

FILING ORGANIZATION: LOWER ELWHA KLALLAM TRIBE

LOWER ELWHA KLALLAM TRIBE 4.6 SEA CUCUMBER REGULATION FOR PUGET SOUND REGIONS.

The following regulation is promulgated by the Lower Elwha Klallam Tribe and shall govern the commercial sea cucumber fisheries conducted off-reservation and onsubtidal public lands by the Lower Elwha Klallam Tribe.

The term of this regulation is from August 1ST, 2020 through March 31, 2021 The respective regional fisheries may close prior to March 31st, 2021 if the total tribal regional harvest quota is taken.

This regulation is intended to regulate harvest by the Lower Elwha Klallam Tribe under provisions of Paragraph 4.6 of the U.S. Distric Court Order of August 28, 1995 (Implementation order) in U.S. v Washington, Sub-proceeding 89-3. In the event the Puget Sound Treaty Tribes and the State of Washington reach agreement and the 2020-2021 Sea Cucumber Harvest Management Plan is completed before the end of this regulation term, this regulation will be superceded by a new regulation conforming to the provisions of the adopted harvest management plan.

REGULATION NUMBER: S20-052

DATE ADOPTED: AUGUST 12TH, 2019

REGULATION(S) S20-051  
MODIFIED:

CATCH AREAS: SHELLFISH CATCH REPORTING AREAS  
Region 1 - San Juan Islands (22A,20B),  
Region 2-2 - (23B,25A,25B,25C,25D,25E)  
Region 2-1 (23A, 23C, 23D)

FISHERY TYPE: COMMERCIAL/CLOSURE OF region 1

SPECIES: SEA CUCUMBERS (Parastichopus californicus)

ON/OFF RESERVATION: OFF

LEGAL GEAR: Dive Fishery: Harvest equipment is restricted to individual harvest by hand. Divers may harvest sea cucumbers using surface supplied or self-contained breathing apparatus (SCUBA).

EFFECTIVE DATES: AUGUST 1ST, 2020 THRU  
March 31ST, 2021  
OR UNTIL  
TRIBAL REGIONAL QUOTA IS TAKEN;

DAYS/HOURS: 1) FOR DISTRICT 1 (SAN JUAN ISLANDS):  
OPEN 8:00 AM SATURDAY, AUGUST 1,

- 2020; CLOSE 5:00 PM  
 WEDNESDAY, MARCH 31, 2021; OR  
 UNTIL SUPERSEDED OR THE  
 QUOTA HAS BEEN TAKEN, WHICHEVER  
 COMES FIRST.
- 2) FOR DISTRICT 2-1 (STRAIT OF JUAN  
 DE FUCA AREA):  
 OPEN 8:00 AM SATURDAY, AUGUST 1,  
 2020; CLOSE 5:00 PM  
 WEDNESDAY, MARCH 31, 2021; OR  
 UNTIL SUPERSEDED OR THE  
 QUOTA HAS BEEN TAKEN, WHICHEVER  
 COMES FIRST.
- 3) FOR DISTRICT 2-2 (ADMIRALTY  
 INLET AREA):  
 OPEN 8:00 AM SATURDAY, AUGUST 1,  
 2020; CLOSE 5:00 PM  
 WEDNESDAY, MARCH 31, 2021; OR  
 UNTIL SUPERSEDED OR THE  
 QUOTA HAS BEEN TAKEN, WHICHEVER  
 COMES FIRST.
- 4) HOOD CANAL REGION WILL REMAIN  
 CLOSED FOR HARVEST DURING  
 THE 2020-2021 SEASON.

LEGAL GEAR:

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

The tribal regional harvest quotas, in pounds of split, drained sea  
 cucumbers,  
 are as follows:

San Juan Region 1 (20B, 22A)	129,658
Region 2 East (23B,25A,25B,25C,25D,25E)	20,054
Region 2 West (23A, 23C, 23D,29	63,300

EXPECTED EFFORT/HARVEST: UP TO 6 VESSELS.

ADDITIONAL RESTRICTIONS -

A. The following specific areas shall remain closed to fishing at all  
 times:

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.

Those waters of Haro Strait north of a line projected due 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.

Argyle Lagoon: Those University of Washington-owned tidelands and all bedlands enclosed by the inner spit of Argyle Lagoon on San Juan Island.

Those waters within one-quarter mile of Tatoosh Island at 0.0 tide height.

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 and east of a line projected true north from the shoreline at 123 degrees 52.7 minutes west longitude.

B. The following areas are closed to sea cucumber harvest at all times for health-related reasons:

The waters of Sinclair Inlet west of a line projected southerly from the easternmost point of Point Turner to landfall below the Veteran's Home in Annapolis.

C. All harvesting shall be conducted in accordance with individual tribal management ordinances/plans, rules, and safety standards governing sea cucumber and other dive fisheries.

D. All areas are currently closed to sea cucumber trawl fisheries. Trawl fisheries may resume in certain areas with the agreement of appropriate State and Tribal parties.

E. The subsistence fishery daily catch limit per fisher for all areas is 25 sea cucumbers per day. There are no size limits.

F. All commercial and take home catches shall also be reported on Treaty Indian Fish Receiving tickets as specified in Tribal Fisheries Ordinances. It should be noted on the ticket whether the harvest was reported as whole weight cucumbers or a presumptive split and drained weight.

G. These regulations are promulgated by the Lower Elwha Klallam Fisheries Manager under authority specified by the Lower Elwha Klallam Fishing Ordinance Third Edition.

JUSTIFICATION: HARVEST TREATY SHARE OF SEA CUCUMBER.

(LOWER ELWHA FISHERIES,  
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