

FILING ORGANIZATION: LOWER ELWHA KLALLAM TRIBE

The following regulation is promulgated by the Lower Elwha Klallam Tribe and shall govern the commercial geoduck clam fisheries conducted off-reservation and on subtidal public lands by the Lower Elwha Klallam Tribe . The term of this regulation is from April 1, 2024 through March 31, 2025, and is intended to regulate harvest by the member Tribes in the eastern Strait of Juan de Fuca 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 regional geoduck management plan for the eastern Strait of Juan de Fuca is completed before the end of this regulation term, this regulation will be superseded by a new regulation conforming to the provisions of the eastern Strait of Juan de Fuca regional geoduck harvest.

REGULATION NUMBER: S23-155

DATE ADOPTED: MARCH 19, 2024

REGULATION(S) #S23-008, SECTION 5,
MODIFIED:

CATCH AREAS: SHELLFISH CATCH REPORTING AREA 23D,
DUNGENESS WEST TRACT #00320
25A PROTECTION ISLAND 01000

FISHERY TYPE: COMMERCIAL
SPECIES: GEODUCK CLAM (PANOPE ABRUPTA)

ON/OFF RESERVATION: OFF

LEGAL GEAR: HIGH PRESSURE WATER JET, 5/8 INCH DIAMETER
NOZZLE

EFFECTIVE DATES: APRIL 1, 2024 THROUGH MARCH 31, 2025

DAYS/HOURS: OPEN TUESDAY THROUGH SATURDAY, FROM 8:00 A.M. TO
3:00 P.M.,

OTHER RESTRICTIONS: AS PER ANNUAL REG. #S23-008, ADDITIONALLY:
A. THE 2023 LOWER ELWHA GEODUCK MANAGEMENT PLAN IS ADOPTED INTO THIS REGULATION BY REFERENCE. ALL REQUIREMENTS AND STANDARDS IN THAT PLAN SHALL BE ENFORCED DURING THIS FISHERY.
B. THE BOUNDARIES OF THE GEODUCK TRACT ARE MARKED BY BUOYS OR DEFINED BY THE MONITOR.
C. 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.

E. 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.

D. ALL GEODUCK HARVESTED DURING THIS FISHERY MUST BE OFF LOADED AT THE PORT ANGELES BOAT HAVEN IN PORT ANGELES FOR DUNGENESS WEST TRACT.

AND JOHN WAYNE MARINA FOR PROTECTION ISLAND.

E. THE MINIMUM GEODUCK PRICE WILL BE AS PER TRIBAL RESOLUTION #08-99.

F. 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 CONDITONS ALLOW.

G. THE QUOTA FOR THIS FISHERY IS 85,726 LBS.

H. 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 FOR DUNGENESS TRACT. AND JOHN WAYNE MARINA FOR PROTECTION ISLAND.

I. ALL COMMERCIAL AND TAKE HOME HARVEST MUST BE REPORTED ON THE OFFICIAL TRIBAL WEIGHOUT FORM, AT THE DESIGNATED WEIGHOUT SITE.

J. THE MAXIMUM AMOUNT OF TAKE HOME HARVEST PER FISHER IS 25 POUNDS PER DAY.

K. THE FISHERY WILL BE MANAGED ACCORDING TO THE MINIMUM HARVEST COMPLIANCE STANDARDS ADOPTED BY THE LOWER ELWHA TRIBE. IN ADDITION, OSHA COMMERCIAL DIVING REGULATIONS (STANDARDS CFR 29, PART 1910, SUBPART T, PART 1917.1 AND PART 1925.605) WILL APPLY TO ALL LOWER ELWHA HARVEST VESSELS.

L. EACH VESSEL OWNER AUTHORIZED TO FISH BY THE 2023 LOWER ELWHA GEODUCK MANAGEMENT PLAN IS ASSIGNED AN INDIVIDUAL QUOTA THAT MAY NOT BE EXCEEDED. INDIVIDUAL QUOTA AMOUNTS ARE ON FILE IN THE LOWER ELWHA FISHERIES OFFICE.

JUSTIFICATIONS:

HARVEST AVAILABLE GEODUCK RESOURCE.

(LOWER ELWHA FISHERIES
760 STRATTON RD
PORT ANGELES, WA 98363)