



# ELWHA FISHERIES OFFICE

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## LOWER ELWHA KLALLAM TRIBE Steelhead Regulation F20-039

The following regulations are promulgated by the Lower Elwha Klallam Tribe and cover commercial and subsistence fishing for steelhead salmon in the on and off-reservation areas as outlined below:

### SECTION I. GENERAL PROVISIONS

#### TOPIC 1. MANAGEMENT AREAS

These regulations shall apply to the following on and off-reservation areas by Lower Elwha tribal fishers:

##### **A. Marine Areas**

Areas 4B, 5, 6, 6A, 6B, 6C, 6D (outside of the Jamestown S'Klallam exclusive harvest zone), 7, 9, 12, 12A & 12B.

##### **B. Freshwater Areas**

Elwha R., Hoko R., Clallam R., Pysht R., Deep Crk, E. & W. Twin R., Salt Crk., Lyre R., Morse Crk., Dungeness R., Dosewallips., Duckabush R., Big Beef Creek, Big Quilcene 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 inches); length as specified in the Lower Elwha Klallam Fishing Ordinance 3<sup>rd</sup> Edition.

- b) Set gillnets (min. mesh 5 inches; length in Area 6D 100 fms.; elsewhere, 150 fms.).
- c) Hook and line gear as specified in the Lower Elwha Klallam Fishing Ordinance 3<sup>rd</sup> Edition.

**B. Rivers**

- a) Set gillnets (min. mesh 5 inches; max. length 20 fms). The Elwha River (min. mesh 5 inches; max. length 25 fms).
- b) Hook and line gear as specified in the Lower Elwha Klallam Fishing Ordinance 3<sup>rd</sup> Edition.

TOPIC 3. MANAGEMENT PERIODS

**A. Marine Areas**

- a) Area 6D: November 29, 2020 through March 30, 2021.

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
  - a. Topic 1.B (except Dungeness R. and Elwha River):
  - b. November 29, 2020 through April 15, 2021.
- b) Dungeness River: December 6, 2020 through April 15, 2021.
- c) Elwha River shall remain closed to fishing for steelhead.
- d) Hood Canal Rivers: November 29, 2020 through April 15, 2021.

**SECTION II. COMMERCIAL FISHERY OPENINGS**

TOPIC 1. ALL MARINE AREAS

Area 6D: West of a line drawn from Dungeness Light to the former site of the 3 Crabs Restaurant (junction of Sequim-Dungeness Way and 3-Crabs Rd.).

Hook and line gear open from November 29, 2020 through February 28, 2021. Gillnets shall be opened by in-season emergency regulation(s). Gillnets must be tended by fishers in area 6D.

Fishery in-season adjustments may be made based on in-season effort and catch assessment.

## TOPIC 2. ALL FRESHWATER AREAS

Hook and line gear: Hoko River, Clallam River, Pysht River, Lyre River, and Morse Creek open from November 29, 2020 through February 28, 2021; and Dungeness River open from December 6, 2020 through February 28, 2021.

Net fishery openings shall be announced by emergency regulations based on in-season management considerations concerning the status of the stocks.

Fishery openings for these rivers may be modified by emergency regulations as necessary. All other salmon taken in hook and line fisheries must be released unharmed, unless separate regulations permit their harvest. 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.

Elwha R. will remain closed to harvest.

### **SECTION III. SUBSISTENCE FISHERY OPENINGS**

Subsistence fisheries are authorized in all rivers listed in Section I, except for the Elwha River. Fisheries for subsistence purposes shall be permitted from 11/29/2020 through 03/15/2021, or until the treaty share is taken, whichever occurs first.

Lawful gear shall be hand gear only. Net gear may be used for take home purposes only during commercial openings or by specially adopted regulations.

### **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; no marine nets may be operated closer than 1,500 feet from the mouth of the Dungeness River.
- b) When marine fisheries are authorized, no marine nets may be operated closer than 1,000 yards from the mouth of both the Pysht River and 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, i.e. High tide mark on the adjacent beach shorelines). 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, maximum set net pocket depth shall be 5 fathoms.
- d) In the Elwha River, when open for net fishing, no set net may be closer than 150 feet to any other set net. Set net leads may be no longer than 18 feet.
- e) A maximum of two nets 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) No more than six steelhead per day may be kept for subsistence purposes by any fisher from a river or stream which is closed to commercial fishing.

**C. Area Specific Restrictions**

- a) Fisheries 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 at the Lower Elwha Klallam Fisheries Office prior to fishing. Fishers wishing to park vehicles near the Morse Creek fishery must also obtain a parking permit at the Lower Elwha Klallam Fisheries Office. Fishers wanting to access the Dungeness Bay fishery from the San Juan Farms property on Cline Spit must check with the Lower Elwha Fisheries Office regarding any access agreement requirements, prior to fishing. Any violation of the above shall be a citable offense.
- b) The Lyre River, from 250 feet downstream to 250 feet upstream of the Susie Creek confluence shall be closed to all fishing through 12/31/2020 and all chum salmon caught in the Lyre River must be returned to the water unharmed.

**SECTION V. EXPECTED EFFORT AND HARVEST**

- A. The Lower Elwha Klallam Tribe expects and intends to take its full legal share of the harvestable steelhead.
- B. The expected subsistence harvest will be submitted separately. Ceremonial harvest shall be authorized by emergency regulation and shall be reported as it occurs in season.
- C. The expected effort is as follows: (including on reservation):

- 3 to 5 gillnets
  - 5 to 10 hook-and-line/subsistence

**VI. AUTHORITY**

This regulation is promulgated by the Lower Elwha Klallam Fisheries Manager under the authority of the Lower Elwha Klallam Fisheries Ordinance, Third Edition.



Lyle Almond  
Finfish Manager  
Lower Elwha Klallam Tribe