

FILING ORGANIZATION: LOWER ELWHA KLALLAM TRIBE

The following regulation is promulgated by the Lower Elwha Treaty Council and shall govern the commercial clam 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 January 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event the Region 8 Bivalve Management Plan is completed before the end of this regulation term, this regulation will be superseded by a new regulation conforming to the provisions of the Region 8 Bivalve Management Plan.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: #S24-045

DATE ADOPTED: JULY 30, 2024

REGULATION MODIFIED: REGULATION #S24-001, SECTION 5

REGULATION SUPERCEDED: NONE

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

FISHERY TYPE: COMMERCIAL

SPECIES: NATIVE LITTLENECK AND MANILA CLAMS

ON/OFF RESERVATION: OFF

LEGAL GEAR: HAND HELD RAKE, FORK OR SHOVEL

EFFECTIVE DATES: AUGUST 17, 2024

DAYS AND HOURS: ANDERSON LANDING (270412), HOOD CANAL #2,

MONITORED, OPEN FOR CLAMS:

SAT(8/17) 7:45 AM THROUGH 11:45 AM,

TRIBAL QUOTA: 7,000 POUNDS.

OTHER RESTRICTIONS:

1. AS PER REGULATION #S24-001. THIS OPENING IS FOR THE PORT LOWER ELWHA TRIBES ONLY.
2. ELWHA 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 CLAMS 1.5 INCHES IN LENGTH OR GREATER.
4. COMMERCIALY HARVESTED CLAMS MUST BE SOLD WITHIN 12 HOURS OF THE CLOSING TIME OF THE FISHERY, OR PLACED IN REFRIGERATED CONTAINERS.
5. 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:

- i) TRIBE
- ii) TRIBE CERTIFICATION NUMBER
 - a. ELWHA - WA587HA
- iii) HARVESTER NAME AND/OR ID NUMBER
- iv) HARVEST DATE
- v) DOH GROWING AREA DESIGNATION
- vi) BEACH NUMBER (BIDN)
- vii) SHALLFISH TYPE
- viii) QUANTITY HARVESTED
- ix) TAG SEQUENCE NUMBER REQUIRED INFORMATION ON THE LABELS SHALL BE ENTERED LEGIBLY USING AN INDELIBLE MARKER.

6. THIS HARVEST OPENING WILL OCCUR WITH AN ON THE BEACH MONITOR ACCOUNTING FOR CATCH AT THE END OF THE FISHERY. THE TRIBAL HARVEST LIMIT FOR THIS OPENING IS 7,000 POUNDS AT ANDERSON LANDING. ONCE A LIMIT HAS BEEN REACHED ON THE BEACH BY ALL TRIBAL HARVESTERS, AS DETERMINED BY THE BEACH MONITOR, THE BEACH WILL BE CLOSED BY THE MONITOR.

7. ALL DIGGERS MUST CHECK IN WITH THE MONITOR PRIOR TO ENGAGING IN ANY HARVEST ACTIVITY.

8. ALL DIGGERS MUST REPORT THEIR HARVEST AND INTENDED BUYER TO THE MONITOR PRIOR TO LEAVING THE BEACH. FAILURE TO COMPLY WITH THIS PROVISION WILL BE A VIOLATION OF THIS REGULATION.

9. ALL HARVESTING WILL CEASE WHEN THE OPENING EXPIRES OR WHEN THE MONITOR CLOSES THE FISHERY, WHICHEVER COMES FIRST. HARVESTING ACTIVITY INCLUDES ALL DIGGING, COLLECTING AND SACKING OF CLAMS.

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 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:

ALL COMMERCIAL HARVEST MUST BE REPORTED ON TREATY INDIAN FISH RECEIVING TICKETS. THE GROWING AREA AND BIDN MUST BE RECORDED ON THE FISH TICKET AT THE POINT OF SALE.

JUSTIFICATION:

HARVEST AVAILABLE CLAM RESOURCE.
LOWER ELWHA KLALLAM TRIBE
760 STRATTON RD.
PORT ANGELES WA. 98363