

POINT NO POINT TREATY COUNCIL SECTION 4.6 SEA URCHIN REGULATION FOR DISTRICT 1 (SAN JUAN ISLANDS), DISTRICT 2 (ADMIRALTY INLET AREA), DISTRICT 3 (PORT ANGELES AREA) AND DISTRICT 4 (SEKIU AREA) WITHIN THE SEA URCHIN HARVEST MANAGEMENT PLAN.

The following regulation is promulgated by the Point No Point Treaty Council and shall govern the conduct of off-reservation commercial and subsistence sea urchin fisheries by the Port Gamble S'Klallam and the Jamestown S'Klallam Tribes in Districts 1, 2, 3 and 4. The term of this regulation is from September 1, 2021 through August 31, 2022, unless superceded, and is intended to regulate sea urchin harvest by the Port Gamble and Jamestown Tribes in Districts 1, 2, 3 and 4 under provisions of Paragraph 4.6 of United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"). In the event the Sea Urchin Harvest Management Plan is completed before the end of this regulation's term, this regulation will be superceded by a new regulation conforming to the provisions of the 2021-2022 Sea Urchin Harvest Management Plan.

FILING ORGANIZATION: POINT NO POINT TREATY COUNCIL

REGULATION NUMBER: #S21-190

DATE ADOPTED: DECEMBER 6, 2021

REGULATION MODIFIED NONE

REGULATION SUPERCEDED: #S21-182

CATCH AREAS: DISTRICT 1, (SAN JUAN ISLANDS) MARINE FISH/SHELLFISH CATCH MANAGEMENT AREAS 20B, 22A, THAT PORTION OF 20A SOUTH AND WEST OF A LINE BETWEEN TOE POINT ON PATOS ISLAND AND POINT MIGLEY ON LUMMI ISLAND, THAT PORTION OF 21A SOUTH AND WEST OF LUMMI ISLAND AND A LINE RUNNING BETWEEN CARTER POINT ON LUMMI ISLAND AND THE NORTHERN TIP OF VENDОВI ISLAND, AND THAT PORTION OF 22B NORTH AND WEST OF A LINE BETWEEN CLARK POINT ON GUEMES ISLAND AND THE SOUTHERN TIP OF VENDОВI ISLAND, WEST OF GUEMES ISLAND AND SOUTH AND WEST OF A LINE RUNNING DUE SOUTH FROM KELLYS POINT ON GUEMES ISLAND;

DISTRICT 2, (ADMIRALTY INLET AREA) MARINE FISH/SHELLFISH CATCH MANAGEMENT AREAS 23B, 25A, 25B;

DISTRICT 3, (PORT ANGELES AREA) MARINE FISH/SHELLFISH CATCH MANAGEMENT AREAS 23A, 23C (EAST OF LOW POINT), 23D;

DISTRICT 4, (SEKIU AREA) MARINE FISH/SHELLFISH CATCH MANAGEMENT AREA 23C (WEST OF LOW POINT);

DISTRICT 5, (NEAH BAY AREA) MARINE FISH/SHELLFISH CATCH  
MANAGEMENT AREA 29;

DISTRICT 6, (CENTRAL PUGET SOUND) MARINE FISH/SHELLFISH CATCH  
MANAGEMENT AREA 26A SOUTH AND WEST OF THE SOUTHERN TIP OF  
POSSESSION POINT ON WHIDBEY ISLAND.

FISHERY TYPE: COMMERCIAL

SPECIES: RED SEA URCHINS (*Mesocentrotus franciscanus*),  
GREEN SEA URCHINS (*Strongylocentrotus droebachiensis*)

ON/OFF RESERVATION: OFF

EFFECTIVE DATES: SEPTEMBER 6, 2021 THROUGH AUGUST 31, 2022

DAYS/HOURS:

1. RED URCHINS

- a. FOR DISTRICT 1 (SAN JUAN ISLANDS): CLOSED
- b. FOR DISTRICT 2 (ADMIRALTY INLET AREA): CLOSED
- c. FOR DISTRICT 3 (PORT ANGELES AREA): CLOSED
- d. FOR DISTRICT 4 (SEKIU AREA):
  - i. OPEN 7:30 AM WEDNESDAY, DECEMBER 8, 2021; CLOSE 4:00 PM FRIDAY, DECEMBER 10, 2021, OR UNTIL THE TRIBAL SHARE IS TAKEN, WHICHEVER COMES FIRST.
- e. DISTRICT 5 (NEAH BAY AREA) WILL REMAIN CLOSED FOR HARVEST DURING THE 2021-2022 SEASON.

2. GREEN URCHINS

- a. FOR DISTRICT 1 (SAN JUAN ISLANDS):
  - i. OPEN DAILY BEGINNING 8:00 AM SATURDAY, NOVEMBER 6, 2021; CLOSE 5:00 PM WEDNESDAY, AUGUST 31, 2022, OR UNTIL THE TRIBAL SHARE IS TAKEN, WHICHEVER COMES FIRST.
- b. FOR DISTRICT 2 (ADMIRALTY INLET AREA):
  - i. OPEN 7:30 AM WEDNESDAY, DECEMBER 15, 2021; CLOSE 4:00 PM FRIDAY, DECEMBER 17, 2021, OR UNTIL THE TRIBAL SHARE IS TAKEN, WHICHEVER COMES FIRST.
- c. FOR DISTRICT 3 & 4 (PORT ANGELES AND SEKIU AREA):
  - i. OPEN DAILY BEGINNING 8:00 AM SATURDAY, NOVEMBER 6, 2021; CLOSE 5:00 PM WEDNESDAY, AUGUST 31, 2022, OR UNTIL THE TRIBAL SHARE IS TAKEN, WHICHEVER COMES FIRST.
- d. DISTRICT 5 (NEAH BAY AREA) WILL REMAIN CLOSED FOR HARVEST DURING THE 2021-2022 SEASON.
- e. DISTRICT 6 (CENTRAL PUGET SOUND): CLOSED.

LEGAL GEAR:

1. HARVEST EQUIPMENT IS RESTRICTED TO INDIVIDUAL HARVEST BY HAND. DIVERS MAY HARVEST SEA URCHINS USING SURFACE SUPPLIED AIR OR SCUBA.
2. ALL TRIBAL DIVERS AND DIVER VESSELS SHALL ADHERE TO OSHA COMMERCIAL DIVING OPERATION STANDARDS.

HARVEST RESTRICTIONS:

SIZE LIMITS FOR SEA URCHIN HARVEST ARE AS FOLLOWS:

1. THE MINIMUM SIZE LIMITS FOR RED SEA URCHINS IS 3.25 INCHES, AND THE MAXIMUM SIZE LIMIT IS 5.0 INCHES, BOTH MEASUREMENTS EXCLUSIVE OF THE SPINES.
2. THE MINIMUM SIZE LIMIT FOR GREEN SEA URCHINS IS 2.25 INCHES, EXCLUSIVE OF THE SPINES. THERE IS NO MAXIMUM SIZE LIMIT.

CLOSED ZONES:

CUCUMBER HARVEST IS NOT ALLOWED WITHIN THE FOLLOWING RESEARCH/MANAGEMENT AREAS:

1. 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 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.
2. THOSE WATERS OF HARO STRAIT NORTH OF A LINE PROJECTED TRUE 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.
3. ARGYLE LAGOON: THOSE UNIVERSITY OF WASHINGTON-OWNED TIDELANDS AND ALL BEDLANDS ENCLOSED BY THE INNER SPIT OF ARGYLE LAGOON ON SAN JUAN ISLAND.
4. THOSE WATERS WITHIN ONE-QUARTER MILE OF TATOOSH ISLAND AT 0.0 TIDE HEIGHT.
5. THOSE WATERS OF THE STRAIT OF JUAN DE FUCA IN THE VICINITY OF LOW POINT WEST OF A LINE PROJECTED TRUE NORTH FROM THE SHORELINE AT 123 DEGREES 48.3 MINUTES WEST LONGITUDE TO THE INTERNATIONAL BORDER, AND EAST OF A LINE PROJECTED TRUE NORTH FROM THE SHORELINE AT 123 DEGREES 52.7 MINUTES WEST LONGITUDE TO THE INTERNATIONAL BORDER.

OTHER RESTRICTIONS:

1. ALL COMMERCIAL HARVESTERS MUST REGISTER AT THEIR RESPECTIVE TRIBAL FISHERIES OFFICE PRIOR TO PARTICIPATING IN THE FISHERY.
2. ALL COMMERCIAL SEA URCHIN SALES MUST BE MADE TO TRIBALLY APPROVED BUYERS WHO HAVE FILLED OUT A BUYER'S AGREEMENT WITH EITHER THE PORT GAMBLE OR JAMESTOWN TRIBE.

3. FISHERS MUST ADHERE TO ANY TRIBAL SOCIAL DISTANCING PROTOCOLS WHILE AT THE BOAT LAUNCH AND ON THE WATER.

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 OFFICES. THE AVERAGE TRIBAL EFFORT FOR THE PORT GAMBLE TRIBE AND THE JAMESTOWN TRIBE COMBINED IS NOT EXPECTED TO EXCEED FOUR VESSELS PER DAY DURING FISHERY OPENINGS.

EXPECTED HARVEST:

DURING THE TERM OF THIS REGULATION, THE TOTAL TRIBAL HARVEST FOR RED URCHINS IS NOT EXPECTED TO EXCEED 163,000 POUNDS IN DISTRICT 1, 13,000 POUNDS IN DISTRICT 2, 57,000 POUNDS IN DISTRICT 3 AND 28,750 POUNDS IN DISTRICT 4. FOR GREEN URCHINS, THE TOTAL TRIBAL HARVEST IS NOT EXPECTED TO EXCEED 150,000 POUNDS IN DISTRICT 1, 40,000 POUNDS IN DISTRICT 2 AND 50,000 POUNDS IN THE COMBINED QUOTA AREA OF DISTRICT 3 AND 4.

CATCH REPORTING:

1. ALL CATCH MUST BE REPORTED TO THE FISHERIES OFFICE BY PHONE WITHIN 24 HOURS OF HARVEST OR BY MAILING/DELIVERING DAILY HARVEST LOGS TO THE FISHERIES OFFICE THE FIRST WEDNESDAY OF EACH MONTH.
2. DAILY HARVEST INFORMATION MUST INCLUDE THE FOLLOWING INFORMATION:
  - a. DATE OF HARVEST
  - b. VESSEL NAME OR BOAT REGISTRATION NUMBER
  - c. LOCATION FISHED
  - d. POUNDS LANDED
  - e. AVERAGE DEPTH OF HARVEST
  - f. NUMBER OF DIVERS
  - g. TOTAL DIVER HOURS
3. ALL COMMERCIAL AND COMMERCIAL TAKE HOME CATCHES SHALL BE REPORTED ON TREATY INDIAN FISH RECEIVING TICKETS.

JUSTIFICATION:

CONTINUE TREATY HARVEST OF AVAILABLE SEA URCHINS. THIS REGULATION SETS NEW HARVEST DATES FOR RED SEAS URCHINS IN DISTRICT 4 AND FOR GREEN SEA URCHINS IN DISTRICT 2.