



Point No Point Treaty Council

Port Gamble S'Klallam • Jamestown S'Klallam

October 1, 2009

**POINT NO POINT TREATY COUNCIL
IN-COMMON
WINTER STEELHEAD REGULATIONS
#F09-037**

The following regulations are promulgated by the Point No Point Treaty Council under authority delegated by its member Tribes, and shall apply to commercial and subsistence fisheries for steelhead salmon in the off-reservation areas outlined below:

SECTION 1. GENERAL PROVISIONS

TOPIC 1. MANAGEMENT AREAS

These regulations shall apply to the following off-reservation areas by Tribe:

A. Marine Areas

Areas 4B, 5, 6, 6A, 6B, 6C, 6D (only Jamestown S'Klallam inshore of the exclusive harvest demarcation line), 7, 9, 12, 12A, 12B.

B. Freshwater Areas

Hoko R., Clallam R., Pysht R., Deep Crk, E. & W. Twin R., Salt Crk., Lyre R., Elwha R., Morse Crk., Dungeness R., Big Quilcene R., Dosewallips R., Duckabush R., and Hamma Hamma R.

TOPIC 2. LAWFUL GEAR

Whenever any fishery openings are promulgated, the following shall be considered lawful gear.

A. Marine Areas

- a) Drift gillnets (min. mesh 5"; length as specified in Tribal Ordinances).
- b) Set gillnets (min. mesh 5"; Length in Area 6D 100 fms.; elsewhere, 150 fms.).
- c) Hook and line gear as specified in Tribal Ordinances.

B. Rivers

- a) Set gillnets (min. mesh 5"; max length 20 fms.).

Lawful gear shall be hook and line gear only. Net gear may be used, for take home purposes, only during commercial gillnet openings or by specially adopted inseason regulation.

SECTION IV. RESTRICTIONS

A. Manner of Fishing

- a) When marine fisheries are authorized, no marine nets may be operated closer than 1,000 feet from any stream or river mouth.
- b) When marine fisheries are authorized, no marine nets may be operated closer than 1,000 yards from the mouth of the Pysht River, or the Elwha River, when these rivers are closed to net fishing (the river is defined as the point where the river enters saltwater at high tide). The above river mouth areas may be opened only by emergency regulations as necessary during river openings. During such openings, only river fishing gear shall be authorized.
- c) Minimum distance between river sets (crosslines, if used) shall be 200' feet.
- d) Maximum set net pocket depth shall be 5 fathoms.
- e) Only one net may be fished by each fisher in any one river.
- f) All nets must be checked and all catches removed at least once per day.

B. Possession Limits

- a) During commercial hook and line fisheries in freshwater areas, no more than four steelhead may be caught or sold by any fisher on any given day when the river or stream is closed to commercial net fishing.
- b) No more than two steelhead per day may be kept, for subsistence purposes, by any fisher from a river or stream which is closed to all commercial fishing.

C. Area Specific Restrictions

- a) Fishers wishing to access the Morse Creek fishery from the 4-Seasons property, and fishers wishing to access the Pysht River fishery from the M+R Tree Farm, must sign an access agreement, available at the Jamestown S'Klallam or the Port Gamble S'Klallam Fisheries offices, prior to fishing.

Fishers wishing to park vehicles near the Morse Creek fishery, must also obtain a parking permit, available at the Jamestown S'Klallam or the Port Gamble S'Klallam Fisheries offices.

Gillnets must be tended by fishers in 6D.

- b) Hook and line gear as specified in Tribal Ordinances.

TOPIC 3. MANAGEMENT PERIODS

A. Marine Areas

Area 6D: November 29, 2009 through March 31, 2010

Other marine areas shall remain closed to fishing for steelhead, therefore no specific management periods are necessary. Marine area openings, near river mouths, shall be governed by the freshwater management period of the adjacent river.

B. Freshwater Areas

- a) Strait of Juan de Fuca Rivers and streams mentioned in Topic 1.B (except Dungeness R.): December 6, 2009 through April 15, 2010.
- b) Dungeness River: December 13, 2009 through April 15, 2010.
- c) Hood Canal Rivers: December 6, 2009 through April 15, 2010.

SECTION II. COMMERCIAL FISHERY OPENINGS

TOPIC 1. ALL MARINE AREAS

Area 6D, West of a line drawn from Dungeness Light, to the 3 Crabs restaurant, shall be open, in the period from December 6, 2009, through February 28, 2010, according to the following schedule:

8:00 AM Monday to 4:00 PM Friday of each week.

Gillnets must be tended by fishers in 6D.

Fishery inseason adjustments may be made, based on inseason effort and catch assessment.

TOPIC 2. FRESHWATER AREAS

Hook and line: November 30, 2009 through February 28, 2010, in the following rivers: Hoko R., Clallam R., Pysht R., Lyre R., Morse Crk. and Dungeness R. This list of rivers may be modified inseason, by emergency regulations, as necessary.

Net fishery openings shall be announced by emergency regulations based on in-season management considerations concerning the status of the stocks. Openings may occur prior to the start of the management period in some areas, however, during any overlap, chum salmon management needs will be given priority. All other salmon taken in hook and line fisheries must be released unharmed, unless separate regulations permit their harvest.

SECTION III. SUBSISTENCE FISHERY OPENINGS

Subsistence fisheries are authorized in all rivers listed in Section I. Fisheries for subsistence purposes shall be permitted from 11/30/2009 through 3/15/2010.

- b) Fishers who participate in the commercial fishery, must have and use logbooks, issued by their Tribal Fisheries office, to record daily catches.
- c) The Lyre River, from 250' downstream, to 250' upstream of the Susie Creek confluence, shall be closed to all fishing through 12/31/2009 and all chum salmon caught in the Lyre River must be returned to the water unharmed.

SECTION V. EXPECTED EFFORT AND HARVEST

- A. Estimates of expected effort and expected subsistence harvests are being submitted separately by each of the member tribes.
- C. The Point No Point Treaty Council member Tribes intend to fully harvest their lawful share of steelhead salmon

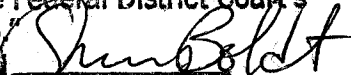


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Point No Point Treaty Council

I certify that copies of this document were mailed prepaid on 10-1-09 to all persons required by the Federal District Court's Order of March 1, 1976

Signed

Title



Steve Boldt
F/S Manager