

The following regulation is promulgated by the LOWER ELWHA KLALLAM TRIBE and shall govern the commercial oyster fisheries conducted off-reservation and on inter-tidal public lands within Region 8 by the Lower Elwha Klallam Tribe. The term of this regulation is from February 1 through December 31, 2024, and is intended to regulate the oyster harvest by these member Tribes in Region 8 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event the Region 8 Bivalve Management Plan is completed before the end of this regulation term, this regulation will be superseded by a new regulation conforming to the provisions of the Region 8 Bivalve Management Plan.

REGULATION NUMBER: #S24-158  
DATE ADOPTED: MARCH 28, 2024  
REGULATION MODIFIED REGULATION #S24-001, SECTION 5.  
REGULATION SUPERCEDED: NONE  
CATCH AREAS: SHELLFISH AREA 27A:  
DOSEWALLIPS SOUTH (270202), HOOD CANAL #3.

FISHERY TYPE: COMMERCIAL

SPECIES: OYSTERS  
ON/OFF RESERVATION: OFF

LEGAL GEAR: HAND HELD PRYING TOOLS

EFFECTIVE DATE(S): MARCH 30, 2024  
OPEN DAYS AND HOURS: DOSEWALLIPS SOUTH (270202), HOOD CANAL #3,  
MONITORED, OPEN FOR OYSTERS:  
SAT (3/30) 1:00 PM THROUGH 5:00 PM,  
TRIBAL QUOTA: 5,000 DOZEN.

OTHER RESTRICTIONS:

1. AS PER REGULATION #S24-001. ELWHA
2. 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. OUTSIDE THE VIBRIO "CONTROL MONTHS" OF MAY THROUGH SEPTEMBER IN THE HOOD CANAL

#3 GROWING AREA:

i) COMMERCIALY HARVESTED OYSTERS MUST BE SOLD WITHIN 24 HOURS AFTER FIRST EXPOSURE OF THE OYSTERS, OR

ii) OYSTERS MUST BE PLACED IN REFRIGERATED CONTAINERS AND KEPT AT 50 DEGREES OR LESS WITHIN 24 HOURS AFTER FIRST EXPOSURE OF THE OYSTERS, UNTIL SOLD.

6. 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

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

MARKER.

7. THE TRIBAL HARVEST LIMIT IS 5,000 DOZEN OYSTERS AT DOSEWALLIPS S. ONCE A LIMIT HAS

BEEN REACHED BY ALL TRIBAL HARVESTERS, AS DETERMINED BY THE BEACH MONITORS, THE

BEACH WILL BE CLOSED BY THE MONITORS.

8. 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.

9. 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.

10. 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.

11. 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.

12. HARVESTERS ARE NOT ALLOWED TO CROSS PRIVATE PROPERTY IN ORDER TO ACCESS

TIDELANDS FOR COMMERCIAL PURPOSES WITHOUT THE CONSENT OF THE PROPERTY OWNER(S).

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:

1. 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.

2. ELWHA BUYERS MUST RETURN COMPLETED FISH TICKETS INTO ELWHA'S FISHERIES OFFICE NO LATER THAN 6 DAYS FOLLOWING COMMERCIAL HARVEST.

JUSTIFICATION:

HARVEST AVAILABLE TRIBAL RESOURCE.

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