



Point No Point Treaty Council

Port Gamble S'Klallam • Jamestown S'Klallam

**2011-12
Point No Point Treaty Council
In-Common Commercial Red Rock Crab Regulations
#S11-169**

January 4, 2012

The following regulation is promulgated by the Point No Point Treaty Council and shall govern the conduct of off-reservation commercial Red Rock crab fisheries by the Port Gamble S'Klallam and the Jamestown S'Klallam Tribes. The term of this regulation is from January 6, 2012 through May 31, 2012. All areas not specifically opened by these regulations shall remain closed to the commercial harvest of Red Rock crab. Only gear and methods specifically authorized by these regulations may be legally used.

1. SPECIES

Red Rock crab (*Cancer productus*)

2. FISHING AREAS

For the Jamestown S'Klallam and Port Gamble S'Klallam Tribes: Marine Fish-Shellfish Management and Catch Reporting Areas: 20B, 22A, 23A, 23B, 23C 23D 25A, 25B, 25D, 25E, 26A West (S'Klallam U&A Areas in that portion of 26A south and west of the southern tip of Possession Point on Whidbey Island)

3. OPEN AREAS AND TIMES

All fishing areas are open 6:00 AM January 6, 2012 through 12:00 midnight May 31, 2012.

4. FISHING AREA RESTRICTIONS

The following specific regional sub-areas shall remain closed to fishing during the times indicated:

Region 1

- a) The following specific areas of the San Juan Islands Marine Preserve within Region 1 shall remain closed to all crab fishing at all times:
 - i. False Bay - all tidelands and bedlands (subtidal areas) of the bay, including all University of Washington-owned tidelands beginning at a marker 400' east of the east entrance of False Bay and extending to the entrance of False Bay, all

University of Washington-owned tidelands and bedlands within a line beginning at the University of Washington marker on the shore at the east entrance of False Bay, projected 500 yards offshore, then northwesterly to a point 500 yards offshore along a line projected from a University of Washington marker on the shore at the west side of a small peninsula at the west entrance of False Bay, then to shore along the line to the marker, and all University of Washington-owned tidelands west of the marker to a University of Washington marker 600' west of the small peninsula.

- ii. Friday Harbor – Those tidelands and bedlands adjacent to San Juan Island within a line beginning on the shore 500 yards north of Point Caution, then 500 yards offshore, then south and east following the shoreline to the intersection with a line projected from a University of Washington marker located 100' north of the north entrance of the floating breakwater of the Port of Friday harbor and projected towards Reid Island, then along the line to shore on San Juan Island.
- iii. Argyle Lagoon – Those University of Washington-owned tidelands and all bedlands enclosed by the inner spit of Argyle Lagoon on San Juan Island.
- iv. Yellow and Low Islands – All tidelands and bedlands within 300 yards of Yellow Island and 300 yards of Low Island.
- v. Shaw Island – Those tidelands and bedlands within a line beginning at a University of Washington marker on the shore at Hicks Bay, 122,58',15" west longitude, then due south 500 yards, then north and west at a distance of 500 yards from shore to the intersection with a line projected 261° true from a University of Washington marker on the shore of Parks Bay, which line passes just south of the unnamed island at the north end of Parks Bay, then along the line to the shore of Shaw Island, including all tidelands and bedlands of Parks Bay south of the line.

Region 3

That part of Discovery Bay south of a line from Contractors Point to Tukey Point will remain closed to commercial fishing.

5. GEAR USE LIMITATIONS

- a) Legal commercial gear shall include crab pots, ring nets, dip nets and other hand operated instruments that do not penetrate the shell.
- b) The maximum allowable number of crab pots and ring nets combined will be 50 pots/ring nets per fisher per vessel in each management region.
- c) Longline fishing will be allowed in Region 1, Region 2 West, and Region 3. The use of longlines will be restricted as follows:
 - i. A maximum of 5 pots per longline will be allowed.
 - ii. Each longline must have at least one buoy attached that complies with the buoy restrictions described below, provided that additional buoy restrictions may be identified in separate regional emergency regulations.
- d) Buoy Use Requirements:
 - i. All unattended pots and ring nets shall have buoys attached. Buoys attached to gear can be any color or color combination, except half red and half white. If any portion of the buoy is red, none of the remaining portion of the buoy may be white. If any portion of the buoy is white, none of the remaining portion of the buoy may be red.
 - ii. All buoys shall be constructed of durable material, excluding plastic, metal bottles and other containers. At least one buoy measuring 5 inches in diameter by 11 inches in length or larger must be attached to each crab pot or ring net line. The buoy line shall be weighted to keep the buoy line from floating.
 - iii. All buoys shall be conspicuously marked with the Tribal Identification Card number of the fisher operating the gear and with the initials of the fisher's tribe (PG for Port Gamble or J for Jamestown). Buoys shall be marked in such a way that the fisher identification and tribal affiliation can be identified without

removing the gear from the water. In addition to the above identification requirements, buoys attached to longlines will also be marked with a double "LL" symbol.

- e) A crab pot shall only be fished at locations where the pot is completely covered by water during all stages and conditions of tides.
- f) Holding Container Requirements:
 - i) Holding containers can only be used for commercial catch. Subsistence catch cannot be held in a holding container of any kind.
 - ii) All holding containers shall be conspicuously marked with the Tribal Identification Card number of the fisher operating the gear and with the initials of the fisher's tribe (PG for Port Gamble or J for Jamestown). Holding containers shall be marked in such a way that the fisher identification and tribal affiliation can be identified without removing the container from the water.
 - iii) Holding containers shall only be held at locations where the container is completely covered by water during all stages and conditions of tides.

6. GEAR DEFINITIONS

Commercial crab pot is a top-loading volcano or pyramidal style trap covered with a minimum 2 inch (50mm) synthetic mesh and having a base diameter no greater than 4.5 feet. Each pot shall contain a section of webbing no less than 12 inches which is laced or sewn closed with untreated cotton twine or other natural fiber not larger than thread size 120 (in the event the pot is lost while fishing), No other style crab pot will be legal for this fishery.

Commercial Holding Container is an enclosed container placed in the water, which is used to keep previously caught crab. Provision for escapement from the container (in the event the container is lost) shall be by one of the following methods:

- a) By attaching container lid hooks or tie down straps with a single strand or loop of untreated cotton or other natural fiber no larger than thread size 120; or
- b) By providing an opening in the container no less than 3 by 5 inches which is laced or sewn closed with untreated cotton twine or other natural fiber not

larger than thread size 120 (the opening must be located in the top half of the container and must not be blocked by any structures or materials); or

- c) By attaching the container lid with not more than three single loops of untreated cotton twine or other natural fiber no larger than thread size 120. The container lid must open freely if the twine or fiber is broken.

7. HARVEST LIMITATIONS

- a) Only male Red Rock crabs that are a minimum size of five inches can be harvested. Crab size will be the caliper measurement across the back of the crab immediately in front of the anterior lateral spines (tips).
- b) It is unlawful for fishers to retain and possess any female, undersized and soft-shelled Red Rock crabs. All female, undersized and soft-shelled crabs must be returned to the water unharmed.
- c) Tanner crab (*Chionoecetes sp.*) that may be caught in the crab pots as by-catch may be retained, with the following limitations:
 - i) Only male crab with a minimum carapace width of 4.5 inches (113 mm) may be retained;
 - ii) Any Tanner crab retained must be made available to technical staff of the Jamestown or Port Gamble S'Klallam Tribe for data collection purposes;
 - iii) No more than 10% of the total poundage of crab caught in any 24 hour period may be Tanner crab.

8. COMMERCIAL CATCH REPORTING

All commercial catches shall be reported on Treaty Indian Fish Receiving Tickets as specified in Tribal Fisheries Ordinances. This includes any catches retained for commercial take home or for personal sales.

9. BAIT RESTRICTIONS

The use of any clam species for bait in any in-common fishing area will be restricted according to the following provisions:

- a) The use of any clam species dug from beaches opened for subsistence harvest will be prohibited.

- b) Geoduck clams may be used for bait, provided that: 1) the clams are left in chunks such that the species is easily identifiable by enforcement personnel; and 2) this use of geoducks for bait has been approved by the individual tribe. Additional restrictions regarding the amount of geoducks that can be used for bait by an individual fisherman will be posted at the respective tribal fishery offices.
- c) Butter clams that are purchased may be used for bait, provided that: 1) the use of such clams for bait has been approved by the individual tribe; 2) the tribe has developed a list of all fishermen who will use purchased butter clams for bait, and that such lists will be updated weekly; 3) the weekly lists will be furnished to fisheries enforcement personnel; 4) the butter clams in bait cans are left in chunks large enough to be identifiable by enforcement personnel. Only those fishermen whose name appears on the weekly individual tribal lists will be approved to use butter clams as bait in the in-common crab fishery. Butter clams can only be purchased from a commercial seller of clams who possesses both a Washington State commercial seafood seller's license and a shellstock shipper or shucker/packer certification from the Department of Health. In addition, all commercial sellers must be approved by the respective tribe.

10. EMERGENCY REGULATIONS

The above regulations may be amended at any time by emergency regulations. Prior to harvest, each fisher shall check with the tribal fishery office for emergency regulation changes.

11. AUTHORITY

The above in-common regulations are promulgated by the Point No Point Treaty Council under the authority delegated by the member tribes.



Randy Hatch, Sr. Treaty Area Shellfish Biologist
Point No Point Treaty Council

I CERTIFY THAT COPIES OF THIS DOCUMENT WERE
MAILED PREPAID ON 1-4-12 TO ALL PERSONS
REQUIRED BY FEDERAL DISTRICT COURT'S
ORDER OF MARCH 1, 1978

SIGNED: Sharon Beldt
TITLE: ITS manager