2011 ANNUAL COMMERCIAL NET FISHING REGULATIONS
OF
THE SQUAXIN ISLAND TRIBE

WITH
2011 FALL CHINOOK NET FISHING REGULATIONS

ANNUAL REGULATION NO. 11-01

PREFACE

The regulation governing the treaty fishing activities of the Squaxin Island Tribe, herein referred to as the Tribe, in all usual accustomed fishing grounds and stations, is issued pursuant to the Fishing Ordinance of the Squaxin Island Tribe.

All usual and accustomed fishing grounds are hereby closed unless specifically opened by Tribal regulations. No member of the Squaxin Island Tribe may lawfully fish in any usual and accustomed waters unless those areas are opened by Tribal regulations.

This regulation supersedes all previous anadromous regulations issued by the Tribe and is promulgated solely for regulation of the **2011 Annual Commercial Net Fishery** with specifics on the **2011 Fall Chinook Net Fishery.**

A supplement of these Annual Regulations will be issued at a later date for regulation of the **2011 Coho and Chum Salmon Commercial Net Fishery (AR-11-02)**

SECTION I: Emergency Regulations

The Tribe reserves the right to modify the Annual Regulations by issuance of Emergency Regulations, whenever biological evidence supports the need for such modifications.

Emergency Regulations become effective 24 hours after filing with the U.S. District Court approved Western Union TWX System and acknowledged receipt by Washington Department of Fisheries.

The **OFFICAL EMERGENCY REGULATIONS** will be posted at the Squaxin Island Department of Natural Resources. These posted official Emergency Regulations will contain all modifications from the Annual Regulations that will occur in the described fishery opening. Any detail (such as a specific open or closed area) not reported in the official Emergency Regulations will fall under the jurisdiction described and be within the Annual Regulations.

A **SUMMARY** of Emergency Regulations will be provided on a twenty-four (24) hour "Hotline" by calling **360-432-3899** and available on the Squaxin Island Tribe website at: **www.squaxinisland.org .** This summary of Emergency Regulations provided on the "Hotline" or the website is designed as a convenience to the fishers and will therefore not always contain the entire text of the official Emergency Regulation. **AT NO TIME** will the "Hotline" or "Website" summary of Emergency Regulations supersede the official posted Emergency Regulations or the Annual Regulations. It is the fishers' responsibility to be informed of the official Emergency Regulations content, which are posted at the Squaxin Island Department of Natural Resources. Tribal Fisheries Manager assumes no responsibility for infractions incurred by fishers relying solely upon the "Hotline" or "Website" summary of Emergency Regulations for fishing during the season.

SECTION II: U.S. vs. Washington, Tribal Responsibilities

Section II: provides the information necessary to meet the Tribal requirements of U.S. vs. Washington as outlined in Paragraph 17 of the Injunction and Paragraph 7 of the Interim Plan and Stay Order.

A. Ceremonial/Subsistence Fishery

1. Ceremonial/Subsistence fisheries are permitted upon any species of anadromous fish at any time during the **OPEN** commercial season for said species. When fishing for such a purpose, Tribal fishers must report the catch area and the number of fish taken for Ceremonial/Subsistence purposes. If fish are sold on a Treaty Indian Fish Receiving Ticket and a portion of the catch is retained for Ceremonial/Subsistence purposes, **the retained catch must also be logged on the fish ticket**. If all the catch is retained for Ceremonial/Subsistence purposes, the catch must be called in on the next working day. This information shall be forwarded to data-monitoring agencies upon their request. Members who do not have valid licenses may fish for Ceremonial/Subsistence purposes after receiving written authorization from the Tribal Council.

2. Ceremonial/Subsistence fisheries occurring outside the normal fishing season or during closed periods can be authorized through the written approval of the Tribal Council.

B. **Test Fisheries**

1. As per U.S. vs. Washington "Order on Certain Questions Regarding Fisheries Management" "Any fish taken in test fisheries are not to be sold for personal profit." However, the Tribe reserves the right to pay the fishers according to a schedule established by Tribal Resolution for their efforts while conducting the test fishers. Further, the fishers shall:
    a. Sell the fish and return all proceeds to the Tribe.
    b. Indicate clearly on the fish ticket that it was a test fishery.
2. Test fisheries will be programmed in advance of the season, however, the Tribe reserves the right to conduct test fisheries not previously programmed when deemed necessary. The following procedure for all test fisheries will be adhered to:
    a. Eight (8) hours prior to conducting test fisheries, the Washington Department of Fisheries and/or the Washington Department of Wildlife shall be notified of:
        1. Intent - Purpose with regard to "Order on Certain Questions."
        2. Names of participants.
        3. Number of boats and gear.
        4. Area fished.
        5. Results upon completion.
3. A contract to perform test fisheries is non-assignable.

SECTION III: Responsibilities of Tribal Fishers

Before any enrolled member of the Squaxin Island Tribe shall be authorized to participate in a treaty fishery, the requirements stated herein must be met. Any fishers failing to meet the requirements and responsibilities outlined in this section shall be considered in violation of the regulation and subject to citation pursuant to the Squaxin Island Fishing Ordinance.

A. **Licensing Fee**

Prior to participating in any fishery, Tribal members desiring to fish must pay the annual licensing fee of $100.00 to the Squaxin Island Tribe. A license shall not be issued to any person who owes any loans, taxes over thirty (30) days due, fees or fines to the Squaxin Island Tribe or Tribal Court. You must be 16 years of age to become a Tribal fisher. **TRIBAL SENIORS (AS DEFINED BY THE TRIBAL COUNCIL) ARE EXEMPT FROM THIS LICENSE FEE. Replacement cards will be issued upon the payment of an additional license fee of $20.00 for member cards and $20.00 for spouse cards. This card is non-transferable.**

B. **Squaxin Island Tribe Hunting and Fishing Identification**

Prior to participating in any fishery, Tribal fishers must obtain a Squaxin Island Tribe fishing identification card and yearly validation sticker. This card must be carried by a fisher any time he is fishing under Squaxin Island regulations and presented upon request to any authorized enforcement officer. This card must be presented to buyers, so that all information on the card can be imprinted on the fish tickets. Only the Tribal member whose picture appears on the card is authorized to sell fish with that card.

ANY MEMBER LOSING THEIR CARD will be responsible for its use until the loss is reported. The report must be made in person, or by phone, or in writing to the Fish and Wildlife Manager, Administrative Assistant, or Law Enforcement **IMMEDIATELY.** No fishing is permitted with out having their fishing license card on person.

Spouse Identification Card

A Squaxin Island Tribal spouse identification card, for a fee of $50.00, will be issued to the spouse of a Tribal member who has been legally married for a minimum of one (1) full year and permanently reside in the household of the Tribal member. Senior spouses of seniors are exempt from this fee. This card will allow the spouse of a Tribal member to accompany the Tribal member while exercising his or her treaty fishing rights.

Prior to issuance of a spouse card, all non-Tribal spouses must agree in writing to abide by Tribal regulations and submit to Tribal jurisdiction. In the event that a non-Tribal spouse is cited and found guilty or fails to appear in Tribal Court, that individual will immediately lose all spouse privileges. Further, Tribal members will be held responsible for the activities or actions of their spouse.

Any spouse losing their card will be responsible for its use until the loss is reported. The reports must be made in person, by phone, or in writing to the Fish and Wildlife Manager, Administrative Assistant, or Law Enforcement **IMMEDIATELY.**

C. **Fish Tax**

Tribal Council has determined that the four percent (4%) landing tax will no longer be imposed upon all fish sold. **A fishing license will not be issued until all back taxes are paid.**

D. **Fish Tickets**

All commercially caught salmon species must be recorded on a fish ticket. This includes all Chinook, Coho and Chum that are stripped of roe for roe sales.

It is the responsibility of each fisher to insure that every FISH TICKET is filled out and that the buyer completely and accurately fills out their fish tickets. The proper catch area, gear type, number of nets, number of fish, and signature shall be recorded in the proper spaces.

All fishers are required to use the embossed Tribal Fishing Identification Card and sign the Tribal copy of the treaty fish ticket for all sales of fish.

All Take Home fish must also be recorded on a fish ticket and/or reported to the Squaxin Island Natural Resources Department. Any salmon not sold to a commercial buyer or sold to the public and used for personal use or consumption is regarded as Take Home. **All over the bank sales of salmon must be recorded on fish tickets.** Egged salmon may be recorded as take home fish if not already documented on a salmon roe fish ticket.

E. **Site Reservations**

Site reservations will be honored providing that the site has **NOT BEEN VACATED** FOR A PERIOD IN EXCESS OF TWO (2) FISHING DAYS (including only opened fishing days). Any person fishing in a site fished by another within the previous two fishing days must vacate the site to the individual having a valid site claim. **SITE RESERVATION GUIDELINES DO NOT APPLY TO BEACH SEINES FISHERIES.**

F. **Legal Gear**

1. **Set gillnets-** A net of single –web construction bound at the top by a cork line and at the bottom by a weight line (lead line), which is weighted or anchored into a "set" position. One end of the net must be attached /anchored to the shoreline and the channel side anchored or both sides of the net must be anchored. Set gillnet gear does not drift freely.

2. **Drift gillnets-** A net of single-web construction bound at the top by a cork line and at the bottom by a weight line (lead line), of which is not anchored into a "set" position, but drifts freely with the current.

3. **Beach seine nets-** A net rectangular in shape, consisting of a lead line, cork line and heavy mesh net webbing, of which one end is anchored/tied to the shore; using a boat, the opposite end is deployed in a semicircle away from the anchored/tied end; which then the boat end is landed up/down current back to shore. The beach seine then must be hand pulled to shore. This fishing gear can be an effective selective fishing technique, as long as the net is not pulled out of the water, non- target species can be released unharmed, including natural origin coho.

    a. With the exception of deploying the beach seine by boat, no mechanical/motorized devices may be used to pull the net to shore. Beach Seines must be hand pulled to shore.

Length and mesh restrictions for gillnets and beach seines are outlined in SECTION VI.

G. **Illegal Gear-The following fishing gear is prohibited:**

1. **Purse seines-** a net that encircles fish, defined as a large wall of netting, bound at the top by a cork line and the bottom by a rope that passes through a number of attached rings and when this rope is pulled, it draws the rings close to one another of which the bottom of the netting closes (like a drawstring purse), trapping the fish inside.

2. **Trammel gillnets**- A net made of three walls of web material with the middle wall of finer mesh.

3. **Sinker nets -** defined as any subsurface net.

4. **Camouflaged nets -** Any net set in a manner or colored in such a way to avoid detection by other persons particularly Enforcement officials.

H. **Gear Marking - Lighting Requirements**

1. **Net Marking -** All gear must be marked with a floating buoy, approximately twenty (20) inches in diameter. Said buoy must have clearly marked owner's name, Tribe, and Tribal ID number.

2. **Net Lighting -** All nets shall be marked with one light at each end of the net; provided, however, that when one end is anchored to shore, a light shall be required on the channel-ward side only. All lights must be clearly visible from any marine angle of approach.

I. **Respect Personal Property**

Fishers are to respect personal property encountered while exercising treaty fishing rights. Any Tribal member failing to respect said property while exercising treaty fishing rights will be subject to citation by Tribal Law Enforcement officers.

J. **No Littering**

The disposing of litter into the water or onto a beach while fishing is illegal. This act will result in a citation by Law Enforcement.

K. **California Sea Lion and Harbor Seal Interactions**

1. **Purpose and Intent:** Consistent with Congress's determination that nothing in the 1994 amendments to the Marine Mammal Protection Act "alters or is intended to alter any treaty between the United States and one or more Indian tribes," Pub. L. No. 103-238, § 14, 108 Stat. 532, 558 (1994), and the Squaxin Island Tribe's reserved rights under the Treaty of Medicine Creek, the Squaxin Island Tribe hereby adopts the following provisions addressing incidental take of California sea lions and harbor seals by its members exercising treaty-reserved fishing rights.

2. **Definitions:**

   a. **"Marine Mammal**" means California sea lions and harbor seals.

   b. **"Take"** means to harass, hunt, capture, collect, or kill, or attempt to harass, hunt, capture, collect, or kill any marine mammal.

   c. **"Incidental take"** means the taking of a marine mammal:

      i. By means of deterrent actions because the marine mammal is directly interfering with treaty fishing operations,

      ii. or as an indirect consequence of the steps used to secure the fish in connection with treaty fishing operations.

3. **Prohibitions:**

   It is prohibited to harass, kill, harvest or take any marine mammal except as otherwise provided by this ordinance or Squaxin Island Tribal regulation.

4. **Permissible Incidental Take of Marine Mammals Interfering with Treaty- Reserved Fishing – Deterring Harm:**

   a. **Deterring Harm – Non-Lethal Acts:**

      A tribal owner of fishing gear or catch, and/or employees or agents of such owner, or a Squaxin Island Tribal Fisheries Enforcement Officer may incidentally take a marine mammal by deterring it from damaging such gear or catch, damaging a tribal member's or the Squaxin Island Tribe's private property, or endangering personal safety, so long as such measures do not result in the death or serious injury to the marine mammal. Potential non-lethal deterrence methods shall include, but are not limited to, visual repellants, noise makers, and physical contact as set forth in NOAA Fisheries Guidance (January 2008).

b. **Deterring Harm – Lethal Acts:**
A tribal owner of fishing gear or catch, and/or employees or agents of such owner, or a Squaxin Island Tribal Fisheries Enforcement Officer may incidentally take a marine mammal by deterring it from damaging such gear or catch, damaging a tribal member's or the Squaxin Island Tribe's private property, or endangering personal safety, by any lethal means, provided that reasonable steps to deter the marine mammal by non-lethal methods have been taken.

c. **Deterrence – Public Safety**:
Fishers shall employ methods to deter marine mammals from impacting their fishing operations in a manner, which in the opinion of an attending Squaxin Island Tribal Fisheries Department officer, will not create a hazard or pose a danger to others.

5. **Permissible Incidental Take of Marine Mammals as a Consequence of Measures Taken to Secure Fish:**
A tribal owner of fishing gear, or catch, and/or employees or agents of such owner may incidentally take a marine mammal as a consequence of measures taken to secure fish lawfully harvested in the course of a treaty-reserved fishery. Such incidental take includes entanglement of a marine mammal in fishing gear.

6. **Deterrence – Self-Defense:**
A tribal owner of fishing gear, or catch, and/or employees or agents of such owner, or a Squaxin Island Tribal Fisheries Enforcement Officer may incidentally take a marine mammal if such take is imminently necessary to defend the life of any person.

7. **Reporting Incidental Take:**
(a) A tribal owner of fishing gear or catch, and/or employees or agents of such owner, or a Squaxin Island Tribal Fisheries Enforcement Officer shall report all incidents which result in incidental take of any marine mammal to the Squaxin Island Tribe's Natural Resources Department within 48 hours of the end of the fishery operation in which the incidental take occurred.

(b) The carcass of any marine mammals killed during the exercise of the treaty fishing right should be retained, if reasonably possible, and be made available to Squaxin Island Tribe's Natural Resources Department for necessary biological sampling, after which it may be returned at the Tribe's discretion to the fisher for ceremonial and subsistence use within the tribal community.

(c) The Squaxin Island Tribe's Natural Resources Department shall report to NOAA Fisheries all incidental takes of marine mammals by tribal fishermen on an annual basis. Individual and vessel anonymity will be maintained.

8. **Penalties:**
Failure to observe and comply with any provision of this regulation shall be punishable civil and/or criminal penalties as follows/specified in the Squaxin Island Tribal Ordinance**.**

L. **Shellfish Interactions**
Fishers are required to return all oysters caught during fishing activities to the oyster growing grounds (-1.5 feet to +2 feet) where they were located.

M. **No Wastage of Natural Resources**
Wastage of natural resources by a tribal harvester by means of destruction or neglect to the point of spoilage of a natural resource is an illegal activity and is subjected to citation by Law Enforcement.

SECTION IV: Marine Fishing Areas of Squaxin Island Tribe (see attached maps)

13A Carr Inlet: All marine waters north of a line projected from Green Point on the east shoreline of Carr Inlet to Penrose Point (Signal Tower No. 4) on the Longbranch Peninsula and south of the state highway 302 bridge and causeway, excluding the waters of Minter Bay, described below.

Upper Carr Inlet- those waters of Carr Inlet, north of a line from Allen Point to the southernmost point of land on the eastern shore of Glenn Cove.

Middle/Lower Carr Inlet- those waters of Carr Inlet, south of a line from Allen Point to the southern most point of land on the eastern shore of Glenn Cove. Middle and Lower Carr Inlet are separated by a line running westerly 273° (degrees) true from the northernmost point of land on the south side of the entrance to Horsehead Bay to a marker on the Longbranch Peninsula.

Burley Lagoon- those marine waters north of a line extending due east from the state highway 302 bridge and causeway to the opposite shore are closed to all fishing gear unless specifically opened by regulation.

Minter Bay- those marine waters within a 1000' radius of the mouth of Minter Creek, and outside (easterly) of the road bridge at the upper end of the bay. No net may extend more than one half of the way across the boat channel in Minter Bay to allow efficient movement of oyster boat traffic in and out of Minter Bay.

13C Chambers Bay: All marine waters easterly of a line 100' of the railroad trestle at the mouth of Chambers Bay to within 400 feet of the dam and causeway.

13D Mixed stock area (Peale, Pickering, Dana, and Southern Case Inlet: All marine waters of Peale, Pickering, Dana and Southern Case Inlet as an aggregate, legally described in the four following sections:

13D-3 Peale Passage: All marine waters south of a line projecting due east from Salmon Point on the northern tip of Squaxin Island, to the bulkhead on Hartstene Island, approximately due east of Salmon Point, and all waters north of a line connecting Brisco Point light on Hartstene Island with Unsal Point of Squaxin Island.

13D-2 Pickering Passage: All marine waters south of a line projecting north from Dougall Point on Hartstene Island to the southernmost tip of Stretch Island, south of the Stretch Island Bridge (Pirates Cove), and north of a line projected northwest from Unsal Point on Squaxin Island to the Hunter Point light on the mainland. Pickering Passage is bounded on the west by lines projected across the mouths of Hammersley and Totten Inlets.

13D-1 Dana Passage: All marine waters west of a line projecting northwest from Johnson Point to Wilson Point on Hartstene Island; the northern, western and southern boundaries are delineated by the previous lines across the mouths of Henderson Inlet, Budd Inlet, Eld Inlet, Pickering Passage, and Peale Passage.

13D-4 Southern Case Inlet: All marine waters north of a line projecting southwest from Treble Point (Anderson Island) through the navigation marker (southwest of Treble Point) to the mainland and all waters south of a line between Devils Head and Treble Point. Southern Case Inlet is closed to the west by the previously described lines across Dana and Pickering Passages, and north of a line projected southeast from the southern tip of Stretch Island to the southernmost point of land on the west side of the mouth of Dutcher cove on Longbranch Peninsula and north of the Stretch Island Bridge.

13E Henderson Inlet: All Marine waters south of a line projected northeast from Dickenson Point to Johnson Point.

13F Budd Inlet: All waters south of a line from the tip of Cooper Point to the Dofflemyer light.

Outer Budd Inlet: All marine waters **north** of a line running east to west from Priest Point through the #4 buoy to the opposite shore and south of a line projected from Cooper Point to the light at Dofflemyer Point near Boston Harbor.

Inner Budd Inlet: All marine waters **north** from the 5th Avenue Bridge to the east west line from Priest Point through #4 buoy to the opposite shore.

13G Eld Inlet: All marine waters southwest of a line projected from Cooper Point to the southeastern shore of Sanderson Harbor.

13H Totten Inlet: All marine waters southwest of a line projected south from Glen Parkers dock, marked with a light and reflective marker, to the northern tip of Steamboat Island, not including the waters of Skookum Inlet (defined below).

13I Skookum Inlet: All marine waters west of a line extending from the Tillicum rock (on the Arcadia side) to the large rock on Kamilche Point.

13J Hammersley Inlet: All marine waters westerly of a line projected south from the red light on Hungerford Point to the Arcadia Point light.

13K Northern Case Inlet: All marine waters north of a line projected southeast from the southern tip of Stretch Island to the southernmost point of land on the west side of the mouth of Dutcher cove on the Longbranch Peninsula and north of the Stretch Island Bridge.

13 Nisqually Reach: All marine waters north of a line from Treble Point (Anderson Island through the navigation marker-southwest of Treble Point) to the mainland, and south of a line running due east from Anderson Island to the northern tip of Ketron Island and south and west of a line projecting from the southern tip of Ketron Island to the buoy at the mouth of Nisqually River and hence eastward to the jetty approximately ½ mile south of Sequalitchew Creek.

Marine Pass: All marine waters north of a line from Devils Head to Treble Point, south of a line running east-west through Pitt Island, north of a line running due east from Anderson Island across the northern tip of Ketron Island to the mainland, east of a continuous line from Hyde Point (McNeil Island) to Gibson Point (Fox Island) to Point Fosdick on the mainland, and south of the Tacoma Narrows Bridge.

Fox Island: All marine waters of Hale Passage and Wollochet Bay inside and northerly of a line drawn from the old ferry dock to point on the opposite shore at the southern and easterly entrance to Wollochet Bay and south of the Fox Island Bridge.

Sequalitchew: All marine waters bounded on the west by a line projecting from the southern tip of Ketron Island to the buoy at the mouth of the Nisqually River, bounded on the south by a line projecting eastward from the Nisqually River buoy to the jetty approximately ½ mile south of Sequalitchew Creek. This includes Cormorant Passage, the northern boundary of which is a line from the northern tip of Ketron Island to Gordon Point.

11 East/West Passage: All marine waters north of the Narrows Bridge and south of a line from Point Southworth to Point Vashon on Vashon Island, then to Brace Point on the mainland, with the exception of that water defined as Area 11A.

11A Commencement Bay: All marine waters of Puget Sound southerly of a line projected 240° true from the Browns Point light to the point on the opposite shoreline with the KCPQ TV tower in Tacoma.

10 Seattle: Shall include those marine waters of Puget Sound southerly of a line projected from the Apple Cove Point light to Edwards Point, westerly of a line projected 70° true from flashing light number 33 (serial number 2470) located on Point Webster near the mouth of the Lake Washington Ship Canal to a point of the opposite shore, westerly of a line projected 7° true from a point on Duwamish Head through Duwamish Head light to Pier 91, northerly of a true east-west line passing through the Point Vashon light, easterly of a line projected from Orchard Point to Beans Point on Bainbridge Island, and northerly and easterly of a line projected true west from Agate Point on Bainbridge Island to the mainland.

10A Elliott Bay: Shall include those marine waters of Puget Sound easterly of a line project 7° true from a point on Duwamish Head through the Duwamish Head light to Pier 91.

SECTION V: 2010 Fall Chinook Fishing Regulations

A. **General Information**

1. Daily fishing hours, unless otherwise stated, shall be from 6:00 p.m. to 9:00 a.m. daily (daylight- saving time).
2. **No gillnet shall extend more than one-third (1/3) of the way across any boat channel, inlet cove, or creek mouth**.
3. Set nets must be checked and fish removed every eight (8) hours. Failure to do so will result in gear confiscation.
4. **Cove - Definition:** Any saltwater embayment that has a freshwater source.
5. Tribal fishers shall not operate, nor be responsible for more than one gillnet during any fishing period.
6. **Fishing day - Definition:** Any day that includes an open fishing period.
7. Legal gear will be defined by emergency regulations.

B. **Closed Areas for Commercial Gillnet Fishing**:

1. **Hartstene Island: Areas H1, H2, and H3.**
   a. **Comments:** These areas are closed for set gillnets. Refer to attached zone map identifying above areas.

C. **Deschutes River/Capital Lake/Squaxin Net Pen Origin Chinook Moratorium (Areas 13D1 Dana Passage, 13D4 Southern Case Inlet, 13F Budd Inlet, 13G Eld Inlet, 13D3 Peale Passage, 13D2 Pickering Passage)**

The Tribal Council has determined that the maximum number of fishers allowed to fish on Chinook originating from the Deschutes/Capital Lake run shall be 70 fishers. However, the Budd Inlet moratorium is being suspended for **2011** in an attempt to improve effort. Licenses will be issued to fishers who meet all other qualifications to participate in the Deschutes/Capital Lake fishery. Should the moratorium be imposed in **2012**, fishers who are eligible for the Deschutes/Capital Lake fishery must show at least three legal commercial landings in **2011** to remain eligible for the **2012** fishery. Should you fail to make three landings, you may lose your eligibility and be replaced by lottery selection (this would not prohibit participation in the **2012** lottery).

SECTION VI: Area, Species, Season and Weekly Opening Descriptions

A. **BUDD INLET (13F)**

A. **Outer Budd Inlet**

1. Species..... Chinook
2. Season.....6 p.m. 8/1 to 9 a.m. 9/20
3. Daily fishing hours.....6 p.m. to 9 a.m. Drift and Set Nets/ 6 a.m. to 9 p.m. Beach Seines
4. Open fishing periods...7 days per week

a. Set Nets (north of the Priest Point line)
   1. Maximum length - 600 feet
   2. Minimum stretch mesh - 6 inches
   3. Set net fishing in Budd Inlet with 600 foot gear is **permitted** in those waters **north** of a line running east to west from Priest Point through the #4 buoy to the opposite shore, and **south** of Dana Passage Boundary, set nets have priority south of the Gull Harbor line: a line running east/west from the first piling north of Gull Harbor to the opposite shore (See accompanying map).

b. Drift Nets (south of Gull Harbor)
   1. Maximum length - 600 feet
   2. Minimum stretch mesh - 6 inches
   3. Drift net fishing in Budd Inlet is permitted in those waters **north** of a line running east to west from Priest Point through the #4 buoy to the opposite shore, and **south** of the Gull Harbor line, however, set nets have priority.

d. Drift Nets (north of Gull Harbor)
   1. Maximum length - 900 feet
   2. Minimum stretch mesh - 6 inches
   3. Drift nets fishing with 900 foot gear are permitted north of the Gull Harbor line to Budd Inlet, Dana Passage boundary. Set nets are not allowed in this area until drifts are established.

e. Beach Seines
   1. Maximum length- 600 feet
   2. Allowable stretch -3 inch minimum--4 inch maximum
   3. Beach Seine fishing hours- 6 a.m. - 9 p.m.

B. **Inner Budd Inlet**

1. Species..... Chinook
2. Season.....6p.m. 8/1 to 9a.m. 9/20
3. Daily fishing hours…..will be set by emergency regulations
4. Open fishing periods.....will be set by emergency regulations

   a. Set Nets
      1. Maximum length-300 feet
      2. Minimum stretch mesh - 6 inches
      3. Nets must be 150 feet apart. No nets may be tied together. No nets may be attached to the Yacht Club facility. A channel must be maintained to all moorage docks located in Budd Inlet.

5. **Comments:** Budd Inlet is subject to earlier opening date (7/15) dependent on in-season management needs.

ELIGIBILITY TO FISH IS SUBJECT TO MORATORIUM (SEE SECTION V NOTE C)

B. **DANA PASSAGE (13D1 Dana) and Portion of ELD INLET (13G)**

1. Species..... Chinook
2. Season..... 6 p.m. 8/1 to 9 a.m. 9/20
3. Daily fishing hours.....6 p.m. to 9 a.m. Drift and Set Nets/ 6 a.m. to 9 p.m. Beach Seines
4. Open fishing periods.....7 days per week

    a. Set Nets - Unauthorized in this area until drifts are established.
        1. Maximum length - 600 feet
        2. Minimum stretch mesh - 6 inches.

    b. Drift Nets
        1. Maximum length - 900 feet
        2. Minimum stretch mesh - 6 inches

    c. Beach Seines
        1. Maximum length - 600 feet
        2. Allowable stretch - 3 inch minimum-----4 inch maximum

5. **Comments:**

    a. Subject to earlier opening date (7/15) dependent on in-season management needs.

    b. Eld Inlet: Includes all waters north and east of a line projected due east from Flapjack Point to the opposite shore, to the northern 13G boundary see Budd Inlet map). This portion of Eld Inlet is open to allow harvest of Budd Inlet Chinook milling at the mouth of Eld Inlet.

ELIGIBILITY TO FISH IS SUBJECT TO MORATORIUM (SEE SECTION V NOTE C)

C. **On-Reservation Peale Passage (13D3 Peale), Pickering Passage (13D2 Pickering) Southern Case Inlet (13D-4 S. Case)**

1. Species.....Chinook
2. Season.....6 p.m. 8/1 to 9 a.m. 9/20
3. Daily fishing hours.....6 p.m. to 9 a.m.
4. Open fishing season.....**Actual date of opening will be announced by emergency regulation.**

    a. Set Nets
        1. Maximum length - 300 feet
        2. Minimum stretch mesh - 6 inches

    b. Drift Nets
        1. Maximum length - 600 feet
        2. Minimum stretch mesh - 6 inches

5. **Comments:**
    a. No drift nets may be deployed near (within 150' of the net-pens) and no set nets may be attached to any part of the Tribal net-pen complexes situated in Peale Passage. This restriction includes any floats, barges and anchor lines associated with the Tribal delayed release coho and aquaculture programs.

b. All set nets within 300' of the shore in Peale and Pickering Passages have priority over drift nets. Drift nets have priority over set nets in waters greater than 300' from shore in these areas.

c. All waters of 13D south and east of a line extending from Johnson Point light to Devils head light are **closed. (SEE SECTION V NOTE C).**

Totten Inlet (13H), Carr Inlet (13A), Northern Case Inlet (13K), and Skookum Inlet (13I), are not subject to the moratorium and may be fished by any licensed fishers when open.

D. **Northern Case Inlet**

1. Species.....Chinook
2. Season.....6 p.m. 8/1 to 9 a.m. 9/20
3. Daily fishing hours.....6 p.m. to 9 a.m.
4. Open fishing periods.....**Actual daily openings announced by emergency regulation.**

   a. Set Nets, Drift Nets
      1. Maximum length - 600 feet
      2. Minimum stretch mesh - 6 inches.

5. **Comments:**
   a. Subject to earlier opening date (7/15) dependent on in-season management needs.
   b. All waters **west** of a line running north to south from the northernmost portion of the concrete bulkhead fronting the Allyn Inn to the big rock on the easternmost shoreline on the point of land directly east of the Sherwood Creek mouth are **closed to all fishing (Sherwood Creek closure).**
   c. All waters north of the transmission tower line are **closed to all fishing (Coulter Creek closure).**
   d. All waters of Case Inlet east of a line drawn southeast from Rocky Point to the southernmost base of the spit in front of Vaughn Bay are **closed (Rocky Bay-Vaughn Bay closure).**

E. **Totten Inlet (13H)**

1. Species.....Chinook
2. Season .....6 p.m. 8/1 to 9 a.m. 9/20
3. Daily fishing hours....6 p.m. to 9 a.m.
4. Open fishing periods..... **Actual daily openings announced by emergency regulation.**

   a. Set Nets, Drift Nets
      1. Maximum length - 900 feet
      2. Minimum stretch mesh - 6 inches

F. **Skookum Inlet (13J)**

1. Species.....Chinook
2. Season.....6 p.m. 8/1 to 9 a.m. 9/20
3. Daily fishing hours.....6 p.m. to 9 a.m.
4. Open fishing periods..... **Actual daily openings announced by emergency regulation.**

    a. Set Nets, Drift Nets
        1. Maximum length - 100 feet
        2. Minimum stretch mesh - 6 inches

G. **NISQUALLY REACH - 13-1, 13-2, Sequalitchew ,Marine Pass & Areas 10, 10A, 11&11A**

1. Species.....Chinook
2. Season.....CLOSED
3. **Comments:** ***At this time the Squaxin Island Tribe anticipates no commercial fisheries in Areas 13-1, 13-2, Sequalitchew, Marine Pass & 10, 10A, 11 or 11A. However, if interceptory fisheries occur in these areas beyond those agreed upon informally or in allocation agreements, the Squaxin Island Tribe is prepared to open fisheries in these areas.***

SECTION VII: 2011 Medicine Creek Treaty In-Common Fishing Area Chinook Regulations

The waters of Carr Inlet (13A), Chambers Bay (13C), and Fox Island (13) are co-managed under joint Medicine Creek Treaty Council regulations and are thus dependent upon agreement by the Squaxin, Nisqually and Puyallup Tribes. Below are a summary of the preseason final draft regulations for Chinook season, but may be subject to change. All involved Tribes; Squaxin, Nisqually and Puyallup Tribes must ratify any fisheries or modifications of the fisheries in these in-common areas.

CARR INLET(Carr Inlet, Area 13A):

Spring Chinook CLOSED for Conservation Purposes
Summer/fall Chinook Aug. 1st – Sept. 17th
Carr Inlet Weekly fishing schedule:

Spring Chinook

CLOSED for conservation purposes.

Summer/fall Chinook

All gears: OPEN *7 days per week, 24 hours per day beginning at 12:00 noon,* August 1, 2011 for drift and set gill nets, and beach seines. **CLOSED *effective 12:00 noon, Sept. 17th*.** The waters within a 1000' radius of the mouth of Minter Creek, including Minter Bay, shall be closed until September 12, the beginning of the coho management period. The Lay Inlet and Burley Lagoon closures will be in effect throughout summer/fall Chinook management period. Harvest will be regulated with escapement needs prevailing.

Gear types:
Marine drift gill nets
Maximum length - 1,800 feet
Minimum stretch mesh – 5 inches

No drift gill net shall be left unattended.

Marine set gill nets
Maximum length - 900 feet
Minimum stretch mesh – 5 inches

Marine set nets shall be open 4pm-9am/7 days/week (Set Nets have priority over Beach Seines to fish 4pm-9am). No set net may extend more than 100' directly offshore (east) of the outermost oyster stakes at the mouth of Minter Bay.

Beach seines
Maximum length - 900 feet
Allowable stretch - 3 inch minimum-----4 inch maximum

FOX ISLAND PENS FISHING AREA (Fox Island, Area 13):

Spring Chinook	CLOSED for Conservation Purposes
Summer/fall Chinook	August 1st – Sept. 17th

Fox Island Weekly fishing schedule:

Spring Chinook
CLOSED for conservation purposes.

Summer/fall Chinook
All gears: **OPEN 7 days/week, 24 hrs/day, beginning at noon, August 1. CLOSED as of 12:00 noon September 17th.**

Gear types:
Marine drift gill nets
Maximum length - 1,800 feet
Minimum stretch mesh – 5 inches

No drift gill net shall be left unattended.

Marine set gill nets
Maximum length - 900 feet
Minimum stretch mesh – 5 inches

Marine set nets shall be tended not less than once every 24 hours.

Beach seines
Maximum length - 900 feet
Allowable stretch - 3 inch minimum-----4 inch maximum

NOTE: The agreed to Chinook fishing schedules have been made consistent with those in the Carr Inlet Fishing Area for management, enforcement and catch sampling reasons.

CHAMBER'S BAY FISHING AREA (Chamber's Bay, Area 13C):

Summer/fall Chinook July 24 – Oct. 7th

Chamber's Bay Weekly fishing schedule:

Summer/fall chinook

Beginning **July 24th, 2011**

Beach seines: **OPEN 2 days per week, from Sunday NOON to Tuesday NOON.**

Set nets: **OPEN 2 days per week, from Wednesday NOON to Friday NOON.**

Ending: **NOON October 7th 2011.**

NOTE: The preseason forecast will be used to determine the harvestable number. In September, the managers will discuss the status of the escapement to determine whether modification of the fishing schedule and/or the harvestable number is warranted. If no revision to the fishing schedule is made, the area will close when the harvestable number has been reached, and will re-open when escapement needs have been satisfied, or when the Chinook management period has ended.

Gear types:

Beach seines

Maximum length - 900 feet

Allowable stretch - 3 inch minimum-----4 inch maximum

Marine set gill nets

Maximum length - 100 feet

Minimum stretch mesh – 5 inches

Marine set nets shall be tended not less than once every 24 hours.

Medicine Creek Treaty Tribes Fishing violations:

The following actions may be subject to penalties and/or fines, in accordance with tribal fishing ordinances adopted by the Medicine Creek Treaty tribes:

- Any gear not listed in the above Medicine Creek Regulations is illegal
- Wantonly wasting or destroying food fish
- Disposing of litter into the water or onto the shore while participating in the in-common fisheries of the Medicine Creek Treaty Tribes.

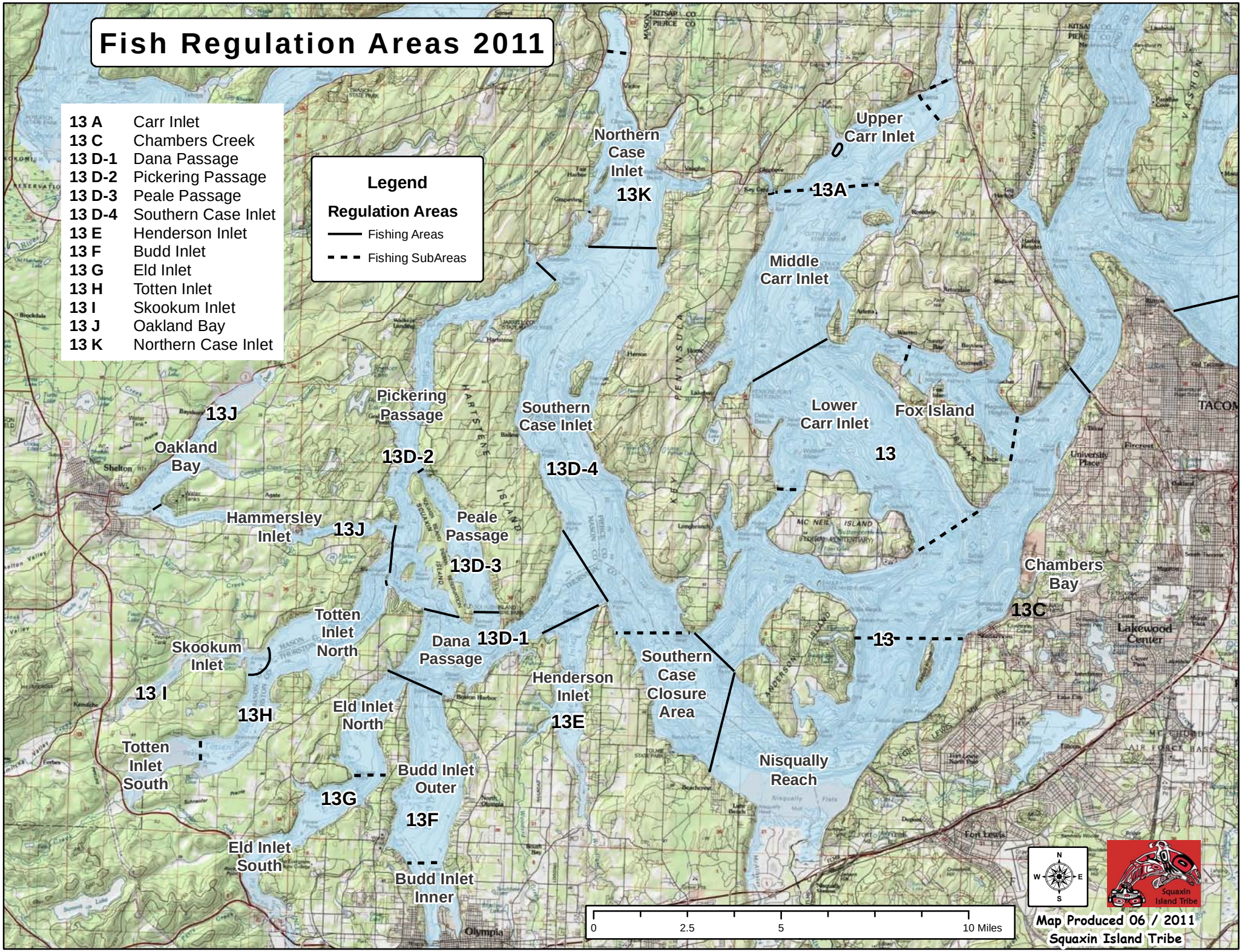
Medicine Creek General Information

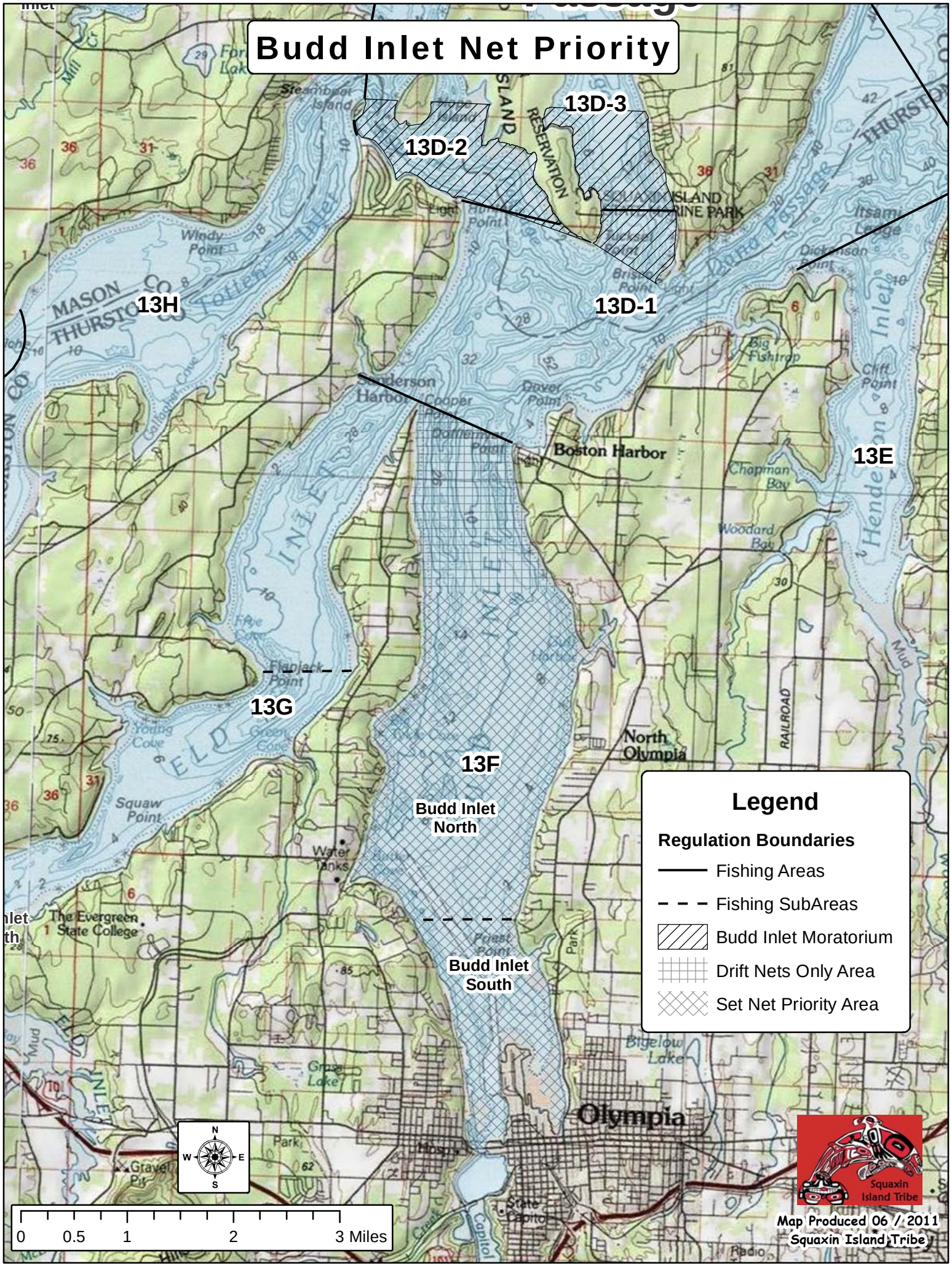
- Unless otherwise agreed by all parties, the following procedure for opening and closing fisheries for all species will be implemented during the fishing season.
- In-common fisheries will close automatically when conservation concerns arise. The fishery biologists for the Medicine Creek Tribes (Nisqually, Squaxin Island, and Puyallup) will be responsible for monitoring the fisheries and making technical recommendations to the tribal representatives who will then vote on those recommendations.
- When the end of the management period for one species is reached, the fishery will close for that species and automatically reopen for the species whose management period immediately follows. No policy approval is needed under this situation.
- Substantive changes in regulations, i.e. changes in gear type, fishing time, etc., must be approved by the policy representatives and fish committees of all three Medicine Creek Tribes.

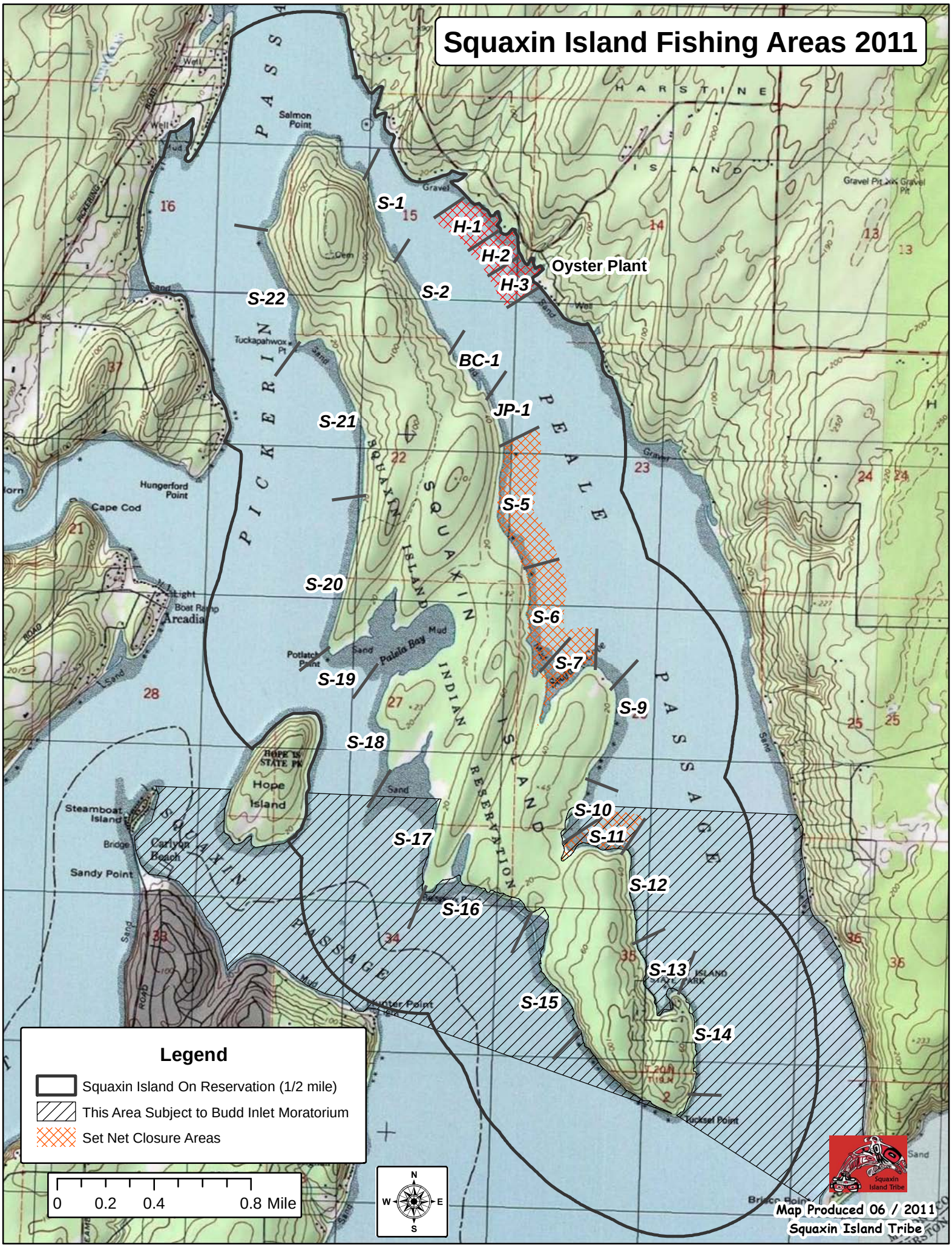
IN ACCORDANCE WITH THE SQUAXIN ISLAND FISHING ORDINANCE,
THIS REGULATION IS HEREBY APPROVED BY THE SQUAXIN ISLAND TRIBAL COUNCIL

David Lopeman, Chairman — 6/23/11 Date

Council Member et al — 6/23/11 Date


Fish Regulation Areas 2011
13 A Carr Inlet
13 C Chambers Creek
13 D-1 Dana Passage
13 D-2 Pickering Passage
13 D-3 Peale Passage
13 D-4 Southern Case Inlet
13 E Henderson Inlet
13 F Budd Inlet
13 G Eld Inlet
13 H Totten Inlet
13 I Skookum Inlet
13 J Oakland Bay
13 K Northern Case Inlet
Legend
Regulation Areas
Fishing Areas
Fishing SubAreas
Northern Case Inlet
13K
Upper Carr Inlet
13A
Middle Carr Inlet
Lower Carr Inlet
13
Fox Island
Pickering Passage
13D-2
Southern Case Inlet
13D-4
13J
Oakland Bay
Hammersley Inlet
13J
Peale Passage
13D-3
Totten Inlet North
Dana Passage
13D-1
Skookum Inlet
13 I
13H
Eld Inlet North
Henderson Inlet
13E
Southern Case Closure Area
Chambers Bay
13C
13
Totten Inlet South
13G
Budd Inlet Outer
13F
Eld Inlet South
Budd Inlet Inner
Nisqually Reach
Olympia
0
2.5
5
10 Miles
Map Produced 06 / 2011
Squaxin Island Tribe


Budd Inlet Net Priority
13D-3
13D-2
13D-1
13H
13E
13G
13F
Budd Inlet North
Budd Inlet South
Boston Harbor
North Olympia
Olympia
Legend
Regulation Boundaries
Fishing Areas
Fishing SubAreas
Budd Inlet Moratorium
Drift Nets Only Area
Set Net Priority Area
N
W
E
S
0
0.5
1
2
3 Miles
Squaxin Island Tribe
Map Produced 06 / 2011
Squaxin Island Tribe


Squaxin Island Fishing Areas 2011
S-1
H-1
H-2
H-3
Oyster Plant
S-2
S-22
BC-1
JP-1
S-21
S-5
S-20
S-6
S-7
S-19
S-9
S-18
S-10
S-11
S-17
S-12
S-16
S-13
S-15
S-14
Legend
Squaxin Island On Reservation (1/2 mile)
This Area Subject to Budd Inlet Moratorium
Set Net Closure Areas
0 0.2 0.4 0.8 Mile
N
W
E
S
Map Produced 06 / 2011
Squaxin Island Tribe

Medicine Creek Treaty
In Common Fishing Areas 2011
Burley Lagoon
Wauna Boat Launch
Private Elevated Dock
Minter Bay
Upper Carr Inlet
Allen Point
13A
Middle Carr Inlet
Horseshoe Bay
Green Point
13A
Penrose Point
Kitsap Peninsula
Lakebay
Herron
Home
Arletta
Warren
Sunny Bay
Bayview
13
Echo Bay
Hale Pasage
Tacoma Narrows Bridge
Point Fosdick
Fox Island
Lower Carr Inlet
(Fox Island)
Fox Point
Days Island
University Place
Hope
Pitt Island
Gibson Point
McNeil Island
13
Hyde Point
Longbranch
13C
Chambers Bay
Zittles Marina
Devil's Head
Gordon Point
13
Anderson Island
13D
Southern Case Closure Area
Treble Point
Keytron Island
Nisqually Reach
Legend
Regulation Area Boundaries
Area SubBoundaries
0 0.5 1 2 3 Miles
Map Produced 06 / 2011
Squaxin Island Tribe