL TRIBAL REQUIREMENTS, WHEN MORE RESTRICTIVE, WILL SUPERSEDE THE REQUIREMENTS BELOW):
 - a. UNLESS NOTED BELOW, OYSTERS MUST REACH AN INTERNAL TEMPERATURE OF 50 DEGREES OF LESS WITHIN 9 HOURS OF HARVEST.
 - b. IF AIR TEMPERATURE IS GREATER THAN 90 DEGREES AT THE TIME OF HARVEST, OYSTERS MUST REACH AN INTERNAL TEMPERATURE OF 50 DEGREES OR LESS WITHIN 7 HOURS OF HARVEST.
 - c. DURING THE MONTHS OF JULY AND AUGUST, IF THE WATER OR OYSTER MEAT TEMPERATURE AT THE TIME OF HARVEST IS BETWEEN 68 AND 70 DEGREES, OYSTERS MUST REACH AN INTERNAL TEMPERATURE OF 50 DEGREES OR LESS WITHIN 5 HOURS OF HARVEST.
 - d. DURING THE MONTHS OF JULY AND AUGUST, IF THE WATER OR OYSTER MEAT TEMPERATURE IS ABOVE 70 DEGREES, HARVEST MUST BE DELAYED AT LEAST 24 HOURS.
7. 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:
 - a. TRIBE
 - b. TRIBE CERTIFICATION NUMBER
 - i. PORT GAMBLE – WA589HA
 - ii. JAMESTOWN – WA588SS
 - c. HARVESTER NAME AND/OR ID NUMBER

- d. HARVEST DATE
- e. DOH GROWING AREA DESIGNATION
- f. BEACH NUMBER (BIDN)
- g. SHALLFISH TYPE
- h. QUANTITY HARVESTED
- i. TAG SEQUENCE NUMBER

REQUIRED INFORMATION ON THE LABELS SHALL BE ENTERED LEGIBLY USING AN INDELIBLE MARKER.

- 8. THE DAILY TRIBAL HARVEST LIMIT FOR ANDERSON LANDING IS 5,000 DOZEN AND FOR FULTON CREEK IS 10,000 DOZEN. ONCE THE LIMITS HAVE BEEN REACHED BY ALL TRIBAL HARVESTERS, AS DETERMINED BY THE BEACH MONITORS, THE BEACHES WILL BE CLOSED BY THE MONITORS.
- 9. AT THE CLOSE OF HARVEST OR ONCE THE QUOTA HAS BEEN TAKEN, ONLY OYSTERS BAGGED/BUCKETED AND COUNTED CAN BE REMOVED FROM THE BEACH. PILED OYSTERS WILL NOT BE ALLOWED TO BE COUNTED AND BAGGED AFTER THE CLOSURE OF THE FISHERY.
- 10. 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.
- 11. 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.
- 12. HARVESTERS WHO DO NOT SELL THEIR HARVEST ON THE BEACH MUST PROVIDE TRIP RECORDS TO THE INITIAL DEALER THAT DEMONSTRATE COMPLIANCE WITH THE TIME TO TEMPERATURE REQUIREMENTS CONTAINED HEREIN. RECORDS MUST INCLUDE THE TIME OF HARVEST AND THE TIME THE PRODUCT IS SOLD TO A DEALER.
- 13. OYSTERS HARVESTED AT DUCKABUSH WILL BE TRANSFERED VIA AN UPLAND ROUTE, THROUGH THE ADJACENT TAYLOR UNITED PROPERTY OR VIA WATER TO THE TRITON COVE BOAT RAMP, UNLESS ANOTHER OFFLOAD LOCATION IS APPROVED BY THE MONITOR. IF THE TRITON COVE BOAT RAMP (OR ANOTHER OFFLOAD SITE) IS USED, THE OYSTERS CANNOT BE REMOVED FROM THE BOAT UNTIL THE BOAT IS ON THE TRAILER AWAY FROM THE BEACH AREA.
- 14. HARVESTERS ARE NOT ALLOWED TO CROSS PRIVATE PROPERTY IN ORDER TO ACCESS TIDELANDS FOR COMMERCIAL PURPOSES WITHOUT THE CONSENT OF THE PROPERTY OWNER(S).
- 15. FULTON CREEK (270281) IS A BOAT ACCESS ONLY BEACH.

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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